CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

FEBRUARY 4, 2025, 7:00 PM
REGULAR MEETING

CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790

Mayor Tony Wu
Mayor Pro Tem Letty Lopez-Viado
Councilman Ollie Cantos
Councilwoman Rosario Diaz
Councilmember Brian Gutierrez

Please turn off all cell phones and other electronic devices prior to entering the Council Chambers

AMERICANS WITH DISABILITIES ACT
The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at Council meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday. Do call at least one day prior to the meeting date to inform us of your particular needs and to determine if accommodation is possible. For sign language interpreter services at Council meetings, please request no less than four working days prior to the meeting.

AGENDA MATERIAL
Agenda material is available for review at the City Clerk's Office, Room 317 in City Hall, 1444 W. Garvey Avenue South, West Covina and at www.westcovina.org. Any writings or documents regarding any item on this agenda, not exempt from public disclosure, provided to a majority of the City Council that is distributed less than 72 hours before the meeting, will be made available for public inspection in the City Clerk's Office, Room 317 of City Hall located at 1444 W. Garvey Avenue South, West Covina, during normal business hours.

NOTICE
The City Council will regularly convene on the first and third Tuesday of the month. The West Covina Community Development Commission, West Covina Public Financing Authority and the West Covina Community Services Foundation are agencies on which the City Council serves as members. Agendas may contain items for these boards, as necessary.

PUBLIC COMMENTS
ADDRESSING THE CITY COUNCIL
(Per WCMC 2-48, Ordinance No. 2150)

Any person wishing to address the City Council on any matter listed on the agenda or on any other matter within their jurisdiction should complete a speaker card that is provided at the entrance to the Council Chambers and submit the card to the City Clerk.

***Please identify on the speaker card whether you are speaking on an agenda item or non-agenda*. Requests to speak on agenda items will be heard prior to requests to speak on non-agenda items. All comments are limited to five (5) minutes per speaker.**

Oral Communications may be limited to thirty (30) minutes, unless speakers addressing agenda items have not concluded.

Any testimony or comments regarding a matter set for a Public Hearing will be heard during the hearing.

RULES OF DECORUM
Excerpts from the West Covina Municipal Code and Penal Code pertaining to the Rules of Decorum will be found at the end of agenda.

AGENDA

CITY OF WEST COVINA
CITY COUNCIL/SUCCESSOR AGENCY

TUESDAY FEBRUARY 4, 2025, 7:00 PM
REGULAR MEETING

INVOCATION
Led by Pastor Samuel Martinez from Amazing Love Ministries

PLEDGE OF ALLEGIANCE
Led by Mayor Pro Tem Lopez-Viado

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

- Resolution of Commendation and Key to the City Presented to Congresswoman Grace Napolitano
- Proclamation Proclaiming February as Black History Month
- Presentation: Financial Overview of West Covina Sportsplex

CITY MANAGER'S REPORT
City Manager's report on current City projects.

ORAL COMMUNICATIONS - Five (5) minutes per speaker
Please step forward to the podium and state your name and city of residence for the record when recognized by the Mayor.

CONSENT CALENDAR
All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the City Council/Community Development Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

APPROVAL OF MEETING MINUTES

1) **CONSIDERATION OF APPROVAL OF THE JANUARY 7, 2025, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES, THE JANUARY 21, 2025, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES AND THE JANUARY 21, 2025, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES.**

   That the Council approve the January 7, 2025, City Council/Successor Agency Regular Session Meeting Minutes, the January 21, 2025, City Council/Successor Agency Regular Session Meeting Minutes and the January 21, 2025, City Council/Successor Agency Closed Session Meeting Minutes.

ORDINANCES FOR ADOPTION - Procedural Waiver. *Waive full reading of each ordinance on the agenda and authorize the approval of each ordinance by title only.*

2) CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2526 AMENDING CHAPTER 22 OF THE WEST COVINA MUNICIPAL CODE RELATING TO STREET SWEEPING REGULATIONS AND ENFORCEMENT AND RESOLUTION DESIGNATING DAYS AND HOURS AND STREETS WHERE PARKING PROHIBITION APPLIES

It is recommended that the City Council:

1. Adopt the following ordinance:
ORDINANCE NO. 2526 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CHAPTER 22 (TRAFFIC REGULATIONS) OF THE WEST COVINA MUNICIPAL CODE RELATING TO STREET SWEEPING REGULATIONS AND ENFORCEMENT AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3) (COMMON SENSE EXEMPTION)

2. Adopt the following resolution:
RESOLUTION NO. 2025-10 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DESIGNATING THE DAYS AND HOURS PARKING IS PROHIBITED ON SPECIFIED STREETS AND ALLEYS OR PORTIONS THEREOF TO FACILITATE STREET SWEEPING

CITY MANAGER'S OFFICE

3) CONSIDERATION OF RESOLUTION TERMINATING THE LOCAL EMERGENCY RELATING TO THE SEVERE WINDSTORM

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2025-9 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, PROCLAIMING THE TERMINATION OF THE LOCAL EMERGENCY PROCLAIMED ON JANUARY 9, 2025 RELATING TO THE SEVER WINDSTORM

PUBLIC WORKS

4) CONSIDERATION OF FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH SOUTH COAST, LLC DBA SOUTH COAST EMERGENCY VEHICLE SERVICE

It is recommended that the City Council authorize the City Manager to execute the First Amendment to the Professional Services Agreement with South Coast LLC, dba South Coast Emergency Vehicle Service providing for a month-to-month extension of the agreement.

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

5) CONSIDERATION OF PRECISE PLAN NO. 24-01, ZONE CHANGE NO. 24-01 (ORDINANCE NO. 2527) AND MITIGATED NEGATIVE DECLARATION TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY 85,390 SQUARE FOOT DEALERSHIP BUILDING AND CHANGE THE ZONING FOR A PORTION OF THE PROJECT SITE CURRENTLY ZONED NEIGHBORHOOD COMMERCIAL MIXED USE (NMU) TO SERVICE COMMERCIAL MIXED USE (SMU) WITHIN THE AUTO PLAZA OVERLAY ZONE AT 1800 E. GARVEY AVENUE AND 200 S. AZUSA AVENUE

It is recommended that the City Council:

1. Conduct the public hearing.

2. Adopt the following resolution to adopt the Mitigated Negative Declaration:
   RESOLUTION NO. 2025-7 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR ZONE CHANGE NO. 24-01 AND PRECISE PLAN NO. 24-01 AT 1800 EAST GARVEY AVENUE SOUTH AND 200 SOUTH AZUSA AVENUE PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

3. Introduce the following ordinance to adopt Zone Change No. 24-01:
   ORDINANCE NO. 2527 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA ADOPTING ZONE CHANGE NO. 24-01, REZONING A PROPERTY (200 SOUTH AZUSA AVENUE) IN THE NEIGHBORHOOD COMMERICAL MIXED-USE ZONE (NMU) TO SERVICE COMMERCIAL MIXED USE (SMU) WITHIN THE AUTO PLAZA OVERLAY

4. Adopt the following resolution to approve Precise Plan No. 24-01:
   RESOLUTION NO. 2025-8 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 24-01 FOR THE PROPERTY LOCATED AT 1800 EAST GARVEY AVENUE SOUTH AND 200 SOUTH AZUSA AVENUE

DEPARTMENTAL REGULAR MATTERS

FINANCE DEPARTMENT

6) CONSIDERATION OF A CORRECTIVE ACTION PLAN IN RESPONSE TO STATE AUDITOR REPORT 2024-801

It is recommended that the City Council approve the following:

1. Proposed Corrective Action Plan in response to the Local High Risk Program Report 2024-801 issued by the State Auditor;
2. Authorize staff to transfer $1,787,000 from the Other Post-Employment Benefit (OPEB) Internal Service Fund back to the General Fund; and
3. Authorize staff to issue a Request for Proposals for investment management and advisory services to evaluate the City's full portfolio and recommend changes to maximize the return of assets.

MAYOR/COUNCILMEMBERS REPORTS

AB 1234 Conference and Meeting Report (verbal, if any)

(In accordance with AB 1234, Councilmembers shall make a brief report or file a written report on any meeting/event/conference attended at City expense.)

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

(Per City of West Covina Standing Rules 4.f - Requests for reports, studies, or investigations that are not readily available must be placed on the City Council/Successor Agency agenda as items of business and must be approved by a majority of the City Council/Successor Agency Board.)

CITY COUNCIL COMMENTS

ADJOURNMENT

Next Tentative City Council Meeting

Regular Meeting	February 18, 2025	7:00 PM

RULES OF DECORUM

The following are excerpts from the West Covina Municipal Code:

Sec. 2-48. Manner of addressing council; time limit; persons addressing may be sworn.

a. Each person addressing the council shall step up to the rostrum, shall give his or her name and city of residence in an audible tone of voice for the record and unless further time is granted by the council, shall limit his or her address to five (5) minutes.
b. The city council may establish a limit on the duration of oral communications.
c. All remarks shall be addressed to the council as a body and not to any member thereof. No person, other than the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked of a councilmember except through the presiding officer.
d. The presiding officer may require any person to be sworn as a witness before addressing the council on any subject. Any such person who, having taken an oath that he or she will testify truthfully, willfully and contrary to such oath states as true any material matter which he knows to be false may be held to answer criminally and subject to the penalty prescribed for perjury by the provisions of the Penal Code of the state.

Sec. 2-50. Decorum--Required.

a. While the council is in session, the members shall preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or disrupt the proceedings or the peace of the council nor interrupt any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.
b. Members of the public shall not willfully disrupt the meeting or act in a manner that actually impairs the orderly conduct of the meeting. For the purposes of this code, “willfully disrupt” includes, but is not limited to, continuing to do any of the following after being warned by the Mayor that continuing to do so will be a violation of the law:
    a. Addressing the Mayor and City Council without first being recognized.
    b. Persisting in addressing a subject or subjects, other than that before the Mayor and City Council.
    c. Repetitiously addressing the same subject.
    d. Failing to relinquish the podium when directed to do so.
    e. From the audience, interrupting or attempting to interrupt, a speaker, the Mayor, a council member, or a staff member or shouting or attempting to shout over a speaker, the Mayor, a council member or a staff member.
    f. As a speaker, interrupting or attempting to interrupt the Mayor, a council member, or a staff member, or shouting over or attempting to shout over the Mayor, a council member, or a staff member. Nothing in this section or any rules of the council shall be construed to prohibit public criticism of the policies, procedures, programs, or services of the City or of the acts or omissions of the City Council. It shall be unlawful to violate the provisions of this Section.

If any subsection, sentence, clause, or phrase or word of this Section 2-50 is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have passed this section and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, phrases or words had been declared invalid or unconstitutional.

Sec. 2-52. Persons authorized to be within council area.
No person, except city officials, their representatives and members of the news media shall be permitted within the rail in front of the council chamber without the express consent of the council.

The following are excerpts from the Penal Code

148(a) (1) Every Person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety code, in the discharge or attempt to discharge any duty of his or her office or employment, when no other punishment is prescribed, shall be punished by a fine not exceeding one thousand dollars ($1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

403 Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 303 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor.

AGENDA ITEM NO. 1

AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: February 4, 2025

TO: Mayor and City Council

FROM: Paulina Morales, City Manager

SUBJECT: **CONSIDERATION OF APPROVAL OF THE JANUARY 7, 2025, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES, THE JANUARY 21, 2025, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES AND THE JANUARY 21, 2025, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES.**

RECOMMENDATION:

That the Council approve the January 7, 2025, City Council/Successor Agency Regular Session Meeting Minutes, the January 21, 2025, City Council/Successor Agency Regular Session Meeting Minutes and the January 21, 2025, City Council/Successor Agency Closed Session Meeting Minutes.

BACKGROUND:

That the City Council adopt the attached minutes.

Prepared by: Lisa Sherrick, Assistant City Clerk

Attachments

Attachment No. 1 - 1/7/2025 Regular Session Minutes Draft

Attachment No. 2 - 1/21/2025 Closed Session Minutes Draft

Attachment No. 3 - 1/21/2025 Regular Session Minutes Draft

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness

CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

JANUARY 7, 2025, 7:00 PM
REGULAR MEETING

CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790

Mayor Tony Wu
Mayor Pro Tem Letty Lopez-Viado
Councilman Ollie Cantos
Councilwoman Rosario Diaz
Councilmember Brian Gutierrez

MINUTES

INVOCATION
Led by Chaplain Kelly Dupee from the West Covina Police Department

PLEDGE OF ALLEGIANCE
Led by Councilman Gutierrez

ROLL CALL
Council Members
Present: Council Members Rosario Diaz, Ollie Cantos, Brian Gutierrez, Mayor Pro Tem Letty Lopez Viado, Mayor Wu

DRAFT

Absent: None

REPORTING OUT FROM CLOSED SESSION
There was no Closed Session

PRESENTATIONS

- Proclamation Acknowledging National Human Trafficking Prevention Month
- Grant Donation to Friends of West Covina Police K-9

CITY MANAGER'S REPORT
City Manager's report on current City projects.

ORAL COMMUNICATIONS - Five (5) minutes per speaker
John Shewmaker
R. Robinson
Wen Wen Zhang
Bill Elliott

CONSENT CALENDAR
ACTION: Motion by Councilmember Gutierrez and Second by Councilwoman Diaz, 5-0 to: *Approve Consent Calendar Item 1 (Item number 2 was pulled Councilman Gutierrez)*

ACTION: Motion by Councilmember Gutierrez and Second by Councilwoman Diaz, 5-0 to: *Approve Consent Calendar Item 2 (Item number 3 was pulled by Councilmember Gutierrez)*

CITY MANAGER'S OFFICE

1) **CONSIDERATION OF A MEMORANDUM OF UNDERSTANDING WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (LACMTA) FOR COLLECTING AND REPORTING DATA FOR THE NATIONAL TRANSIT DATABASE**

Carried 5-0 to: authorize the City Manager to enter into a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority (LACMTA) for collecting and reporting data for the National Transit Database (NTD), in substantially the form as attached and in such final form as approved by the City Attorney.

COMMUNITY SERVICES
2) **CONSIDERATION OF AUTHORIZATION TO PURCHASE FOOD FROM US FOODS, INC.**
Carried 5-0 to: take the following actions:

DRAFT

1. Authorize the City Manager to issue an amendment to purchase orders to US Foods, Inc. for miscellaneous food under the State of California Statewide Contract (Contract No. 1-22-89-15A) for the duration of the contract term, including any extensions.
2. Authorize the City Manager to execute any purchase order change orders within the grant budget for the Elderly Nutrition Program.

END OF CONSENT CALENDAR

DEPARTMENTAL REGULAR MATTERS

CITY MANAGER'S OFFICE

3) **CONSIDERATION OF APPOINTMENT OF POLICE CHIEF**

ACTION: Motion by Councilmember Gutierrez and Second by Mayor Pro Tem Lopez-Viado, 5-0 to:

1. Approve the appointment of Antonio Cortina to the position of Police Chief
2. Administer the Oath of Office to Antonio Cortina.

MAYOR/COUNCILMEMBERS REPORTS

None

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

- Cantos: . I ask that the Council approve of a Mother-May-I to direct City Manager Paulina Morales to instruct staff to look into the feasibility of the City establishing a Section 115 Pension Trust, intended over the long run to enable the City to meet all its pension liabilities as the City of Cypress is on track to do by 2030 (having set up its fund in 2017). This should entail reaching out to Cypress City Manager Peter Grant and City Finance Director Matt Burton, gathering information about the nature of Section 115 pension trusts and its investment returns in comparison to funds being managed by the State Treasury, and laying out various scenarios for the Council to consider in order to improve our City's long-term financial health. This should be done by the second Council meeting in February. No objection
- Cantos: Look into existing practices (if any) concerning issuance of exemptions from parking tickets on street sweeping days for home healthcare workers who visit senior residents or residents with disabilities. and to report back to us by the first Council meeting in April 2025. Considering how a significant number of community members are from the senior population or have disabilities, if other municipalities have addressed this topic, it may be worth our identifying those approaches and subsequently to determine what may be best for our City. No majority
- Lopez-Viado: Request that West Covina City Business are a priority when purchasing and services are used including City credit card, priority to West Covina business during the RFP process– the MC should reflect this process. –

DRAFT

(Gutierrez: And take an expanded look into section 2-335 a review of that process - By July 1, 2025). No Objection

- Lopez-Viado: Project management software to manage the many projects example: Mother May I requested. No Objection – No due date.
- Diaz: Look into a program that will help with parking permits for restricted parking.– Compton has a program. (Cantos asked to verify what the existing penalties are for fraudulent parking permits, and perhaps the use of a QR Code No objection. Report back by the end of February.
- Diaz: Fines for littering – Look at the Municipal Code and work with the Police Department and Code. Possible increase to the fine – No objection March 4th Meeting
- Diaz: No solicitation signs – Installing and implementing signs. Have Code/PD provide a report to council. Want signs posted so the public is aware. – Signage to be posted in prime street locations, and inform the business – No Objection – March 4th Meeting
- Wu: Car Accident on Cortez –Have engineering look into posting yellow flash signs on Cortez – No objection.
- Wu: Streamline business applications/ and licensing. – No objection. Report on the number of businesses that apply and how staff can help and what the consultant does report back at the 2nd meeting in February.
- Gutierrez: Letter signed by all Council Members to Supervisor Hilda Solace for additional funding for PD's Hope Team and LA CADA. – January 21st Council Meeting. – No objection
- Gutierrez: Work with the Traffic Committee to enact safety solutions on, on Bromer and Rowland, such as speed monitor signs include blue and red lights. Use public works staff to install the red and blue lights. No objection.
- Gutierrez: Update of SLERF Funds by 2024 First meeting in Feb – no objection
- Guiterrez: Present an update on the State audit report: why the contracting policies won't be updated until July 2025 and why the City remains at high risk and what measures the City Manager will take by the 1st meeting in February. No objection.
- Guiterrez: Direct City Manager to work with Assistant City Manager Lerma and Deputy Director Suzie Perez to present at the 1st meeting in February the current income being generated, the expenses, and a review of the field rental costs at the sportsplex. No objection.
- Guiterrez: Update by Dr. Basil on the current status of the City's application to become a Public Health Department. Present updates to the current rising health issues affecting LA County, the State of California, and the United States. What community outreach that been accomplished and how the public can reach him. Additionally, the cost associated with the Health Department, by the February 18th meeting. No objection.

DRAFT

- Guiterrez: To expand the grant writer presentation with an option to hire an Assistant City Manager for Grant Administration – overseeing all grands within all City Departments the City at the January 21st Meeting. No Objection
- Guiterrez: To Orangewood Park Development funds (1.3 million dollars) to implement a new state of the art ADA playground refurnish the basketball court and replace the current pavilions, redo the skate park design and incorporate ADA Accessibility and remodel the public restrooms and create an ADA Accessible route to and from the front to the back of the park. In collaboration with the Community and Senior Services Commission submit an RFP no later than March 13th and bring it back to the Council for award by the May 20th Meeting. No objection.
- Cantos: Funding source/support for a crossing guard at Telesis Academy. No objection
- Guiterrez: Renew or proclaim a City of Emergency on homeless – City Attorney will look into it. Similar to the City of Los Angeles when they declared a City of Emergency. No objection

CITY COUNCIL COMMENTS

- Gutierrez: Again congratulated our new Police Chief, and reminded the resident of West Covina that this Council is committed on rebuilding and beautifying our public parks and living environments for our firefighters, and the police officers will have the resources to create a safe environment.

ADJOURNMENT

A motion to adjourn the Regular Meeting was made at 10:02 PM The next regularly scheduled Regular City Council Meeting will be held on Tuesday, January 21, 2025, at 7:00 p.m. in the Council Chambers, 1444 West Garvey Avenue South, West Covina, California.

_____

Lisa Sherrick
Assistant City Clerk

_____

Tony Wu
Mayor

DRAFT

CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

JANUARY 21, 2025, 6:00 PM
REGULAR MEETING - CLOSED SESSION

MANAGEMENT RESOURCE CENTER 3RD FLOOR
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790

Mayor Tony Wu
Mayor Pro Letty Lopez-Viado
Councilman Ollie Cantos
Councilwoman Rosario Diaz
Councilmember Brian Gutierrez

MINUTES

CALL TO ORDER
A Regular Session Meeting was called to order by Mayor Tony Wu on Tuesday, January 21, 2025, at 6:00 p.m., in the Management Resource Center, 1444 West Garvey Avenue South, West Covina, California.

ROLL CALL
Council Members
Present: Council Members Rosario Diaz, Ollie Cantos (Arrived at 6:15 PM), Brian Gutierrez, Mayor Pro Tem Letty Lopez-Viado, Mayor Tony Wu

Absent: None

City Staff: Paulina Morales, City Manager, Roxanne Lerma, Assistant City Manager, Thomas Duarte, City Attorney, Stephanie Sikkema, Finance Director, Derek Straatsma, Goldman Magdalin Straatsma

DRAFT

PUBLIC COMMENTS ON ITEMS ON THE AGENDA
None

CLOSED SESSION

1.CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code § 54956.9(d)(1)

1.Eduardo Flores v. City of West Covina (WCAB Marina del Ray ADJ12113291, ADJ 5904556)
2.Bryan Gaboury v. City of West Covina (WCAB Van Nuys ADJ4754887)

2.CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2)

Number of Cases: One (1)

3. CONFERENCE WITH LABOR NEGOTIATORS - Pursuant to Government Code § 54957.6
City Negotiators: Morales, Duarte
Employee Organizations

- Confidential Employees
- Maintenance & Crafts Employees
- Non-Sworn
- W.C. Police Officers' Association
- W.C. Firefighters' Management Assoc.
- W.C. Firefighters' Association, I.A.F.F., Local 3226
- General Employees
- Mid-Management Employees
- W.C. Police Management Association

Unrepresented Employee Group

- Department Heads

REPORTING OUT
City Attorney Thomas Duarte reported that no action was taken during the Closed Session Meeting.

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ADJOURNMENT

DRAFT

A motion to adjourn the Regular Closed Meeting was made by Mayor Tony Wu, and the meeting was adjourned at 6:53 p.m. The next regularly scheduled Regular Closed City Council Meeting will be held on Tuesday, February 4, 2025, at 6:00 p.m. in the Management Resource Center 3rd Floor, 1444 West Garvey Avenue South, West Covina, California.

Submitted By:

_____
Lisa Sherrick
Assistant City Clerk

_____
Tony Wu
Mayor

DRAFT

CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

JANUARY 21, 2025, 7:00 PM
REGULAR MEETING

CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790

Mayor Tony Wu
Mayor Pro Tem Letty Lopez-Viado
Councilman Ollie Cantos
Councilwoman Rosario Diaz
Councilmember Brian Gutierrez

MINUTES

INVOCATION
Led by Pastor Al Richardson from New Beginning Christian Fellowship of West Covina

PLEDGE OF ALLEGIANCE
Led by Councilman Cantos

ROLL CALL
Council Members
Present: Council Members Rosario Diaz, Ollie Cantos, Brian Gutierrez, Mayor Pro Tem Letty Lopez Viado, Mayor Wu

DRAFT

Absent: None

REPORTING OUT FROM CLOSED SESSION
City Attorney Thomas Durate reported that no action was taken during the Closed Session Meeting.

PRESENTATIONS

- Certificate of Recognition to the West Covina Bruins Cheer and a donation from The Chinese American Association of West Covina
- Presentation by West Covina Police Department regarding the Hope Team

CITY MANAGER'S REPORT
City Manager's report on current City projects.

ORAL COMMUNICATIONS - Five (5) minutes per speaker
Joanna Gee
John Shewmaker
R. Robinson
Chirag – Days Inn
Mario Sobalvarro
Glenn Kennedy

CONSENT CALENDAR
ACTION: Motion by Councilman Cantos and Second by Mayor Pro Tem Lopez-Viado, 5-0 to: *Approve Consent Calendar Item 1,2,4,5, and 7 (Item number 3 and 6 was pulled by Councilmember Gutierrez)*

ACTION: Motion by Councilmember Gutierrez and Second by Councilman Cantos, 5-0 to: *Approve Consent Calendar Item 3 (Item number 3 was pulled by Councilmember Gutierrez)*

ACTION: Motion by Mayor Pro Tem Lopez-Viado and Second by Councilmember Gutierrez, 5-0 to: *Approve Consent Calendar Item 6 (Item number 6 was pulled by Councilmember Gutierrez)*

APPROVAL OF MEETING MINUTES

1) **CONSIDERATION OF APPROVAL OF THE DECEMBER 5, 2024, SPECIAL CITY COUNCIL/SUCCESSOR AGENCY SESSION MEETING MINUTES.**

Carried 5-0 to: approve the December 5, 2024, Special City Council/Successor Agency Session Meeting Minutes.

COMMISSION SUMMARY OF ACTIONS

DRAFT

2) **CONSIDERATION OF MINUTES FROM THE COMMUNITY AND SENIOR SERVICES COMMISSION MEETINGS HELD ON JULY 9, 2024 AND SEPTEMBER 10, 2024**

Carried 5-0 to: receive and file the Community and Senior Services Commission meeting minutes from its regular meeting on July 9, 2024, special meeting on September 10, 2024, and regular meeting on September 10, 2024.

CITY CLERK'S OFFICE

3) **CONSIDERATION OF AMENDMENTS TO THE CITY OF WEST COVINA'S CONFLICT OF INTEREST CODE**

Carried 5-0 to: adopt the following resolution with the recommendation that if a removed position is filled, a Form 700 will need to be filled out by the employee:

RESOLUTION NO. 2025-6 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A REVISED CONFLICT OF INTEREST CODE FOR THE CITY OF WEST COVINA

CITY MANAGER'S OFFICE

4) **CONSIDERATION OF EXCLUSIVE NEGOTIATION AGREEMENT FOR A PORTION OF PROJECT SITE (APN 8474-007-940) IN THE CITY OF WEST COVINA.**

Carried 5-0 to: authorize the City Manager to negotiate and execute all necessary documents to effectuate an Exclusive Negotiation Agreement (ENA) with Project Passion Restaurant Group (TXRH) for the sale of a portion of City owned property (APN 8474-007-940).

5) **CONSIDERATION OF A RESOLUTION REQUESTING THAT THE GOVERNOR, INSURANCE COMMISSIONER, AND THE STATE LEGISLATURE CONTINUE TO TAKE ACTION TO STRENGTHEN AND STABILIZE THE INSURANCE MARKET AND ADVOCATE FOR WEST COVINA AND CALIFORNIA RESIDENTS**

Carried 5-0 to: adopt the following resolution:

RESOLUTION NO. 2025-4 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THAT THE GOVERNOR, INSURANCE COMMISSIONER, AND THE STATE LEGISLATURE CONTINUE TO TAKE ACTION TO STRENGTHEN AND STABILIZE CALIFORNIA'S RESIDENTIAL AND COMMERCIAL PROPERTY INSURANCE MARKET AND ADVOCATE FOR THE

DRAFT

RESIDENTS OF THE CITY OF WEST COVINA AND OF THE STATE OF CALIFORNIA

COMMUNITY SERVICES

6) **CONSIDERATION OF AWARD OF AGREEMENT FOR THE CITY'S PARKS AND RECREATION MASTER PLAN**

Carried 5-0 to: take the following actions:

1. Award Request for Proposals ("RFP') No. 202401 for the City's Parks and Recreation Master Plan to RJM Design Group;

2. Authorize the City Manager to negotiate and execute an agreement RJM Design Group, in an amount not to exceed $260,070, in such final form as approved by the City Attorney.

FINANCE DEPARTMENT

7) **CONSIDERATION OF THE FIRST QUARTER FINANCIAL REPORT AND BUDGET AMENDMENT FOR FISCAL YEAR 2024-25**

Carried 5-0 to: take the following actions:

1. Receive and file the First Quarter Financial Report for Fiscal Year 2024-25; and
2. Adopt the following resolution:

RESOLUTION NO. 2024-72- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025 (FIRST QUARTER FINANCIAL REPORT)

END OF CONSENT CALENDAR

DEPARTMENTAL REGULAR MATTERS

CITY MANAGER'S OFFICE

8) **CONSIDERATION OF GRANT WRITING AND FEDERAL LOBBYIST SERVICES**

ACTION: Motion by Councilman Gutierrez and Second by Councilmember Cantos Gutierrez, 5-0 to:

Reject all bids and re-issue the RFP including the request discussed by the City Council.

DRAFT

COMMUNITY DEVELOPMENT

9) **CONSIDERATION OF ORDINANCE AMENDING CHAPTER 22 OF THE WEST COVINA MUNICIPAL CODE RELATING TO STREET SWEEPING REGULATIONS AND ENFORCEMENT**

ACTION: Motion by Councilman Cantos and Second by Councilmember Cantos Gutierrez, 5-0 to:

Carried 5-0 to: introduce Ordinance No. 2526 to amend provisions of Chapter 22 of the West Covina Municipal Code relating to street sweeping regulations and enforcement:

ORDINANCE NO. 2526 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CHAPTER 22 (TRAFFIC REGULATIONS) OF THE WEST COVINA MUNICIPAL CODE RELATING TO STREET SWEEPING REGULATIONS AND ENFORCEMENT AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3) (COMMON SENSE EXEMPTION)

COMMUNITY SERVICES

10) **UPDATE ON THE CURRENT MAINTENANCE AND OPERATIONS OF THE WEST COVINA SPORTSPLEX**

ACTION: Motion by Councilman Cantos and Second by Councilmember Cantos Gutierrez, 5-0 to:

No action was taken as this is a receive and file information report.

MAYOR/COUNCILMEMBERS REQUEST

11) **CONSIDERATION OF MAKING CITY COUNCIL MEETINGS MORE EFFICIENT**

MAYOR/COUNCILMEMBERS REPORTS

ACTION: Motion by Councilman Gutierrez and Second by Mayor Wu, 5-0 to:

- Move the City Manager report to after public comments.
- Amend the rules of decorum to follow various acts of civil rights and to prevent discrimination
- Oral communication slip must be turned before public speaking starts communication starts

ACTION: Motion by Councilman Gutierrez and Second by Mayor Wu, 4-1 (No: Cantos) to:

DRAFT

- Request that the speaking time under public comments be reduced from five (5) minutes to three (3) minutes. At the discretion of the Mayor with the majority of the Council can be increased to five (5) minutes on a case by case basis.

MAYOR/COUNCILMEMBERS REPORTS

- None

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

- City manager looking into hiring Emergency Management Consultant by Feb 18th – No objection
- Present on status of Measure A by the Office of Hilda Solis by 18th of Feb – No objection
- Ways to increase services for LA CADA– No objection
- Apply for the National Management Grant and submit by Feb 17th – No objection
- Change the City Code to allow for red curbs around fire hydrants by March 14th– No objection
- Presentation of the current Emergency Operation Plan by Feb 18th – No objection
- Establish Veterans advisory committee to the Council one committee member each – No objection
- Replace blue reflectors in the street after street rehab work – No objection
- Invite Grace Napolitano to visit and provide her with a key to the City– No objection
- Find 1.5 million to hire more traffic officers– No objection
- Rename a portion of Azusa Ave in honor of Grace Napolitano – No objection

CITY COUNCIL COMMENTS

- None

ADJOURNMENT

A motion to adjourn the Regular Meeting was made at 11:13 PM The next regularly scheduled Regular City Council Meeting will be held on Tuesday, February 4, 2025, at 7:00 p.m. in the Council Chambers, 1444 West Garvey Avenue South, West Covina, California.

_____

Lisa Sherrick
Assistant City Clerk

_____

Tony Wu
Mayor

DRAFT

AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: February 4, 2025

TO: Mayor and City Council

FROM: Paulina Morales, City Manager

SUBJECT: **CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2526 AMENDING CHAPTER 22 OF THE WEST COVINA MUNICIPAL CODE RELATING TO STREET SWEEPING REGULATIONS AND ENFORCEMENT AND RESOLUTION DESIGNATING DAYS AND HOURS AND STREETS WHERE PARKING PROHIBITION APPLIES**

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the following ordinance:
ORDINANCE NO. 2526 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CHAPTER 22 (TRAFFIC REGULATIONS) OF THE WEST COVINA MUNICIPAL CODE RELATING TO STREET SWEEPING REGULATIONS AND ENFORCEMENT AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3) (COMMON SENSE EXEMPTION)

2. Adopt the following resolution:
RESOLUTION NO. 2025-10 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DESIGNATING THE DAYS AND HOURS PARKING IS PROHIBITED ON SPECIFIED STREETS AND ALLEYS OR PORTIONS THEREOF TO FACILITATE STREET SWEEPING

BACKGROUND:

The City of West Covina provides street sweeping services for cleaning approximately 463 curb miles of its streets through an agreement with a third-party vendor, Nationwide Environmental Services ("Nationwide"). Street sweeping is a public service that is dedicated to preserving the cleanliness of our community, focuses on trash and debris, and assists with the compliance of water and air quality regulations.

At the November 7, 2023 and December 5, 2023 City Council meetings, the Council considered the City's options regarding the City's street sweeping program. On December 5, 2023, the Council approved changing street sweeping from bi-weekly to weekly, including four-hour windows for parking restrictions.

In order to implement the Citywide street sweeping restriction, the City needs to install street sweeping signage along every street where the restriction is in place in accordance with California Vehicle Code

Section 22507.6.

On October 15, 2024, the Council authorized the City Manager to issue a purchase order to Tapco, Inc. to purchase the street sweeping signage and signage mounting equipment, and to execute a construction agreement with Square Signs LLC dba Front Signs for the installation of the street sweeping signs.

To implement a successful parking restriction and enforcement program, revisions to Chapter 22 (Traffic Regulations) of the West Covina Municipal Code (WCMC) are necessary.

On January 21, 2025, the City Council introduced Ordinance No. 2526, which amends Chapter 22 relating to street sweeping regulations and enforcement.

DISCUSSION:

Ordinance No. 2526 does the following:

- Amends Section 22-21 of the WCMC to provide authorization for officers of the Police Department, Code Enforcement, and any employees, agents, or contractors as are assigned by the City Manager or the Police Chief to enforce the parking regulations of Chapter 22.
- Amends Section 22-174 of the WCMC to provide that a person to whom a preferential parking permit is issued is required to comply with street sweeping parking regulations, including the prohibition set forth in Section 22-193.
- Adds a new Section 22-193 to the WCMC, which:
- Prohibits parking any vehicle on any street or alley or portion thereof during the days and times designated for street sweeping. Allows parking on restricted portions of streets or alleys once the street sweeper has passed.
- Provides that the Council will designate by resolution the days and hours during which parking is prohibited on specified streets or alleys or on all streets and/or alleys within a specified geographical area of the City to facilitate street sweeping.
- Requires the City Manager to cause to be placed and maintained signs setting forth the days and hours during which parking is prohibited to facilitate street sweeping in accordance with California Vehicle Code section 22507.6.
- Exempts certain commercial vehicles as required by California Vehicle Code section 22507.6.

If adopted, the ordinance will take effect thirty (30) days after its final passage and once all affected streets and alleys in the City have been sign-posted in accordance with the requirements of California Vehicle Code section 22507.6.

Consistent with Ordinance No. 2526, staff has prepared the proposed resolution to designate the days and hours during which parking is prohibited on specified streets or alleys to facilitate street sweeping.

Prior to enforcing the new ordinance, the following steps will be taken:

- Installation of Street Sweeping Signs: As required by the California Vehicle Code, signs prohibiting parking to facilitate street sweeping will be installed throughout the entire City. Installation will start in February and is anticipated to be completed by April.
- Educational Campaign: The City will roll out an educational campaign to inform residents of the new parking restrictions for weekly street sweeping, including a 30-day grace period where residents will be provided a warning prior to being issued a ticket.

Staff recommends that the City Council adopt Ordinance No. 2526 and adopt Resolution No. 2025-10.

LEGAL REVIEW:

The City Attorney's Office has reviewed the ordinance and resolution and approved them as to form.

Fiscal Impact

FISCAL IMPACT:

This is strictly an administrative item, therefore; there is no fiscal impact associated with this action.

Attachments

Attachment No. 1 - Ordinance No. 2526

Attachment No. 2 - Resolution No. 2025-10

ATTACHMENT NO. 1

ORDINANCE NO. 2526

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CHAPTER 22 (TRAFFIC REGULATIONS) OF THE WEST COVINA MUNICIPAL CODE RELATING TO STREET SWEEPING REGULATIONS AND ENFORCEMENT AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3) (COMMON SENSE EXEMPTION)

The City Council of the City of West Covina hereby finds and declares as follows:

WHEREAS, Section 22507.6 of the California Vehicle Code provides that a local authority may, by ordinance or resolution, prohibit or restrict the parking or standing of vehicles on designated streets or highways, or portions thereof, for the purpose of street sweeping; and

WHEREAS, Section 22507.6 of the California Vehicle Code further provides that no ordinance or resolution relating to the parking or standing of commercial vehicles in a residential district shall be effective with respect to any commercial vehicle making pickups or deliveries of goods, wares, or merchandise to or from any building or structure located on the restricted street or highway, or for the purpose of delivering materials to be used in the repair, alteration, remodeling, or reconstruction of any building or structure for which a building permit has been previously obtained; and

WHEREAS, Section 22507.6 of the California Vehicle Code further provides that no such ordinance or resolution shall be effective until the street or highway, or portion thereof, has been sign-posted in accordance with the uniform standards and specifications of the Department of Transportation, or the local authority has caused to be posted in a conspicuous place at each entrance to the street a notice not less than 17 inches by 12 inches, with lettering not less than one inch in height, setting forth the day or days and hours parking is prohibited; and

WHEREAS, on December 5, 2023, the City Council approved a Citywide street sweeping program, including increasing the frequency of street sweeping within the City from bi-monthly to weekly; and

WHEREAS, the City Council desires to adopt an ordinance prohibiting the parking or standing of vehicles on designated streets, or portions thereof, for the purpose of street sweeping, as authorized by California Vehicle Code section 22507.6; and

WHEREAS, the City Council desires to amend Sections 22-21 of Article II of Chapter 22 of the West Covina Municipal Code relating to authorization to enforce parking regulations; and

WHEREAS, the City Council desires to amend Section 22-174 of Article V of Chapter 22 of the West Covina Municipal Code to provide that persons to whom preferential parking permits are issued are required to comply with street sweeping regulations; and

WHEREAS, all legal requirements prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The City Council finds that all of the facts and findings set forth in the recitals to this Ordinance are true and correct.

SECTION 2. Amendment to Section 22-21. Section 22-21 of Article II of Chapter 22 of the West Covina Municipal Code shall be amended to read as follows:

Sec. 22-21. - Enforcement authority.

(a) Officers of the police department are authorized to enforce the traffic regulations of this chapter.

(b) Officers of the police department, code enforcement, and such employees, agents, or contractors as are assigned by the city manager or the chief of police are authorized to enforce the parking regulations of this chapter.

(c) Officers of the police department are authorized to direct all traffic by voice, hand or signals, in conformance with traffic laws, whenever and wherever necessary in the interests of safety, or to expedite the flow of traffic.

SECTION 3. Amendment to Section 22-174. Section 22-174 of Article V of Chapter 22 of the West Covina Municipal Code shall be amended to add a new subsection (d) to read as follows:

(d) Notwithstanding any other provision of this section, each person to whom a preferential parking permit is issued shall comply with all street sweeping parking regulations, including, but not limited to, the prohibition set forth in Section 22-193 of this chapter.

SECTION 4. Amendment to Article V of Chapter 22. Article V of Chapter 22 of the West Covina Municipal Code shall be amended to add a new Section 22-193 to read as follows:

Sec. 22-193. Parking on days and times posted for street sweeping prohibited.

(a) No person shall stop, park, leave standing or cause to be stopped, parked or left standing any vehicle upon any street or alley or portion thereof during the day or days and hours designated by the city council for street sweeping. Notwithstanding the foregoing, a person may stop, park, or leave standing a vehicle on a restricted portion of a street or alley once the street sweeper has passed.

(b) The city council may, by resolution, designate the day or days and hours during which parking shall be prohibited on specified public streets or alleys or portions thereof or on all streets and/or alleys within a specified geographical area of the city to facilitate street sweeping.

(c) The city manager shall cause to be placed and maintained signs setting forth the day or days and hours during which parking is prohibited in order to facilitate street sweeping in accordance with California Vehicle Code section 22507.6.

(d) This section shall not apply to the parking or standing of commercial vehicles making pickups or deliveries of goods, wares, or merchandise to or from any building or structure located on a restricted street in a residential district, or to the parking or standing of commercial vehicles for the purpose of delivering materials to be used in the repair, alteration, remodeling, or reconstruction of any building or structure for which a building permit has been previously obtained.

SECTION 5. Environmental Compliance. The City Council hereby finds that it can be seen with certainty that there is no possibility the adoption and implementation of this Ordinance will have a significant effect on the environment. The Ordinance is therefore exempt from the environmental review requirements of the California Environmental Quality Act pursuant to Section 15061(b)(3) (General Rule) of Title 14 of the California Code of Regulations.

SECTION 6. Inconsistencies. Any provision of the West Covina Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 7. Severability. If any section, subsection, clause or phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this Ordinance. The City Council of West Covina hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage and once all affected streets and alleys in the City have been sign-posted in accordance with the requirements of California Vehicle Code section 22507.6.

SECTION 9. Certification; Publication. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted as required by law.

PASSED, APPROVED AND ADOPTED this 4th day of February, 2025.

_____
Tony Wu
Mayor

APPROVED AS TO FORM

_____
Thomas P. Duarte
City Attorney

ATTEST

_____
Lisa Sherrick
Assistant City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I, LISA SHERRICK, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Ordinance No. 2526 was introduced at a regular meeting of the City Council held on the 21st day of January, 2025, and adopted at a regular meeting of the City Council held on the 4th day of February, 2025, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Lisa Sherrick
Assistant City Clerk

ATTACHMENT NO. 2

RESOLUTION NO. 2025-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DESIGNATING THE DAYS AND HOURS PARKING IS PROHIBITED ON SPECIFIED STREETS AND ALLEYS OR PORTIONS THEREOF TO FACILITATE STREET SWEEPING

The City Council of the City of West Covina hereby finds and declares as follows:

WHEREAS, Section 22507.6 of the California Vehicle Code provides that a local authority may, by ordinance or resolution, prohibit or restrict the parking or standing of vehicles on designated streets or highways, or portions thereof, for the purpose of street sweeping; and

WHEREAS, Section 22507.6 of the California Vehicle Code further provides that no such ordinance or resolution shall be effective until the street or highway, or portion thereof, has been sign-posted in accordance with the uniform standards and specifications of the Department of Transportation, or the local authority has caused to be posted in a conspicuous place at each entrance to the street a notice not less than 17 inches by 12 inches, with lettering not less than one inch in height, setting forth the day or days and hours parking is prohibited; and

WHEREAS, on December 5, 2023, the City Council approved a Citywide street sweeping program, including increasing the frequency of street sweeping within the City from bi-monthly to weekly; and

WHEREAS, on February 4, 2025, the City Council adopted Ordinance No. 2526, amending Chapter 22 (Traffic Regulations) of the West Covina Municipal Code relating to street sweeping regulations and enforcement, including adding a new Section 22-193 relating to parking restrictions during street sweeping; and

WHEREAS, pursuant to subsection (b) of Section 22-193 of the West Covina Municipal Code, the City Council may, by resolution, designate the day or days and hours during which parking shall be prohibited on specified public streets or alleys or portions thereof or on all streets and/or alleys within a specified geographical area of the City to facilitate street sweeping; and

WHEREAS, in accordance with subsection (b) of Section 22-193 of the West Covina Municipal Code, the City Council desires to designate the days and hours during parking shall be prohibited on specified streets or alleys or portions thereof to facilitate street sweeping.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The foregoing recitals are true and correct and are incorporated herein.

SECTION 2. Street Sweeping Regulation. The City Council designates the streets and alleys or portions thereof and the days and hours parking is prohibited for street sweeping purposes as shown on the map attached hereto Exhibit A, and as further detailed in list attached hereto as Exhibit B.

SECTION 3. Certification; Effective Date. The City Clerk shall certify to the adoption of this resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 4th day of February, 2025.

Tony Wu
Mayor

APPROVED AS TO FORM

Thomas P. Duarte
City Attorney

ATTEST

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2025-10 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 4th day of February, 2025, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lisa Sherrick
Assistant City Clerk

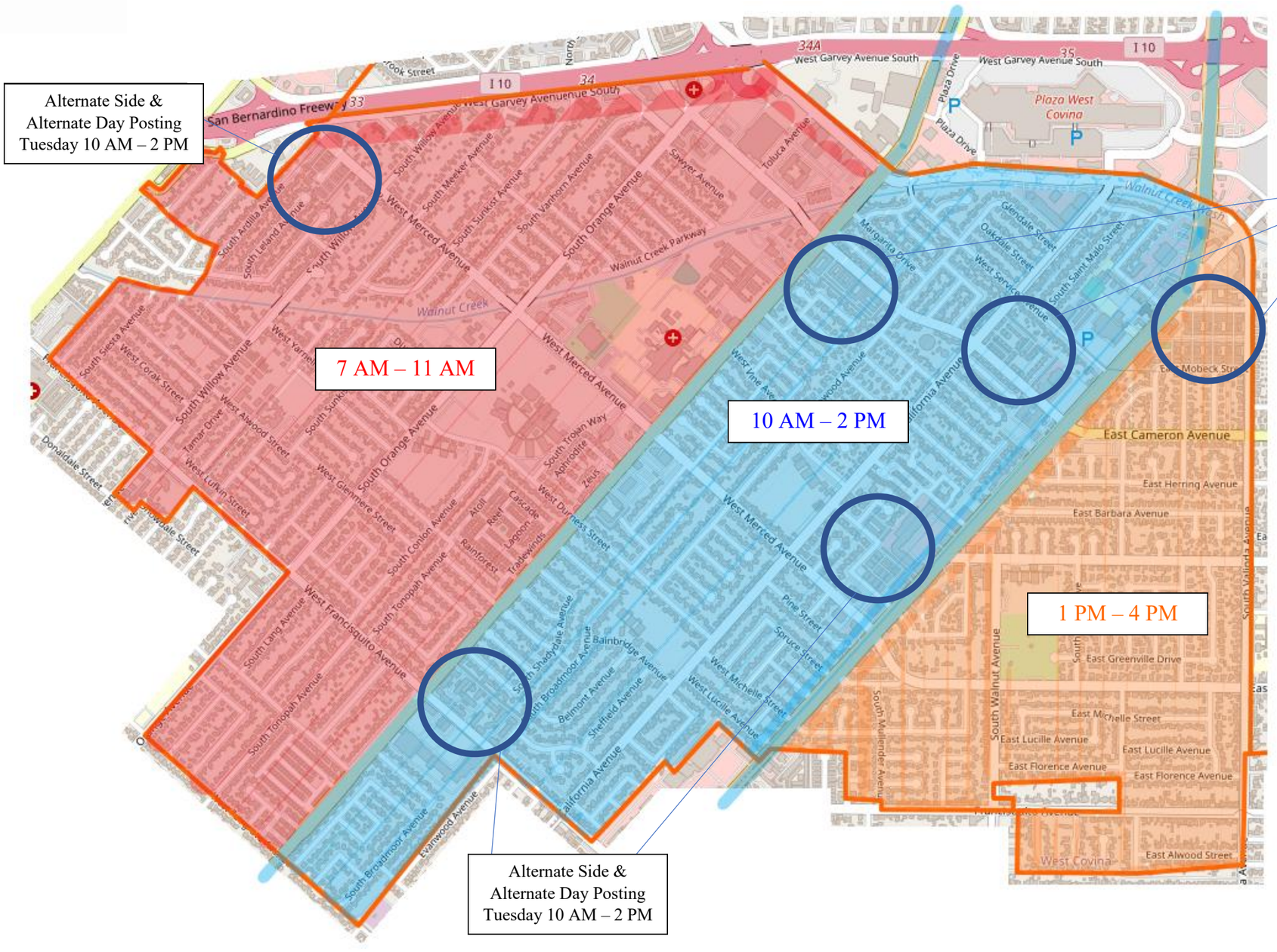
EXHIBIT A

STREET SWEEPING ROUTE MAP

EXHIBIT A

City of West Covina

Nationwide Environmental Services® Division of Joe's Sweeping, Inc.



Monday

Posting Division

Route Boundary

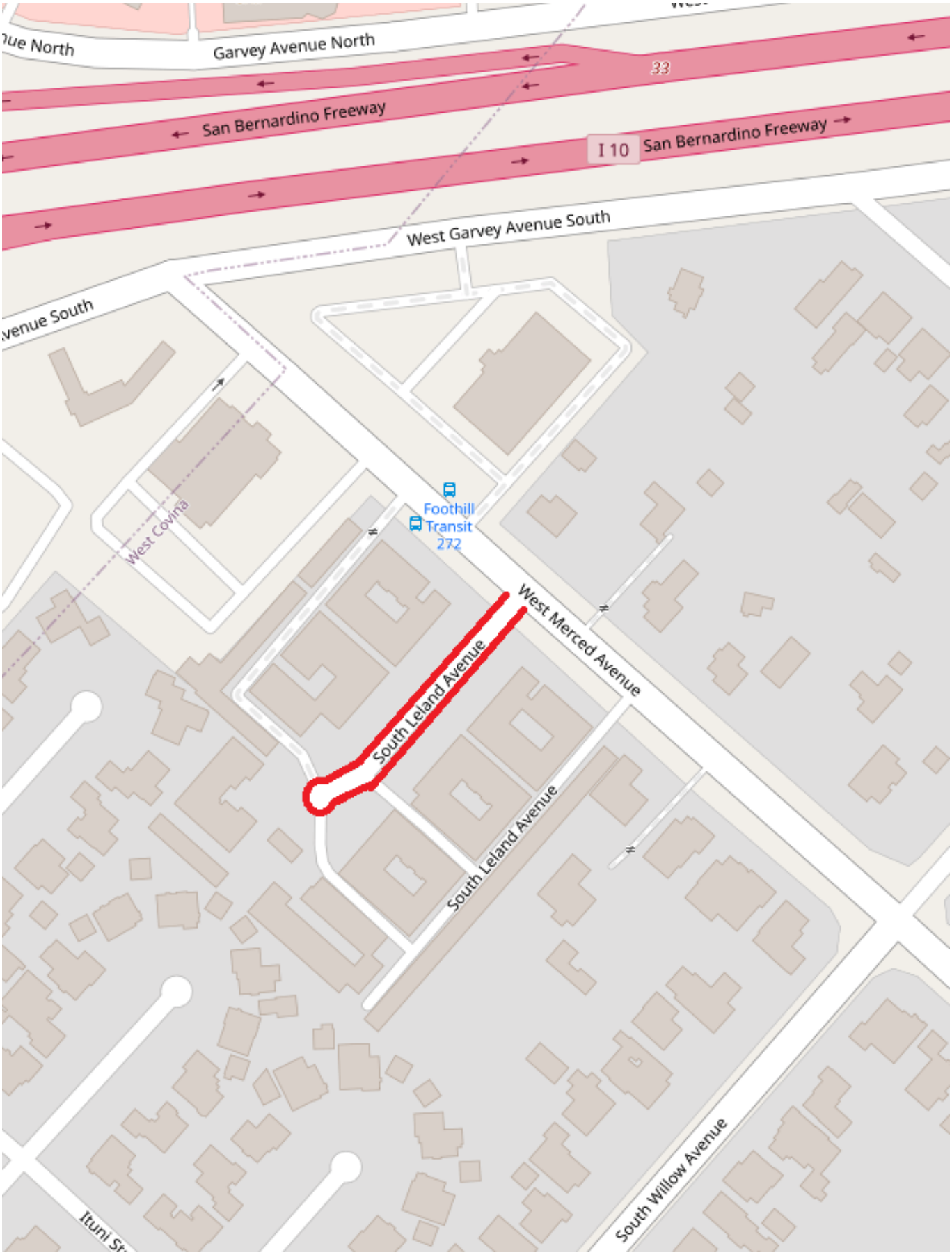
Proposed **Weekly** Sweeping Route Map

Prepared by N.E.S.



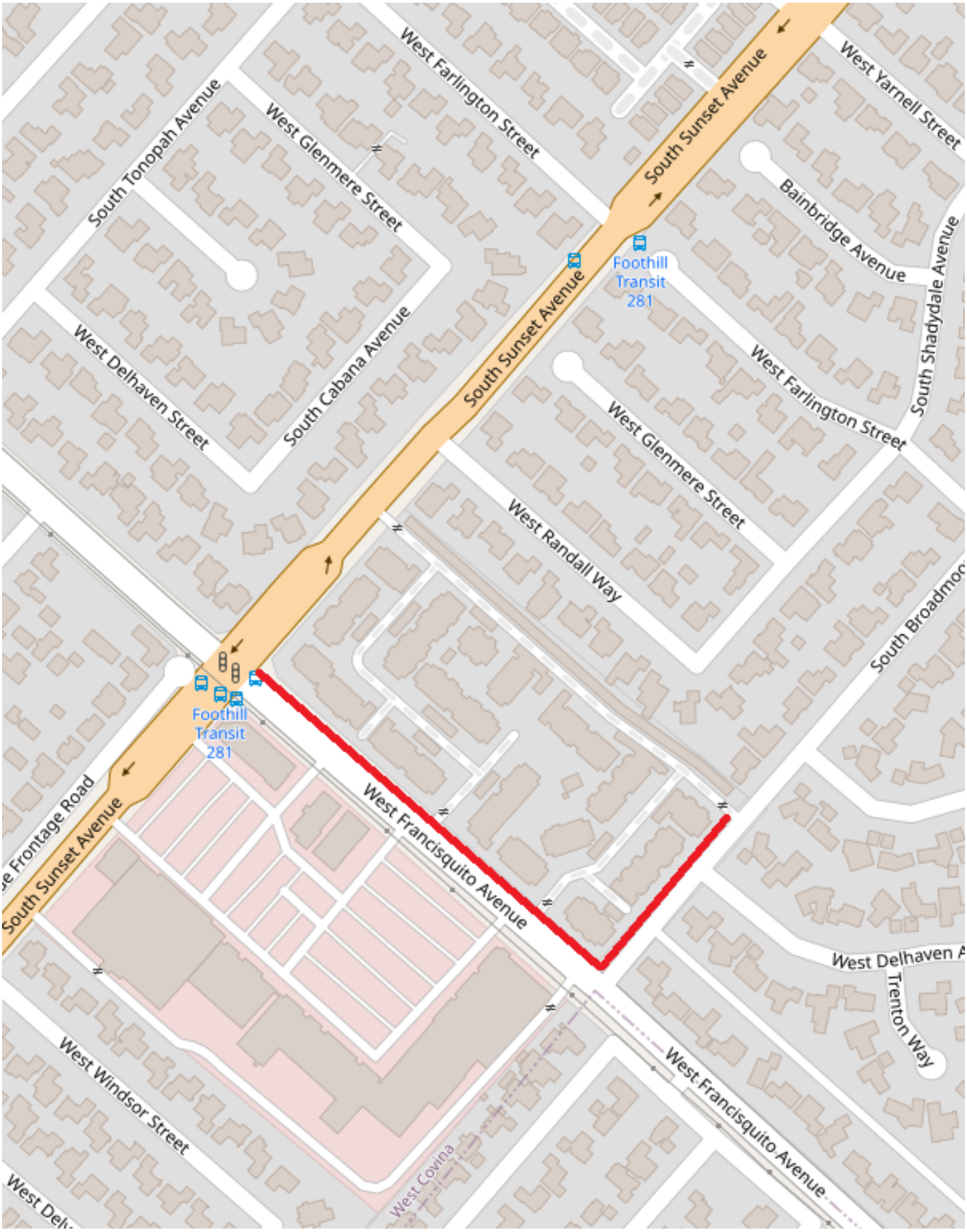
Monday Route

Tuesday 10 AM – 2 PM



Monday Route

Tuesday 10 AM – 2 PM



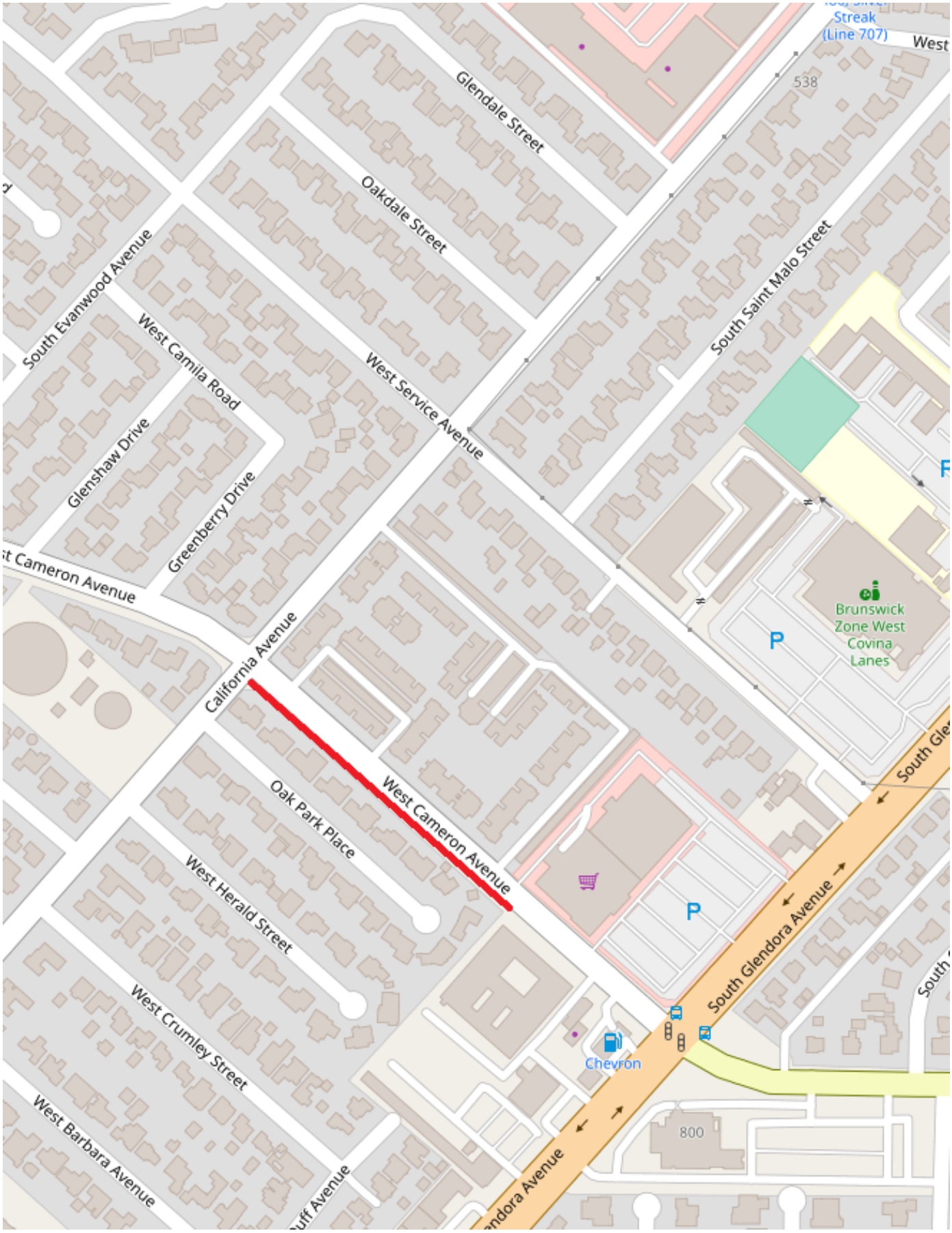
Monday Route

Tuesday 10 AM – 2 PM



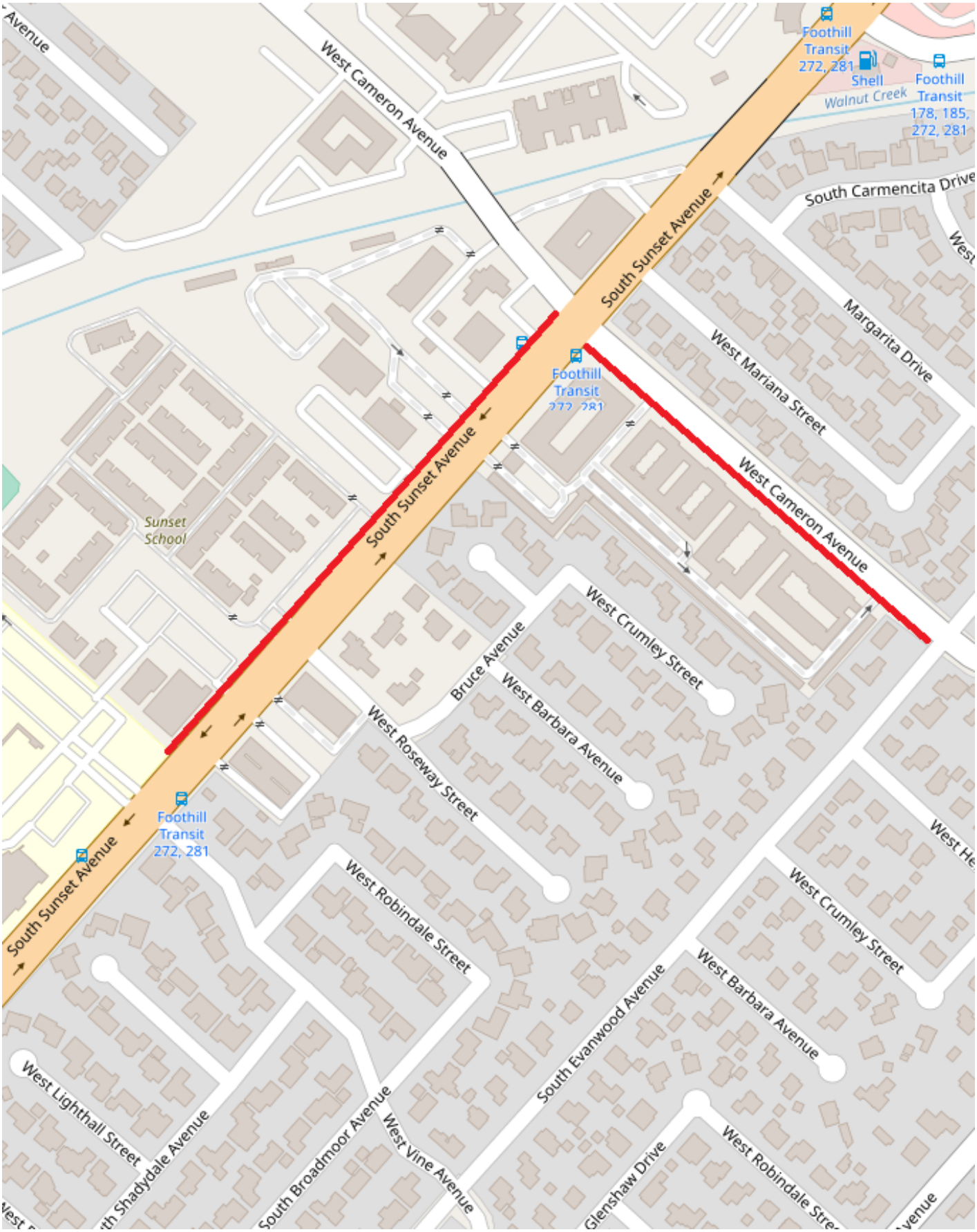
Monday Route

Tuesday 10 AM – 2 PM



Monday Route

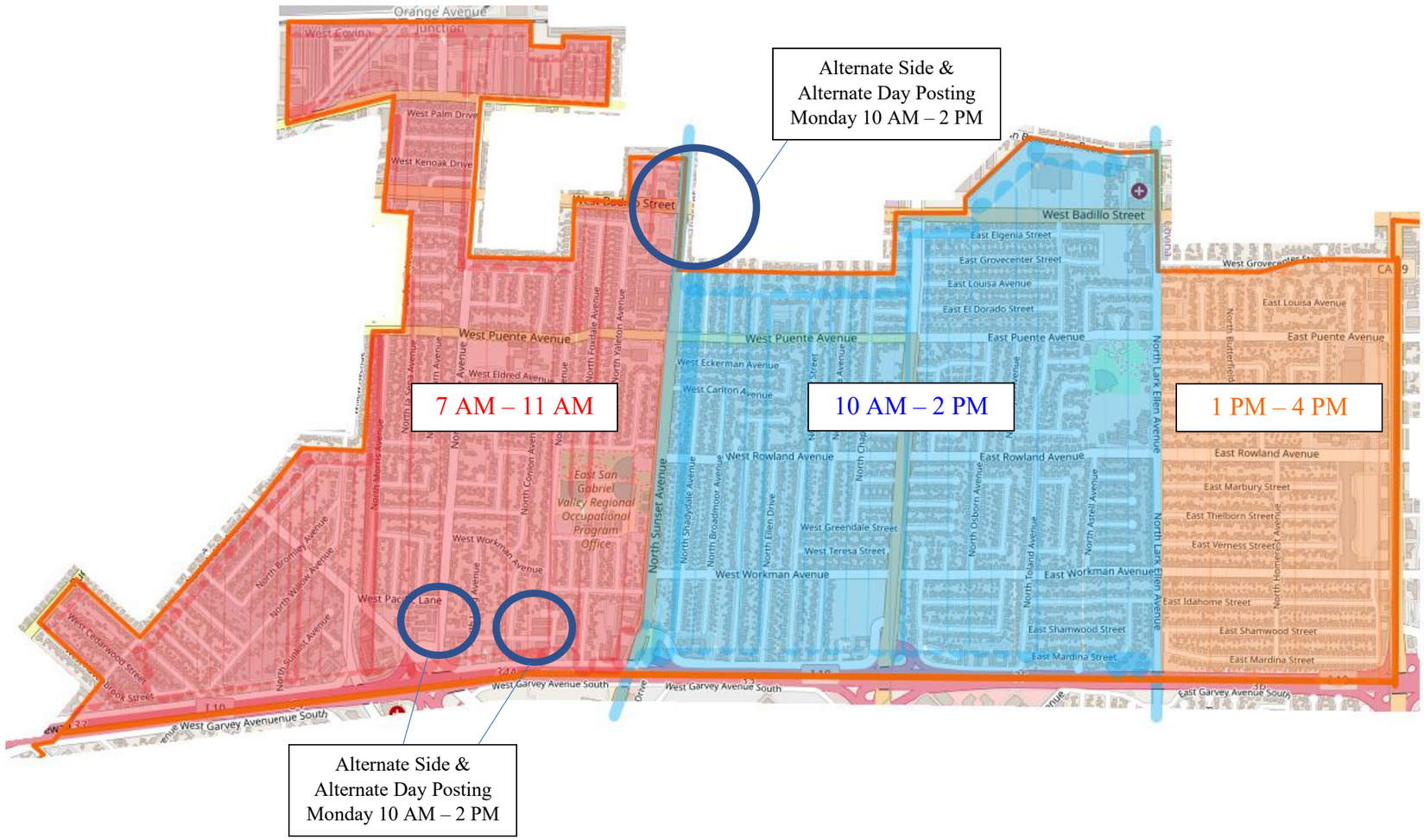
Tuesday 10 AM – 2 PM



Monday Route

Tuesday 10 AM – 2 PM

City of West Covina



Tuesday

Posting Division

Route Boundary

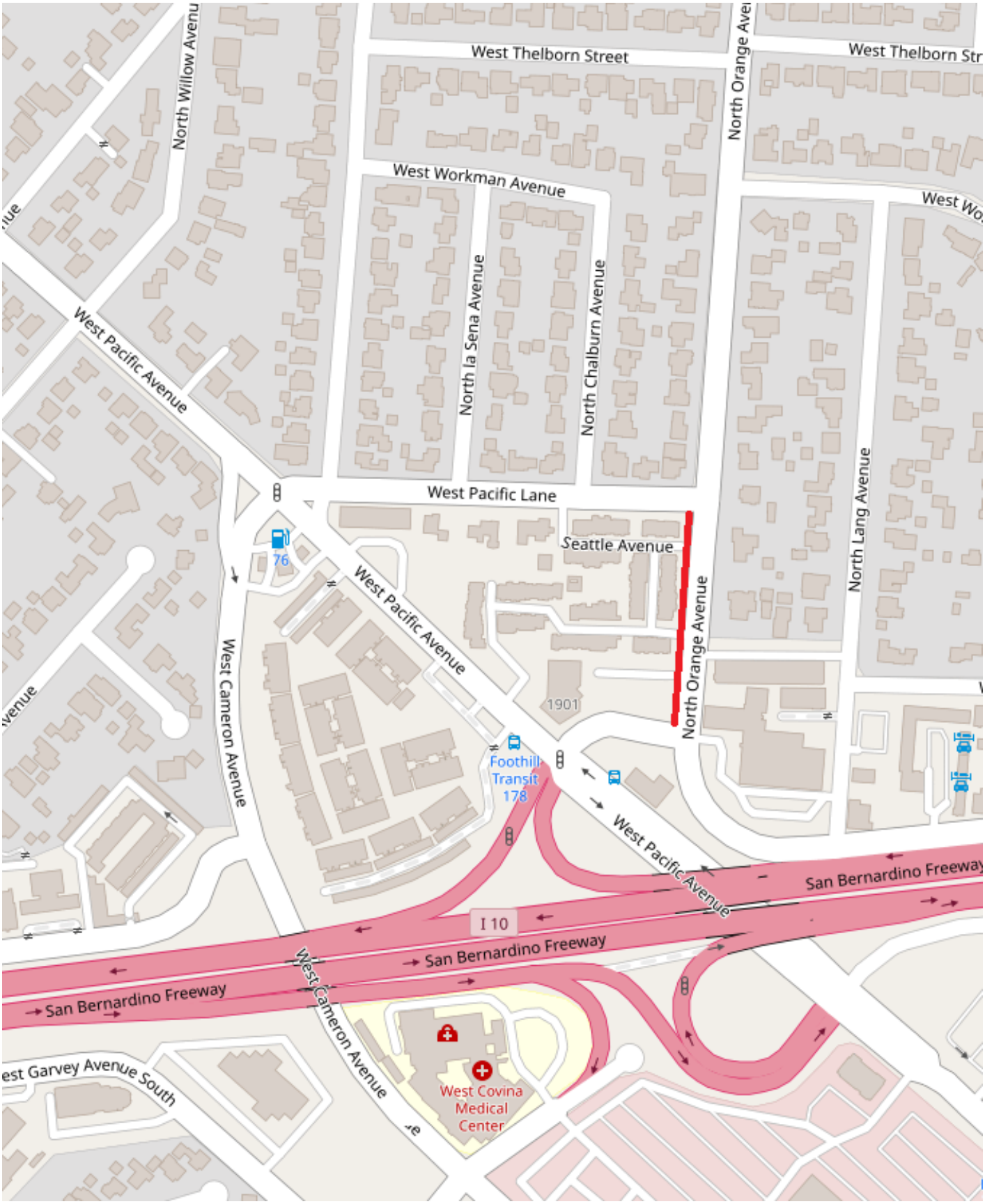
Proposed **Weekly** Sweeping Route Map

Prepared by N.E.S.



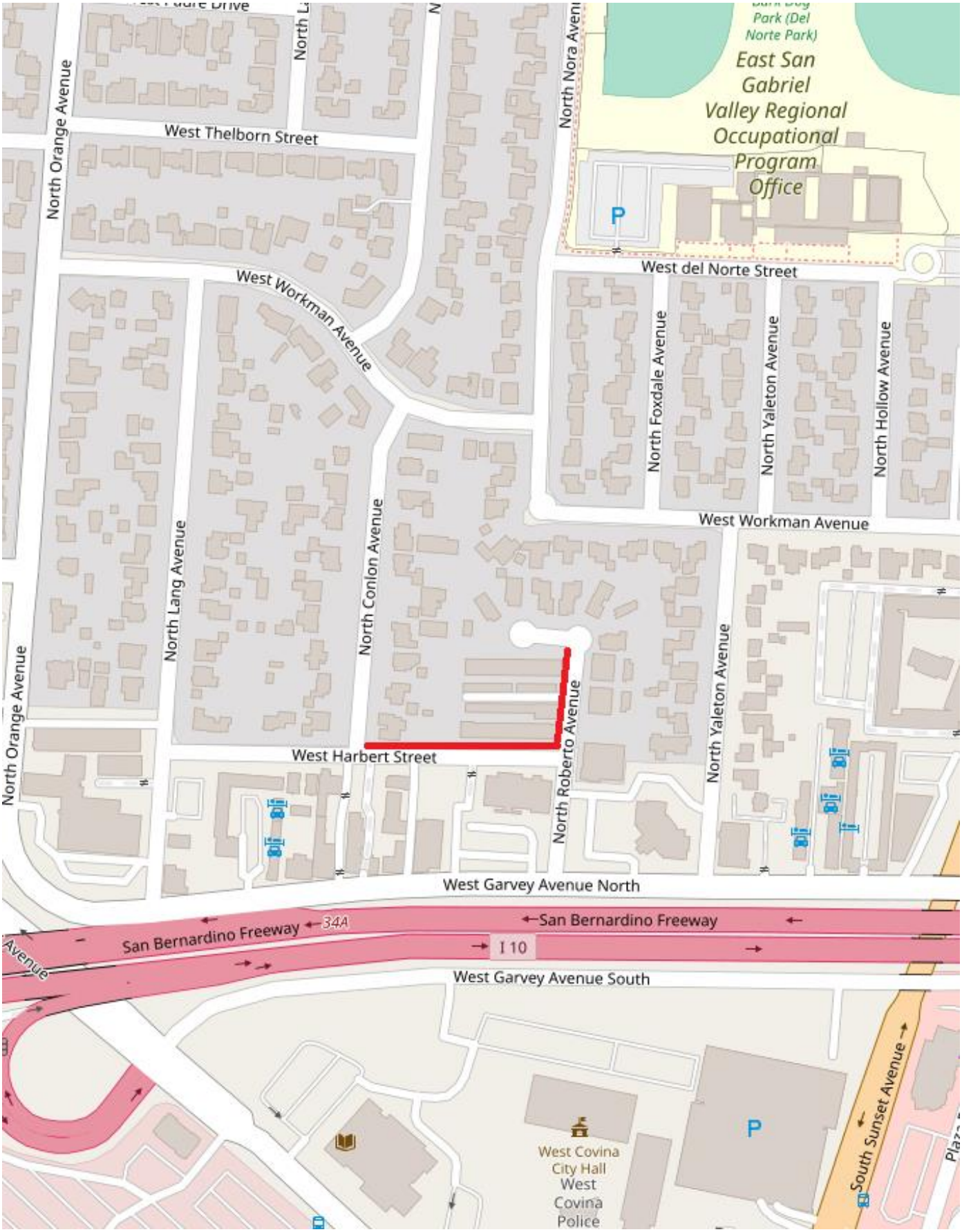
Tuesday Route

Monday 10 AM – 2 PM



Tuesday Route

Monday 10 AM – 2 PM



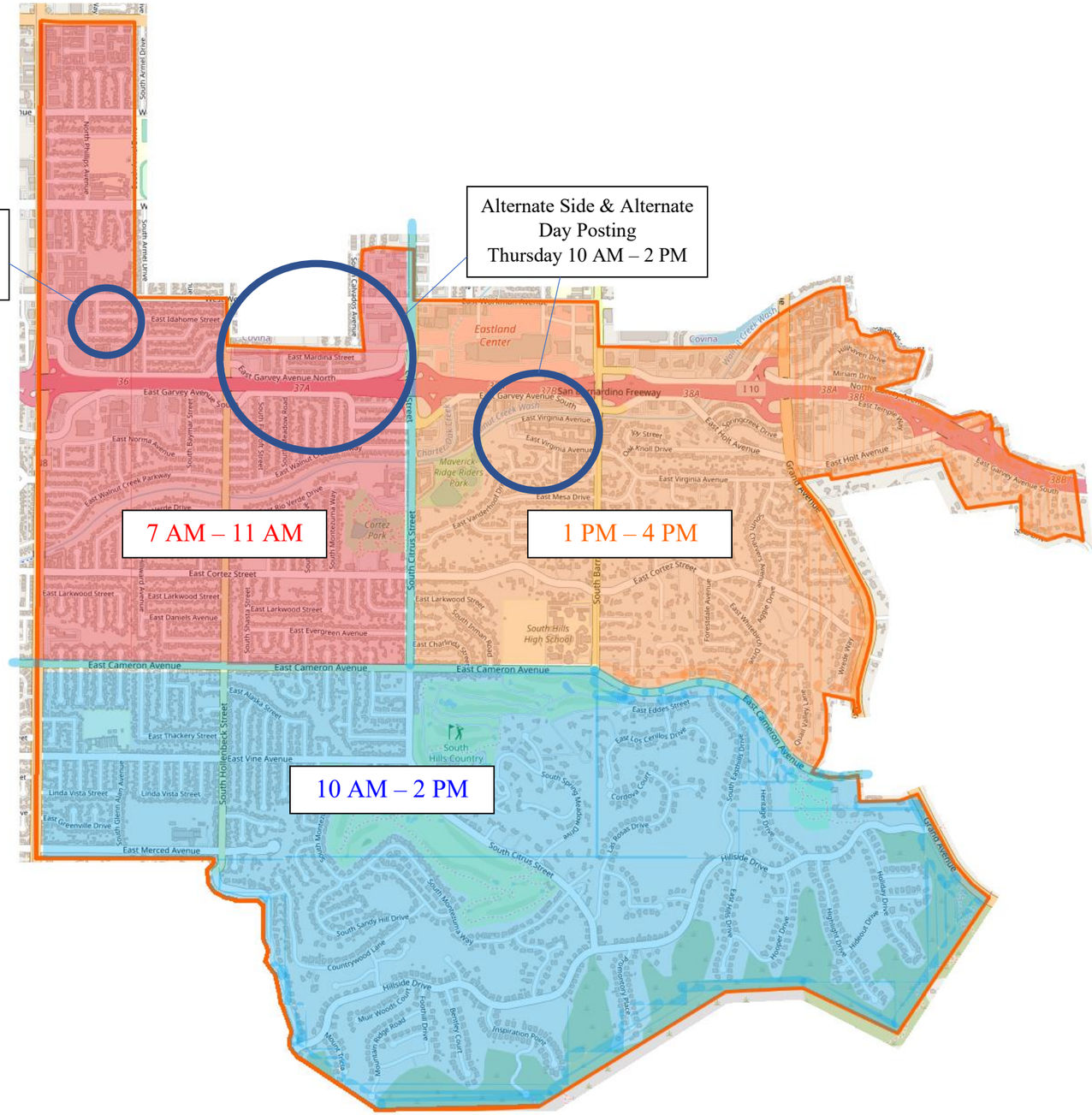
Tuesday Route

Monday 10 AM – 2 PM

City of West Covina

Alternate Side & Alternate Day Posting Thursday 10 AM – 2 PM

Alternate Side & Alternate Day Posting Thursday 10 AM – 2 PM



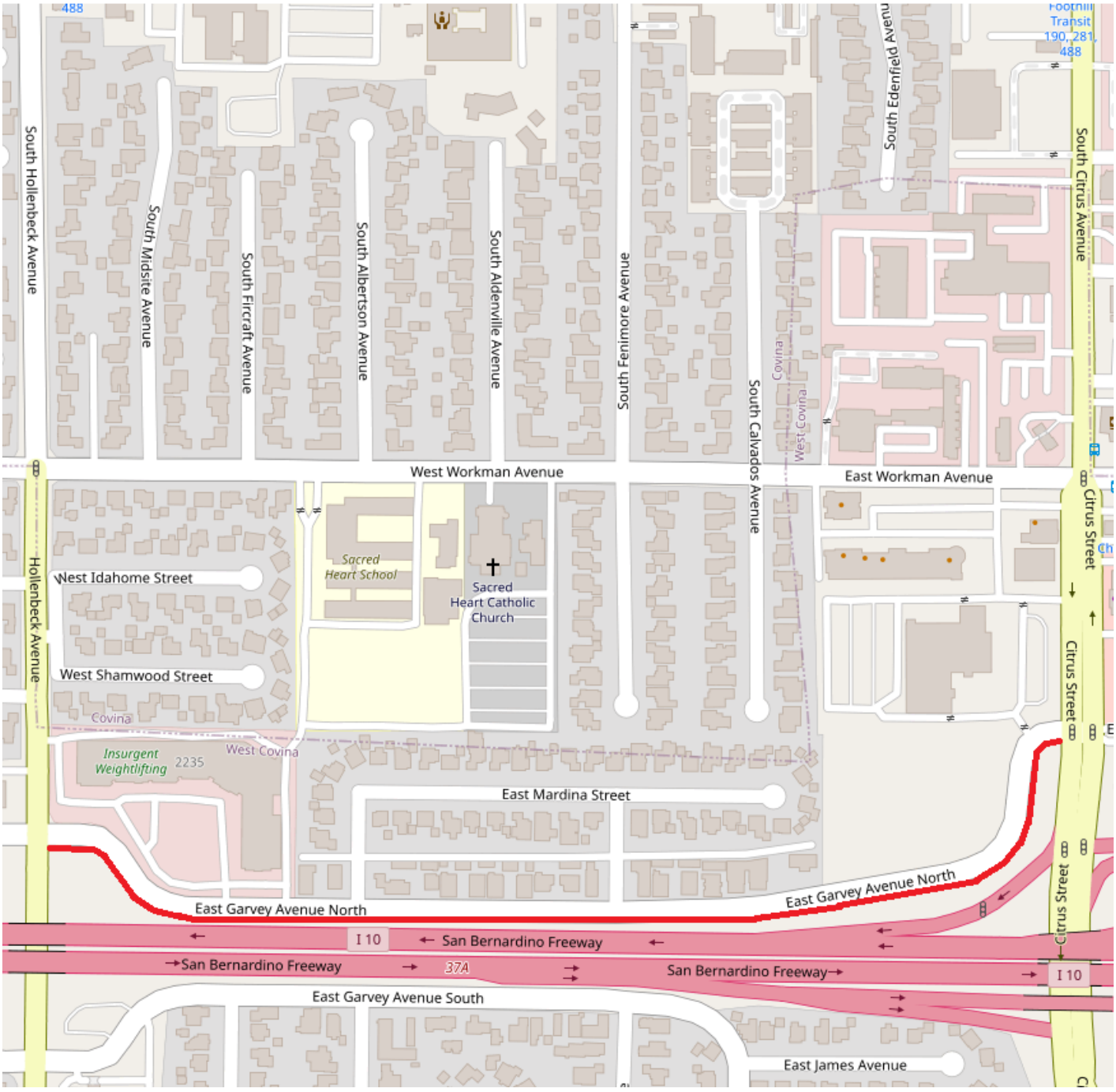
Wednesday

Posting Division

Route Boundary

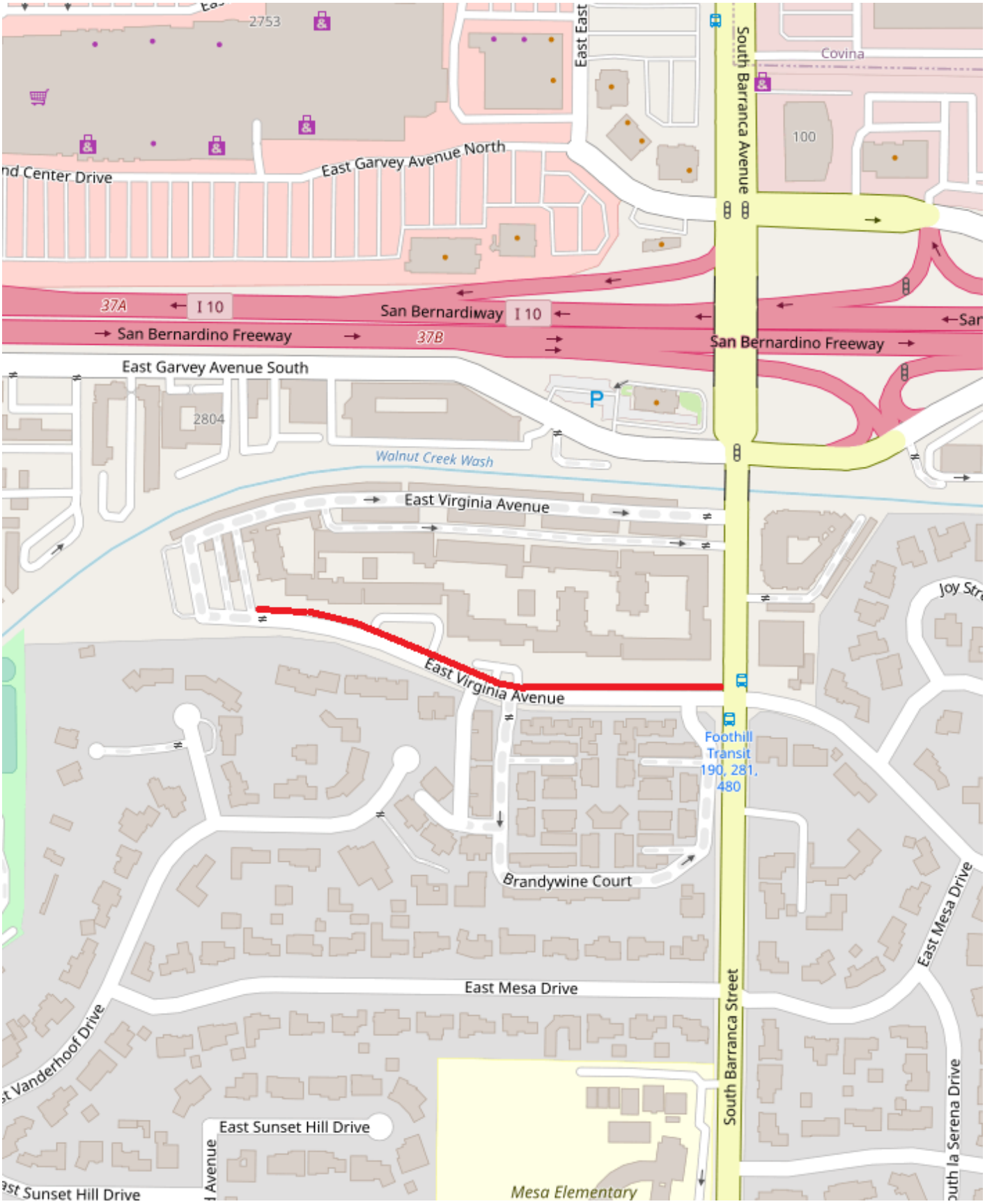
Proposed **Weekly** Sweeping Route Map

Prepared by N.E.S.



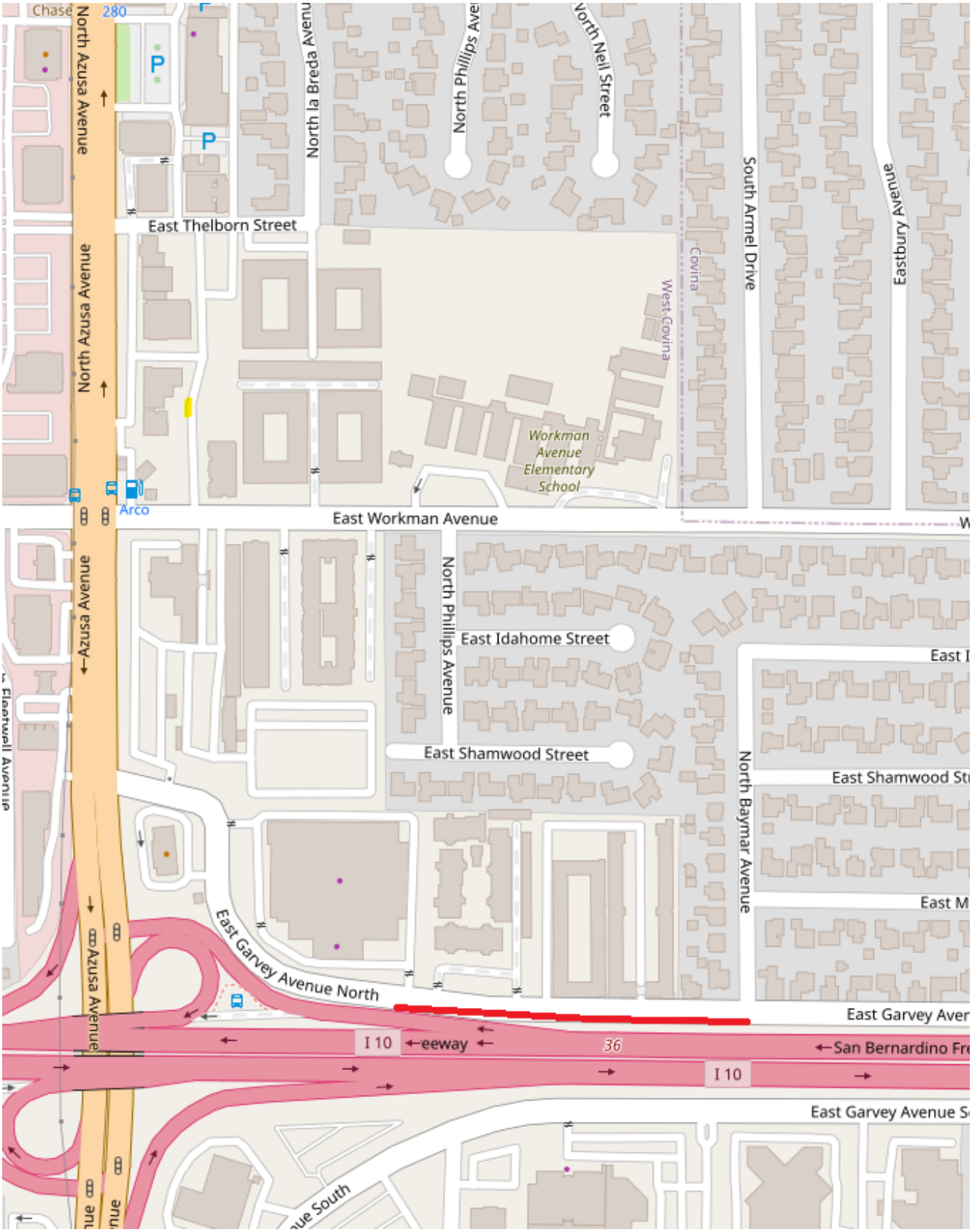
Wednesday Route

Thursday 10 AM – 2 PM



Wednesday Route

Thursday 10 AM – 2 PM

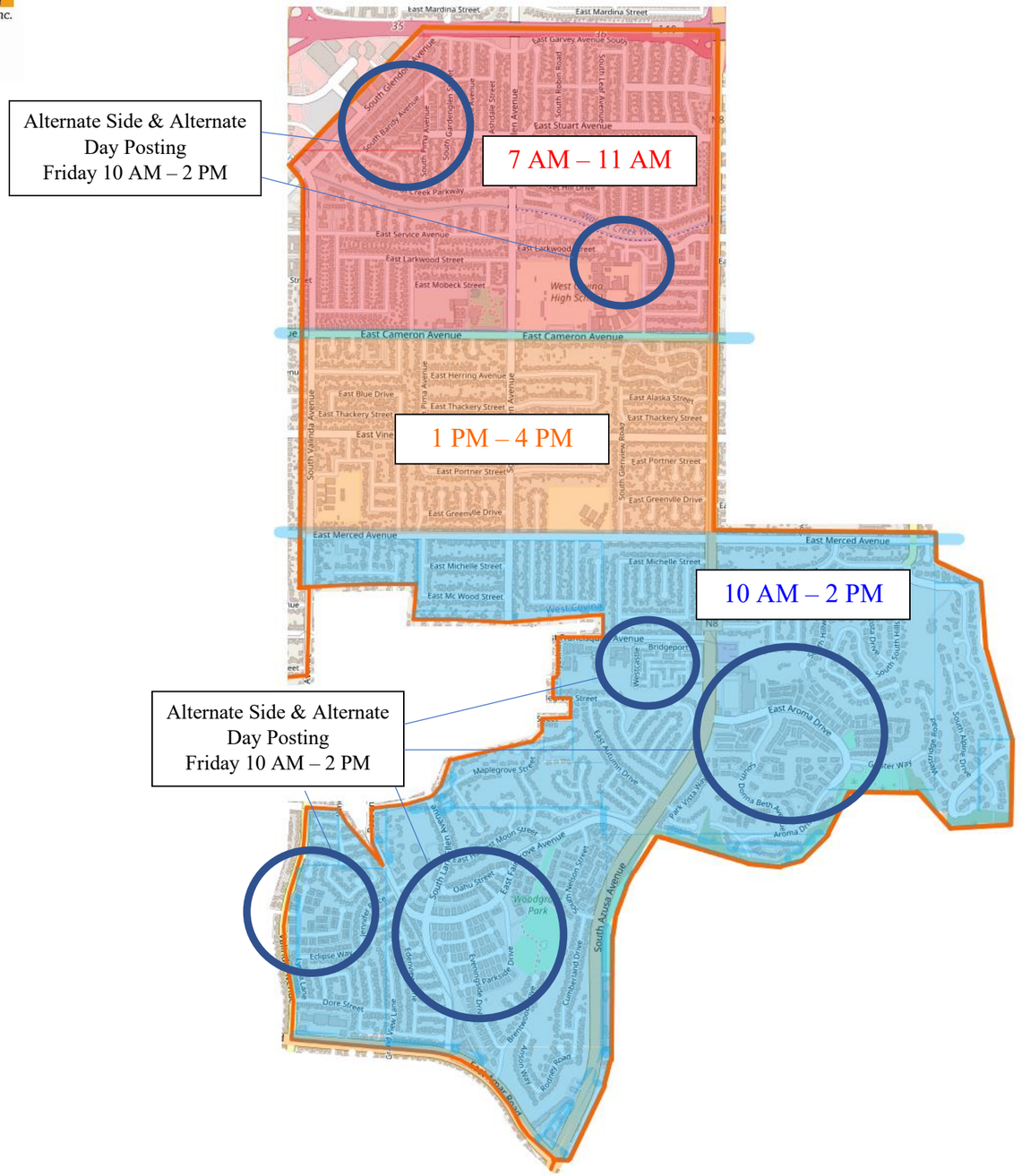


Wednesday Route

Thursday 10 AM – 2 PM

Nationwide Environmental Services®
Division of Joe's Sweeping, Inc.

City of West Covina



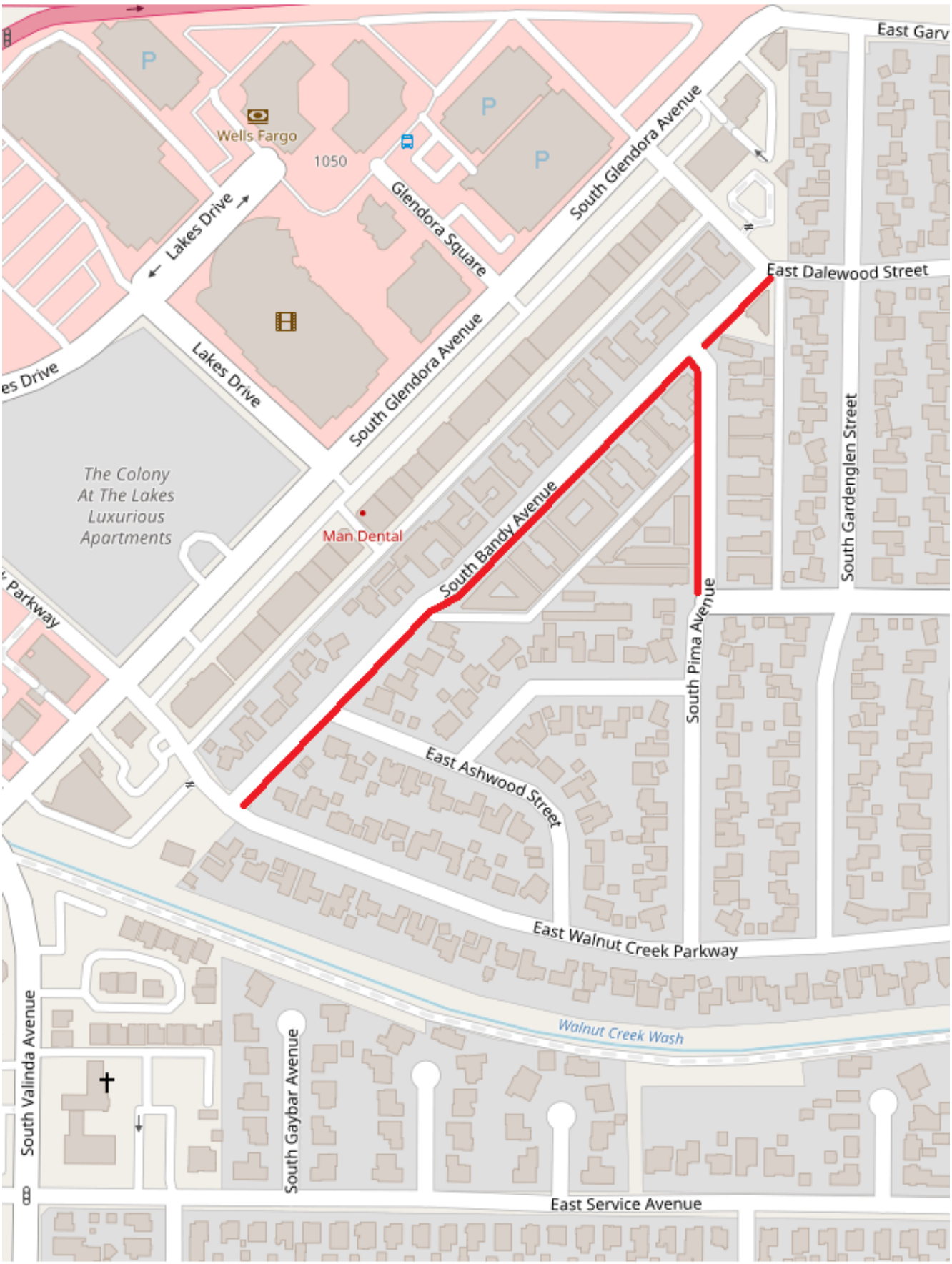
Proposed **Weekly** Sweeping Route Map

Thursday

Posting Division

Route Boundary

Prepared by N.E.S.



Thursday Route

Friday 10 AM – 2 PM



Thursday Route

Friday 10 AM – 2 PM



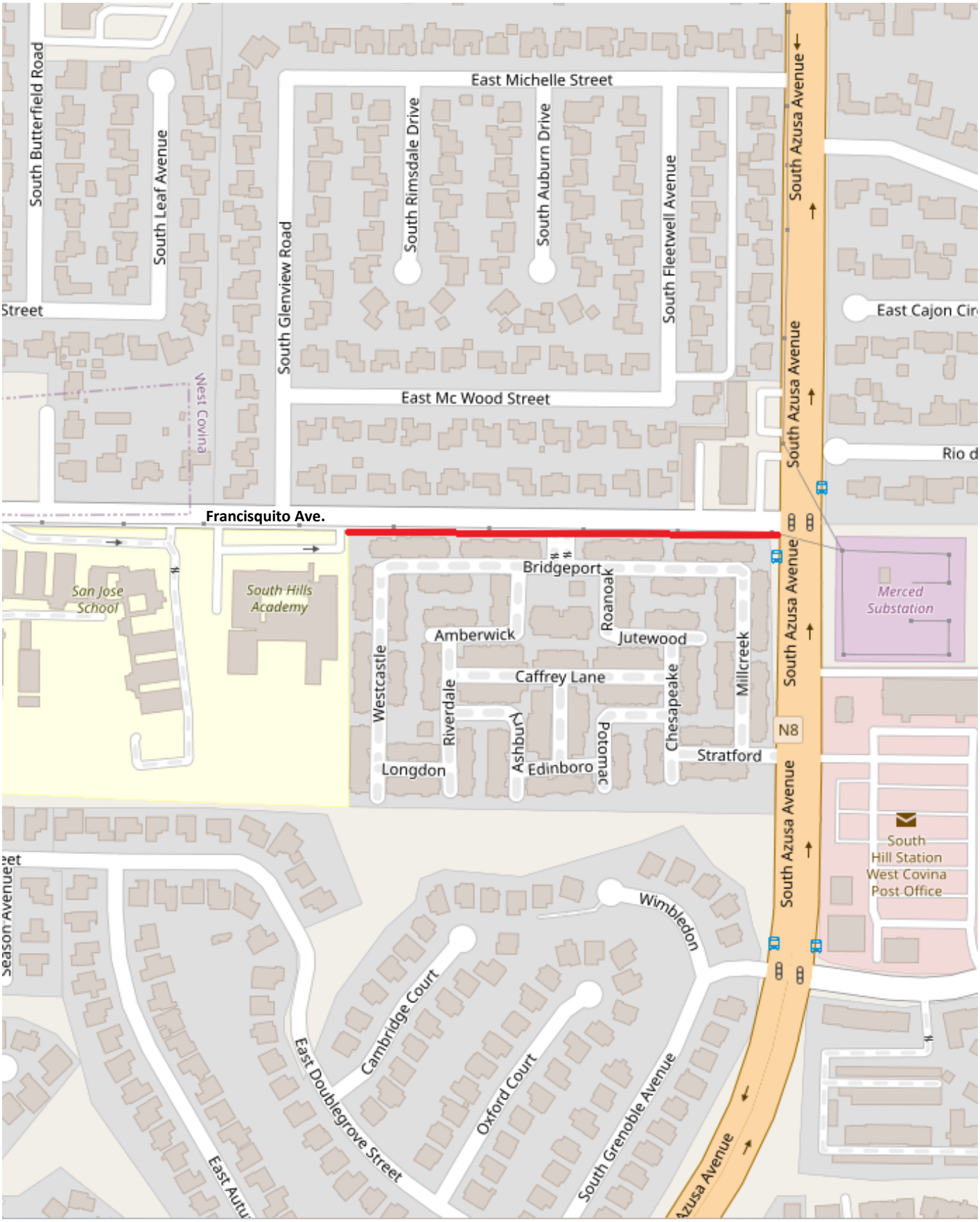
Thursday Route

Friday 10 AM – 2 PM



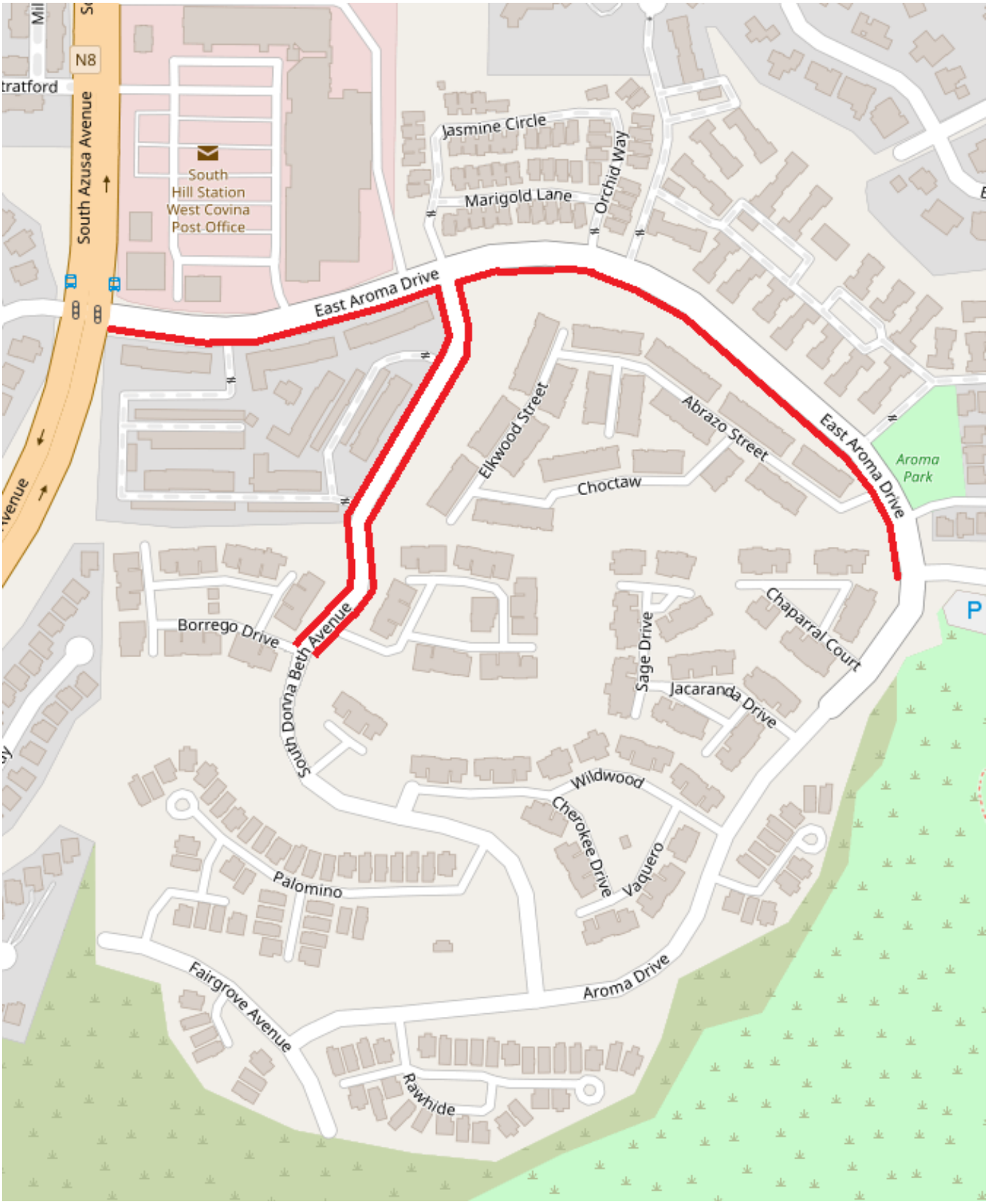
Thursday Route

Friday 10 AM – 2 PM



Thursday Route

Friday 10 AM – 2 PM



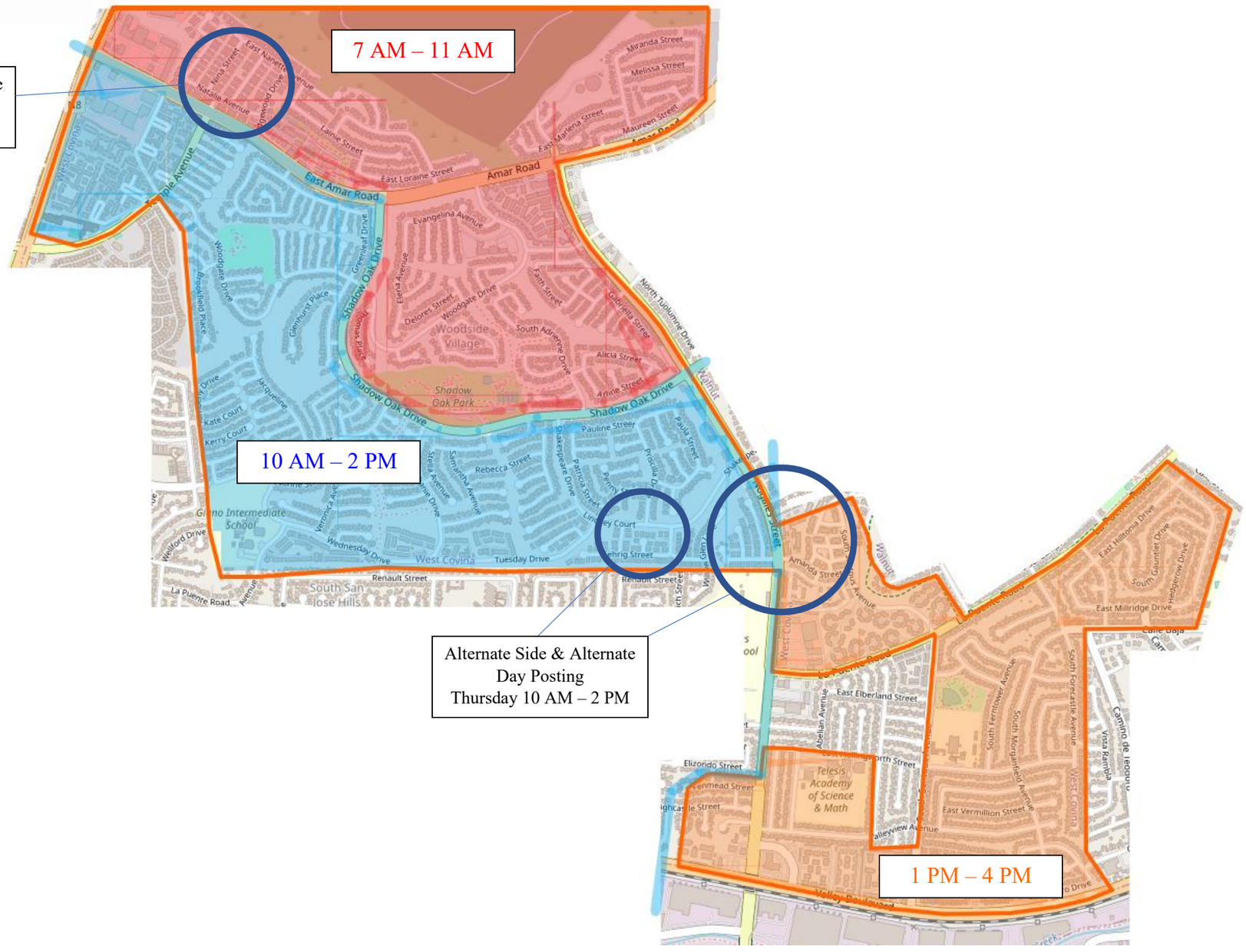
Thursday Route

Friday 10 AM – 2 PM

City of West Covina

Nationwide Environmental Services®
Division of Joe's Sweeping, Inc.





Friday

Posting Division

Route Boundary

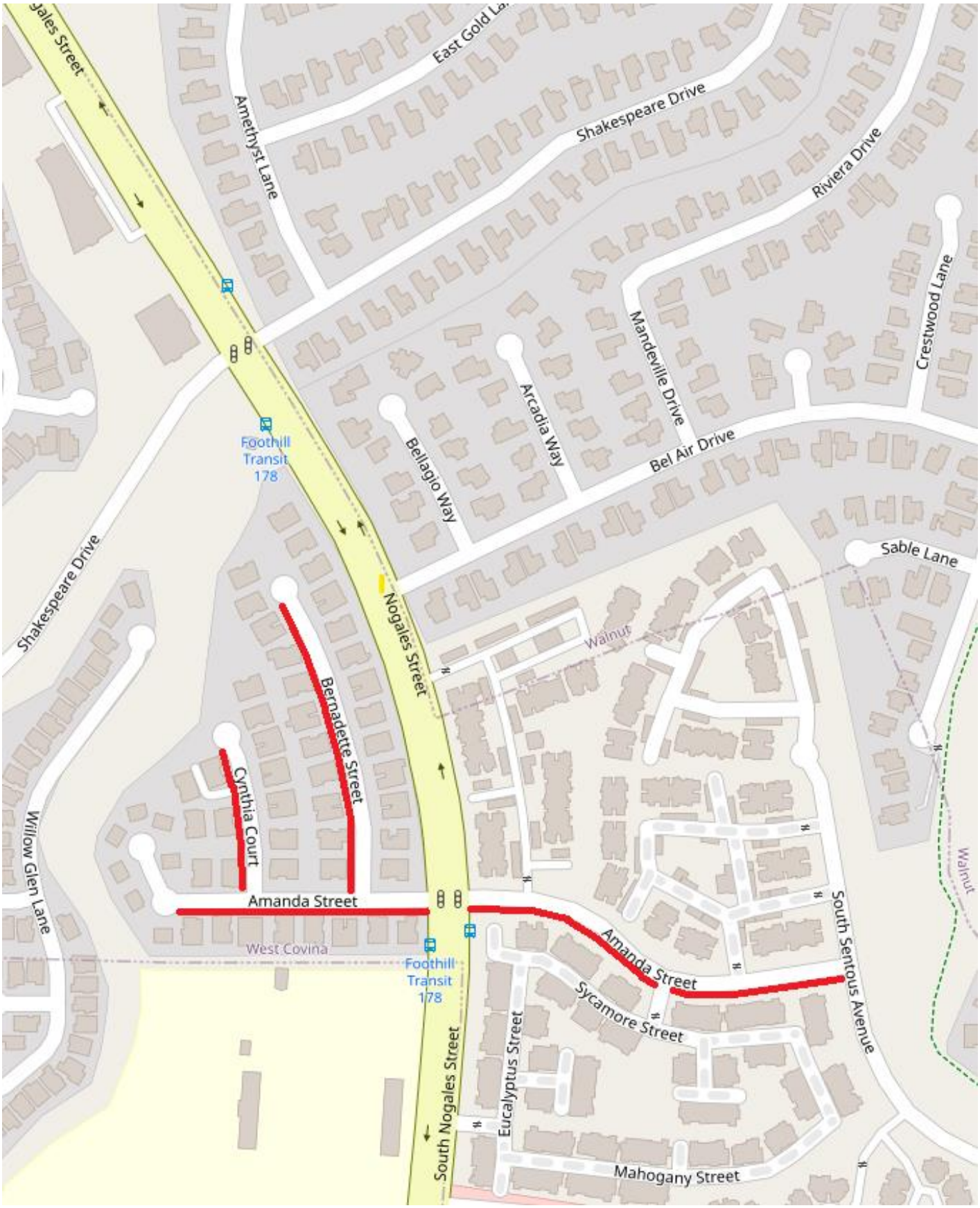
Proposed **Weekly** Sweeping Route Map

Prepared by N.E.S.



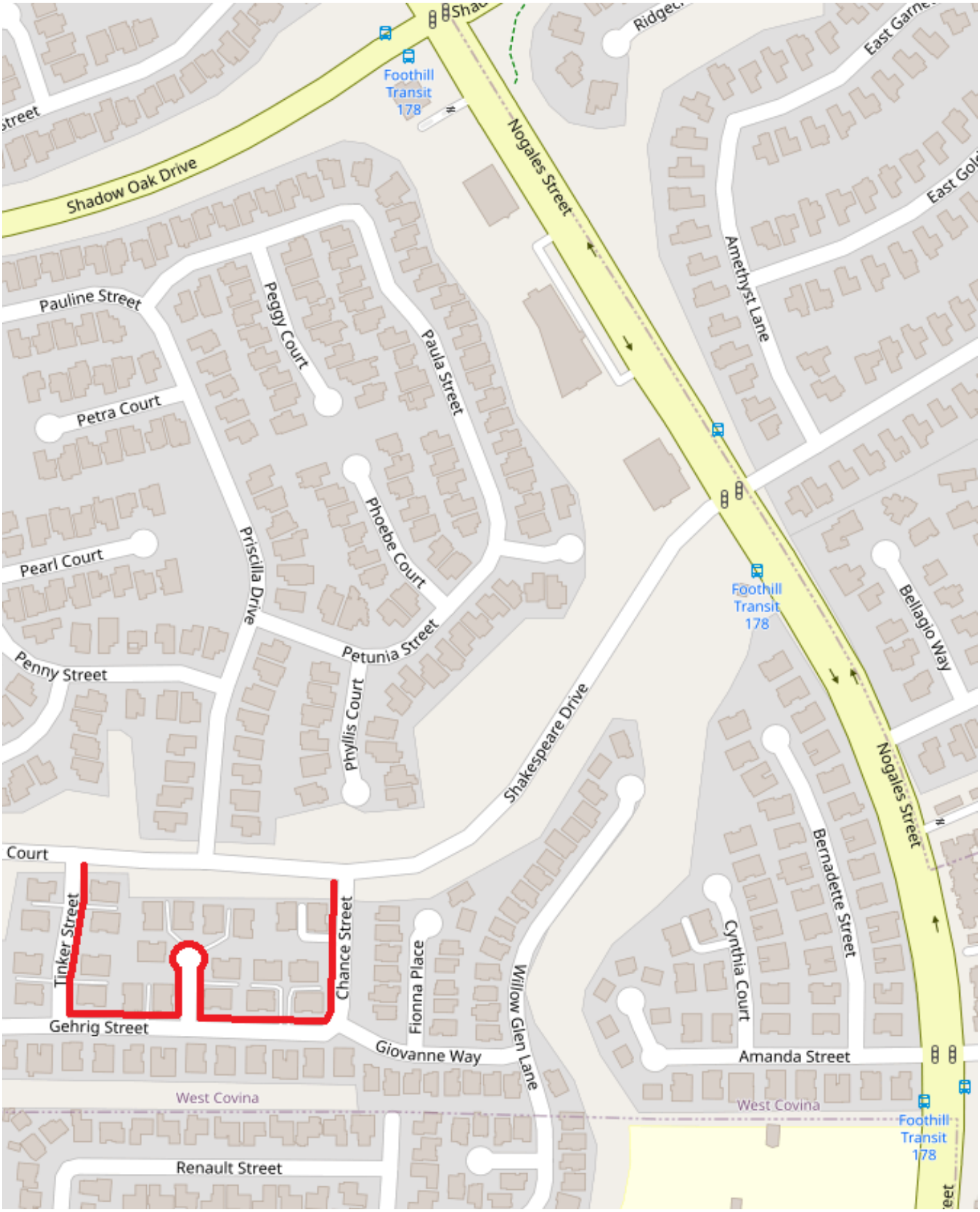
Friday Route

Thursday 10 AM – 2 PM



Friday Route

Thursday 10 AM – 2 PM



Friday Route

Thursday 10 AM – 2 PM

EXHIBIT B

LIST OF STREETS AND PROHIBITED DAYS AND HOURS

[TO BE INSERTED.]

AGENDA ITEM NO. 3

AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: February 4, 2025

TO: Mayor and City Council

FROM: Paulina Morales, City Manager

SUBJECT: **CONSIDERATION OF RESOLUTION TERMINATING THE LOCAL EMERGENCY RELATING TO THE SEVERE WINDSTORM**

RECOMMENDATION:

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2025-9 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, PROCLAIMING THE TERMINATION OF THE LOCAL EMERGENCY PROCLAIMED ON JANUARY 9, 2025 RELATING TO THE SEVER WINDSTORM

BACKGROUND:

A strong, widespread, and destructive windstorm began on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of West Covina, and threatening life and safety, public and private property and structures, and other critical infrastructure. On the same day, a series of catastrophic wildfires arose in Los Angeles County, including the Palisades Fire in the Pacific Palisades, the Eaton Fire in the Altadena-Pasadena region, the Hurst Fire in Sylmar, and the Kenneth Fire in West Hills.

The National Weather Service advised that damaging wind gusts of 50-80 mph, as well as isolated wind gusts of 80-100 mph in the mountains and foothills, were expected across most of the Los Angeles metropolitan area. The National Weather Service also issued a Particularly Dangerous Situation (PDS) Red Flag warning for portions of Los Angeles County, including the San Gabriel Valley. Areas in a Red Flag warning, especially during the PDS time frame, have increased risk for large fires with very rapid fire spread, extreme fire behavior, and long range spotting.

In West Covina, this weather system caused extreme conditions such as damage to power poles, fallen trees, power outages, damage to vehicles, and damage to City facilities.

On January 8, 2025, the City Manager, as the City's Director of Emergency Services, proclaimed a local emergency as authorized by California Government Code section 8630 and West Covina Municipal Code section 8-7(a)(1).

On January 14, 2025, the City Council adopted Resolution 2025-3, confirming and ratifying the Director of Emergency Services' proclamation.

California Government Code Section 8630(d) requires the City Council to proclaim the termination of the

local emergency at the earliest possible date that conditions warrant.

DISCUSSION:

Staff believes conditions warrant termination of the local emergency, as the National Weather Service has removed the Red Flag warning. Therefore, staff recommends that the City Council adopt the proposed resolution to terminate the local emergency. The termination will be effective immediately.

In response to the 2025 Windstorm event, West Covina experienced fallen trees, downed power lines, power outages (impacting residents, streetlights, and traffic signals), damage to two city facilities and one utility station. West Covina staff had to extricate individuals from vehicles due to fallen trees. West Covina is estimating approximately $688,827.07 in costs associated with response and recovery due to the windstorm. The City of West Covina will be working with the California Governor's Office of Emergency Services to seek reimbursement and file claims for damages with the City's insurance company.

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolution and approved it as to form.

OPTIONS:

The options available to the City Council are as follows:

1. Terminate the local emergency; or
2. Provide alternative direction.

Prepared by: Lisa Sherrick, Assistant City Clerk

Fiscal Impact

FISCAL IMPACT:

FISCAL IMPACT:

The City of West Covina will be working with the California Governor's Office of Emergency Services to seek reimbursement and file claims for damages with the City's insurance company.

Attachments

Attachment No. 1 - Resolution No. 2025-9

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Achieve Fiscal Sustainability and Financial Stability
Maintain Good Intergovernmental Relations
Enhance City Image and Effectiveness

ATTACHMENT NO. 1

RESOLUTION 2025-9

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, PROCLAIMING THE TERMINATION OF THE LOCAL EMERGENCY PROCLAIMED BY THE DIRECTOR OF EMERGENCY SERVICES ON JANUARY 8, 2025 AND CONFIRMED AND RATIFIED BY THE CITY COUNCIL ON JANUARY 14, 2025 RELATING TO SEVERE WINDSTORM

The City Council of the City of West Covina hereby finds and declare as follows:

WHEREAS, the California Emergency Services Act (California Government Code section 8550 et seq.), authorizes the City Council, or an official designated by ordinance of the City Council, to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, a strong, widespread, and destructive windstorm began on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of West Covina, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging wind gusts of 50-80 mph, as well as isolated wind gusts of 80-100 mph in the mountains and foothills, were expected across most of the Los Angeles metropolitan area; and

WHEREAS, the National Weather Service issued a Particularly Dangerous Situation (PDS) Red Flag warning for portions of Los Angeles County, including the San Gabriel Valley; and

WHEREAS, areas in a Red Flag warning, especially during the PDS time frame, have increased risk for large fires with very rapid fire spread, extreme fire behavior, and long range spotting; and

WHEREAS, in West Covina, this weather system caused extreme conditions such as damage to power poles, fallen trees, power outages, damage to vehicles, and damage to City facilities; and

WHEREAS, it was anticipated that such conditions would be beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other jurisdictions to combat; and

WHEREAS, the City Council was not in session and could not be immediately called into session; and

WHEREAS, on January 8, 2025, the City Manager, as the City's Director of Emergency Services, proclaimed a local emergency as authorized by California Government Code section 8630 and West Covina Municipal Code section 8-7(a)(1); and

WHEREAS, on January 14, 2025, the City Council adopted Resolution No. 2025-3, confirming and ratifying the Director of Emergency Services' proclamation; and

WHEREAS, California Government Code section 8630(d) requires the City Council to proclaim the termination of the local emergency at the earliest possible date that conditions warrant; and

WHEREAS, the City Council has determined that the conditions of extreme peril presented by the severe windstorm have been abated to such a degree as to warrant the termination of the local emergency.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby proclaims the termination of the local emergency that was proclaimed by the Director of Emergency Services on January 8, 2025 and confirmed and ratified by the City Council on January 14, 2025 relating to the severe windstorm.

SECTION 2. This Resolution shall be effective immediately upon adoption.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 4th day of February, 2025.

_____

Tony Wu
Mayor

APPROVED AS TO FORM

Thomas P. Duarte
City Attorney

ATTEST

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2025-9 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 4th day of February, 2025, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lisa Sherrick
Assistant City Clerk

AGENDA ITEM NO. 4

AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: February 4, 2025

TO: Mayor and City Council

FROM: Paulina Morales, City Manager

SUBJECT: CONSIDERATION OF FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH SOUTH COAST, LLC DBA SOUTH COAST EMERGENCY VEHICLE SERVICE

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to execute the First Amendment to the Professional Services Agreement with South Coast LLC, dba South Coast Emergency Vehicle Service providing for a month-to-month extension of the agreement.

BACKGROUND:

In February 2020, the City entered into an agreement with South Coast Emergency Vehicle Service Inc., now known as South Coast, LLC dba South Coast Emergency Vehicle Service (South Coast), for fleet maintenance services for Fire Department vehicles and other City heavy equipment. The initial term of the agreement was three (3) years, ending February 17, 2023, with the option to extend the term for up to two (2) additional one (1) year periods. In 2023, the City and South Coast entered into a new agreement, with term through February 17, 2025.

DISCUSSION:

Staff will be issuing a Request for Proposals (RFP) for the services, which will not be completed prior to the February 17, 2025 expiration date of the agreement. To ensure that there is no lapse in services, staff recommends that the City Council authorize the City Manager to execute the proposed amendment, which provides for a month-to-month extension of the agreement for as-needed fire apparatus and heavy equipment maintenance and repair services at the current hourly rates. The standard hourly rate is currently $125.00 per hour and the overtime hourly rate is currently $130.00 per hour.

Staff anticipates completing the RFP process and seeking Council authorization for award of a new agreement tentatively in June 2025.

LEGAL REVIEW:

The City Attorney's Office has reviewed the amendment and approved it as to form.

OPTIONS:

The City Council has the following options:

1. Adopt staff's recommendation;
2. Provide alternative direction.

Prepared by: Renee M. G. Chavez, Management Analyst 1

Fiscal Impact

FISCAL IMPACT:

Funds are budgeted for in the FY2024-25 operating budget under the General - Other Vehicle Sublet Repairs 110.502.32.10.00.00.63.63290. No additional appropriation is requested at this time.

Attachments

Attachment No. 1 - Amendment

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Achieve Fiscal Sustainability and Financial Stability

AMENDMENT NUMBER ONE TO CITY OF WEST COVINA PROFESSIONAL SERVICES AGREEMENT WITH SOUTH COAST, LLC DBA SOUTH COAST EMERGENCY VEHICLE FOR FIRE APPARATUS AND HEAVY EQUIPMENT MAINTENANCE AND REPAIR

THIS AMENDMENT NUMBER ONE ("Amendment") is made and entered into as of February 4, 2025 ("Effective Date") by and between the CITY OF WEST COVINA, a municipal corporation ("City"), and SOUTH COAST, LLC, a California limited liability company DBA SOUTH COAST EMERGENCY VEHICLE SERVICE ("Contractor").

WHEREAS, City and Contractor entered into a Professional Services Agreement dated July 1, 2023 for Contractor to provide fire apparatus and heavy equipment maintenance and repair services (the "Agreement"); and

WHEREAS, the Agreement has a term through February 17, 2025; and

WHEREAS, City is conducting a formal solicitation for fire apparatus and heavy equipment maintenance and repair services; and

WHEREAS, City and Contractor desire to extend the term of the Agreement on a month-to-month basis while the City conducts its formal solicitation.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Commencing February 18, 2025, the term of the Agreement shall automatically extend for successive one (1) month periods until such time as either party terminates the Agreement.

2. Section 4.2 of the Agreement shall be deleted in its entirety and replaced as follows:

> 4.2 Notice of Termination. Either party may terminate this Agreement by giving at least thirty (30) days' written notice to the other party. In the event of such termination, Contractor shall immediately stop rendering services under this Agreement unless directed otherwise by the City.
>
> If the Contractor defaults in the performance of any of the terms or conditions of this Agreement, it shall have ten (10) days after service upon it of written notice of such default in which to cure the default by rendering satisfactory performance. In the event Contractor fails to cure its default within such period of time, the City shall have the right, notwithstanding any other provision of this Agreement, to terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled to at law, in equity, or under this Agreement.

The City shall also have the right, notwithstanding any other provisions of this Agreement, to terminate this Agreement, at its option and without prejudice to any other remedy to which it may be entitled to at law, in equity, or under this Agreement, immediately upon service of written notice of termination on the Contractor, if the latter should:

(a) Be adjudged a bankrupt;

(b) Become insolvent or have a receiver of its assets or property appointed because of insolvency;

(c) Make a general assignment for the benefit of creditors;

(d) Default in the performance of any obligation or payment of any indebtedness under this Agreement;

(e) Suffer any judgment against it to remain unsatisfied or unbonded of record for thirty (30) days or longer; or

(f) Institute or suffer to be instituted any procedures for reorganization or rearrangement of its affairs.

3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.

4. All other terms, conditions, and provisions of the Agreement shall remain in full force and effect.

5. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original, and may be executed by electronic signatures. All counterparts shall be construed together and shall constitute one agreement. Delivery of an executed counterpart of this Amendment by a .pdf data file or other scanned executed counterpart by email shall be equally as effective as delivery of a manually executed counterpart of this Amendment. Each duplicate and counterpart shall be equally admissible in evidence, and each shall fully bind each party who has executed it. The parties waive all right to challenge the admissibility or authenticity of this Amendment in a court of law based solely on the absence of an original signature.

6. The persons executing this Amendment on behalf of the parties hereto warrant that they are duly authorized to execute this Amendment on behalf of said parties and that by doing so, the parties hereto are formally bound to the provisions of this Amendment.

IN WITNESS WHEREOF, City and Contractor have executed this Amendment as of the date set forth above.

CITY OF WEST COVINA	CONTRACTOR
_____	_____
Paulina Morales City Manager	Matthew L. Szafranek President

ATTEST:

_____
Lisa Sherrick
Assistant City Clerk

APPROVED AS TO FORM:

_____
Thomas P. Duarte
City Attorney

APPROVED AS TO INSURANCE:

_____
Stephanie Sikkema
Risk Management

AGENDA ITEM NO. 5

AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: February 4, 2025

TO: Mayor and City Council

FROM: Paulina Morales, City Manager

SUBJECT: **CONSIDERATION OF PRECISE PLAN NO. 24-01, ZONE CHANGE NO. 24-01 (ORDINANCE NO. 2527) AND MITIGATED NEGATIVE DECLARATION TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY 85,390 SQUARE FOOT DEALERSHIP BUILDING AND CHANGE THE ZONING FOR A PORTION OF THE PROJECT SITE CURRENTLY ZONED NEIGHBORHOOD COMMERCIAL MIXED USE (NMU) TO SERVICE COMMERCIAL MIXED USE (SMU) WITHIN THE AUTO PLAZA OVERLAY ZONE AT 1800 E. GARVEY AVENUE AND 200 S. AZUSA AVENUE**

RECOMMENDATION:

It is recommended that the City Council:

1. Conduct the public hearing.

2. Adopt the following resolution to adopt the Mitigated Negative Declaration:
   RESOLUTION NO. 2025-7 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR ZONE CHANGE NO. 24-01 AND PRECISE PLAN NO. 24-01 AT 1800 EAST GARVEY AVENUE SOUTH AND 200 SOUTH AZUSA AVENUE PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

3. Introduce the following ordinance to adopt Zone Change No. 24-01:
   ORDINANCE NO. 2527 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA ADOPTING ZONE CHANGE NO. 24-01, REZONING A PROPERTY (200 SOUTH AZUSA AVENUE) IN THE NEIGHBORHOOD COMMERICAL MIXED-USE ZONE (NMU) TO SERVICE COMMERCIAL MIXED USE (SMU) WITHIN THE AUTO PLAZA OVERLAY

4. Adopt the following resolution to approve Precise Plan No. 24-01:
   RESOLUTION NO. 2025-8 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 24-01 FOR THE PROPERTY LOCATED AT 1800 E AST GARVEY AVENUE SOUTH AND 200 SOUTH AZUSA AVENUE

BACKGROUND:

The project was initially reviewed by the Planning Commission on December 10, 2024. The Planning Commission voted 3-0 to recommend City Council approval of the project (Attachment No. 5).

DISCUSSION:

The project site is located south of the Interstate 10 Freeway at the intersection of South Azusa Avenue and East Garvey Avenue South. The overall project site is composed of three (3) separate parcels totaling 154,286 square feet in area. The site is currently occupied by the former Toyota car dealership and a Valero gasoline station. The existing structures on site and the parking lot will be demolished. The site is designated for commercial land use by the General Plan and is zoned Service Commercial Mixed Use (SMU) and Neighborhood Commercial Mixed Use (NMU).

ITEM	DESCRIPTION
ZONING AND GENERAL PLAN LAND USE DESIGNATION	Service Commercial Mixed Use (SMU) and Neighborhood Commercial Mixed Use (NMU) within the Auto Plaza Overlay Zone; Commercial
SURROUNDING ZONING AND LAND USES	North: Interstate 10 Freeway, Service Commercial Mixed Use (SMU); Commercial East: Service Commercial Mixed Use (SMU); Commercial South: Service Commercial Mixed Use (SMU); Commercial West: Neighborhood Commercial Mixed Use (NMU); Commercial
CURRENT DEVELOPMENT	Dealership Building
LEGAL NOTICE	Notice of the Public Hearing were mailed out to all owners of properties within five hundred (500) feet of the subject site at least thirty (30) days in advance, as well as published in the San Gabriel Valley Tribune. Additionally, a notice of the Public Hearing was posted on the site.

Zone Change

The proposed zone change would alter a portion of the project site where the current Valero gasoline station sits. The zone change would rezone the parcel from Neighborhood Commercial Mixed-Use to Service Commercial Mixed-Use within the Auto Plaza Overlay Zone. The zone change is required as automobile sales/dealerships are only permitted in the Regional Commercial Mixed-Use Zone and in the Service Commercial Mixed-Use Zone. Additionally, it would provide zoning consistency with the remaining project site.

Precise Plan

The proposed scope of work includes the demolition of the existing Toyota dealership building and the existing Valero gas station, to accommodate the construction of a new two-story 85,390 square foot automobile dealership building for Mercedes-Benz of West Covina. The first floor will be 42,890 square feet, and will consist of a showroom, vehicle delivery rooms, offices, detail bays (used to clean/polish vehicles for display), and other facilities such as a customer lounge room, employee lunchrooms, offices, restrooms and storage rooms. The second floor will be 42,500 square feet with a second floor roof overhang of 8,920 square feet and will consist of a showroom, an employee lunchroom, conference rooms, offices, restrooms, and storage rooms.

The proposed construction complies with all setbacks, height, and building coverage requirements for the Service Commercial Mixed-Use Zone. The West Covina Municipal Code (WCMC) requires a minimum of a 5-foot front and rear setback for commercial properties abutting nonresidential uses. As noted in the table above, all immediate abutting properties are commercial. There are no minimum side setbacks for this property. As currently proposed, the building surpasses the minimum setbacks significantly.

Additionally, the WCMC allows up to fifty (50) percent building coverage. The current building coverage, which includes the building footprint and the trash enclosure, is twenty-eight (28) percent, significantly less than the maximum permitted. The building is proposed to be 47'-10" which complies with the WCMC, as there is no maximum height for structures located at least one hundred (100) feet away from residential properties.

The table below summarizes how the project compares with the WCMC standards:

	PROPOSED	WCMC STANDARDS
LOT AREA	154,286 Square Feet	----------
BUILDING AREA First Floor Second Floor	Total: 85,390 Square Feet First Floor - 42,890 Square Feet Second Floor - 42,500 Square Feet	----------
HEIGHT	47'-10"	No Maximum Height
BUILDING COVERAGE	0.28 (52,130 Square Feet)	0.50 (77,143 Square Feet)
SETBACKS Front (East) Side (South) Side (North) Rear (West)	 Front (East) - 35'-5" Side (South) - 214' Side (North) - 26'-3" Rear (West) - 26'-8"	 Front (East) - 5 Feet Side (South) - No Minimum Side (North) - N/A Rear (West) - 5 Feet

Architecture

The architectural style of the overall building is modern. The building will primarily be made of large glass panels and gray accent walls. At the top portion, there will be a gray parapet wall to screen mechanical equipment from view.



Parking and Circulation

The site is accessible via four (4) separate driveways: one (1) driveway on South Azusa Avenue and three (3) driveways on E. Garvey Avenue South.

The WCMC requires a total of eighty-one (81) parking spaces for the proposed use based on a ratio of one (1) parking space for each one thousand (1,000) square feet of gross land area devoted to display of such use.

	AREA	REQUIRED PARKING
Indoor Vehicle Display/Showroom	50,213 Square Feet	50.21
Outdoor Vehicle Display (Approx. 140 Spaces)	~30,000 Square Feet	30
TOTAL	80,213 Square Feet	81

There will be a total of ninety-one (91) off-site parking spaces: eighteen (18) standard electric vehicle parking spaces, forty-eight (48) standard employee parking spaces, five (5) ADA parking spaces (one of which will be EV), and twenty (20) standard customer parking spaces.

DEVELOPMENT IMPACT FEES
The City adopted Development Impact Fees in December 2015. For this project, the applicant will be required to pay Development Impact Fees of $1.73 per square foot (or current fee). Based off the proposed square footage, the estimated cost for the development impact fee is $147,724.70.

ART IN PUBLIC PLACES
The proposed project is subject to the provisions of the Art in Public Places ordinance (WCMC Section 17-41). The applicant may elect to pay an in-lieu fee, or provide public art on site at a rate of 1% of the total project costs, excluding land.

GENERAL PLAN CONSISTENCY
The City's General Plan designates the subject property for Commercial Use. The project is consistent with the following General Plan policies:

Policy 2.1: Maintain and enhance the City's current tax base.
Policy 2.4: Building on and growing West Covina's regional appeal.

REQUIRED FINDINGS
Findings necessary for the approval of a Precise Plan are as follows:

a. The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.

The project site is designated as "Commercial" in the City's General Plan and is consistent with the General Plan's goals. The subject property is located south of the Interstate 10 Freeway and is easily accessed via N. Azusa Avenue and E. Garvey Avenue South. The project site is adjacent to commercial properties to the North, East, and South and West.

b. The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provisions of the Municipal Code.

The project proposal is to demolish the existing dealership building and gas station to allow for the construction of an 85,390 square two-story dealership building. The proposal complies with the requirements of the Service Commercial Mixed-Use (SMU) Zone and the Auto Plaza Overlay Zone.

c. Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

The proposed project is surrounded by commercial uses, including other dealership properties. Therefore, granting the permit would not be detrimental to the public interest, health, safety, and welfare would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

d. The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation.

The site will be physically suitable for the type, density and intensity of the development being proposed. The project site will be visible from the surrounding areas, which includes the Interstate 10 Freeway and commercial buildings. Vehicles would be able to access the project site via S. Azusa Avenue and E. Garvey Avenue South.

e. The architecture, site layout, location, shape, bulk, and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.

The architectural style of the building is modern. The building will primarily be composed of large glass panels. The use does not interfere with the orderly development in the vicinity.

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolutions and ordinance and approved them as to form.

OPTIONS:

The City Council has the following options:

1. Approve the project as recommended by the Planning Commission; or
2. Provide an alternative direction.

ENVIRONMENTAL REVIEW:

The Mitigated Negative Declaration of Environmental Impact (MND) prepared for the project disclosed that the project will not have a significant impact on the environment. Mitigation measures have been incorporated into the project's design and as conditions of approval to reduce impacts on the environment to a less than significant level. The MND has been prepared pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, as amended, and was circulated for public comment for 20 days (from October 30 through November 18, 2024). Comments were received from the Los Angeles County Sanitation District and the California Department of Transportation (Caltrans). A Response to Comments was prepared and is provided as Attachment No. 4. A revised version of the Response to Comments, dated January 2025, is included as Exhibit B to Resolution No. 2025-7.

A copy of the MND can be found on the City's Planning Division web page at the following link: Environmental Documents

Traffic

RK Engineering Group Inc. prepared a traffic analysis for the project in September 2024, to assess traffic impacts. The traffic analysis evaluated potential project-related traffic impacts on S. Azusa Avenue and E. Garvey Avenue. The existing land uses generate approximately 3,312 daily trips, consisting of 205 AM peak hour trips and 241 PM peak hour trips. The proposed use is estimated to generate 3,012 daily trips, including 191 trips during the AM peak hour and 243 trips during the PM peak hour. As such, the project is expected to generate approximately 300 fewer daily trips, 14 fewer AM peak hour trips, and 2 greater PM peak hour trips. The project Vehicle Miles Traveled (VMT) impact was assessed in accordance with the City of West Covina VMT guidelines and guidance from City staff. Since the project is expected to generate less VMT as the existing land uses, the VMT impacts associated with the project would be less than significant.

Air Quality

According to the Air Quality Study, the construction and operation emissions are below the regional thresholds of significance. The cumulative short-term construction-related emissions and long-term operational emissions from the project will not contribute considerably to any potential cumulative air quality impact.

Required Mitigations
The environmental study concluded that mitigation measures are required for the following topics:
Biological Resources (Nesting and Birds);
Cultural Resources (Archeological Resources);
Geology and Soils (Paleontological Resources);
Hazards and Hazardous Materials;
Tribal Cultural Resources.

A Mitigation Monitoring Program is an exhibit of Attachment No. 1 and provides information on the mitigation measures and monitoring by responsible agencies.

Based on the findings of the Initial Study, this project would not result in significant environmental impacts. Mitigation measures for biological resources, geology and soils, cultural resources, geology and soils, hazards and hazardous materials, noise, transportation and tribal cultural resources will be required to reduce impacts to a less than significant level. Accordingly, a Mitigated Negative Declaration (MND) will be adopted, pursuant to Section 21080(c) of the Public Resources Code. The project site is not included on any list of hazardous materials facilities, hazardous waste properties, or hazardous waste disposal sites enumerated under Section 65962.5 of the California Government Code (Cortese List).

In compliance with CEQA, the State CEQA Guidelines, an MND was prepared and will be considered prior to approval of the Project. The MND serves as a finding that the Project would not have a significant effect on the environment, with the incorporation of mitigation measures, as appropriate.

Based on the environmental analyses, with compliance with applicable regulatory requirements and/or the implementation of mitigation measures, the Project would have less than significant impacts on humans, as it relates to the following environmental issue areas: aesthetics, hydrology and water quality, noise, recreation, utilities and service systems, agriculture and forestry resources, greenhouse gas emissions, land use and planning, population and housing, transportation, wildfire, air quality, energy, mineral resources and public services.

The proposed Project's impacts on the following issue areas would require the implementation of mitigation measures: biological resources, geology/soils, cultural resources, hazards and hazardous materials, and tribal cultural resources. All impacts would be avoided or reduced to less than significant levels after mitigation. Therefore, the proposed Project would not result in environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly, with the implementation of mitigation measures. All impacts would be less than significant after mitigation.

Fiscal Impact

FISCAL IMPACT:

The new car dealership is anticipated to increase General Fund sales tax revenue within the City. However, the potential increase is unknown. Additionally, the applicant will be required to pay Development Impact Fees of $1.73 per square foot (or current fee). Based off the proposed square footage, the estimated cost for the development impact fee is $14,772.47. The proposed project is also subject to the provisions of the Art in Public Places ordinance (WCMC Section 17-41). The applicant may elect to pay an in-lieu fee, or provide public art on site at a rate of 1% of the total project costs, excluding land.

Attachments

Attachment No. 1 - Resolution No. 2025-7 (MND)

Attachment No. 2 - Ordinance No. 2527 (Zone Change)

Attachment No. 3 - Resolution No. 2025-8 (Precise Plan)
Attachment No. 4 - Response to Comments
Attachment No. 5 - PC Resolutions

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability
Expand Economic Development Opportunities

ATTACHMENT NO. 1

RESOLUTION NO. 2025-7

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND APPROVING AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM FOR ZONE CHANGE NO. 24-01 AND PRECISE PLAN NO. 24-01 AT 1800 EAST GARVEY AVENUE SOUTH AND 200 SOUTH AZUSA AVENUE PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City Council of the City of West Covina hereby finds and declares as follows:

WHEREAS, the applicant, Boyd Sumner of Envision Motors, filed with the City a verified application requesting approval of a precise plan (Precise Plan No. 24-01) to:

Allow the demolition of an existing auto dealership and an operating gas station and the construction of a new two-story 85,390 square foot dealership building on a certain property described as:

Assessor's Parcel No. 8478-007-031, -025, and -042, in the records of the Los Angeles County Assessor; and

WHEREAS, the applicant also filed an application requesting approval of a zone change (Zone Change No. 24-01) to alter a portion of the project site currently zoned Neighborhood Commercial Mixed Use (NMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone; and

WHEREAS, Precise Plan No. 24-01 and Zone Change No. 24-01 (the "Project") are considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA); and

WHEREAS, the City, through its environmental consultant, prepared an Initial Study for the Project; and

WHEREAS, following completion of the Initial Study, the City determined that the proposed Project, with mitigation, would not have a significant impact on the environment and would not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Fish and Game Code; and

WHEREAS, the City, through its environmental consultant, prepared an Initial Study and Mitigated Negative Declaration (IS/MND) which included revisions to and/or conditions placed on the Project, which were determined by the environmental coordinator to avoid or reduce the potentially significant effects to a level that is clearly less than significant and that there was, therefore, no substantial evidence that the

Project, as revised and conditioned, would have a significant effect on the environment; and

WHEREAS, the applicant agreed to the revisions and conditions prior to the release of the IS/MND for public review; and

WHEREAS, the IS/MND was circulated for a 20-day public review period between October 30, 2024 and November 18, 2024; and

WHEREAS, comments were received during the public review period from the following entities: Los Angeles County Sanitation Districts and Caltrans. The letters and responses to comments are contained in a document, along with an errata and final mitigation monitoring and reporting program, dated January 2025; and

WHEREAS, on December 10, 2024, the Planning Commission conducted a duly noticed public hearing to consider the Project, including the IS/MND, at the conclusion of which the Planning Commission adopted resolutions recommending that the City Council adopt the MND and Zone Change No. 24-01, and adopted a resolution in favor of Precise Plan No. 24-01; and

WHEREAS, in accordance with CEQA Guidelines Section 15074(b), the City has considered the proposed IS/MND together with the comments received during the public comment period and determined on the basis of the whole record before it that there is no substantial evidence that the Project will have a significant effect on the environment and that the MND reflects the City's independent judgment and analysis; and

WHEREAS, on February 4, 2025, the City Council conducted a duly noticed public hearing to consider the Project, including the MND; and

WHEREAS, in making the various findings set forth herein, the City Council has considered all of the evidence presented by staff and the public, whether written or oral, and has considered the procedures and the standards required by the West Covina Municipal Code.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The foregoing recitals are true and correct and are incorporated herein.

SECTION 2. Adoption of Mitigated Negative Declaration. The City Council of the City of West Covina hereby adopts the Initial Study/Mitigated Negative Declaration. In its entirety, the document consists of the Initial Study and Mitigated Negative Declaration dated January 2025, attached hereto as Exhibit A, and the Responses to Comments, Errata, and Final Mitigation Monitoring and Reporting Program dated January 2025,

attached hereto as Exhibit B. The City Council also approves and adopts the Mitigation Monitoring and Reporting Program set forth in Exhibit B.

SECTION 3. General Plan Environmental Impact Reports. All feasible mitigation measures identified in the City of West Covina General Plan Environmental Impact Reports which are applicable to this Project have been adopted and undertaken by the City of West Covina and all other public agencies with authority to mitigate the Project impacts or will be undertaken as required by this Project.

SECTION 4. Record of Proceedings. The documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in the office of the West Covina Deputy Community Development Director, 1444 West Garvey Avenue South, West Covina, CA 91790. The custodian of these documents and other materials is the West Covina Deputy Community Development Director.

SECTION 5. Notice of Determination. Upon approval of the Project by the City Council, the environmental coordinator shall file a Notice of Determination with the County Clerk of Los Angeles County.

SECTION 6. Effective Date. The City Clerk shall certify to the adoption of this Resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 4th day of February, 2025.

Tony Wu
Mayor

APPROVED AS TO FORM

Thomas P. Duarte
City Attorney

ATTEST

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2025-7 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 4th day of February 2025, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Lisa Sherrick
Assistant City Clerk

EXHIBIT A

INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

ENVISION MOTORS
MERCEDES BENZ DEALERSHIP PROJECT
Initial Study and Mitigated Negative Declaration (IS/MND)

CEQA Analysis Prepared for:

City of West Covina
Planning Division
1444 W. Garvey Avenue S
West Covina, CA 91790

Prepared by:

UltraSystems Environmental Inc.
16431 Scientific Way
Irvine, CA 92618-4355
Telephone: 949-788-4900
FAX: 949/788-4901

January 2025

Project No. 7212

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PROJECT INFORMATION SHEET

1. Project Title	Envision Mercedes Benz Dealership, City of West Covina Project
2. CEQA Lead Agency	**City of West Covina** **Community Development Department** **Planning Division** 1444 West Garvey Ave # 208 West Covina, CA 91790 Jo-Anne Burns, Deputy Community Development Director E: jburns@westcovina.org
3. Project Applicant	**Envision Motors** 2010 E Garvey Ave S West Covina, CA 91791 Boyd Sumner, Director Franchise Operations E: boyd.sumner@envisionmotors.com
4. Project Location	1800 East Garvey Avenue, West Covina, CA 91791
5. Assessor's Parcel Numbers	APNs 8478-007-025; -031; and -042
6. Project Site General Plan Designation(s)	Commercial (C), Auto Plaza Overlay Zone
7. Project Site Zoning Designation(s)	Service Commercial Mixed-Use (SMU) and Neighborhood Commercial Mixed Use (NMU)
8. Surrounding Land Uses and Setting	The site is surrounded by an auto dealership to the east and south opposite East Garvey Avenue; a restaurant and a gas station to the west opposite Azusa Avenue; and the I-10 freeway to the north.
9. Description of Project	The proposed project would involve demolition of an existing auto dealership (Envision Motors Toyota) and an operating Valero gas station, and construction of a new two-story automotive sales and dealership building housing Envision Motors Mercedes Benz, selling four related brands – Mercedes Benz, Maybach, AMG and Sprinter – as well as associated surface parking, landscaping, and facilities for EV charging. Refer to **Section 3.0** of this document for additional information.

	The project applicant is requesting the following discretionary actions, which are discussed in detail in **Section 3.0** of this document: • Site Plan approval and building permits. • Zone Change
11. Selected Agencies whose Approval is Required	City of West Covina
12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code § 21080.3.1? If so, has consultation begun?	Letters were sent by the City of West Covina (the Lead Agency), on September 5, 2024 to local Native American tribes asking if they wished to participate in AB 52 and SB 18 consultation concerning the proposed project. Tribes had up to 30 days and 90 days respectively in which to respond to notification of the project. For the proposed project, those tribe(s) that requested consultation were contacted by the City per Public Resources Code § 21074. On September 6, 2024, the City received a communication from the Gabrielino – Kizh Nation requesting consultation. No other tribes responded. The Kish Nation submitted Tribal Cultural Resource mitigation measures which were adopted and consultation was concluded.
13. Other Public Agencies	Agencies that will review the proposed project include the following: • California Regional Water Quality Control Board – Los Angeles • South Coast Air Quality Management District • City of West Covina Fire Department • California Department of Motor Vehicles

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ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Term
AAQS	ambient air quality standards
AB 32	California Global Warming Solutions Act of 2006 (Assembly Bill 32)
AB 52	Assembly Bill 52
ACM(s)	Asbestos-Containing Material(s)
ADA	Americans with Disabilities Act
AFY	Acre-feet per year
AIA	Airport Influence Area
amsl	above mean sea level
APE	Area of Potential Effects
APN	Assessor's Parcel Number
AQA	Air Quality Analysis
AQMP	Air Quality Management Plan
ARB	California Air Resources Board
BAU	business as usual
BIOS	Biogeographic Information and Observation System
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CAL FIRE	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CAO(s)	Cleanup and Abatement Order(s)
CAPCOA	California Air Pollution Control Officers Association
CASGEM	California Statewide Groundwater Elevation Monitoring
CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDO(s)	Cease and Desist Order(s)
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFGC	California Fish and Game Code
cfs	cubic feet per second
CGS	California Geological Survey
CH_4	methane
CHRIS	California Historic Resources Inventory System
City	City of West Covina
CIWMP	Los Angeles Countywide Integrated Waste Management Plan
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide

Acronym/Abbreviation	Term
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
CWA	Clean Water Act
dB	decibel
dBA	A-weighted decibel scale
DOC	California Department of Conservation
DOSH	California Division of Safety and Health
DTSC	Department of Toxic Substances Control
du/ac	Dwelling units per acre
DWR	Department of Water Resources
EIR	Environmental Impact Report
EMS	Emergency Medical Services
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
ESA	Environmental Site Assessment
EV	electric vehicle
EVCS	electric vehicle charging station
°F	degrees Fahrenheit
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
GWP	global warming potential
HABS	Historic American Building Survey
HCP	Habitat Conservation Plan
HFCs	hydroflourocarbons
HU	Hydrologic Unit
HVAC	heating, ventilation and air conditioning
IPCC	Intergovernmental Panel on Climate Change
ISA	International Society of Arboriculture
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
L_{90}	noise level that is exceeded 90% of the time
L_{eq}	equivalent noise level
LACFCD	Los Angeles County Flood Control District
LACPW	Los Angeles County Public Works
LARWCB	Los Angeles Regional Water Quality Control Board
LBP	Lead-Based Paint
LID	Low Impact Development
L_{max}	root mean square maximum noise level
LOS	Level of Service
LRA	Local Responsibility Area
LSTs	Localized Significance Thresholds
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
mgd	million gallons per day
MLD	Most Likely Descendant

Acronym/Abbreviation	Term
MM(s)	mitigation measure(s)
MMRP	Mitigation Monitoring and Reporting Program
$MMTCO_2e$	million metric tons of CO2e
MND	Mitigated Negative Declaration
MRF	Material Recovery Facility
MRZ	Mineral Resource Zone
MS4	Municipal Separate Storm Sewer permit
MT	Metric tons
MWD	Metropolitan Water District of Southern California
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
National Core	National Community Renaissance
NASA	National Aeronautics and Space Administration
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NO	nitric oxide
NO_x	nitrogen oxides
NO_2	nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
O_3	Ozone
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	lead
PCB	polychlorinated biphenyl
PFCs	perfluorocarbons
PM	particulate matter
PM_{10}	respirable particulate matter
$PM_{2.5}$	fine particulate matter
ppm	parts per million
PPV	peak particle velocity
RCRA	Resource Conservation and Recovery Act
RECs	Recognized Environmental Condition(s)
R-G	Medium Density Residential zoning designation
RHNA	Regional Housing Needs Allocation
RMS	root mean square
ROG	Reactive organic gases
ROW	Right-of-way
RPS	Renewables Portfolio Standard
RWQCB	Regional Water Quality Control Board
§	section
SB	Senate Bill
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center

Acronym/Abbreviation	Term
SCE	Southern California Edison Company
SF_6	sulfur hexafluoride
SIP	State Implementation Plan
SLF	Sacred Lands File
SMARA	Surface Mining and Reclamation Act
SO_2	sulfur dioxide
SoCalGas	Southern California Gas Company
SRA	State Responsibility Area
SRAs	source receptor areas
SRRE	Source Reduction and Recycling Element
STIP	Statewide Transportation Improvement Program
SWC	Southwest Water Company
Suburban	Suburban Water Systems
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAPs	Transportation Assembly Points
T-C	Town Center zoning designation
TCRs	Tribal Cultural Resources
TMP	Traffic Management Plan
UFPO	Urban Forest Protection Ordinance
UEI	UltraSystems Environmental, Inc.
U.S.	United States
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency
VdB	vibration decibels
VCP	vitrified clay pipe
VHFHSZ(s)	very high fire hazard severity zone(s)
VMT	vehicle miles traveled
VOC	volatile organic compound
WCFD	West Covina Fire Department
WCPD	West Covina Police Department
WCUSD	West Covina Unified School District
WEG	wind erodibility group
WQMP	Water Quality Management Plan
WRI	World Resources Institute
ybp	years before present

1.0 INTRODUCTION

1.1 Proposed Project

The City of West Covina (City) is processing a request to implement a series of discretionary actions that would ultimately allow the demolition of an existing auto dealership (Envision Motors Toyota) and an operating Valero gas station, and the development of a new two-story automotive sales and dealership building housing Envision Motors Mercedes Benz of West Corvina, selling four related new car brands – Mercedes Benz, Maybach, AMG, and Sprinter automotive lines along with pre-owned vehicles. Development would also include associated surface parking, landscaping, and Electric Vehicle (EV) charging facilities.

The project is located at 1800 East Garvey Avenue South and 200 South Azusa Avenue in West Corvina on the southeast corner of the I-10 freeway and the South Azusa Avenue interchange. The site area encompasses 3.53 acres on three parcels, with plans for a total building area of 85,390 square feet, including the enclosed first and second floors, along with a second-floor delivery deck.

1.1.1 Project Components

The proposed project would consist of:

Demolition

- The existing dealership, Envision Toyota of West Covina.
- The 10-VFP (vehicle fueling position) Valero gas station.

Proposed Buildings

Construction of a two-story commercial building with a total of 85,390 square feet.

- First Floor: 42,890 square feet.
- Second Floor: 42,500 square feet.
- Second Floor Roof Overhang: 8,920 square feet.

Parking

First Level

- Display Parking: 144 spaces
- Pre-owned Showroom: 98 spaces
- Customer Parking: 25 spaces
- Parking (undesignated): 43 spaces
- EV Parking: 20 spaces
- Sprinter Showroom: 11 spaces
- New Vehicle Delivery: 4 spaces
- Detail Bays: 8 spaces

Second Floor

- Showroom: 42 spaces

Total Parking Spaces: 395 spaces

Utilities

- EV Transformers
- Trash Yard (enclosure)

1.1.2 Estimated Construction Schedule

Section 3.0 of the Initial Study provides a summary of the timeline, equipment, and number of workers for each phase of the construction project. As stated, the construction phase is anticipated to have duration of approximately 14 months, commencing in June 2025 and concluding in July 2026.

1.2 Lead Agencies – Environmental Review Implementation

The City of West Covina is the Lead Agency for the proposed project. Pursuant to the California Environmental Quality Act (CEQA) and its implementing regulations,[1] the Lead Agency has the principal responsibility for implementing and approving a project that may have a significant effect on the environment.

1.3 CEQA Overview

1.3.1 Purpose of CEQA

All discretionary projects within California are required to undergo environmental review under CEQA. A Project is defined in CEQA Guidelines § 15378 as the whole of the action having the potential to result in a direct physical change or a reasonably foreseeable indirect change to the environment and is any of the following:

- An activity directly undertaken by any public agency including but not limited to public works construction and related activities, clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements.
- An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

CEQA Guidelines § 15002 lists the basic purposes of CEQA as follows:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures (MMs) when the governmental agency finds the changes to be feasible.

1 Public Resources Code §§ 21000 - 21177 and California Code of Regulations Title 14, Division 6, Chapter 3.

- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

1.3.2 Authority to Mitigate under CEQA

CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. Under CEQA Guidelines § 15041 a Lead Agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the "nexus"2 and "rough proportionality"3 standards.

CEQA allows a Lead Agency to approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that there is no feasible way to lessen or avoid the significant effect. In such cases, the Lead Agency must specifically identify expected benefits and other overriding considerations from the project that outweigh the policy of reducing or avoiding significant environmental impacts of the project.

1.4 Purpose of Initial Study

The CEQA process begins with a public agency making a determination as to whether the project is subject to CEQA at all. If the project is exempt, the process does not need to proceed any farther. If the project is not exempt, the Lead Agency takes the second step and conducts an Initial Study to determine whether the project may have a significant effect on the environment.

The purposes of an Initial Study as listed in § 15063(c) of the CEQA Guidelines are to:

- Provide the Lead Agency with information necessary to decide if an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND) should be prepared.
- Enable a Lead Agency to modify a project to mitigate adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a ND or MND.
- Assist in the preparation of an EIR, if required, by focusing the EIR on adverse effects determined to be significant, identifying the adverse effects determined not to be significant, explaining the reasons for determining that potentially significant adverse effects would not be significant, and identifying whether a program EIR, or other process, can be used to analyze adverse environmental effects of the project.
- Facilitate an environmental assessment early during project design.
- Provide documentation in the ND or MND that a project would not have a significant effect on the environment.
- Eliminate unnecessary EIRs.
- Determine if a previously prepared EIR could be used for the Project.

2 A nexus (i.e., connection) must be established between the mitigation measure and a legitimate governmental interest.

3 The mitigation measure must be "roughly proportional" to the impacts of the Project.

In cases where no potentially significant impacts are identified, the Lead Agency may issue a ND, and no MMs would be needed. Where potentially significant impacts are identified, the Lead Agency may determine that MMs would adequately reduce these impacts to less than significant levels. The Lead Agency would then prepare a MND for the proposed project. If the Lead Agency determines that individual or cumulative effects of the proposed project would cause a significant adverse environmental effect that cannot be mitigated to less than significant levels, then the Lead Agency would require an EIR to further analyze these impacts.

1.5 Review and Comment by Other Agencies

Other public agencies are provided the opportunity to review and comment on the IS/MND. Each of these agencies is described briefly below.

- A Responsible Agency (14 CCR § 15381) is a public agency, other than the Lead Agency, that has discretionary approval power over the Project, such as permit issuance or plan approval authority.
- A Trustee Agency[4] (14 CCR § 15386) is a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California.
- Agencies with Jurisdiction by Law (14 CCR § 15366) are any public agencies who have authority (1) to grant a permit or other entitlement for use; (2) to provide funding for the project in question; or (3) to exercise authority over resources which may be affected by the project. Furthermore, a city or county will have jurisdiction by law with respect to a project when the city or county having primary jurisdiction over the area involved is: (1) the site of the project; (2) the area in which the major environmental effects will occur; and/or (3) the area in which reside those citizens most directly concerned by any such environmental effects.

1.6 Impact Terminology

The following terminology is used to describe the level of significance of potential impacts:

- A finding of ***no impact*** is appropriate if the analysis concludes that the project would not affect the particular environmental threshold in any way.
- An impact is considered ***less than significant*** if the analysis concludes that the project would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered ***less than significant with mitigation incorporated*** if the analysis concludes that the project would cause no substantial adverse change to the environment with the inclusion of environmental commitments, or other enforceable measures, that would be adopted by the lead agency.
- An impact is considered potentially significant if the analysis concludes that the project could have a substantial adverse effect on the environment.

An EIR is required if an impact is identified as ***potentially significant***.

4 The four Trustee Agencies in California listed in CEQA Guidelines § 15386 are California Department of Fish and Wildlife, State Lands Commission, State Department of Parks and Recreation, and University of California.

1.7 Organization of Initial Study

This document is organized to satisfy CEQA Guidelines § 15063(d), and includes the following sections:

- **Section 1.0 - Introduction**, which identifies the purpose and scope of the IS/MND.
- **Section 2.0 - Environmental Setting**, which describes location, existing site conditions, land uses, zoning designations, topography, and vegetation associated with the project site and surroundings.
- **Section 3.0 - Project Description**, which provides an overview of the project, a description of the proposed development, project phasing during construction, and discretionary actions for project approval.
- **Section 4.0 - Environmental Checklist**, which presents checklist responses for each resource topic to identify and assess impacts associated with the proposed project, and proposes MMs, as needed, to reduce potential environmental impacts to less than significant.
- **Section 5.0 - References**, which includes a list of documents cited in the IS/MND.
- **Section 6.0 - List of Preparers**, which identifies the primary authors and technical experts that prepared the IS/MND.

Technical studies and other documents, which include supporting information or analyses used to prepare the IS/MND, are included in the following appendices:

Appendix A	Project Plans and Drawings
Appendix B	Air Quality and Greenhouse Gas Emissions Data
Appendix C	Biological Resources-Species Tables
Appendix D	Cultural Resources Report
Appendix E1	Preliminary Geotechnical Investigation
Appendix E2	Paleontological Resources Records Search
Appendix F1	Phase I ESA-Envision
Appendix F2	Asbestos Sampling-Testing Records-Envision
Appendix F3	Phase I ESA-Shell
Appendix G1	Preliminary Hydrology Report
Appendix G2	Low Impact Development (LID) Plan
Appendix H	Noise Assessment
Appendix I	RK Engineering VMT Analysis

1.8 Findings from the Initial Study

1.8.1 No Impact or Impacts Considered Less than Significant

Based on IS findings, the project would have no impact or a less than significant impact on the following environmental categories listed from Appendix G of the CEQA Guidelines.

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality

- Energy
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems
- Wildfire

1.8.2 Impacts Considered Less than Significant with Mitigation Measures

Based on IS findings, the project would have a less than significant impact on the following environmental categories listed in Appendix G of the CEQA Guidelines when proposed MMs are implemented.

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Tribal Cultural Resources
- Mandatory Findings of Significance

2.0 ENVIRONMENTAL SETTING

2.1 Project Location

The proposed Envision Motors Mercedes Benz Dealership Project is located at 1800 East Garvey Avenue in the City of West Covina, California, on an approximately 3.54-acre site (APNs: 8478-007-025; -031; and -042). Refer to **Figure 2.1-1**, which shows the project's location in a regional context. **Figure 2.1-2** shows the project vicinity. Local surface streets adjacent to the site include North Azuza Avenue to the west and East Garvey Avenue to the south. **Figure 2.1-3** depicts an aerial photo of the project site and the surrounding land.

2.2 Project Setting

The project site consists of the existing Envision Toyota Dealership of West Covina, a surface parking lot, and a Valero gas station. See **Figure 2.2-1**, which depicts the topography of the site, and surrounding area. The project site is relatively flat with an elevation between 441 to 454 feet above mean sea level (amsl) (Google Earth Pro, 2024). Site photographs are provided in **Figure 2.2-2**.

2.2.1 Land Use and Zoning

The land use, zoning, and existing developments of the project site and its immediate vicinity are listed in **Table 2.2-1**. The project site has a General Plan land use designation of Commercial (C) and a zoning designation of Service Commercial Mixed Use (SMU) and Neighborhood Commercial Mixed Use (NMU) and is located within the Auto Plaza Overlay Zone. (City of West Covina, 2024).

Table 2.2-1
SUMMARY OF EXISTING LAND USE, ZONING AND EXISTING DEVELOPMENTS

Location	General Plan Designation	Zoning Designation	Existing Development
Project Site	Commercial (C)	Service Commercial Mixed Use (SMU) and Neighborhood Commercial Mixed Use (NMU)	Car dealership and gas station
North	Right-of-Way (ROW)	Right-of-Way (ROW)	I-10 freeway
South	Commercial (C)	Service Commercial Mixed Use (SMU)	Car dealership
East	Commercial (C)	Service Commercial Mixed Use (SMU)	Car dealership
West	Commercial (C)	Neighborhood Commercial Mixed Use (NMU)	Restaurant and gas station

Source: City of West Covina, 2024; Google Earth Pro, 2024

Figure 2.1-1
REGIONAL LOCATION

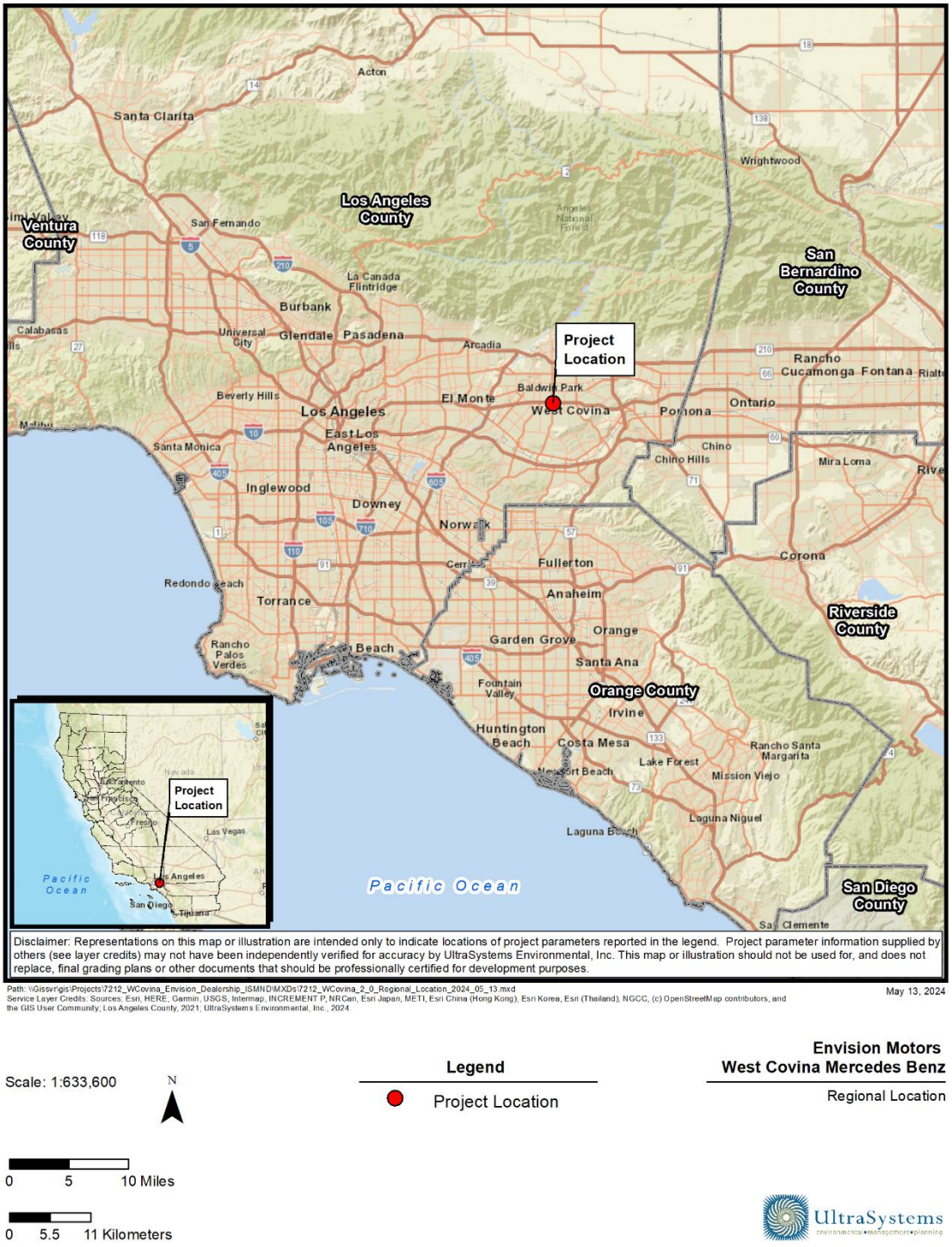


Figure 2.1-2
PROJECT VICINITY

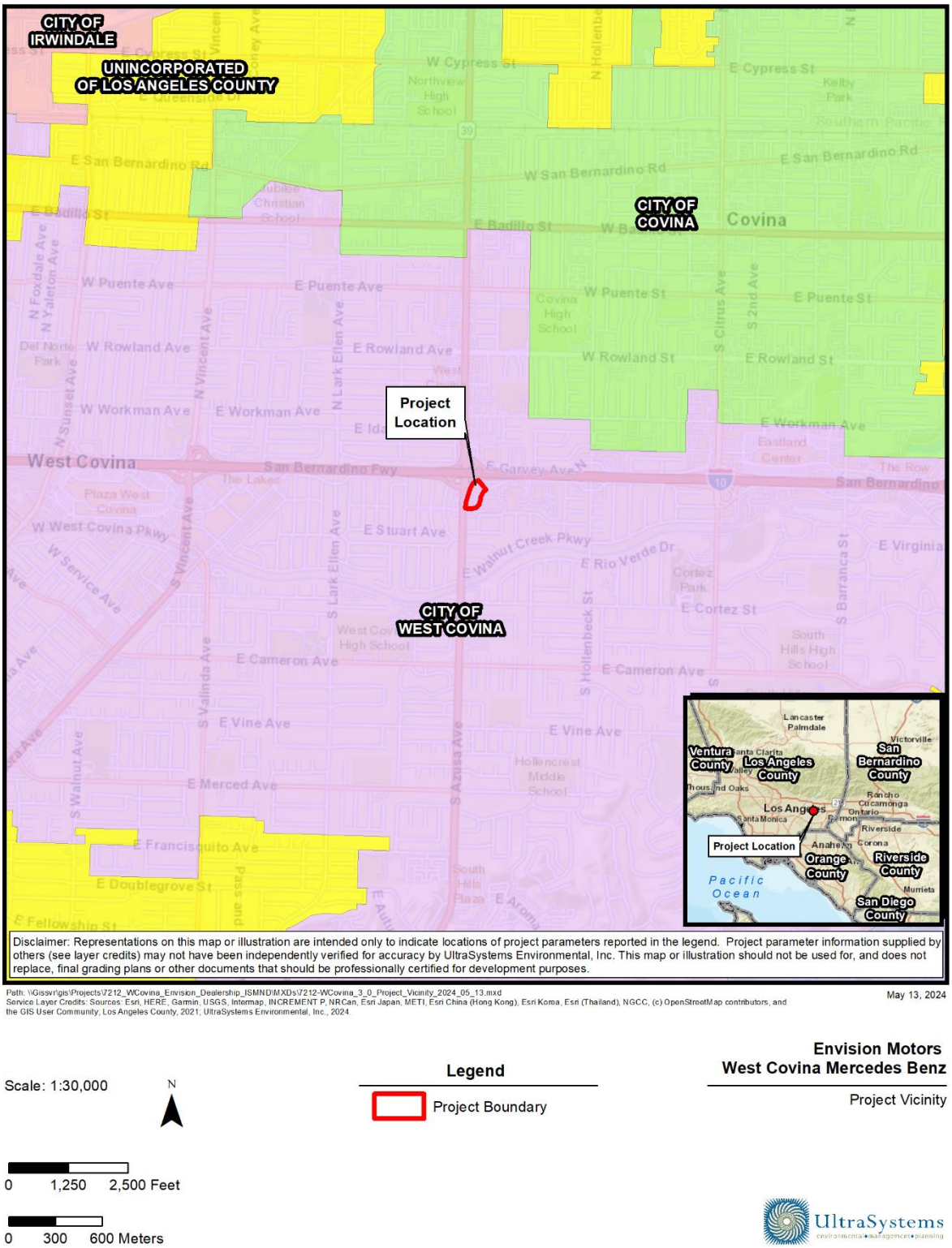


Figure 2.1-3
PROJECT LOCATION



Figure 2.2-1
TOPOGRAPHIC MAP

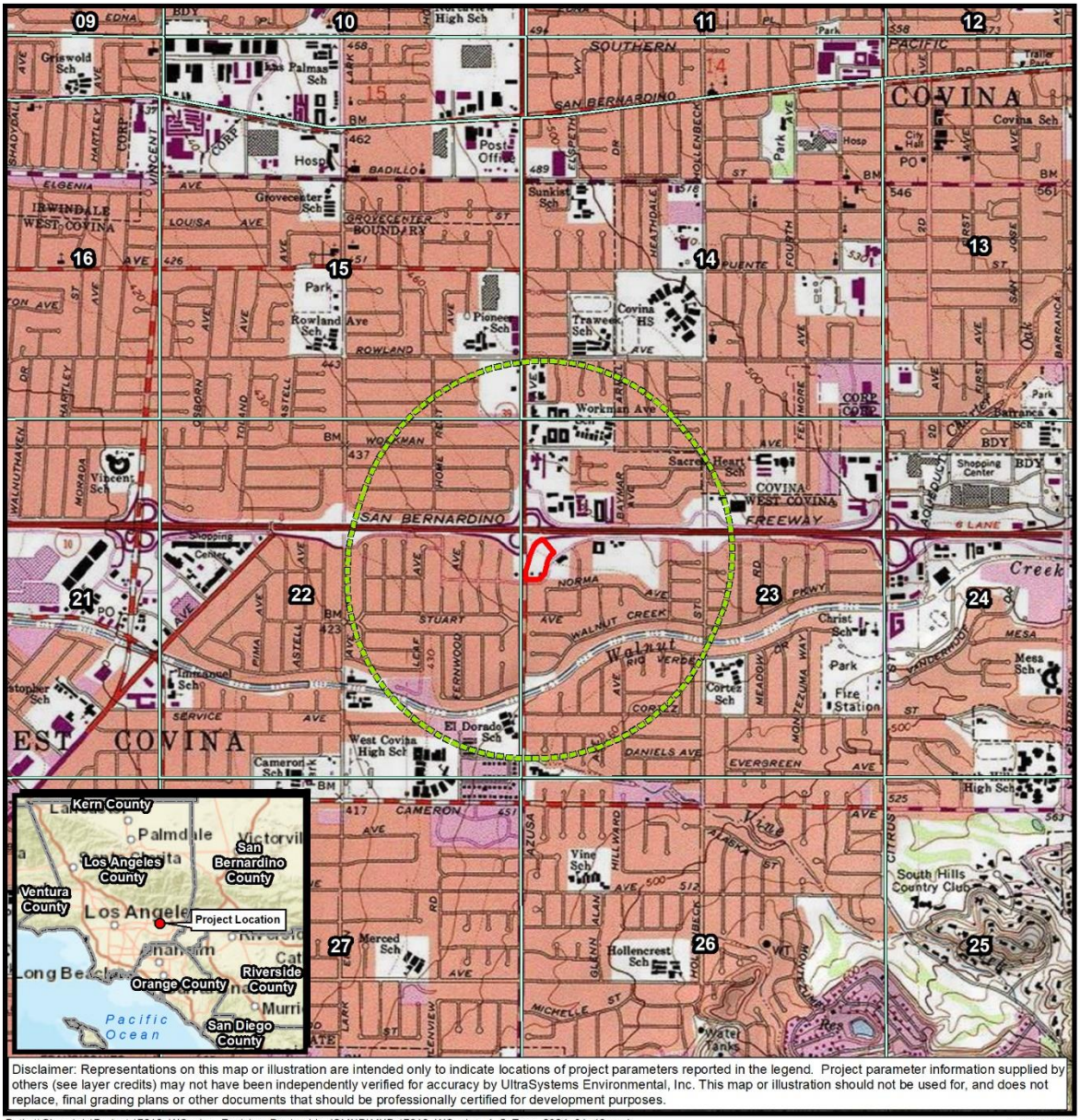


Figure 2.2-2
PROJECT SITE PHOTOGRAPHS



PHOTO 1: View looking at the northern portion of the project site along the I-10 freeway.



PHOTO 2: View looking at the eastern portion of the project site along East Garvey Avenue.



PHOTO 3: View looking at the southern portion of the project site along East Garvey Avenue.

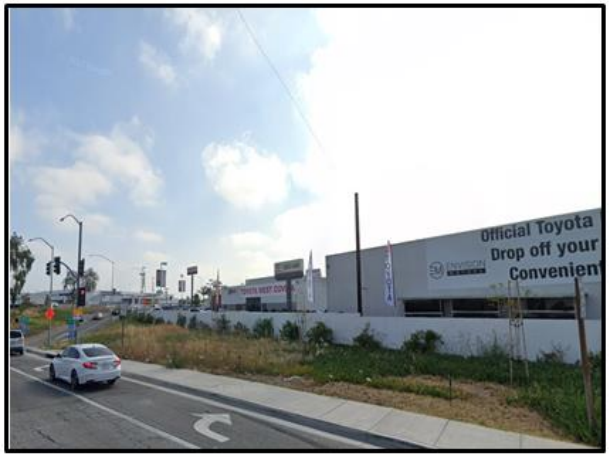


PHOTO 4: View looking at the western portion of the project site alone North Azuza Avenue.

2.3 Existing Characteristics of the Site

2.3.1 Climate and Air Quality

The project site is located within the South Coast Air Basin (SCAB), a 6,600-square-mile area encompassing all of Orange County and the non-desert portion of Los Angeles, Riverside, and San Bernardino Counties. A persistent high-pressure area that commonly resides over the eastern Pacific Ocean largely dominates regional meteorology. The distinctive climate of this area is determined primarily by its terrain and geographic location. Local climate is characterized by warm summers, mild winters, infrequent rainfall, moderate daytime onshore breezes, and moderate humidity. Ozone (O_3) and pollutant concentrations tend to be lower along the coast, where the onshore breeze disperses pollutants toward the inland valley of the SCAB and adjacent deserts. However, as a whole, the SCAB fails to meet National Ambient Air Quality Standards (NAAQS) for O_3 and fine particulate matter ($PM_{2.5}$), and is classified as a "nonattainment area" for those pollutants (ARB, 2024).

2.3.2 Geology and Soils

Topography within the project site is relatively flat. The project site is not located within a landslide, liquefaction, or Alquist-Priolo zone. However, the project site is located within a regionally active area for seismic activity (Norcal Engineering, 2024).

2.3.3 Hydrology

Surface topography is generally flat to slightly sloping with elevations ranging from approximately 442 to 456 feet above mean sea level (amsl). The project site is in the Main San Gabriel Valley Groundwater Basin. The Basin covers approximately 255 square miles underlying most of the San Gabriel Valley . The project site is within the service area of Suburban Water Systems (Suburban). Suburban's water supplies consist of groundwater from the Main San Gabriel Basin and the Central Subbasin of the Coastal Plain of Los Angeles Groundwater Basin; water imported from northern California and the Colorado River; and recycled water purchased from the Upper San Gabriel Valley Municipal Water District. Groundwater is forecast to comprise about 54 percent of Suburban's water supplies over the 2025-2045 period (Suburban, 2021, pp. 3-1 and 3-30).

2.3.4 Biology

The project site is built-out with a car dealership and a gas station and is in completely developed urban surroundings. Ony minor amounts of ornamental landscaping are present onsite currently, in addition to street trees along the site perimeter along Azusa Avenue and East Garey Avenue. No natural habitat suitable for special-status species, and no sensitive natural communities, are present onsite.

2.3.5 Public Services

The West Covina Fire Department (WCFD) provides fire protection and emergency medical services to the City of West Covina. The West Covina Police Department (WCPD) provides police protection to the City. The project site is in the West Covina Unified School District (WCUSD). The West Covina Library is part of the Los Angeles County Library System, which is made up of 72 branch libraries.

2.3.6 Utilities

Suburban Water Systems (SWS) provides water to the project site. The Los Angeles County Flood Control District (LACFCD) is in charge of designing and maintaining the lined washes and underground stormwater systems within the City of West Covina. Southern California Edison (SCE) provides electric power for the project site (City of West Covina, 2016a). Southern California Gas Company (SoCalGas) supplies natural gas service to the City of West Covina (City of West Covina, 2016a). Telecommunication services, including internet, telephone, and television, on and near the project site are provided by AT&T, Spectrum, and Frontier Communications (InMyArea, 2024).

3.0 PROJECT DESCRIPTION

Project Location

The project site is at 1800 East Garvey South Avenue in the city of West Covina. The project site is bounded by East Garvey Avenue to the south and east; Azusa Avenue to the west; and the Interstate 10 (I-10) freeway to the north. Regional access to the site is from the I-10 via Azusa Avenue. The 3.54-acre project site consists of three parcels: assessor's parcel numbers (APNs) 8478-007-025; -031; and -042.

Project Setting

The north and central parts of the project site are developed with an auto dealership (currently Envision Toyota of West Covina), and the southwest part with a Valero-branded gas station. The site is surrounded by an auto dealership to the east and south opposite East Garvey Avenue; a restaurant and a gas station to the west opposite Azusa Avenue; and the I-10 freeway to the north.

General Plan and Zoning Designations

Parcels 8478-007-025 and -031 are zoned Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone, with General Plan land use designations of Commercial; parcel -042 is zoned Neighborhood Commercial Mixed Use (NMU) within the Auto Plaza Overlay Zone, and has General Plan land use designation of Commercial (City of West Covina, 2024).

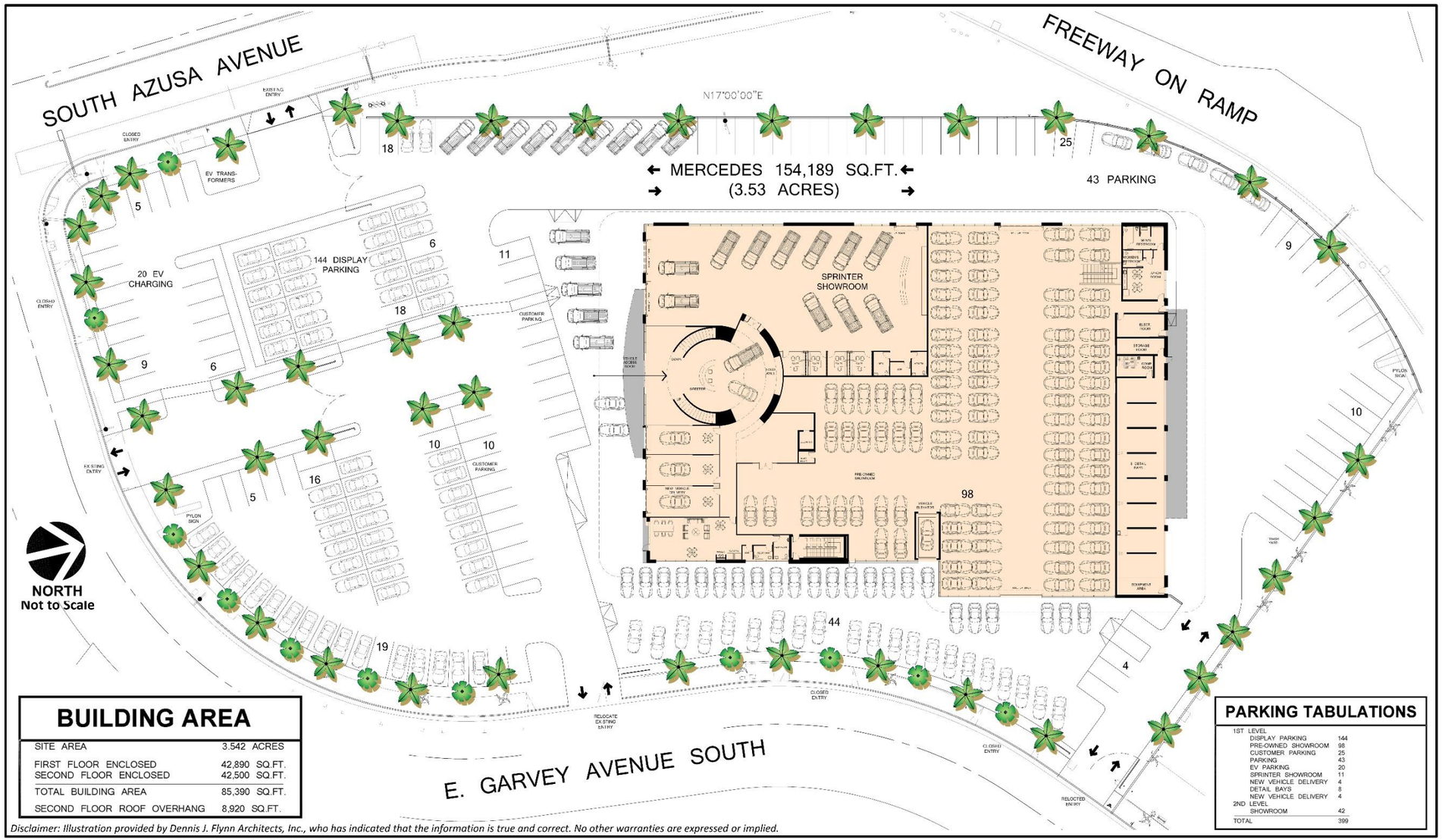
Project Overview

The proposed project would involve demolition of the existing auto dealership and the operating Valero gas station, and construction of a new two-story automotive sales and dealership building housing Envision Motors Mercedes Benz, selling four related brands – Mercedes Benz, Maybach, AMG and Sprinter – as well as associated surface parking, landscaping, and facilities for EV charging. EV charging would be available for the public during the dealership's hours of 8:30 am to 8:30 pm every day of the week.

The proposed building would be in the north-central part of the site. The balance of the site would be developed with surface parking and landscaping (see **Figure 3.4-1**).

The first floor would consist of a pre-owned car showroom; a Sprinter showroom; five new vehicle delivery bays; eight detail bays; reception space; office space; a lunchroom; restrooms; and mechanical and electrical rooms. **Figure 3.4-2** shows the first-floor plan. The second floor would contain three showrooms; office spaces; a training room; a conference room; an employee lounge; restrooms; and storage rooms. **Figure 3.4-3** shows the second-floor plan. The building would total 86,642 square feet building area consisting of 42,500 square feet on the first floor and 44,142 square feet on the second floor. Eight roll-up doors would be installed on the first floor of the building. One vehicle elevator would be provided on the east side of the building. **Figure 3.4-4** shows elevations of the proposed building, and **Figures 3.4-5** and **3.4-6** show renderings of the proposed building. Square feet by use inside the building is summarized in **Table 3.4-1**.

Figure 3.4-1
SITE PLAN



Disclaimer: Illustration provided by Dennis J. Flynn Architects, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Dennis J. Flynn Architects, Inc., April 16, 2024.

Envision Motors
West Covina Mercedes Benz
Site Plan

Figure 3.4-2
FIRST FLOOR PLAN



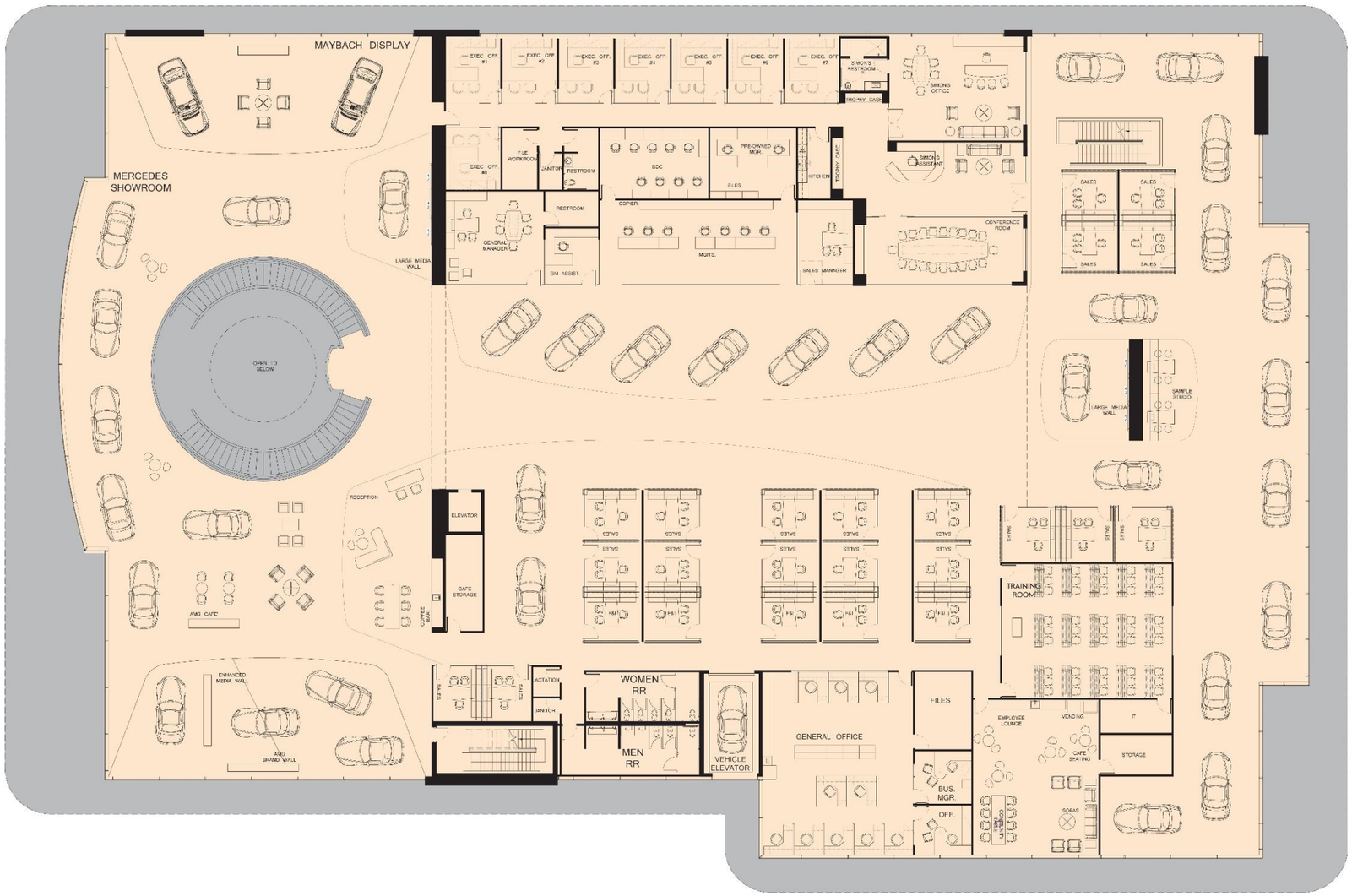
Disclaimer: Illustration provided by Dennis J. Flynn Architects, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Dennis J. Flynn Architects, Inc., April 16, 2024.

Envision Motors
West Covina Mercedes Benz
First Floor Plan

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Figure 3.4-3
SECOND FLOOR PLAN



NORTH
Not to Scale

Disclaimer: Illustration provided by Dennis J. Flynn Architects, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

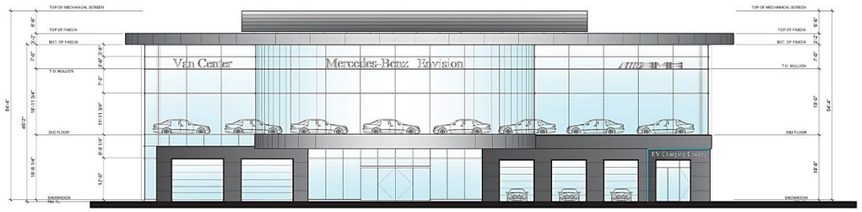
Source: Dennis J. Flynn Architects, Inc., April 16, 2024.

Envision Motors
West Covina Mercedes Benz
Second Floor Plan

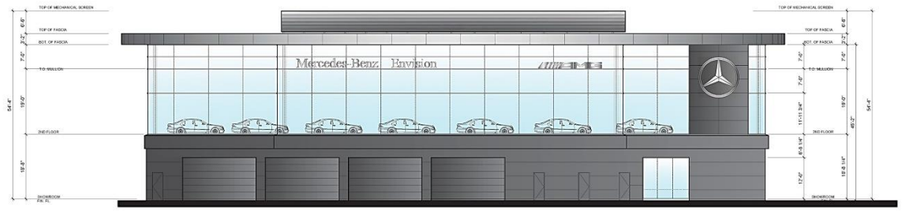
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Figure 3.4-4

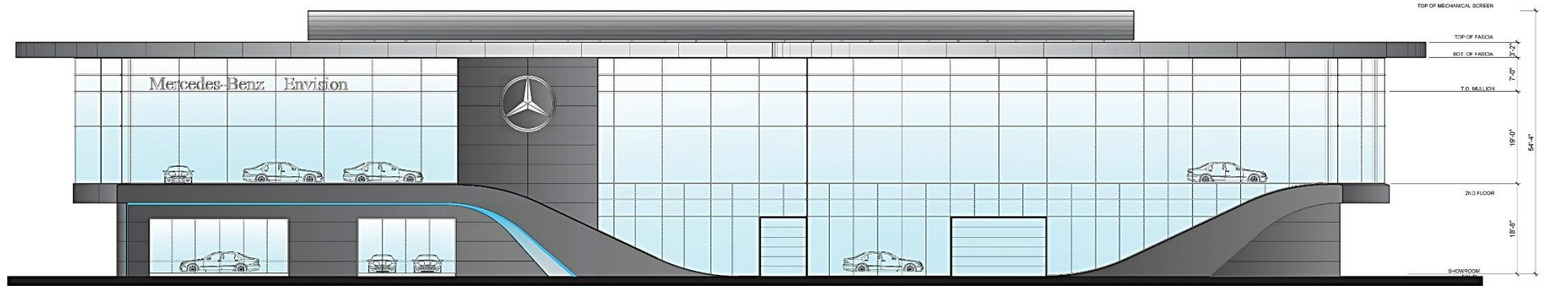
ELEVATIONS



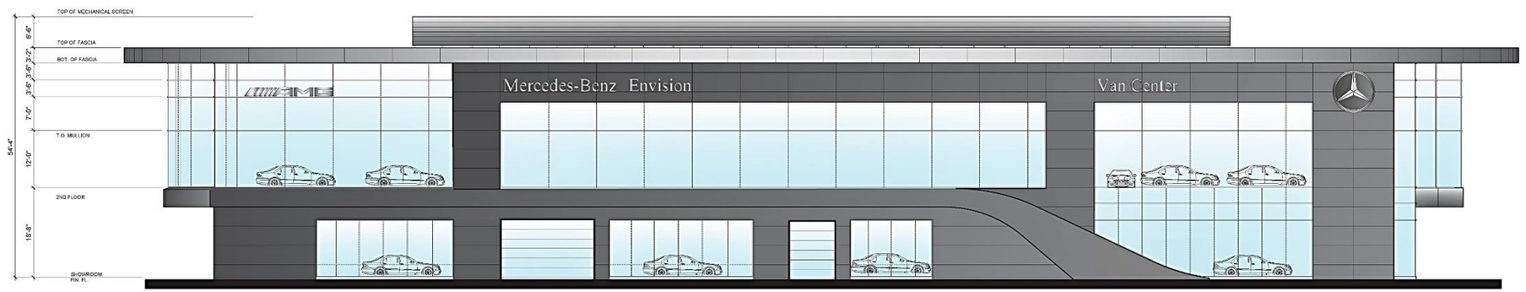
SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION



WEST ELEVATION

Not to Scale

Disclaimer: Illustration provided by Dennis J. Flynn Architects, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Dennis J. Flynn Architects, Inc., April 30, 2024.

Envision Motors
West Covina Mercedes Benz

Elevations

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Figure 3.4-5
RENDERINGS (1 of 2)



CUSTOMER ENTRY - SOUTH SIDE



OFF RAMP VIEW - WEST SIDE



EAST SIDE - DAY



EAST SIDE - NIGHT

Disclaimer: Illustration provided by Dennis J. Flynn Architects, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Dennis J. Flynn Architects, Inc., April 16, 2024.

Envision Motors
West Covina Mercedes Benz
Renderings (1 of 2)

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Figure 3.4-6
RENDERINGS (2 of 2)



NORTH - FREEWAY VIEW - DAY



NORTH - FREEWAY - NIGHT



EAST SIDE



EAST SIDE

Disclaimer: Illustration provided by Dennis J. Flynn Architects, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Dennis J. Flynn Architects, Inc., April 16, 2024.

Envision Motors
West Covina Mercedes Benz
Renderings (2 of 2)

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Table 3.4-1
SQUARE FEET BY USE IN PROPOSED BUILDING

Use	Square Feet
First Floor	
Showroom and Delivery	36,297
Office	500
Service (detail bays, etc.)	2,395
Other (lunchrooms, restrooms, mechanical, engineering, plumbing, and storage)	3,308
Subtotal	42,500
Second Floor	
Showroom and Delivery	28,336
Office	12,989
Other (lunchrooms, restrooms, mechanical, engineering, plumbing, and storage)	2,817
Subtotal	44,142
Total	**86,642**

[1] Source: Beltran, 2024

At project completion, about 144,000 square feet, or about 94 percent of the site, would be impervious land cover (hardscape/parking) or the proposed building; the remaining site area would be pervious landscaping.

3.1.1 Access, Circulation, and Parking

Four vehicular entrances would be provided from surrounding streets: three from East Garvey South Avenue along the south and east site perimeter; and one from Azusa Avenue on the southwest side of the project site. The main entrance would be from East Garvey Avenue on the south site boundary. Access via the driveway to and from Azusa Avenue would be right-in-right-out only, as that segment of Azusa Avenue is a divided road. As shown in **Figure 3.4-1**, driveways would extend around the southern, western, and northern sides of the building.

Surface parking would consist of 232 spaces including display spaces, customer parking, employee parking, and electric vehicle charging stations. Parking spaces inside the building would consist of two showrooms, new vehicle delivery bays, and detail bays on the first floor totaling 125 spaces; and 42 showroom spaces on the second floor, totaling 167 spaces. The total parking onsite would be 399 spaces.

The project site does not contain a loading/unloading zone. The cars would be loaded/unloaded at the Mercedes service facility across the street at 1829 East Garvey Avenue within the City of West Covina. Cars would then be individually driven to the site.

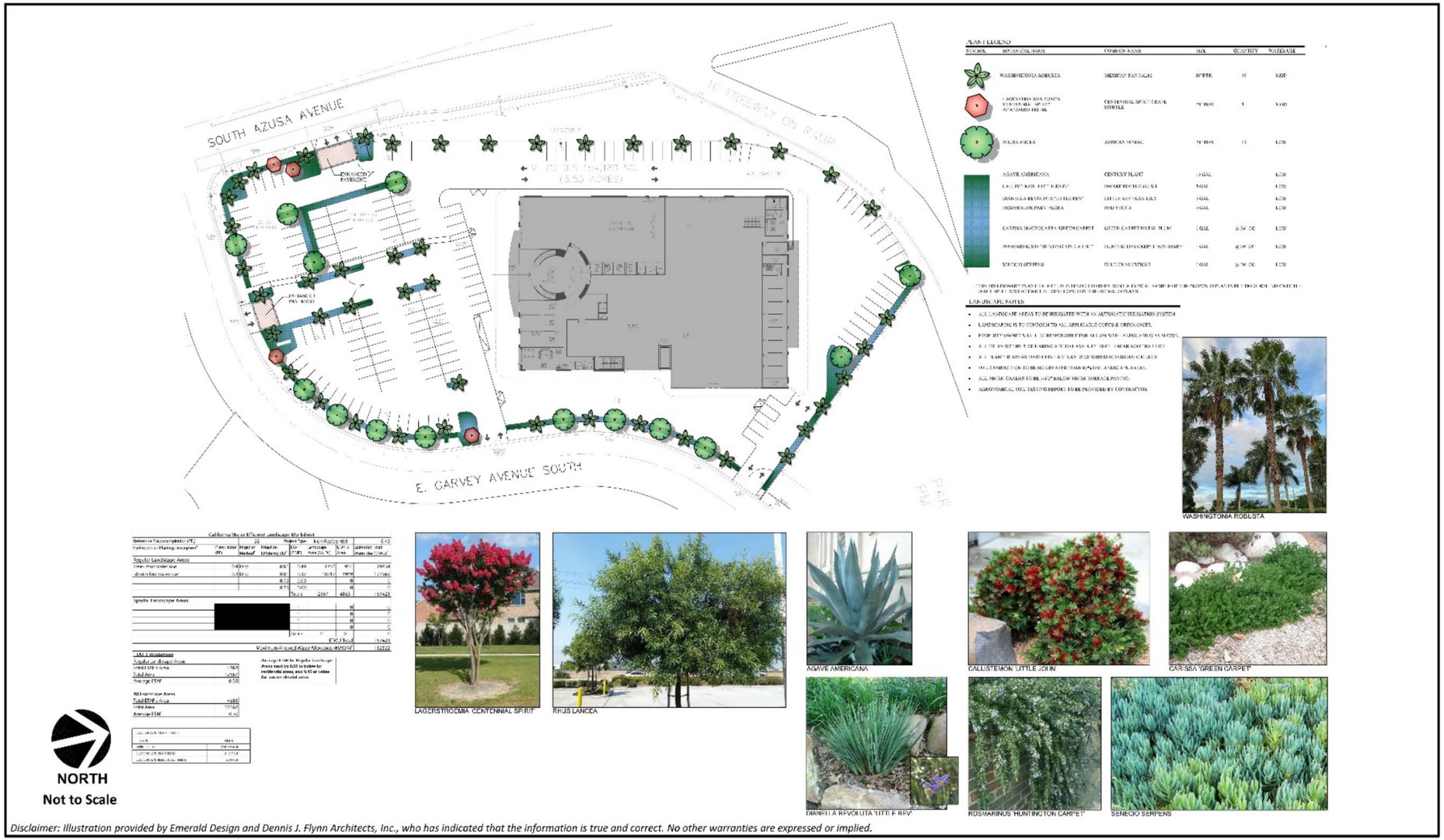
3.1.2 Trash

Trash would be picked up on the northern portion of the site as depicted in **Figure 3.4-1**, Site Plan.

3.1.3 Landscaping

Landscaping would consist of trees along the site perimeter and lining both sides of the main entrance driveway in the southern part of the site; landscaped areas would total 10,076 square feet. or about 6.6 percent of the project site (see **Figures 3.4-1** and **3.4-7**).

Figure 3.4-7
LANDSCAPE PLAN



Disclaimer: Illustration provided by Emerald Design and Dennis J. Flynn Architects, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Emerald Design and Dennis J. Flynn Architects, Inc., April 22, 2024.

Envision Motors
West Covina Mercedes Benz
Preliminary Landscape Plan

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3.2 Employment

During project operation, company management estimates that the project would have 49 employees (Beltran, 2024). All employees would park along East Garvey Avenue.

3.3 Construction

3.3.1 Demolition

All existing structures on the project site would be demolished before construction of the proposed buildings.

- Area of demolition (Toyota Dealership): 23,754 square feet
- Area of demolition (Gas Station): 2,485 square feet
- Tota area of demolition: 26,239 square feet

3.3.2 Hazardous Materials Assessment and Remediation

In June 2004, piping and dispensers at the former Shell station were upgraded. As part of the project, nine soil samples were collected beneath dispensers and piping. Total petroleum hydrocarbons in the gasoline range (TPH-g) (was detected in three samples at concentrations ranging from 0.44 mg/kg to 6.4 mg/kg. TPH in the diesel range (TPH-d) was detected in two samples at 19,000 mg/kg and 48 mg/kg. Methyl tert-butyl ether (MTBE, a gasoline oxygenate) was detected in two samples at 390 ug/kg and 45 ug/kg. Based on these results, the northwest dispenser islands, adjacent product trench and southern dispenser island were excavated on 18 June 2004 to remove the contaminated soil.

Following the excavation of 146 tons of soil, confirmatory soil samples were collected. One sample contained TPH-g at 45 mg/kg, TPH-d at 5.7 mg/kg, MTBE at 1,100 ug/kg and tertiary butyl alcohol (TBA, a gasoline additive) at 7,300 ug/kg. One additional piping excavation sample contained TBA at 46 ug/kg. The soil was transported to TPS Technologies in Adelanto, CA for recycling. Based on the results, Los Angeles County Public Works (LADPW) requested a workplan to assess the vertical and lateral extent of the impacted soil in a letter from February 2007. No work was completed and in May 2013, the LADPW referred the case to the Regional Water Quality Control Board (SWRCB).

SWRCB Order WQ 2014-0158-UST, issued on 06 October 2014, indicates that the remaining contaminants fall under the Low Threat Closure Policy. On 03 March 2015, the Regional Water Quality Control Board issued a case closure letter. Celly Services (CSI) compared the results of the impacted soil left in place to the current residential Environmental Screening Levels (ESLs), established by the Regional Water Quality Control Board in 2019. The concentrations of TPH-d, MTBE and TBA fall below residential screening levels and therefore are considered an historical recognized environmental condition (HREC; CSI, 2024b, p. iii).[5]

[5] An historical REC (HREC) is a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting

The Phase I Environmental Site Assessment (ESA) for the Valero Station noted that hydrocarbon impacted soil is present on the subject property and will be encountered during future grading operations. Impacted soil may also be encountered near the clarifier/hoists in the repair area. CSI recommends that any impacted soil that is encountered be segregated, sampled for waste profiling purposes, and transported to a licensed disposal or recycler facility (CSI, 2024b, p. iv).

Additional assessment for hazardous materials is expected to be needed during site grading; such assessment is discussed further in **Section 4.9,** *Hazards and Hazardous Materials.*

3.3.3 Construction Phasing

The schedule, construction equipment, and number of construction workers for each construction phase are listed below in **Table 3.4-1**. As shown below, overall construction is forecast to last about 14 months, from June 2025 to July 2026.

Table 3.4-1
CONSTRUCTION PHASING AND EQUIPMENT

Construction Phase	Beginning Month	Ending Month	Duration, Months	Construction Equipment		Construction Workers
				Type	Number	
Demolition	June 2025	July 2025	2	Bulldozer	2	10
Site Preparation	June 2025	July 2025	2	Bulldozer	2	8
Grading	June 2025	July 2025	2	Skiploader	3	5
Utilities Installation	June 2025	July 2025	2	Trench Digger	2	12
Building Construction	July 2025	July 2026	12	Power Tools	25	25
Paving	June 2026	July 2026	2	Concrete Trucks	15	16
Landscaping Installation	June 2026	July 2026	2	Skiploader	1	8

[1] Source: Beltran, 2024

3.3.4 Grading

The site is expected to balance, and therefore no soil import or export is anticipated.

Required Approvals

The following entitlements are required for the proposed development:

- Site and Design Review
- Zone Change to change the portion of the project site zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone.
- Administrative lot merger Approval by the Engineering Division.

unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (CSI, 2024, p.ii).

Other Public Agencies Whose Approval is Required

- The Los Angeles Regional Water Quality Control Board would approve the water quality management plan for the project
- The South Coast Air Quality Management District would issue a permit to construct
- California Department of Motor Vehicles would issue a Vehicle Dealer License

4.0 ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or as a "Potentially Significant Unless Mitigation Incorporated," as indicated by the checklist on the following pages.

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

Determination (To Be Completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____	_____
Signature	Date
_____	City of West Covina
Printed Name	

Evaluation of Environmental Impacts

(1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

(2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

(3) Once the lead agency has determined that a particular physical impact may occur then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

(4) "Negative Declaration: Less than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to less than significant level.

(5) Earlier analyses may be use where, pursuant to the tiering, Program EIR, or other CEQA process, an affect has been adequately analyzed in an earlier EIR or negative declaration. (See Section 15063(c)(3)(D) of the CEQA Guidelines. In this case, a brief discussion should identify the following:

(a) Earlier Analyses Used. Identify and state where the earlier analysis available for review.

(b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

(c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

(6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference

to the page or pages where the statement is substantiated. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

(7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

(8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

(9) The explanation of each issue should identify:

(a) The significance criteria or threshold, if any, used to evaluate each question; and

(b) The mitigation measure identified, if any, to reduce the impact to less than significant.

4.1 Aesthetics

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?				**X**
b) Substantially damage scenic resources, including, but not limited to, trees, outcroppings, and historic buildings within a state scenic highway?				**X**
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			**X**	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			**X**	

A "visual environment" includes the built environment (development patterns, buildings, parking areas and circulation elements) and the natural environment (such as hills, vegetation, rock outcroppings, drainage pathways and soils) features. Visual quality, viewer groups, and sensitivity, duration, and visual resources characterize the views. Visual quality refers to the general aesthetic quality of a view, such as vividness, intactness, and unity. Viewer groups identify who is most likely to experience the view. High-sensitivity land uses include residences, schools, playgrounds, religious institutions, and passive outdoor spaces such as parks, playgrounds, and recreation areas. Duration of a view is the amount of time a particular view can be seen by a specific viewer group. Visual resources refer to unique views, and views identified in local plans, from scenic highways, or of specific unique structures or landscape features.

a) Would the project have a substantial adverse effect on a scenic vista?

No Impact

Scenic vistas generally include extensive panoramic views of natural features, unusual terrain, or unique urban or historic features, for which the field of view can be wide and extend into the distance, and focal views that focus on a particular object, scene, or feature of interest. West Covina is situated in the middle of San Gabriel Watershed, nestled between the San Gabriel Mountains and the San Jose Hills. West Covina benefits from and relies on natural resources, which includes the San Jose Hills that provides an important visual backdrop that frames the City. The hills provide residents and visitors with scenic vistas and are part of a larger integrated ecosystem that provides a habitat for plant and animal life (Rincon, 2016, p. 36). The project site has partial views of the hills due to the large distance and intervening development between the project site and the hills.

The project site currently has an existing automotive dealership and an operating automotive fueling station with convenience store. The project proposes the construction of a two-story automotive

sales and dealership building to house the Envision Motors Mercedes Benz dealership, as well as associated surface parking, landscaping, charging facilities for EV, and a car wash tunnel.

The site is currently within the Auto Plaza Overlay Zone consisting of Service-Commercial Mixed Use zoned properties located south of San Bernardino Freeway (Interstate 10), north of Norma Avenue, west of Baymar Street, and east of Azusa Avenue. The project site is directly adjacent to a similar automotive dealership on the south and east, Azuza Avenue to the west, and Interstate 10 on the north.

The proposed site plan is shown in **Figure 3.1-1**. Proposed floor plans are shown in **Figures 3.1-2** and **3.1-3**. **Figure 3.1-4** shows elevations of the proposed building. The maximum height of the building would be, and **Figures 3.1-5** and **3.1-6** shows renderings of the proposed building

The proposed new building would be consistent with the general character and of the surrounding neighborhood in terms of architectural style, density, height, bulk, footprint, and setback. The proposed development would not obstruct views of distant mountains and hills for motorists traveling along nearby roadways. Therefore, the project would have no impact on scenic vistas.

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

No Impact

The California Department of Transportation (Caltrans) provides information on official designated or eligible state scenic highways, designated as part of the California scenic highway program. As discussed in the 2016 update of the City of West Covina's General Plan and the final environmental impact report, there are currently no officially designated scenic roads within the City of West Covina (City of Covina, 2016a, p. 51).

As shown in **Figure 4.1-1,** the closest officially designated state scenic highway is State Route 2 (Angles Crest Highway), which begins approximately 10 miles northwest of the project site on the northern edge of La Canada. The nearest eligible scenic highway is State Route 39 (San Gabriel Canyon Road) approximately five miles north of the project site.

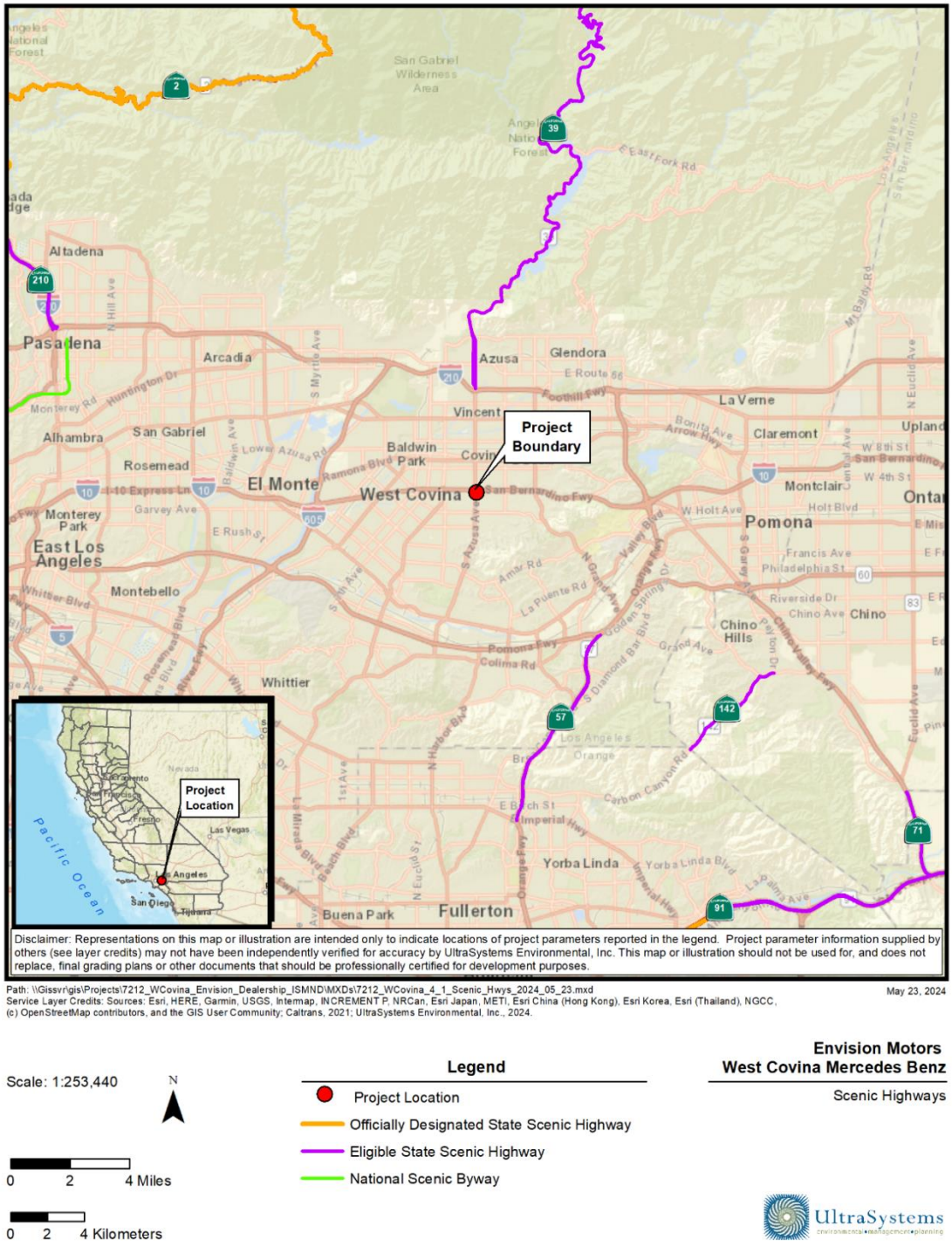
Given that there are no existing or proposed State scenic highways located within the City of West Covina, the project does not have the potential to damage scenic resources, including, but not limited to, trees, rocks, outcroppings, and historic buildings within a state scenic highway. Therefore, the project would not have an impact on trees, rock outcroppings, and historic buildings within a state scenic highway.

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

Less than Significant Impact

The project site is located in an urbanized area. Although West Covina does not have officially designated state scenic highways, several areas within the city are identified as scenic in the 1985 General Plan and the City Municipal Code.

Figure 4.1-1
STATE SCENIC HIGHWAYS



The 1985 General Plan discusses the desire of the City to designate several sections of the road as scenic city highways. Azusa Avenue is one of these roadways (City of West Covina, 2016a, p. 56). The project site abuts Azusa Avenue on the western side, which is a primary north-south highway through the city. The City sets minimum standards for these roadways, including a 10-foot-wide landscaped median strip, distinctive street lighting, specially designed bus stop areas, and an incorporated theme for sidewalk treatment, landscaping, and crosswalks (City of West Covina, 2016a, p. 57). The proposed project would not encroach on or impose any alterations along Azusa Avenue, so existing visual resources along the section of the roadway would remain unchanged.

Additionally, the proposed project does not intend to change land use and complies with the general plan, zoning, and other regulations that govern the scenic quality of the proposed project, as detailed in **Table 4.1-1**. Therefore, the project would have a less than significant impact.

Table 4.1-1
PROJECT COMPLIANCE WITH APPLICABLE CITY OF WEST COVINA GENERAL PLAN POLICIES REGARDING SCENIC QUALITY

General Plan Policy	Compliance
Policy 1.9: During the review of public and private development projects, analyze potential impacts to views of natural areas from public streets, parks, trails, and community facilities.	**Project Compliance:** The project will not impact the views of natural areas from public streets, parks, trails, and community facilities. The project will be required to comply with all regulations regarding public streets, including those specifically directed at the scenic quality of the area.
Policy 1.11: Plant to maximize the social, economic, and environmental benefits of trees.	**Project Compliance:** The project will be required to submit a compliant architectural landscape plan in compliance with City and State regulations.

Source: City of West Covina, 2016, p. 29

Based on the analysis above, the project would not conflict with the applicable General Plan policies governing scenic quality. Therefore, the impact would be less than significant.

d) Would the project create a new source of substantial light or glare which would adversely affect day- or night-time views in the area?

Less Than Significant Impact

The construction of the project would not generate substantial glare that would adversely affect daytime or nighttime views in the area. Construction equipment consists of low-glare materials. Construction would occur between the hours of sunset and 9:00 pm, and thus would not involve longer durations of nighttime work. The proposed exterior building materials, such as sand-colored exterior plaster and stone veneer, would not be highly reflective. The impact of the construction glare would be less than significant, and no mitigation is required.

West Covina is primarily built-out; therefore, a substantial amount of ambient light from urban uses already exists. Similar to other developed urban areas, sources of light and glare include neon signs, glass building façades, streetlights, parking lot lighting and automotive headlights (Rincon, 2016, p51). Streetlights, traffic on local streets, and exterior lighting in surrounding developments are the main sources of light that contribute to the ambient light levels in the project area.

The operation of the project proposes new exterior lighting throughout the site. The installation of exterior lighting would be necessary for safety and visibility at night throughout the proposed development per City Municipal Code Section 26-739, Security Lighting Requirement for Auto Plaza Overlay Zones (City of West Covina Municipal Code, 2024). The new project lighting would be visible from the surrounding area. Therefore, the proposed exterior lighting of the project is expected to contribute to the ambient illumination at night near the project.

Per City Municipal Code Section 26-739, Security Lighting Requirement for Auto Plaza Overlay Zones and Section 26-570, Lighting in Non-residential areas, the project would comply with all regulations regarding lighting while using light colored building materials without using highly reflective building materials. Therefore, the impact of new sources of substantial light or glare would be less than significant (City of West Covina Municipal Code, 2024).

4.2 Agriculture and Forestry Resources

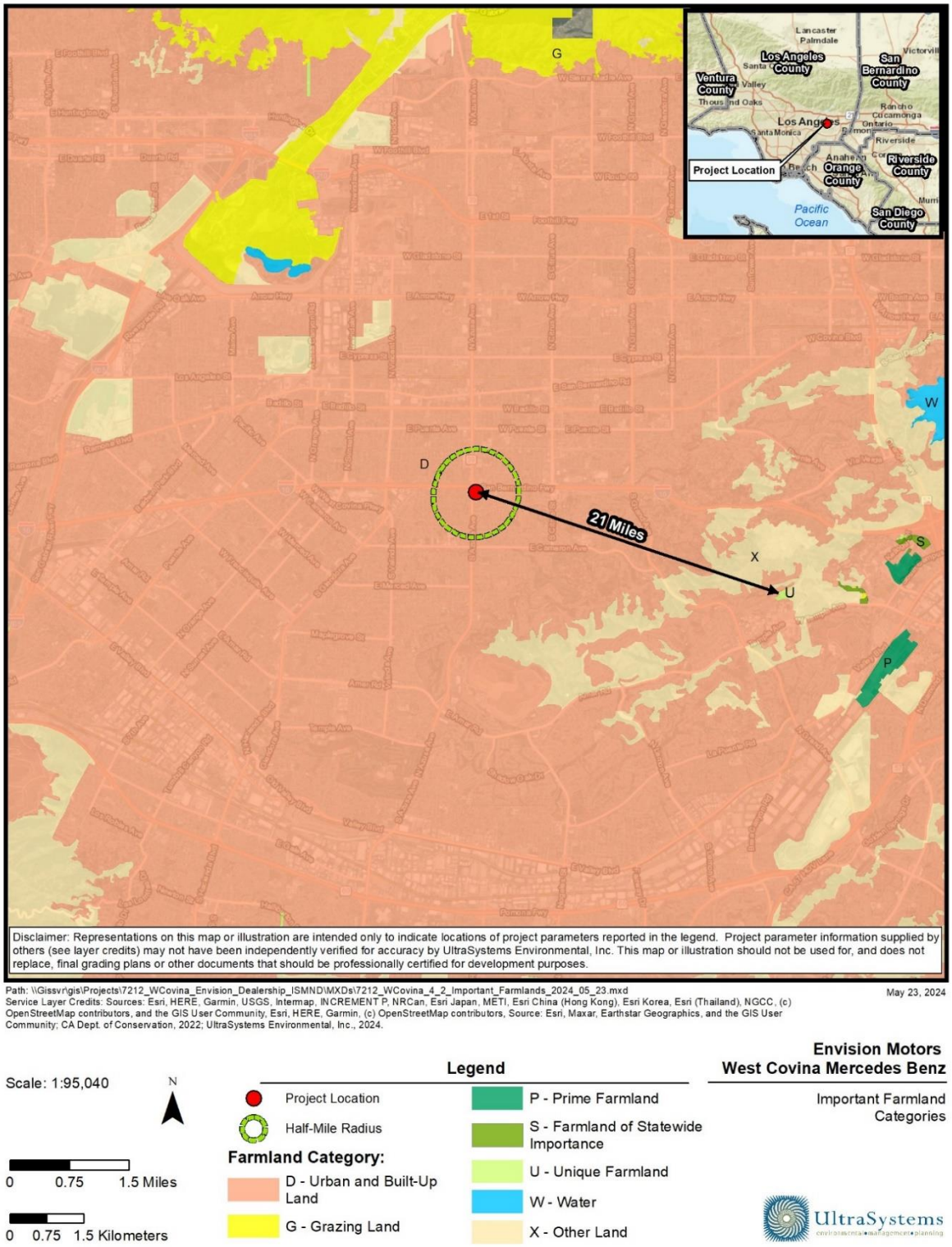
Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				**X**
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				**X**
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Codes § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?				**X**
d) Result in the loss of forest land or conversion of forest land to non-forest use?				**X**
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				**X**

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

No Impact

The project site and surrounding uses are designated by the Division of Land Resource Protection (DLRP) as "Urban and Built-Up Land" and the nearest Unique Farmland is 21 miles southeast of the project site (DOC, 2022; see **Figure 4.2-1** below). Therefore, no farmland would be converted to non-agricultural use and no impacts would occur.

Figure 4.2-1
IMPORTANT FARMLAND CATEGORIES



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

No Impact

The project site is zoned Service Commercial Mixed Use (SMU) and Neighborhood Commercial Mixed Use (NMU) within the Auto Plaza Overlay Zone, and is not zoned for agricultural use. Williamson Act contracts restrict the use of privately-owned land to agriculture and compatible open space uses under contract with local governments; in exchange, the land is taxed based on actual use rather than potential market value. Williamson Act contracts are made only on land within agricultural reserves; the project site is not within an agricultural reserve. Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract and no impact would occur.

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

No Impact

The project site is zoned Service Commercial Mixed Use (SMU) and Neighborhood Commercial Mixed Use (NMU) within the Auto Plaza Overlay Zone; the site is not zoned for forest, timberland, or timberland production use. Therefore, project development would not conflict with zoning for forest land or timberland, and no impact would occur.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact

The project site and surroundings are not cultivated for forest resources. Therefore, project development would not result in the loss of forest land or conversion of forest land to non-forest use, and no impact would occur.

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

No Impact

The project site is a commercial use and is surrounded by commercial to the east, to the west opposite Azusa Avenue and to the north by Interstate 10. No important farmland is near the project site; the nearest such farmland is Unique Farmland approximately 21 miles to the southeast. No forest land is present on or near the project site.

Therefore, project development would not indirectly cause conversion of farmland to non-agricultural use or conversion of forest land to non-forest use, and no impacts would occur.

4.3 Air Quality

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			**X**	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?			**X**	
c) Expose sensitive receptors to substantial pollutant concentrations?			**X**	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			**X**	

4.3.1 Pollutants of Concern

Criteria pollutants are air pollutants for which acceptable levels of exposure can be determined and an ambient air quality standard has been established by the U.S. Environmental Protection Agency (USEPA) and/or the California Air Resources Board (ARB). The criteria air pollutants of concern are nitrogen dioxide (NO_2), carbon monoxide (CO), particulate matter (PM_{10} and $PM_{2.5}$), sulfur dioxide (SO_2), lead (Pb), and ozone, and their precursors, such as reactive organic gases (ROG) (which are ozone precursors). Since the Envision Mercedes Benz Dealership Project (project) would not generate appreciable SO_2 or Pb emissions,[6] the analysis did not include those two pollutants.

The project is in the Los Angeles County portion of the South Coast Air Basin (SCAB), for whose air pollution control the South Coast Air Quality Management District (SCAQMD) is substantially responsible. **Table 4.3-1** shows the attainment status of the SCAB for each criteria pollutant for both the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). Presented below is a description of the air pollutants of concern and their known health effects.

Nitrogen oxides (NO_X) serve as integral participants in the process of photochemical smog production and are precursors for certain particulate compounds that are formed in the atmosphere and for ozone. A precursor is a directly emitted air contaminant that, when released into the atmosphere, forms, causes to be formed, or contributes to the formation of a secondary air contaminant for which an ambient air quality standard (AAQS) has been adopted, or for which presence in the atmosphere will contribute to the violation of one or more AAQSs. When NO_x and

6 Sulfur dioxide emissions will be below 0.16 pounds per day during construction and operations.

ROG are released into the atmosphere, they can chemically react with one another in the presence of sunlight to form ozone. The two major forms of NO_x are nitric oxide (NO) and nitrogen dioxide (NO_2). NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO_2 is a reddish-brown pungent gas formed by the combination of NO and oxygen. It acts as an acute respiratory irritant and eye irritant and increases susceptibility to respiratory pathogens (USEPA, 2011).

Table 4.3-1
FEDERAL AND STATE ATTAINMENT STATUS

Pollutants	Federal Classification	State Classification
Ozone (O_3)	Nonattainment (Extreme)	Nonattainment
Particulate Matter (PM_{10})	Maintenance (Serious)	Nonattainment
Fine Particulate Matter ($PM_{2.5}$)	Nonattainment (Serious)	Nonattainment
Carbon Monoxide (CO)	Maintenance (Serious)	Attainment
Nitrogen Dioxide (NO_2)	Maintenance (Primary)	Attainment
Sulfur Dioxide (SO_2)	Unclassified/Attainment	Attainment
Sulfates	No Federal Standards	Attainment
Lead (Pb)		Attainment
Hydrogen Sulfide (H_2S)		Unclassified
Visibility Reducing Particles		Unclassified

Sources: ARB, 2022a; USEPA, 2024d

Carbon monoxide (CO) is a colorless, odorless non-reactive pollutant produced by incomplete combustion of fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urban areas, such as the project location, automobile exhaust accounts for most CO emissions. CO is a non-reactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions: primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, a typical situation at dusk in urban areas between November and February. The highest levels of CO typically occur during the colder months of the year when inversion conditions are more frequent. In terms of health, CO competes with oxygen, often replacing it in the blood, thus reducing the blood's ability to transport oxygen to vital organs. The results of excess CO exposure can be dizziness, fatigue, and impairment of central nervous system functions. High concentrations are lethal (USEPA, 2023).

Particulate matter (PM) consists of finely divided solids or liquids, such as soot, dust, aerosols, fumes, and mists. Primary PM is emitted directly into the atmosphere from activities such as agricultural operations, industrial processes, construction and demolition activities, and the entrainment of road dust into the air. Secondary PM is formed in the atmosphere from predominantly gaseous combustion by-product precursors, such as sulfur oxides, NO_X, and ROGs.

Particle size is a critical characteristic of PM that primarily determines the location of PM deposition along the respiratory system (and associated health effects) as well as the degradation of visibility through light scattering. In the United States, federal and state agencies have focused on two types of PM. PM_{10} corresponds to the fraction of PM no greater than 10 micrometers in aerodynamic diameter and is commonly called respirable particulate matter, while $PM_{2.5}$ refers to the subset of PM_{10} of

aerodynamic diameter smaller than 2.5 micrometers, which is commonly called fine particulate matter.

PM_{10} and $PM_{2.5}$ deposition in the lungs results in irritation that triggers a range of inflammation responses, such as mucus secretion and bronchoconstriction, and exacerbates pulmonary dysfunctions, such as asthma, emphysema, and chronic bronchitis. Sufficiently small particles may penetrate the bloodstream and impact functions such as blood coagulation, cardiac autonomic control, and mobilization of inflammatory cells from the bone marrow. Individuals susceptible to higher health risks from exposure to PM_{10} airborne pollution include children, the elderly, smokers, and people of all ages with low pulmonary/cardiovascular function. For these individuals, adverse health effects of PM_{10} pollution include coughing, wheezing, shortness of breath, phlegm, bronchitis, and aggravation of lung or heart disease, leading, for example, to increased risks of hospitalization and mortality from asthma attacks and heart attacks (USEPA, 2024b).

Reactive organic gases (ROG) are defined as any compound of carbon, excluding CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, that participates in atmospheric photochemical reactions. It should be noted that there are no state or national ambient air quality standards for ROG because ROGs are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formation of ozone. ROGs are also transformed into organic aerosols in the atmosphere, which contribute to higher PM_{10} and lower visibility. The term "ROG" is used by the ARB for this air quality analysis and is defined the same as the federal term "volatile organic compound" (VOC).

Ozone is a secondary pollutant produced through a series of photochemical reactions involving ROG and NO_X. Ozone creation requires ROG and NO_X to be available for approximately three hours in a stable atmosphere with strong sunlight. Because of the long reaction time, peak ozone concentrations frequently occur downwind of the sites where the precursor pollutants are emitted. Thus, ozone is considered a regional, rather than a local, pollutant. The health effects of ozone include eye and respiratory irritation, reduction of resistance to lung infection and possible aggravation of pulmonary conditions in persons with lung disease. Ozone is also damaging to vegetation and untreated rubber (USEPA, 2020).

4.3.2 Climate/Meteorology

Air quality is affected by both the rate and location of pollutant emissions, and by meteorological conditions that influence the movement and dispersal of pollutants. Atmospheric conditions such as wind speed, wind direction, and air temperature gradients, along with local topography, provide the link between air pollutant emissions and air quality.

The project site is located wholly within the SCAB, which includes all of Orange County, as well as the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The distinctive climate of the SCAB is determined by its terrain and geographical location. The SCAB is in a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific. Thus, the climate is mild, tempered by cool sea breezes. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds (SCAQMD, 1993).

The annual average temperature varies little throughout the 6,600-square-mile SCAB, ranging from the low 60s to the high 80s. However, with a less pronounced oceanic influence, the inland portion shows greater variability in the annual maximum and minimum temperatures. The mean annual maximum and minimum temperatures in the project area – as determined from the nearest weather station in San Gabriel Canyon, California (047776) (WRCC, 2016a), which has a period of record from 1939 to 2016 – are 78.2 degrees Fahrenheit (°F) and 52.8°F, respectively. The hottest month is August, with an average maximum temperature of 91.7°F, and the coldest months are December and January, with an average minimum temperature of 68.5°F.

The nearest station to the project site that measures precipitation is Covina City, California (COOP ID: 042090) (WRCC, 2016b), which has a period of record from 1929 to 2016. The average rainfall is 18.08 inches, which occurs mostly during the winter and relatively infrequently during the summer. Monthly precipitation averages approximately 3.57 inches during the winter (December, January, and February), approximately 1.49 inches during the spring (March, April, and May), approximately 0.90 inch during the fall (September, October, and November), and approximately 0.08 inch during the summer (June, July, and August).

4.3.3 Local Air Quality

The SCAQMD has divided the SCAB into source receptor areas (SRAs), based on similar meteorological and topographical features. The project site is in SCAQMD's South San Gabriel Valley air monitoring area (SRA 11), and is served by the SCAQMD's Pasadena station, 4.63 miles north at 752 North Loren Avenue in Azusa, CA (SCAQMD, 2022b). This station monitors ozone, PM_{10}, $PM_{2.5}$, and NO_2. All stations in the SCAB ceased monitoring CO in 2012. The ambient air quality data in the project vicinity as recorded from 2020 through 2022, along with applicable standards, are shown in **Table 4.3-2**.

Table 4.3-2
AMBIENT AIR QUALITY MONITORING DATA

Air Pollutant	Standard/Exceedance	2020	2021	2022
Ozone	Max. 1-hour Concentration (ppm)	0.168	0.187	0.111
	Max. 8-hour Concentration (ppm)	0.125	0.086	0.080
	# Days > Federal 8-hour Std. of 0.070 ppm	62	21	11
	# Days > California 1-hour Std. of 0.09 ppm	53	20	6
	# Days > California 8-hour Std. of 0.070 ppm	65	22	11
PM_{10}	Max. 24-hour Concentration (µg/m³)	152.3	79.4	98.2
	Est. # Days > Fed. 24-hour Std. of 150 µg/m³	ND	0	ND
	Federal Annual Arithmetic Mean (12 µg/m³)	40.4	33.4	38.3
$PM_{2.5}$	Max. 24-hour Concentration (µg/m³)	102.7	61.9	18.4
	# Days > Fed. 24-hour Std. of 35 µg/m³	15	8.9	ND
	State Annual Average (12 µg/m³)	13.6	12	ND
NO_2	Max. 1-hour Concentration (ppm)	0.070	0.070	0.070
	State Annual Average (0.030 ppm)	0.013	0.014	ND
	# Days > California 1-hour Std. of 0.18 ppm	0	0	0

Source: ARB, 2024.
ND - There were insufficient (or no) data available to determine the value.

4.3.4 Air Quality Management Plan (AQMP)

The SCAQMD is required to produce plans to show how air quality would be improved in the region. The California Clean Air Act (CCAA) requires that these plans be updated triennially to incorporate the most recent available technical information.[7] A multi-level partnership of governmental agencies at the federal, state, regional, and local levels implements the programs contained in these plans. Agencies involved include the USEPA, ARB, local governments, Southern California Association of Governments (SCAG), and SCAQMD. The SCAQMD and the SCAG are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the SCAB. The SCAQMD updates its AQMP every three years.

The 2022 AQMP (SCAQMD, 2022a) was adopted by the SCAQMD Board on December 2, 2022. It focuses on reducing ozone by limiting the emissions of NO_x, which is a key reactant in ozone formation. The NO_x reductions are through extensive use of zero-emission technologies across all stationary and mobile source categories. The majority of NO_x emissions are from heavy-duty trucks, ships, and other state and federally regulated mobile sources that are mostly beyond the SCAQMD's control. The SCAQMD's primary authority is over stationary sources, which account for approximately 20 percent of the SCAB's NO_x emissions.

The AQMP incorporates updated emission inventory methodologies for various source categories and incorporates the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by SCAG (2020). The 2020-2045 RTP/SCS was determined to conform to the federally mandated State Implementation Plan for the attainment and maintenance of the NAAQS. county and city general plans.

4.3.5 Sensitive Receptors

Some people, such as individuals with respiratory illnesses or impaired lung function because of other illnesses, persons over 65 years of age, and children under 14, are particularly sensitive to certain pollutants. Facilities and structures where these sensitive people live or spend considerable amounts of time are known as sensitive receptors. For a CEQA analysis, the SCAQMD considers a sensitive receptor to be a receptor such as a residence, hospital, or convalescent facility where it is possible that an individual could remain for 24 hours (Chico and Koizumi, 2008, p. 3-2). Commercial and industrial facilities are not included in the definition of sensitive receptor, because employees typically are present for shorter periods, such as eight hours. Therefore, applying a 24-hour standard for PM_{10} is appropriate not only because the averaging period for the state standard is 24 hours, but because the sensitive receptor could be present at the location for the full 24 hours

The nearest sensitive receptor to the project site is a single-family residence 60 meters (197 feet) south of the project site, located at 220 South Azusa Avenue in the city of West Covina. One school, Huffman Options for Learning Center, is located 95 meters (312 feet) southwest of the project site. Additionally, UEI College - West Covina is located at 339 North Azusa Avenue in the city of West Covina, 0.3 mile from the project site (Google Maps, 2024).

[7] CCAA of 1988.

4.3.6 Applicable South Coast Air Quality Management District Rules

4.3.6.1 Rule 403 (Fugitive Dust Rule)

During construction, the project would be subject to SCAQMD Rule 403 (fugitive dust). SCAQMD Rule 403 does not require a permit for construction activities, per se; rather, it sets forth general and specific requirements for all construction sites (as well as other fugitive dust sources) in the SCAB. The general requirement prohibits a person from causing or allowing emissions of fugitive dust from construction (or other fugitive dust source) such that the presence of such dust remains visible in the atmosphere beyond the property line of the emissions source. SCAQMD Rule 403 also prohibits construction activity from causing an incremental PM_{10} concentration impact, as the difference between upwind and downwind samples, at the property line of more than 50 micrograms per cubic meter as determined through PM_{10} high-volume sampling. The concentration standard and associated PM_{10} sampling do not apply if specific measures identified in the rules are implemented and appropriately documented.

Other requirements of Rule 403 include no track-out extending 25 feet or more in cumulative length and all track-outs to be removed after each workday; and using the applicable best available control measures included in Table 1 of Rule 403.

4.3.6.2 Rule 1113 (Architectural Coatings)

Construction of this project will include the application of architectural coatings and be subject to SCAQMD Rule 1113 (Architectural Coatings). Rule 1113 requires those who apply, store at a worksite, or solicit the application of architectural coatings to use coatings that contain VOC less than or equal to the VOC limits specified in Table 1 of the rule.

4.3.7 Impact Analysis

a) Would the project conflict with or obstruct the implementation of the applicable air quality plan?

Less than Significant Impact

The South Coast 2022 AQMP, discussed above, incorporates land use assumptions from local general plans and regional growth projections developed by SCAG to estimate stationary and mobile air emissions associated with projected population and planned land uses. If the proposed land use is consistent with the local general plan, then the impact of the project is presumed to have been accounted for in the AQMP. This is because the land use and transportation control sections of the AQMP are based on the SCAG regional growth forecasts, which incorporate projections from local general plans. The project site is bounded by East Garvey Avenue to the south and east; Azusa Avenue to the west; and the Interstate 10 (I-10) freeway to the north. Regional access to the site is from the I-10 via Azusa Avenue. The 3.54-acre project site consists of three parcels: assessor's parcel numbers (APNs) 8478-007-025; -031; and -042. Parcels 8478-007-025 and -031 are zoned Service Commercial (S-C) with General Plan land use designations of Commercial; parcel -042 is zoned Neighborhood Commercial (N-C) and has General Plan land use designation of Commercial (City of West Covina, 2024). The land use and zoning would continue to be consistent with the local plans and the impacts of the project are still accounted for in the AQMP.

Another measurement tool for evaluating consistency with the AQMP is to determine whether a project would generate population and employment growth and, if so, whether that growth would exceed the growth rates forecasted in the AQMP and how the project would accommodate the expected increase in population or employment. In this case, the project is expected to result in an increase in the number of jobs onsite, and thus, it will not contribute to an increase in population or employment (Francis and Reicher, Personal Communication, 2024).

Furthermore, to help implement the AQMP, projects must not create regionally significant emissions of regulated pollutants from either short-term construction or long-term operations. The SCAQMD (2019) has developed criteria in the form of emissions thresholds for determining whether emissions from a project are regionally significant. They are useful for estimating whether a project is likely to result in a violation of the NAAQS and/or whether the project conforms with plans to achieve attainment. SCAQMD's significance thresholds for criteria pollutant emissions during construction activities and project operation are summarized in **Table 4.3-3**. A project is considered to have a regional air quality impact if emissions from its construction and/or operational activities exceed the corresponding SCAQMD significance thresholds.

Table 4.3-3
SCAQMD THRESHOLDS OF SIGNIFICANCE

Pollutant	Construction Thresholds (lbs/day)	Operational Thresholds (lbs/day)
Volatile Organic Compounds (VOC)	75	55
Nitrogen Oxides (NO_x)	100	55
Carbon Monoxide (CO)	550	550
Sulfur Oxides (SO_x)	150	150
Particulate Matter (PM_{10})	150	150
Fine Particulate Matter ($PM_{2.5}$)	55	55

Note: lbs = pounds.
Source: SCAQMD, 2023.

Regional Construction Emissions

Construction activities for the project consist of demolition of an existing auto dealership (Envision Motors Toyota) and an operating Valero gas station, and construction of a new two-story automotive sales and dealership building housing Envision Motors Mercedes Benz that will sell four related brands – Mercedes Benz, Maybach, AMG and Sprinter – as well as associated surface parking, landscaping, and facilities for EV charging.

Construction is anticipated to last 14 months, beginning in June 2025 and ending in July 2026. There would be eight subphases:

- Demolition.
- Site Preparation.
- Grading.
- Utilities Installation.
- Building Construction.
- Paving.
- Architectural Coating.
- Landscaping Installation.

The Client provided information which was used to create an approximate schedule on CalEEMod for modeling purposes (Francis and Reicher, Personal Communication, 2024)**. Table 4.3-4** shows the project schedule used for the air quality, GHG emissions, and noise analyses.

Table 4.3-4
CONSTRUCTION SCHEDULE

Construction Phase	Start	End
Demolition	June 2, 2025	July 31, 2025
Site Preparation	June 26, 2025	July 31, 2025
Grading	June 30, 2025	July 31, 2025
Utilities Installation	June 30, 2025	July 31, 2025
Building Construction	July 1, 2025	July 1, 2026
Paving	June 1, 2026	July 31, 2026
Architectural Coating	June 20, 2026	July 31, 2026
Landscaping Installation	June 20, 2026	July 31, 2026

Source: Estimated by UltraSystems with CalEEMod (Version 2022.1.1.25) (CAPCOA, 2023).

These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NO_X emissions. The quantity of emissions generated daily would vary, depending on the amount and types of construction activities occurring at the same time.

Estimated criteria pollutant emissions from the project's onsite and offsite project construction activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2022.1.1.25 (CAPCOA, 2023). CalEEMod is a planning tool for estimating emissions related to land use projects. Model-predicted project emissions are compared with applicable thresholds to assess regional air quality impacts. Offroad construction equipment information was supplied by the client but CalEEMod defaults were used for onroad construction traffic inputs.

As shown in **Table 4.3-5**, construction emissions would not exceed SCAQMD regional thresholds. Therefore, the project's short-term regional air quality impacts would be less than significant. Refer to **Appendix B** of this document for air quality calculations.

Table 4.3-5
MAXIMUM DAILY REGIONAL CONSTRUCTION EMISSIONS

Construction Activity	Maximum Emissions (lbs/day)				
	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
Maximum Emissions, 2025	5.65	50.6	56.4	6.53	3.65
Maximum Emissions, 2026	9.25	28.2	39.4	2.02	1.17
SCAQMD Significance Thresholds	*75*	*100*	*550*	*150*	*55*
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by UltraSystems with CalEEMod (Version 2022.1.1.25) (CAPCOA, 2023).

Regional Operational Emissions

The proposed project consists of the demolition of an existing auto dealership (Envision Motors Toyota) and an operating Valero gas station, and the construction of a new two-story automotive

sales and dealership building housing Envision Motors Mercedes Benz. Operational emissions generated by area sources, motor vehicles and energy demand would result from normal day-to-day activities of the project. The trip rates developed by CalEEMod were adjusted with data provided in the Trip Generation Assessment Memorandum (RK Engineering, 2024). In the traffic memorandum, RK Engineering calculated the number of trips by comparing the existing and new project sites. They assessed the difference between the existing Toyota dealership and Valero gas station and the new project, a Mercedes dealership. Similarly, operational emissions were calculated by comparing the emissions from the old project site to those of the new project site.

The operational emissions for the existing land uses – the Toyota dealership and the Valero gas station – are presented in **Table 4.3-6**. The projected operational emissions for the proposed West Covina Envision Mercedes Benz Dealership Project are shown in **Table 4.3-7**. The net operational emissions were calculated by comparing the operational emissions of the existing land use with those of the proposed project. The results of these calculations are presented in **Table 4.3-8**. The net negative emissions show that the project's emissions are less than the existing operational emissions. As seen in the table, for each criteria pollutant, operational emissions would be below the pollutant's SCAQMD significance threshold. Therefore, regional operational emissions would be less than significant**.**

Table 4.3-6
MAXIMUM DAILY EXISTING OPERATIONAL EMISSIONS

Emission Source	Pollutant (lbs/day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Area Source Emissions	0.83	0.01	1.14	0.005	0.005
Energy Source Emissions	0.01	0.19	0.16	0.01	0.01
Mobile Source Emissions	9.58	8.3	84.6	16.7	4.32
Total Operational Emissions	**10.42**	**8.5**	**85.9**	**16.715**	**4.335**
SCAQMD Significance Thresholds	*55*	*55*	*550*	*150*	*55*
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by UltraSystems with CalEEMod (Version 2022.1.1.25) (CAPCOA, 2023).

Table 4.3-7
MAXIMUM DAILY PROJECT OPERATIONAL EMISSIONS

Emission Source	Pollutant (lbs/day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Area Source Emissions	1.14	0.03	3.77	0.01	0.01
Energy Source Emissions	0.01	0.16	0.14	0.01	0.01
Mobile Source Emissions	7.81	6.44	67.9	14.9	3.87
Total Operational Emissions	**8.96**	**6.63**	**71.81**	**14.92**	**3.89**
SCAQMD Significance Thresholds	*55*	*55*	*550*	*150*	*55*
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by UltraSystems with CalEEMod (Version 2022.1.1.25) (CAPCOA, 2023).

Table 4.3-8
MAXIMUM DAILY NET CHANGE IN OPERATIONAL EMISSIONS

Emission Source	Pollutant (lbs/day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Area Source Emissions	0.31	0.02	2.63	0.005	0.005
Energy Source Emissions	0	(0.03)	(0.02)	0	0
Mobile Source Emissions	(1.77)	(1.86)	(16.7)	(1.8)	(0.45)
Total Operational Emissions[8]	**(1.46)**	**(1.87)**	**(14.09)**	**(1.795)**	**(0.445)**
SCAQMD Significance Thresholds	*55*	*55*	*550*	*150*	*55*
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by UltraSystems with CalEEMod (Version 2022.1.1.25) (CAPCOA, 2023).

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

Less Than Significant Impact

Since the SCAB is currently in nonattainment for ozone and $PM_{2.5}$, related projects may exceed an air quality standard or contribute to an existing or projected air quality exceedance. The SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple development projects nor provides methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, the District recommends that a project's potential contribution to cumulative impacts be assessed by utilizing the same significance criteria as those for project-specific impacts. Furthermore, the SCAQMD states that if an individual development project generates less-than-significant construction or operational emissions impacts, then the development project would not contribute to a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment.

As discussed above, the maximum daily construction and net maximum operational emissions generated by the project would not exceed any of the SCAQMD's significance thresholds. Also, as discussed below, localized emissions generated by the project would not exceed the SCAQMD's Localized Significance Thresholds (LSTs). Therefore, the project would not contribute a cumulatively considerable increase in emissions for the pollutants that the SCAB is in nonattainment. Thus, cumulative air quality impacts associated with the project would be less than significant.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact

Construction of the project would generate short-term and intermittent emissions. Following the SCAQMD's Final Localized Significance Threshold Methodology (Chico and Koizumi, 2008), only onsite construction emissions were considered in the localized significance analysis. The nearest sensitive receptor to the project site is the single-family residence 60 meters (197 feet) south of the project site, located at 220 South Azusa Avenue in the city of West Covina. LSTs for projects in Source

[8] Net negative emissions indicate that the proposed project will generate fewer emissions than the current use.

Receptor Area 11 (South San Gabriel Valley) were obtained from tables in Appendix C of the aforementioned methodology[9]. **Table 4.3-9** shows the results of the localized significance analysis for the project. Localized short-term air quality impacts from the construction of the project would be less than significant.

Table 4.3-9
RESULTS OF UNMITIGATED LOCALIZED SIGNIFICANCE ANALYSIS

Nearest Sensitive Receptor	Maximum Onsite Construction Emissions (pounds/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Maximum daily unmitigated emissions	19.7	18.7	3.0	1.7
SCAQMD LST for 3.54 acres @ 60 meters	*149.37*	*1672.72*	*35.88*	*11.16*
Significant (Yes or No)	**No**	**No**	**No**	**No**

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

Less than Significant Impact

A project-related significant adverse effect could occur if the construction or operation of the proposed project would result in the generation of odors that would be perceptible in adjacent sensitive areas. According to the SCAQMD CEQA Air Quality Handbook (SCAQMD, 1993), land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Potential sources that may emit odors during construction activities include equipment exhaust. Odors from these sources would be localized and generally confined to the immediate area surrounding the project. The project would use typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. The project would not create substantial objectionable odors and this impact would be less than significant.

[9] Double interpolation was conducted from SCAQMD Localized Significance Thresholds (LST) for sites of 2 acres and 5 acres, and distances of 50 meters and 100 meters, to estimate the LST for the project site of 3.54 acres at a distance of 60 meters.

4.4 Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		**X**		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?				**X**
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				**X**
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native nursery sites?		**X**		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				**X**
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				**X**

The project site is built-out with a car dealership and a gas station and is located in completely developed urban surroundings. Ony minor amounts of ornamental landscaping are present onsite currently, in addition to street trees along the site perimeter along Azusa Avenue and East Garey Avenue. No natural habitat suitable for special-status species, and no sensitive natural communities, are present onsite. A California Natural Diversity Database (CNDDB) search was run for the project site and a 10-mile radius surrounding the site. Species Occurrence Potential (SOP) tables for the project are included in **Appendix C**.

4.4.1 Discussion of Impacts

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

Less Than Significant with Mitigation Incorporated

Plant and wildlife species listed under the federal Endangered Species Act (ESA) or under the California Endangered Species Act (CESA) are referred to collectively as "listed species" in this section. Plant and wildlife species not listed under ESA or CESA but still protected by federal agencies, state agencies, local or regional plans, and/or nonprofit resource organizations, such as the California Native Plant Society (CNPS), are collectively referred to as "sensitive species" in this section. The term "special-status species" is used when collectively referring to both listed and sensitive species.

As stated above, SOP tables were prepared for the project based on the CNDDB 10-mile radius species search conducted (see **Appendix C**). Due to the project site and surrounding area being fully developed, species listed are not expected to occur on the project site. However, trees onsite could provide foraging, nesting, and cover habitats to support multiple bird species. Most bird species occurring in California are protected by the federal Migratory Bird Treaty Act (MBTA) and by California Fish and Game Code § 3503, § 3503.5, and § 3513. Mitigation measure **BIO-1** would reduce potential project impacts to bird species.

Mitigation Measure

BIO-1: Pre-Construction Breeding Bird Survey

To be in compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels.

- Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.

- If project activities cannot be avoided during February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance.

- If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required.

- If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone.

- If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency.

- Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.

Level of Significance After Mitigation

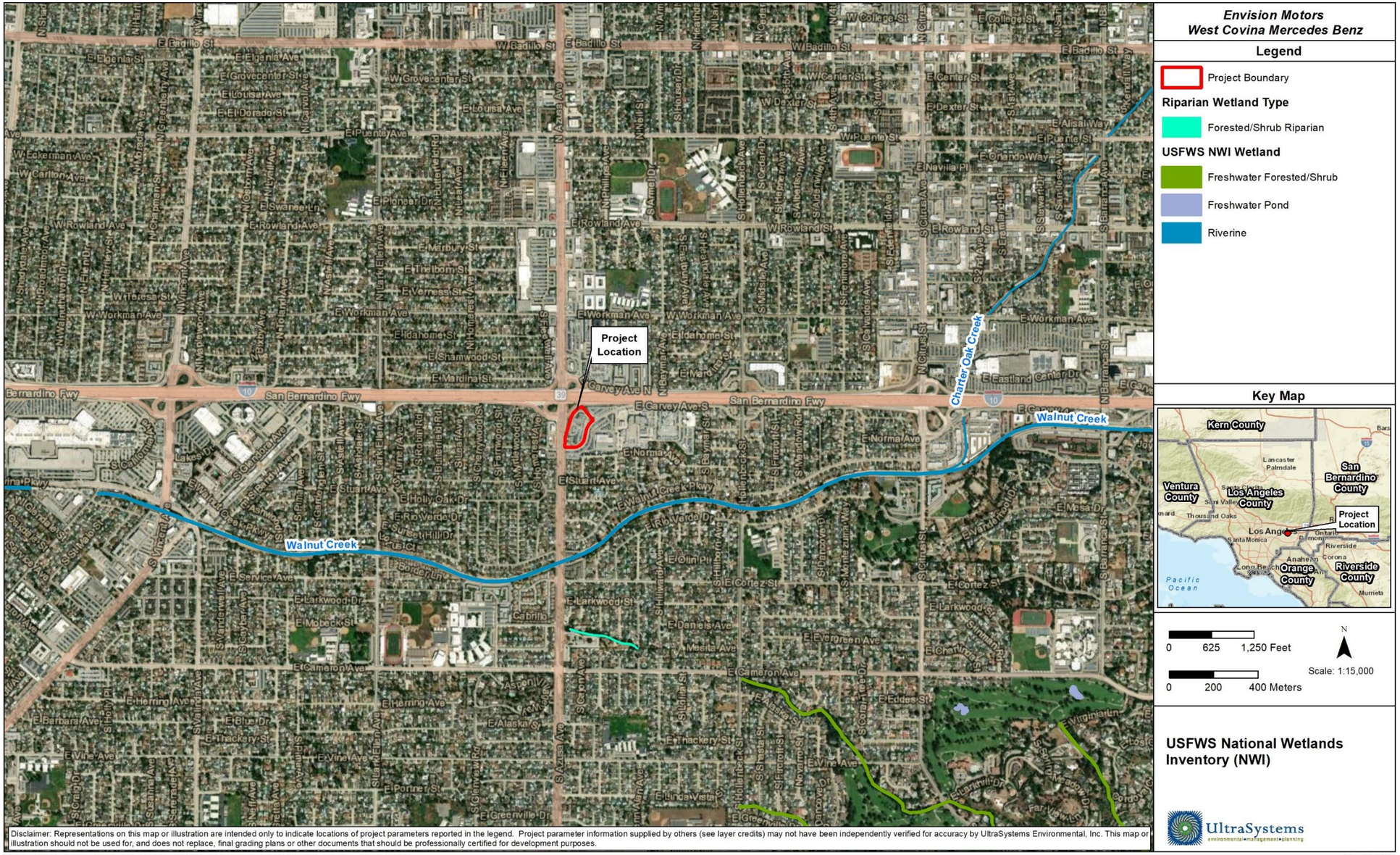
With implementation of mitigation measure **BIO-1,** the proposed project would have less than significant impacts on nesting birds.

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

No Impact

The project site is built out and no streams, rivers or sensitive natural communities are present onsite. The nearest riparian habitat to the project site mapped on the National Wetlands Mapper is about 0.5 miles to the south, as shown on **Figure 4.4-1** (USFWS, 2024). No impact would occur.

Figure 4.4-1
NATIONAL WETLANDS INVENTORY



Path: \\Gissvr\gis\Projects\7212_WCovina_Envision_Dealership_ISMND\MXDs\BIO\7212_WCovina_4_4_NWI_2024_05_21.mxd
Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community; USFWS NWI, October 2019; USGS, 2020; UltraSystems Environmental, Inc., 2024.

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

No Impact

The project site is built out with commercial uses. The nearest stream to the project site mapped on the National Wetlands Mapper is Walnut Creek, a constructed channel about 0.25 mile south of the project site (USFWS, 2024). Therefore, the project would not result in the direct removal, filling, hydrological interruption, or other direct impacts. No impact would occur.

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

Less Than Significant Impact with Mitigation Incorporated.

The project site and surroundings are built out with urban uses, and the site is not available as a wildlife movement corridor. Trees onsite could be used for nesting by birds. This impact would be significant without mitigation.

Mitigation Measure

Implementation of mitigation measure **BIO-1.**

Level of Significance After Mitigation

Impacts would be less than significant after implementation of mitigation measure BIO-1.

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

No Impact

One mature tree, a Callery pear tree (*Pyrus calleyana*), is present onsite (Tollett, 2024). City of West Covina Municipal Code §§ 26-288 et seq. protect heritage trees and significant trees, on both private and public properties. Heritage trees are trees that are historically significant as defined in Municipal Code Section 26-289(6); and Southern California black walnut tree species (*Juglans californica*) in the San Jose Hills within the city of West Covina (Municode.com, 2024). Significant trees are trees of certain sizes of any of several oak species or two sycamore species (Municode.com, 2024). The tree onsite is not a historic tree; it is part of the landscaping on the existing development. The southern part of the Envision Toyota property was developed with a building containing a liquor store and delicatessen in 1957; that building was demolished at the end of the 1980's. Garvey Avenue South bisected the property in the late 1950's and 1960's. The existing auto dealership buildings were built in 1977-79 (CSI 2024a, p. 6). The gas station property has been developed as a gas station since 1957 (CSI 2024b, p. 6). Project development would not conflict with City of West Covina municipal code provisions protecting trees, and no impact would occur.

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

No Impact

The project site is not in a habitat conservation plan or natural community conservation plan, and no impact to such plans would occur.

4.5 Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?				**X**
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?		**X**		
c) Disturb any human remains, including those interred outside of formal cemeteries?		**X**		

Information from UltraSystems' Cultural Resources Inventory Report, dated June 7, 2024 (see **Appendix D**), prepared for the Envision Motors Mercedes Benz of West Covina Project, City of West Covina has been included within this section.

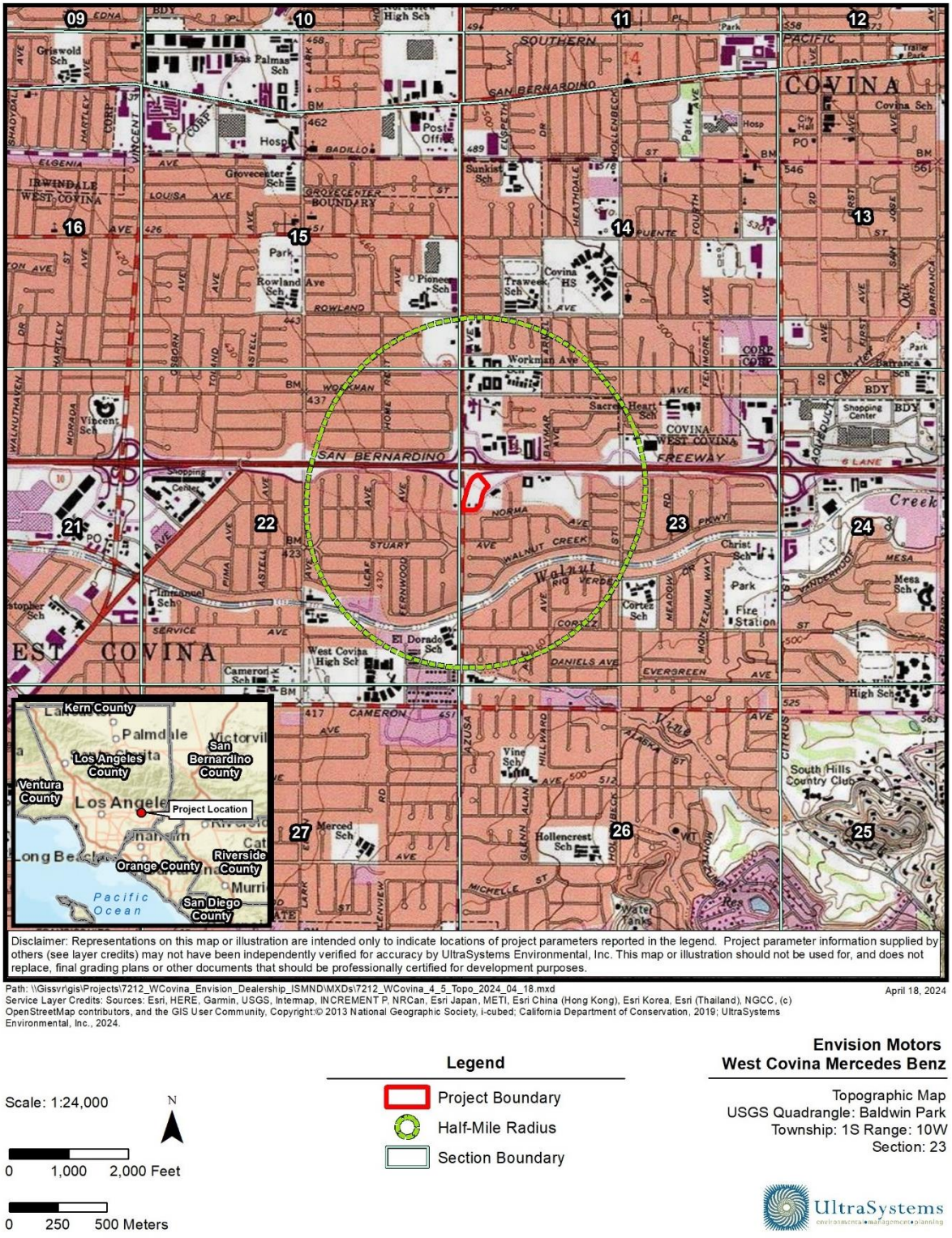
4.5.1 Methodology

A cultural resources inventory was requested on March 22, 2024 for the Envision Motors Mercedes Benz of West Covina Project site (**Figure 4.5-1,** *Topographic Map*). This study included a California Historic Resources Inventory System (CHRIS) records and literature search at the South Central Coastal Information Center (SCCIC) at the California State University Fullerton. A request was made to the Native American Heritage Commission (NAHC) to conduct a search of their Sacred Lands File (SLF) for potential traditional cultural properties as well as to provide a list of local Native American tribal organizations to contact. The NAHC request was made on April 19, 2024, and a reply was received on May 10, 2024; letters were sent to the listed tribes on May 16, 2024 and follow-up telephone calls were conducted following the response period on June 7, 2024. A pedestrian field survey of the project site was conducted on May 10, 2024.

4.5.2 Existing Conditions

Based on the cultural resources records search, it was determined that no historic cultural resources or prehistoric archeological sites have been recorded previously within the project site boundary, the area of potential affect (APE). Within the 0.5-mile buffer zone of the APE there were 12 previously recorded historic-era cultural resources, but no prehistoric archaeological sites have been recorded (see **Appendix D**, Section 4.1). No historic or prehistoric resources were observed during the field survey.

Figure 4.5-1
TOPOGRAPHIC MAP



4.5.3 Impact Analysis

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

No Impact

A historical resource is defined in § 15064.5(a)(3) of the *CEQA Guidelines* as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period or method of construction; representing the work of an important creative individual; or possessing high artistic values. Resources listed in or determined eligible for the California Register, included in a local register, or identified as significant in a historic resource survey are also considered as historical resources under CEQA.

Similarly, the National Register criteria (contained in Code of Federal Regulations Title 36 § 60.4) are used to evaluate resources when complying with Section 106 of the National Historic Preservation Act. Specifically, the National Register criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that (a) are associated with events that have made a significant contribution to the broad patterns of our history; or (b) that are associated with the lives of persons significant in our past; or (c) that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or (d) that have yielded or may be likely to yield, information important to history or prehistory.

A substantial adverse change in the significance of an historical resource, as a result of a project or development, is considered a significant impact on the environment. Substantial adverse change is defined as physical demolition, relocation, or alteration of a resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. Direct impacts are those that cause substantial adverse physical change to a historic property. Indirect impacts are those that cause substantial adverse change to the immediate surroundings of a historic property, such that the significance of a historical resource would be materially impaired.

The cultural resources records search conducted at the SCCIC determined that no historic-era resources have been recorded within the APE. Within the 0.5-mile radius of the project boundary there are 12 previously recorded historic-era cultural resources. None of these resources are adjacent to or visible from the APE. No prehistoric archaeological sites have been recorded (Table 4.1-1 in **Appendix D**).

According to records at the SCCIC, no previous cultural resource surveys have included a portion of the project site (APE), but there have been three surveys conducted within the 0.5-mile radius project buffer (**Appendix D**).

As a result of the project site's field survey, no historic buildings were identified within the project site. No other cultural resources were observed during the survey.

Based on the results of the records search and the onsite field survey there would be no substantial adverse change in the significance of a historical resource pursuant to in § 15064.5, and therefore the project would have no impact in this regard.

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

Less than Significant Impact with Mitigation Incorporated

An archaeological resource is defined in § 15064.5(c) of the CEQA Guidelines as a site, area or place determined to be historically significant as defined in § 15064(a) of the CEQA Guidelines, or as a unique archaeological resource defined in § 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically-recognized important prehistoric or historic event or person. The project parcel has been highly disturbed by several decades of urban development. It is highly unlikely that undisturbed unique archeological resources exist on the project site as determined by the cultural resources investigation conducted by UltraSystems, which included a CHRIS records search of the project site and 0.5-mile radius around the site, a search of the SLF by the NAHC, and pedestrian field survey.

The cultural resources records search conducted at the SCCIC determined that there are no known prehistoric cultural resource sites or isolates recorded within the APE or in the 0.5-mile radius of the project boundary (Table 4.1-1 in **Appendix D**).

A NAHC SLF search was conducted for the project site region. The NAHC letter of May 10, 2024 was negative for the presence of a traditional cultural property within this area. The NAHC provided a list of 13 contacts representing seven tribes. These were all contacted via letter and email requesting a reply if they have knowledge of cultural resources in the area that they wished to share and asking if they had any questions or concerns regarding the project. These tribes included:

- Gabrieleno Band of Mission Indians – Kizh Nation
- Gabrielino/Tongva San Gabriel Band of Mission Indians
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino/Tongva Nation
- Gabrielino -Tongva Tribe
- Santa Rosa Band of Mission Indians
- Soboba Band of Luiseño Indians

There have been three responses to the outreach contacts from the seven tribes. The Administrative Specialist for the Gabrielino Band of Mission Indians – Kizh Nation replied by email on May 17, 2024 requested the lead agency's contact information. Assistant Project Archaeologist Megan B. Doukakis responded that contact information was not available as the project has not yet been submitted to the City at that time. Christina Conley, Cultural Resource Administrator for the Gabrielino Tongva Indians of California Tribal Council responded by email on May 16, 2024 indicating that the tribe does not have any concerns about the project. Vanesse Minott, Tribal Administrator for the Santa Rosa Band of Cahuilla Indians responded by email on May 20, 2024 stating that the tribe has no comments on the project. Steven Estrada, Tribal Chairman for the Santa Rosa Band of Cahuilla Indians responded by email on May 17, 2024 stating that the tribe defers any consultation and monitoring efforts to the Soboba Band of Luiseno Indians.

Following up on the initial letter and email contacts, telephone calls were conducted by Ms. Doukakis on June 7, 2024 to the eight tribal contacts who had not previously replied by email or letter. Five of the telephone calls were placed with no answer and messages were left describing the project and requesting a response. These were to Sam Dunlap, Cultural Resource Director with the Gabrielino-Tongva Tribe; Anthony Morales, Chairperson of the Gabrielino / Tongva San Gabriel Band of Mission Indians; Joseph Ontiveros, Cultural Resources Director, Isaiah Vivanco, Chairperson, and Jessica Valdez, Cultural Resource Specialist for the Soboba Band of Luiseño Indians. In the call to Charles Alvarez with the Gabrielino-Tongva Tribe the phone line was found to be disconnected and so no message could be left. In the call to Sandonne Goad, Chairperson of the Gabrielino / Tongva Nation there was no answer and the mailbox was full; no message could be left. There has been no response to date from these contacts.

On the call to Andrew Salas, Chairperson for the Gabrieleno Band of Mission Indians – Kizh Nation the tribal receptionist indicated that Secretary Martinez and Chairperson Salas were not in the office. A message was left with the receptionist (See contact record table in Attachment C, **Appendix D**).

A pedestrian field survey of the project site was conducted on May 10, 2024. The main project parcel, occupied by the current Envision Motors Toyota car dealership, is situated at 1800 East Garvey Avenue South (APNs 8478-007-025 and -031); a smaller associated parcel is the former Shell (now Valero) service station on the northeast corner of E. Garvey Avenue and South Azusa Avenue (APN 8478-007-042). The survey consisted of walking along and over the several landscape beds surrounding the periphery of the project site. Along the northwest and west periphery of the property bordering the Azusa Avenue onramp to the east-bound I-10 freeway and along Azusa Avenue itself there is a 4' wide and approximately 310' long landscape bed. This was covered with dry grass and weeds. This bed was observed with a single transect walk north to south. At the southern end of the bed is a small plot approximately 10' x 20' also covered with dry grass and weeds. In the middle of the parcel is a stand-alone car repair building with a 12' long hedge of boxwood on the north side with no ground visible. The front outer edge of the parcel to the east along East Garvey Avenue has a landscape bed 5' wide and approximately 550' long containing well-maintained grass and a row of palm trees that was observed by walking along its edge south to north. At the north end of the bed, which is the main entrance to the property, is a hedge of boxwood with open ground below. The smaller parcel containing the service station has three small landscape beds along E. Garvey Avenue and South Azusa Avenue. These are covered with well maintain grass and some shrubbery with no ground surface visible. Visibility of the surface throughout the project site was poor with an average of approximately 10 percent. The result of the pedestrian survey was negative for both prehistoric and historic sites, features and isolates.

The cultural resources study findings suggest that there is a low potential for the presence of prehistoric cultural resources. The project site is disturbed by several decades of urban development. It is not recommended that an archaeological monitor be present during ground-disturbing activities. However, if prehistoric and/or historic items are observed during subsurface activities, work should be stopped in that area and a qualified archaeologist and Native American monitor be retained to assess the finding(s) and retrieve the material.

Mitigation Measure

MM CUL-1 If archaeological resources are discovered during construction activities, the contractor will halt construction activities in a 50-foot diameter and notify the City of West Covina. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology who

will be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist will recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the South Central Coastal Information Center. Construction activities may continue on other parts of the project site while evaluation and treatment of prehistoric archaeological resources takes place.

Level of Significance After Mitigation

With implementation of Mitigation Measures **MM CUL-1** above, the project would result in less than significant impacts to archeological resources.

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

Less than Significant Impact with Mitigation Incorporated

As previously discussed in **Section 4.5.b)** above**,** the project would be built on disturbed land due to several decades of urban development. No human remains have been previously identified or recorded onsite. The project proposes trench digging and some grading activities for the installation of infrastructure including water, sewer, and utility lines; and for construction of the proposed buildings. Trenching would involve new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. In the unlikely event of an unexpected discovery, implementation of mitigation measure **CUL-2** would ensure that impacts related to the accidental discovery of human remains would be less than significant.

California Health and Safety Code § 7050.5 specifies the procedures to follow during the unlikely discovery of human remains. CEQA § 15064.5 describes determining the significance of impacts on archeological and historical resources. California Public Resources Code § 5097.98 stipulates the notification process during the discovery of Native American human remains, descendants, disposition of human remains, and associated grave goods.

Mitigation Measure

MM CUL-2 If human remains are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the Los Angeles County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

Level of Significance After Mitigation

With adherence to applicable codes and regulations protecting cultural resources and with implementation of Mitigation Measure **MM CUL-2** above, the proposed project would result in less than significant impacts to human remains.

4.6 Energy

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			**X**	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			**X**	

As part of the air quality and greenhouse gas emissions analyses (refer to **Section 4.3** and **Section 4.8**), the California Emissions Estimator Model (CalEEMod) was used to estimate the electric energy demand for the proposed project.

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

Electricity

Construction Use

Southern California Edison (SCE) will provide electric power for the proposed project. Temporary electric power for as-necessary lighting and electronic equipment would be provided by SCE. The amount of electricity used during construction would be temporary and minimal, as demand would primarily stem from use of electrically powered hand tools. Therefore, project construction would not result in wasteful, inefficient, or unnecessary consumption of electricity, and impacts would be less than significant.

Operational Use

Project operation would require electricity for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, and electronics. Additionally, the supply, conveyance, treatment, and distribution of water used by the project would indirectly result in electricity usage. The operational energy consumption for the existing land uses, the Toyota dealership and Valero gas station, which together have 60 employees (Beltran, 2024b), are shown in **Table 4.6-1**.

Table 4.6-1
ESTIMATED EXISTING OPERATIONAL ENERGY USE

Energy Type	Units	Value	Per Capita[a]
Onroad Motor Vehicle Travel (Fuel)[b]	Gallons gasoline/year	309,598	5,160
	Gallons diesel/year	93,230	1,554
Electricity Use	Kilowatt-hours per year	530,593	8,843
Natural Gas Use	1,000 BTU per year	708,443	11,807

[a] Based upon estimated employee population of 60; see **Section 3.5**. The per capita value for the on-road motor vehicle fuel consumption is calculated from fuel consumption by passenger vehicles (automobiles and light-duty trucks).
[b] Onroad Motor Vehicle Fuel Consumption calculated by UltraSystems using EMFAC2021(v1.0.2) emissions inventory web platform tool (ARB, 2022c) and CalEEMod (2022.1.1.25) (CAPCOA, 2023); see **Appendix B**.
Electricity use calculated by UltraSystems with CalEEMod (2022.1.1.25).

Projected operational energy use by only the proposed West Covina Envision Mercedes Benz Dealership Project is shown in **Table 4.6-2**. The per capita project values are based on an estimated employee population of 49, which was provided by the applicant (Beltran, 2024b). Net operational energy uses were calculated by comparing the energy uses from the present land uses with those of the proposed new land uses.

Table 4.6-2
ESTIMATED PROPOSED PROJECT OPERATIONAL ENERGY USE

Energy Type	Units	Value	Per Capita[a]
Onroad Motor Vehicle Travel (Fuel)[b]	Gallons gasoline/year	266,509	5,439
	Gallons diesel/year	83,640	1,707
Electricity Use	Kilowatt-hours per year	685,194	13,984
Natural Gas Use	1,000 BTU per year	599,656	12,238

[a] Based upon estimated employee population of 49; see **Section 3.5**. The per capita value for the on-road motor vehicle fuel consumption is calculated from fuel consumption by passenger vehicles (automobiles and light-duty trucks).
[b] Onroad Motor Vehicle Fuel Consumption calculated by UltraSystems using EMFAC2021(v1.0.2) emissions inventory web platform tool (ARB, 2022c) and CalEEMod (2022.1.1.25) (CAPCOA, 2023); see **Appendix B**.
Electricity use calculated by UltraSystems with CalEEMod (2022.1.1.25).

The results of these calculations are presented in **Table 4.6-3**. The negative values show that the proposed project's fuel consumption and natural gas use will be less than that of the existing operations. The proposed project's electricity use and all per-capita values will increase slightly;

however, this energy use will not be wasteful, inefficient, or unnecessary and impacts would be less than significant.

Table 4.6-3
ESTIMATED NET CHANGE IN OPERATIONAL ENERGY USE

Energy Type	Units	Value	Per Capita
Onroad Motor Vehicle Travel (Fuel)[a]	Gallons gasoline/year	(43,089)	279
	Gallons diesel/year	(9,590)	153
Electricity Use	Kilowatt-hours per year	154,600	5,141
Natural Gas Use	1,000 BTU per year	(108,786)	430

[a] Onroad Motor Vehicle Fuel Consumption calculated by UltraSystems using EMFAC2021(v1.0.2) emissions inventory web platform tool (ARB, 2022c) and CalEEMod (2022.1.1.25) (CAPCOA, 2023); see **Appendix B**.
Electricity use calculated by UltraSystems with CalEEMod (2022.1.1.25).

Natural Gas

Construction Use

Southern California Gas Company (SoCalGas) will provide natural gas for the proposed project. Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Any minor amounts of natural gas that may be consumed as a result of project construction would be temporary and negligible and would not have an adverse effect; therefore, construction would not result in wasteful, inefficient, or unnecessary consumption of natural gas. Therefore, impacts would be less than significant.

Operational Use

Natural gas consumption during operation would be required for various purposes, including building heating and cooling. As part of the air quality and greenhouse gas emissions analyses (refer to **Section 4.3** and **Section 4.8**), the California Emissions Estimator Model (CalEEMod), was used to estimate natural gas demand for the proposed project, which is presented above in **Table 4.6-3.** The negative values show that the proposed project's natural gas use would be less than that of the existing operations while per-capita values would increase slightly; however, this energy use would not be wasteful, inefficient, or unnecessary and impacts would be less than significant.

Petroleum

Construction Use

Petroleum-based fuel consumed by construction equipment would be the primary energy resource expended during construction. Transportation of construction materials and construction workers would also result in petroleum consumption. Heavy-duty construction equipment, vendor trucks, and haul trucks would use diesel fuel. Construction workers would likely travel to and from the project area in gasoline-powered vehicles. Construction for the proposed project is anticipated to take 13 months, from June 2025 to July 2026. Because of the short-term nature of construction and relatively small scale of the project, the project's petroleum consumption would be negligible when compared to California's daily total use of approximately 1.8 million barrels of petroleum.

During project construction, trucks and construction equipment would be required to comply with the ARB's anti-idling regulations. ARB's In-Use Off-Road Diesel Fueled Fleets regulation would also apply (ARB, 2023). Vehicles driven to or from the project site (delivery trucks, construction employee vehicles, etc.) are subject to fuel efficiency standards established by the federal government. Therefore, project construction activities regarding fuel use would not result in wasteful, inefficient, or unnecessary consumption, and impacts would be less than significant.

Operational Use

During operations, the majority of fuel consumption resulting from the project would involve the use of motor vehicles traveling to and from the project site, as well as fuels used for alternative modes of transportation that may be used by employees and visitors to the project site. Annual project operation petroleum usage from on-road motor vehicle fuel consumption was estimated using the California Air Resources Board Emission Factor model (EMFAC2021). As part of the air quality and greenhouse gas emissions analyses (refer to **Section 4.3** and **Section 4.8**), the California Emissions Estimator Model (CalEEMod), was used to estimate the project's vehicle miles travelled (VMT) which was included in the EMFAC analysis to predict annual diesel and gasoline fuel consumption.

The project would comply with all applicable regulations and codes that require achievement of various levels of energy efficiency in building operation. These include (1) the 2022 California Energy Efficiency Standards for Nonresidential Buildings (California Code of Regulations Title 24, Part 6), and (2) the 2022 California Green Building Standards Code (CalGreen; California Code of Regulations Title 24 Part 11).

As shown in **Table 4.6-2** above, the project would consume 350,149 gallons of petroleum-based fuel per year during operation, which is less than the fuel consumption of the existing land uses. By comparison, approximately 13.82 billion gallons of petroleum were consumed in California in 2021 (CEC, 2022a). The anticipated fuel consumption associated with one year of project operation is 0.0023 percent of the statewide use. Implementation of the project would result in a decrease in petroleum use during operation and, over time, vehicles would use less petroleum due to advances in fuel economy.

The project would consume approximately 685,194 kilowatt-hours (kWh) of electricity per year, which is an increase of 154,600 kWh/year compared to existing land uses. The project would consume 599,656 thousand British thermal units (kBTU) of natural gas per year which is a decrease of 108,786 kBTU/year compared to existing land uses. By comparison, in 2022, the latest year for which data are available, approximately 68,484 gigawatt hours of electricity were consumed by SCE residential and nonresidential customers in Los Angeles County (CEC, 2023a). SoCalGas supplied approximately 282 trillion British thermal units (MMBtu) in 2022 for the residential and nonresidential customer service area in that same year (CEC, 2023b). The usage of electricity and natural gas demand at the project site would be negligible relative to the use in SCE's and SoCalGas's service areas.

Continued use of energy resources is consistent with the anticipated growth within the City and the general vicinity and would not result in energy consumption that would require a significant increase in energy production for the energy provider. Based on the information provided above, the proposed project would have a less than significant impact regarding wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than Significant Impact

Title 24 Building Energy Efficiency Standards

The initial Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations) were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Compliance with Title 24 will result in a decrease in GHG emissions.

The Title 24 standards are updated on a three-year schedule, with the most current 2022 standards adopted on August 11, 2021. In December 2021, the 2022 standards were approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The Building Energy Efficiency Standards (Energy Code) apply to newly constructed buildings, additions, and alterations. They are a vital pillar of California's climate action plan. The 2022 Energy Code will produce benefits to support the state's public health, climate, and clean energy goals by encouraging implementation of efficient electric heat pumps, establishing electric-ready requirements for new homes, expanding solar photovoltaic and battery storage standards, strengthening ventilation standards, and more. Buildings with permit applications applied for on or after January 1, 2023, must comply with the 2022 Energy Code. Public Resources Code §§ 25402 subdivisions (a)-(b) and § 25402.1 emphasize the importance of building design and construction flexibility by requiring the California Energy Commission (CEC) to establish performance standards, in the form of an "energy budget" in terms of the energy consumption per square foot of floor space (CEC, 2022b).

The provisions of Title 24, Part 6 apply to all buildings for which an application for a building permit or renewal of an existing permit is required by law. They regulate design and construction of the building envelope, space-conditioning and water-heating systems, indoor and outdoor lighting systems of buildings, and signs located either indoors or outdoors. Title 24, Part 6 specifies mandatory, prescriptive and performance measures, all designed to optimize energy use in buildings and decrease overall consumption of energy to construct and operate residential and nonresidential buildings. Mandatory measures establish requirements for manufacturing, construction, and installation of certain systems, equipment, and building components that are installed in buildings.

Title 24 California Green Building Standards Code

The California Green Building Standards Code (Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics.

The proposed project would be designed with energy-efficient features, including insulated and glazed windows and low-E coating on windows, and will be built in compliance with the California Green Building Standards (CAL Green) Code (California Code of Regulations, Title 24, Part 11). Therefore, energy impacts would be less than significant.

4.7 Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			**X**	
ii) Strong seismic ground shaking?			**X**	
iii) Seismic-related ground failure, including liquefaction?			**X**	
iv) Landslides?				**X**
b) Result in substantial soil erosion or the loss of topsoil?			**X**	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			**X**	
d) Be located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			**X**	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				**X**
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		**X**		

The information in this section is based on the following two technical reports:

- Geotechnical Engineering Investigation, Proposed Envision Mercedes-Benz of West Covina Automotive Dealership 1800 E Garvey Avenue South, West Covina, California. Prepared by NorCal Engineering, dated May 17, 2024. A complete copy of this report is included as **Appendix E1** to this IS/MND.

- Paleontological Records Search for the Envision Motors Mercedes Project. Prepared by Natural History Museum of Los Angeles County, dated April 28, 2024. A complete copy of this report is included as **Appendix E2** to this IS/MND.

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

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

No Impact

The Alquist-Priolo Zones Special Studies Act defines active faults as those that have experienced surface displacement or movement during the last 11,000 years. As shown in **Figure 4.7-1**, **t**he nearest Alquist-Priolo Earthquake Fault Zone to the project site is along the Duarte Fault about four miles to the north. The nearest active fault to the project site is the Sierra Madre Fault Zone, also about four miles to the north, as shown in **Figure 4.7-2**. Project development would not exacerbate hazards related to surface rupture of a known active fault, and no impact would occur.

ii) Strong seismic ground shaking?

Less than Significant Impact

As shown in **Figure 4.7-2** above, the project is located within a seismically active region of Southern California, and all structures in the region are susceptible to collapse, buckling of walls, and damage to foundations from strong ground shaking. The strength of earthquakes is measured in terms of *moment*, that is, the distance a fault moved multiplied by the force required to move it. Moment is described using the moment magnitude scale (M_W), where each one-point increase represents a 10-fold increase in moment (USGS, 2021). The Sierra Madre Fault Zone can produce a magnitude 7.0 earthquake (NorCal, 2024, p. 4).

Project design and construction would comply with the 2022 California Building Code (CBC), adopted as § 7-16 of the City of West Covina Municipal Code. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the strength of ground motion with specified probability of occurring at the site. The geotechnical engineering investigation report sets forth seismic design parameters to be used in project design pursuant to CBC requirements (see **Appendix E1**). Thus, impacts from strong ground shaking would be less than significant and mitigation is not proposed.

Figure 4.7-1
ALQUIST PRIOLO FAULT ZONES

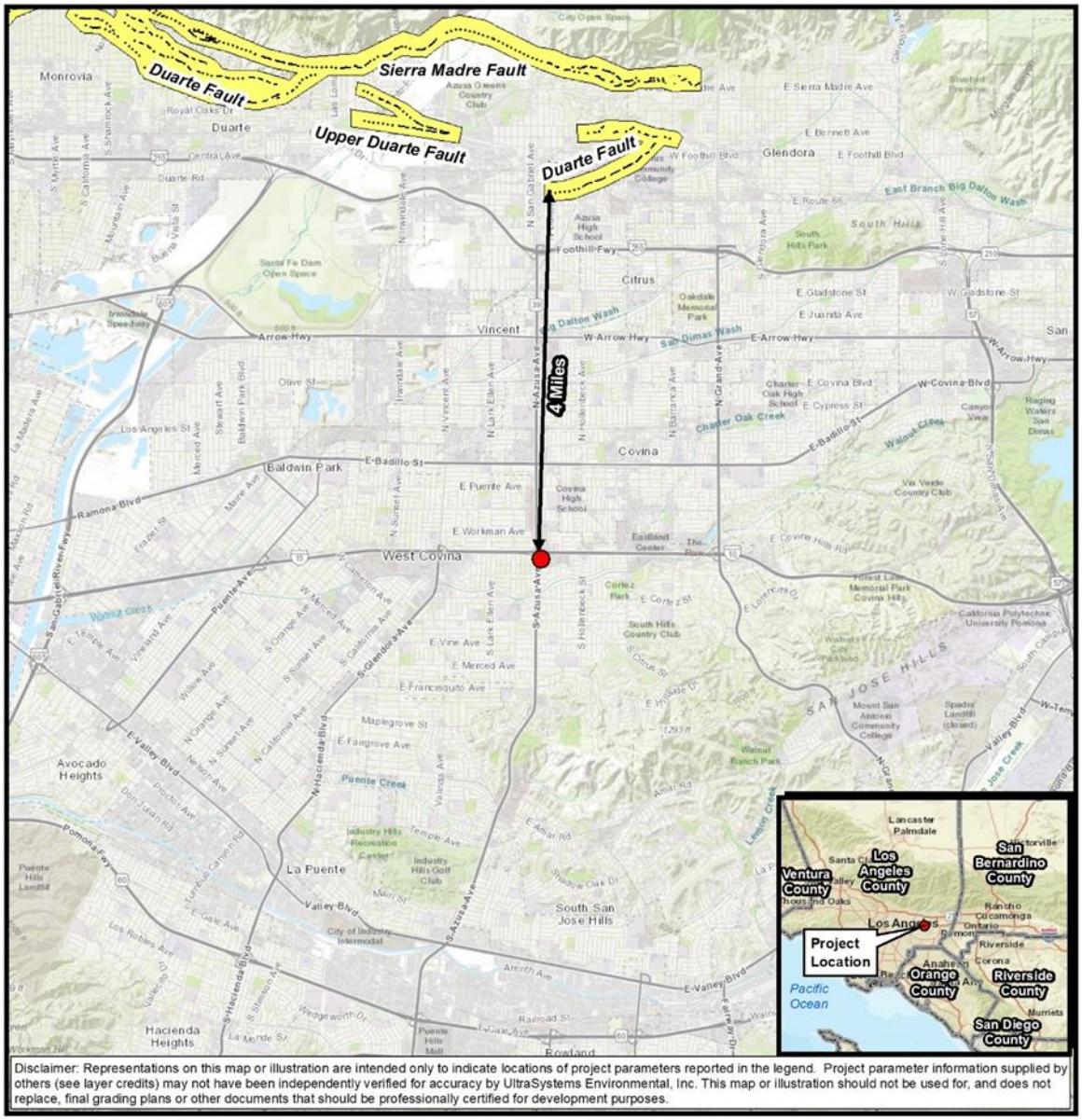
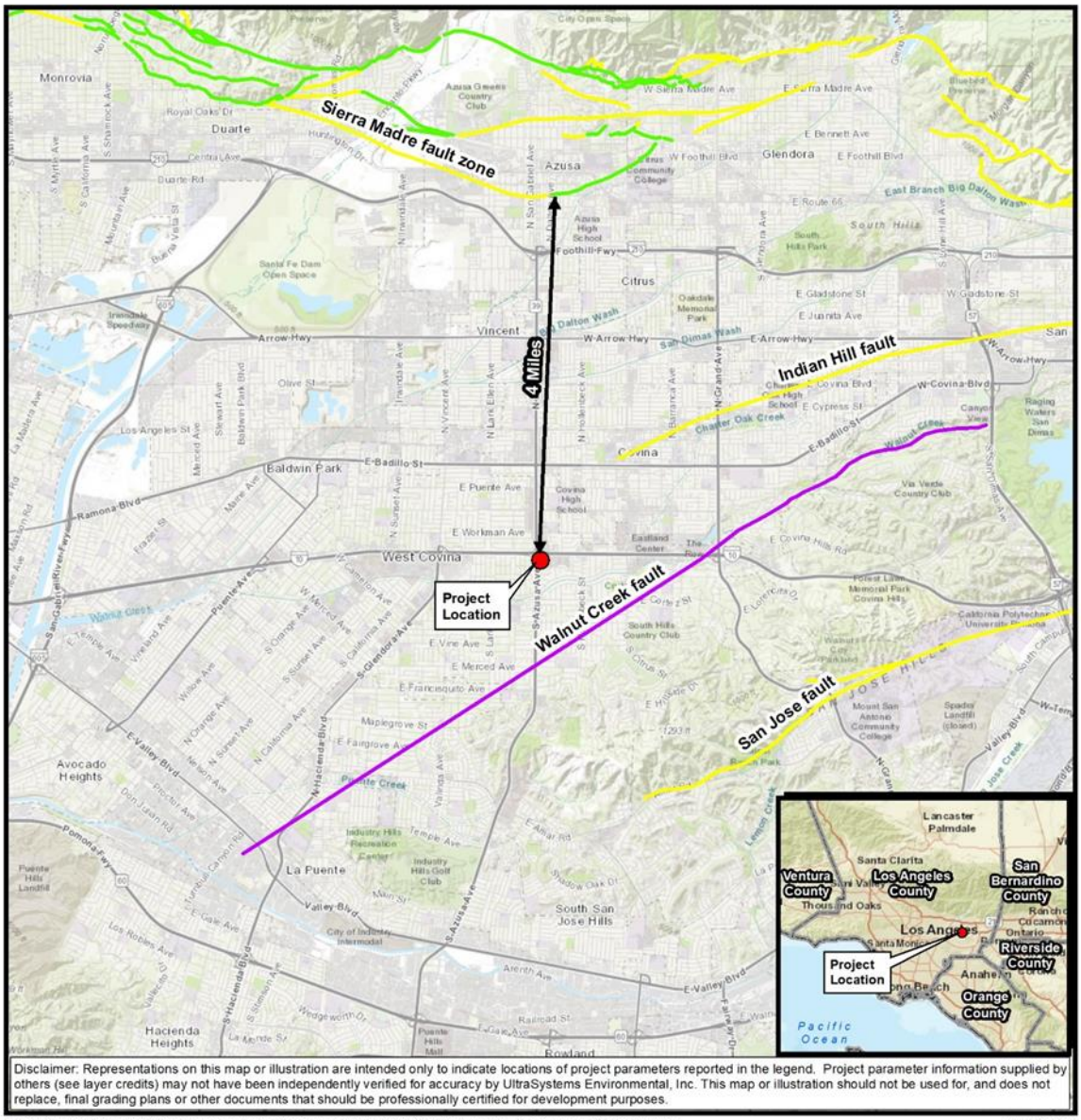


Figure 4.7-2
REGIONALLY ACTIVE FAULTS



iii) Seismic-related ground failure, including liquefaction?

Less than Significant Impact

General types of ground failures that might occur due to severe ground shaking typically include landslides, ground subsidence, ground lurching and shallow ground rupture. The probability of occurrence of each type of ground failure depends on the severity of the earthquake, distance from the faults, topography, subsoils and relatively shallow groundwater tables (approximately 50 feet or less below ground surface), in addition to other factors.

Liquefaction typically occurs when saturated or partially saturated soils behave like a liquid, due to losses in strength and stiffness in response to ground shaking. The project site is not in a zone of required investigation for liquefaction (see **Figure 4.7-3**).

Groundwater was not encountered in subsurface exploration of the project site to a depth of 20 feet below ground surface (bgs). A nearby groundwater monitoring well located approximately 1.5 miles to the west from the subject site noted a groundwater depth of 170 feet below ground surface last measured in July 2023 (NorCal, 2024, p. 6).

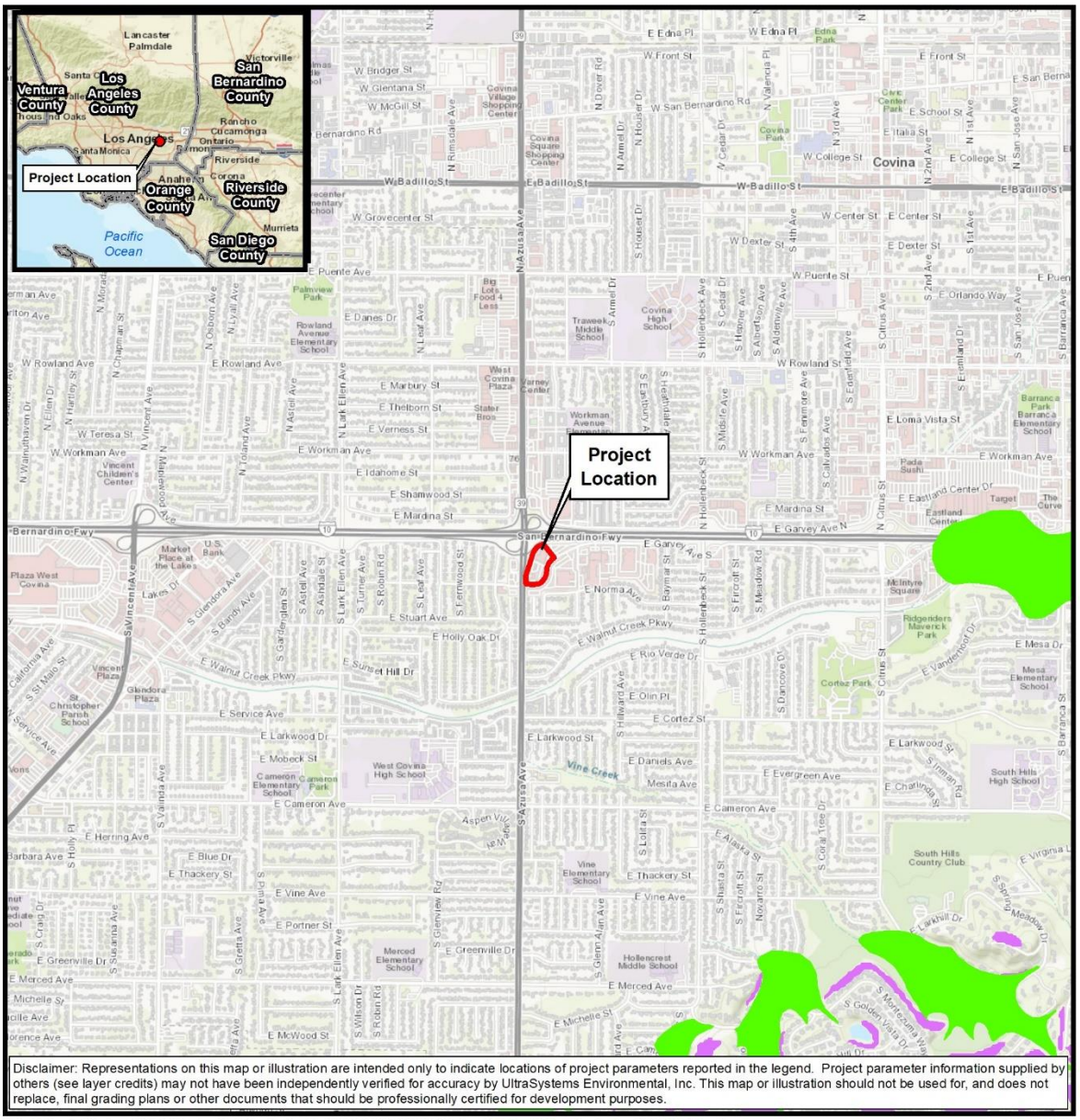
The subject site is not in an area of historic occurrence of liquefaction, or local geological, geotechnical and groundwater conditions to indicate a potential for permanent ground displacement. displacement. Thus, design of the proposed construction in conformance with the latest Building Code provisions for earthquake design is expected to minimize ground shaking hazards that are typical in Southern California (NorCal, 2024, p. 5). Impacts would be less than significant.

Landslides?

No Impact

The project site is flat; therefore, project development would not exacerbate landslide hazards and no impact would occur.

Figure 4.7-3
LANDSLIDES AND LIQUEFACTION



b) Would the project result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact

Construction

Erosion is the detaching of soil particles from the soil surface; sedimentation is the transport of soil offsite, such as by water. Site clearance, grading, and construction would disturb and expose large amounts of soil, leaving the soil vulnerable to erosion.

The project proponent is required by the California State Water Resources Control Board (SWRCB) to obtain coverage under a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2022-0057-DWQ, as authorized by § 402 CWA, NPDES for projects which will disturb one or more acres of soil during construction). The Construction General Permit requires potential dischargers of pollutants into Waters of the U.S. to prepare a site-specific Stormwater Pollution Prevention Plan (SWPPP). The SWPPP prescribes several categories of best management practices (BMPS), including BMPs for erosion control, wind erosion control, sediment control, and tracking control (that is, tracking soil offsite by vehicles). Because the project is required by the SWRCB to comply with all applicable conditions of Construction General Permit Order 2022-0057-DWQ, impacts related to soil erosion during project construction would be less than significant.

Operation

As designed, the project would be developed with a mix of impervious surfaces, such as concrete and pavement, and grass/landscaped areas, including landscaping along the site boundary. This combination of impervious surfaces and landscaped areas would reduce the potential of the project for soil erosion to a negligible level during project operations. The Landscape Plan is shown in **Figure 3.4-7** and included in **Appendix A**. The project Low-Impact Development (LID) Plan also includes two treatment control BMPs, hydrodynamic separators and an infiltration basin, that would remove sediment from runoff before the runoff was discharged offsite (CDR, 2024b, p. 8).

With the implementation of soil erosion and sedimentation BMPs during the construction phase and the proposed combination of impervious and landscaped surfaces during the operational phase, the project would have less than significant impacts related to soil erosion or loss of topsoil and mitigation is not proposed.

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

Less than Significant Impact

The project site is underlain by fill soil consisting of brown, fine to medium grained, silty sand to depths ranging from 1.5 to 6.0 feet bgs, which is underlain by alluvium described as a brown, fine to medium grained, silty sand (NorCal 2024, pp. 2-3). Impacts related to liquefaction and landslides are discussed above in **Section 4.7 a)**.

Lateral Spreading

Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. For the reasons discussed in **Section 4.7 a)** above, the potential for lateral spread on the project site would be less than significant (NorCal 2024, p. 6.

Collapsible Soils

Collapsible soils shrink upon being wetted and/or being subject to a load. The geotechnical engineering report for the project found that shallow soils onsite are not suitable for supporting the proposed building, and recommended removal of the existing fill soil plus soils to a depth of two feet below all proposed foundations (NorCal, 2024, p. 8). Project site preparation and grading would comply with recommendations of the geotechnical investigation report, and project development would not exacerbate hazards arising from collapsible soils.

Subsidence

The major cause of ground subsidence is the excessive withdrawal of groundwater. Soils with high silt or clay content are particularly susceptible to subsidence. The project site is not in an area of subsidence mapped by the USGS (USGS, 2024). The project site is over the Main San Gabriel Groundwater Basin. The Main Basin Watermaster ("Watermaster") regulates groundwater extractions and recharge pursuant to two court judgments. The Watermaster establishes an operating safe yield of extractions and determines rights to extract water for each groundwater producer, each year. Producers who pump water exceeding their extraction rights are required to purchase imported water to recharge the groundwater basin, replacing the excess water they produced (Suburban Water Systems, 2021, p. 3-17). Therefore, ground subsidence in the project region due to excessive groundwater withdrawal is considered unlikely. Project development would not exacerbate hazards related to ground subsidence and impacts would be less than significant.

d) Would the project be located on expansive soil, as defined in Table 18-1 B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less than Significant Impact

Expansive soils shrink and swell with changes in soil moisture. Soil moisture may change from landscape irrigation, rainfall, and utility leakage. A measurement of expansion index in one subsurface soil sample conducted as part of the geotechnical engineering investigation yielded an expansion index of 3, indicating very low expansion potential (NorCal, 2024, p. 25). Project development would not exacerbate hazards arising from expansive soils, and impacts would be less than significant.

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

No Impact

The project site would connect to the City of West Covina's existing sewer system; therefore, the project would not use septic tanks or alternative wastewater disposal systems. Therefore, no impacts associated with septic tanks or alternative wastewater disposal systems would occur.

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

Less than Significant Impact with Mitigation Incorporated

The project site is underlain by the Younger undivided alluvial fan and valley deposits (Qyfa) (11,650 years before present [ybp]) to present). This deposit consists of unconsolidated sand and dates to the Holocene period (11,650 years before present [ybp] to present) (Tan, 2000). Several paleontological resources have been discovered in the region. While no localities have been recorded within the project boundary itself, there are "fossil localities nearby from the same sedimentary deposits that occur in the proposed project area, either at surface or at depth" (Bell 2024:1). These resources are presented in **Table 4.7-2** below.

Table 4.7-2
FOSSIL LOCALITIES IN THE PROJECT REGION

Locality No.	Location	Depth	Formation	Taxa
LACM VP 2027	1600 block, Bridgen Rd., Pasadena	Unknown	Unknown formation (Pleistocene)	Mammoth (*Mammuthus*)
LACM VP 7701, 7702	Intersection of 26th St and Atlantic Blvd, Bell Gardens	30 feet bgs	Unknown formation (Pleistocene; silt)	Fish (*Gasterosteus*); Snake (*Colubridae*), Rodents (*Thomomys, Microtus, Reithrodontomys*); Rabbit (*Sylvilagus*)
LACM VP 3363	W of Monterey Pass Road in Coyote Pass; E of the Long Beach Freeway & S of the N boundary of Section 32; Monterey Park	Unknown	Unknown formation (Pleistocene; sand and silt)	Horse (*Equus*)
LACM VP 1728	W of intersection of English Rd & Peyton Dr, Chino	15-20 feet bgs	Unknown (light brown shale with interbeds of very coarse brown sand; Pleistocene)	Horse (*Equus*), camel (*Camelops*)

Source: Bell, 2024

Excavations or grading that extend into the uppermost layers of soil and deeper excavation into the late Pleistocene sediments in the proposed project area may encounter significant fossil vertebrate remains. Any substantial excavations below the uppermost layers should be closely monitored to

quickly and professionally collect any specimens. Grading and excavation activities associated with development of the proposed project would cause new subsurface disturbance and could result in the unanticipated discovery of paleontological resources, for which mitigation is required.

In the event of an unexpected discovery, implementation of mitigation measure **GEO-1** would ensure paleontological resources or unique geologic features are not significantly affected. Impacts in this regard would be mitigated to less than significant levels, with implementation of required mitigation measures.

Mitigation Measure

MM GEO-1 Prior to the issuance of the grading permit, the applicant shall provide a letter to the City of West Covina Planning Division, or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist onsite for the review and approval by the City. The PRIMP shall require that the paleontologist perform paleontological monitoring of any ground disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontologist may reevaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations have been completed. In the event paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be done at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.

Level of Significance After Mitigation

With implementation of **MM GEO-1**, potential impacts to paleontological resources would be reduced to a less than significant level.

4.8 Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

4.8.1 Background Information on Greenhouse Gas Emissions

Life on earth depends on energy coming from the sun. About half the light reaching Earth's atmosphere passes through the air and clouds to the surface, where it is absorbed and then radiated upward in the form of infrared heat. About 90 percent of this heat is then absorbed by carbon dioxide (CO_2) and other greenhouse gases (GHGs) and radiated back toward the surface, which is warmed to a life-supporting average of 59 degrees Fahrenheit (°F) (NASA, 2018).

Human activities are changing the natural greenhouse. Over the last century, the burning of fossil fuels such as coal and oil has increased the concentration of atmospheric CO_2. This happens because the coal or oil burning process combines carbon in the fuel with oxygen in the air to make CO_2. To a lesser extent, the clearing of land for agriculture, industry, and other human activities has increased concentrations of GHGs (NASA, 2018).

GHGs are defined under the California Global Warming Solutions Act of 2006 as CO_2, methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF_6) (AB 32, chapter 488). HFCs, PFCs, and SF_6 would not be emitted in significant amounts by the new activities in the proposed project, so they will not be discussed further.

Associated with each GHG species is a "global warming potential" (GWP), which is a value used to compare the abilities of different GHGs to trap heat in the atmosphere. GWPs are based on the heat-absorbing ability of each gas relative to that of CO_2, as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years). The GWPs of CO_2, CH_4 and N_2O are 1, 25 and 298, respectively (GMI, 2019). "Carbon dioxide equivalent" (CO_2e) emissions are calculated by weighting each GHG compound's emissions by its GWP and then summing the products.

Carbon Dioxide (CO_2). Carbon dioxide is a colorless, odorless gas consisting of molecules made up of two oxygen atoms and one carbon atom. CO_2 is produced when an organic carbon compound (such as wood) or fossilized organic matter (such as coal, oil, or natural gas) is burned in the presence of oxygen. Since the industrial revolution began in the mid-1700s, industrial activities have increased in scale and distribution. Prior to the industrial revolution, CO_2 concentrations were stable at a range of 275 to 285 parts per million (ppm) (IPCC, 2007a). The National Oceanic and Atmospheric Administration's Earth System Research Laboratory indicates that the global concentration of CO_2

was 419.3 ppm in 2023 (NOAA, 2024). These concentrations of CO_2 exceed by far the natural range over the last 650,000 years (180 to 300 ppm) as determined from ice cores.

Methane (CH_4). Methane is a colorless, odorless non-toxic gas consisting of molecules made up of four hydrogen atoms and one carbon atom. CH_4 is combustible, and is the main constituent of natural gas, a fossil fuel. CH_4 is released when organic matter decomposes in low oxygen environments. Natural sources include wetlands, swamps and marshes, termites, and oceans. Anthropogenic sources include the mining of fossil fuels and transportation of natural gas, digestive processes in ruminant animals such as cattle, rice paddies, and the buried waste in landfills. Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of CH_4. Other anthropogenic sources include fossil-fuel combustion and biomass burning.

Nitrous Oxide (N_2O). Nitrous oxide is a colorless, non-flammable gas with a sweetish odor, commonly known as "laughing gas," and sometimes used as an anesthetic. N_2O is naturally produced in the oceans and in rainforests (USEPA, 2019b). Manmade sources of N_2O include the use of fertilizers in agriculture, nylon and nitric acid production, cars with catalytic converters and the burning of organic matter. Atmospheric concentrations of N_2O also began to rise at the beginning of the industrial revolution.

4.8.2 Regulatory Setting

GHGs are regulated at the national, state, and air basin level; each agency has a different degree of control. The United States Environmental Protection Agency (USEPA) regulates at the national level; the California Air Resources Board (ARB) regulates at the state level; and the South Coast Air Quality Management District (SCAQMD) regulates at the air basin level in the Envision Mercedes Benz Dealership project area.

4.8.2.1 Federal Regulations

The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and the USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency. The USEPA has been maintaining a national inventory of GHG emissions since 1990 and in 2009 established mandatory reporting of GHG emissions from large GHG emissions sources.

EPA is also obtaining GHG reductions through partnerships and initiatives, evaluating policy options, costs, and benefits, advancing the science, partnering internationally and with states, localities, and tribe, and helping communities adapt.

Corporate Average Fuel Economy (CAFE) Standards

In May 2010, the USEPA finalized the first-ever national GHG emissions standards under the Clean Air Act, and the National Highway Traffic Safety Administration (NHTSA) finalized Corporate Average Fuel Economy (CAFE) standards under the Energy Policy and Conservation Act (USEPA, 2022g). The CAFE Standards for model years 2017-2025 introduce new ways to comply, such as improving air conditioning efficiency and increasing production of electric and alternative fuel vehicles. Passenger cars and light-duty trucks are defined in the Code of Federal Regulations (CFR) under 49 CFR part 523. These definitions include two distinct "footprint" categories based on vehicle size, which determine the specific CAFE requirements for each vehicle. The required average fuel

economy for model years 2017-2025 is projected from the 2010 model year baseline. Looking ahead, CAFE Standards for model years 2027-2032 will see annual increases of 2% for passenger cars (model years 2027-2031) and 2% for light trucks (model years 2029-2031)(USDE, 2024).

Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule

On September 27, 2019, the USEPA and the NHTSA published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program (USDT, 2022), revoked California's authority to set its own GHG emissions standards and set zero emission vehicle (ZEV) mandates in California. The loss of the ZEV sales requirements would likely result in additional gasoline-fueled vehicles being sold in the State and criteria pollutant emissions increasing. On April 30, 2020, USEPA and NHTSA issued the Final SAFE Rule (ARB, 2020), which relaxed the federal GHG emissions and CAFE standards and would probably have resulted in increased CO_2 emissions. However, this regulation was repealed on December 21, 2021 by the Biden administration (NHTSA, 2021).

State Regulations

Executive Order S 3-05

On June 1, 2005, the governor issued EO S 3-05, which set the following GHG emission reduction targets:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels;
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

To meet these targets, the Climate Action Team (CAT)[10] prepared a report to the Governor in 2006 that contains recommendations and strategies to help ensure that the targets in EO S-3-05 were met.

Assembly Bill 32 (AB 32)

In 2006, the California State Legislature enacted the California Global Warming Solutions Act of 2006, also known as AB 32. AB 32 focuses on reducing GHG emissions in California. GHGs, as defined under AB 32, include CO2, CH4, N2O, HFCs, PFCs, and SF6. AB 32 required that GHGs emitted in California be reduced to 1990 levels by the year 2020. The ARB is the state agency charged with monitoring and regulating sources of emissions of GHGs that cause global warming. AB 32 also required that by January 1, 2008, the ARB determine what the statewide GHG emissions level was in 1990, and that it had to approve a statewide GHG emissions limit, so it could be applied to the 2020 benchmark. The ARB approved a 1990 GHG emissions level of 427 million metric tons of CO_2e ($MMTCO_2e$), on December 6, 2007, in its Staff Report. Therefore, in 2020, emissions in California were required to be at or below 427 $MMTCO_2e$.

Under the "business as usual or (BAU)[11]" scenario established in 2008, statewide emissions were increasing at a rate of approximately one percent per year, as noted below. It was estimated that the

10 The Climate Action Team (CAT) members are state agency secretaries and the heads of agencies, boards, and departments, led by the Secretary of the California Environmental Protection Agency (Cal/EPA). They coordinate statewide efforts to implement global warming emission reduction programs and the state's Climate Adaptation Strategy.

11 A business-as-usual (BAU) scenario assumes that none of the Scoping Plan measures are implemented (ARB, 2024b).

2020 estimated BAU of 596 MMTCO2e would have required a 28 percent reduction to reach the 1990 level of 427 $MMTCO_2e$.

As part of the 2014 update, the ARB revised the 2020 Statewide limit to 431 million MT of CO_2e, an approximately one percent increase from the original estimate. The 2020 business as usual forecast in the update is 509 million MT of CO_2e. The state would need to reduce those emissions by 15.3% to meet the 431 million MT of CO_2e 2020 limit.

Climate Change Scoping Plan

The first AB 32 Scoping Plan (ARB, 2008) contained the main strategies to achieve the 2020 emissions cap. The strategies included direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system. In August 2011, the Scoping Plan was reapproved by the Board and included the Final Supplement to the Scoping Plan Functional Equivalent Document (ARB, 2011). The 2011 Scoping Plan expanded the list of nine Early Action Measures into a list of 39 Recommended Actions contained in Appendices C and E of the Plan. In May 2014, ARB developed, in collaboration with the CAT, the First Update to California's Climate Change Scoping Plan (Update) (ARB, 2014), which showed that California was on track to meet the near-term 2020 GHG limit and was well positioned to maintain and continue reductions beyond 2020 as required by AB 32. In November 2017, ARB published the 2017 Scoping Plan (ARB, 2017) which builds upon the former Scoping Plan and Update by outlining priorities and recommendations for the state to achieve its target of a 40 percent reduction in GHGs by 2030, compared to 1990 levels.

In December 2022, the ARB approved its Final 2022 Scoping Plan Update (ARB, 2022b), which adds carbon neutrality to the former Scoping Plan. The 2022 Plan identifies a technologically feasible, cost-effective path to reduce GHG emissions by 85 percent below 1990 levels and achieve carbon neutrality by 2045 or earlier. Through the lens of carbon neutrality, the 2022 Plan expands the scope to more meaningfully consider how our natural and working lands (NWL) contribute to our long-term climate goal through carbon capture. The 2022 Plan focuses on efforts to shift away from fossil fuels, resulting in a 94 percent decrease in liquid petroleum demand, a 71 percent decrease in smog-related pollutants, a job increase of 4 million, and $200 billion of health cost savings for Californians (ARB, 2022b).

Renewables Portfolio Standard (Scoping Action E-3)

The California Energy Commission estimates that in 2000 about 12 percent of California's retail electric load was met with renewable resources. Renewable energy includes (but is not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. California's current Renewables Portfolio Standard (RPS) was intended to increase that share to 33 percent by 2020. It was reported that in 2021, over 37 percent of California's retail electricity sales were provided by RPS-certified renewables (CEC, 2021). Increased use of renewables will decrease California's reliance on fossil fuels, thus reducing emissions of GHGs from the electricity sector. In October 2015, Governor Brown signed into law Senate Bill (SB) 350, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030. Signed in 2018, SB 100 requires an increase in the RPS to 60 percent by 2030, along with a long-term goal of 100 percent of RPS and zero-carbon energy by 2045 (CEC, 2021).

Senate Bill 375 (SB 375)

Senate Bill (SB) 375 passed the Senate on August 30, 2008, and was signed by the governor on September 30, 2008. Per SB 375, the transportation sector is the largest contributor of GHG emissions and contributes approximately 45 percent of the GHG emissions in California, with automobiles and light trucks alone contributing almost 30 percent. SB 375 indicates that GHGs from automobiles and light trucks can be reduced by new vehicle technology. However, significant reductions from changed land use patterns and improved transportation also are necessary. SB 375 states, "Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32." SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies (SCS) in their regional transportation plans for reducing GHG emissions, (2) aligns planning for transportation and housing, and (3) creates specified incentives for the implementation of the strategies.

Executive Order B-30-15

On April 29, 2015, Governor Brown issued EO B-30-15, which added an interim target of GHG emissions reductions to help ensure that the State meets its 80 percent reduction by 2050, as set in EO S-3-05. The interim target is to reduce GHG emissions by 40 percent by 2030. It also directs State agencies to update the Scoping Plan, update the Adaptation Strategy every three years, and take climate change into account in their planning and investment strategies. Additionally, it requires the State's Five-Year Infrastructure Plan to take current and future climate change impacts into account in all infrastructure projects.

Title 24

Although not originally intended to reduce GHGs, California Code of Regulations Title 24 Part 6: California's Building Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The California Energy Commission updates the standards every three years. to allow consideration and possible incorporation of new energy-efficient technologies and methods. The 2016 standards became effective July 1, 2017. The 2019 Standards improve upon the 2016 Standards for new construction of, and additions and alterations to, residential and non-residential buildings. Buildings whose permit applications are dated on or after January 1, 2020, must comply with the 2019 Standards. The 2019 Standards are a major step towards meeting the Zero Net Energy goal by the year 2030 and are the last of three updates to move California towards achieving that goal. The 2022 standard, effective January 1, 2023, encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more (CEC, 2024).

South Coast Air Quality Management District (SCAQMD)

In the process of fulfilling its mandate to reduce local air pollution, the SCAQMD has promoted a few programs to combat climate change, e.g., energy conservation, low-carbon fuel technologies, renewable energy, vehicle miles traveled (VMT) reduction programs and market incentive programs.

Air Quality-Related Energy Policy

In 2011, the SCAQMD Board adopted an Air Quality-Related Energy Policy (SCAQMD, 2011) that integrates air quality, energy, and climate change issues in a coordinated and consolidated manner. The Energy Policy presents policies to guide and coordinate SCAQMD efforts and actions to support the policies.

4.8.2.2 Local Regulations

City of West Covina General Plan

The City of West Covina's 2016 General Plan (General Plan) and 2016 General Plan Update and Downtown Plan & Code Final EIR, which were adopted on December 20, 2016, includes policies and actions that guide the City to comply with requirements of AB 32, SB 375 and SCS with the goal of addressing issues that contribute to GHG emissions:

- **P1.1 & A1.1:** Allocate federal, state, and local transportation funds towards initiatives and infrastructure enhancements that encourage the use of alternative transportation methods such as walking, cycling, and public transit to lower emissions associated with vehicle travel.
- **P1.2 & A1.2:** Monitor and decrease air pollution emissions from City-owned vehicles and municipal operations and facilities by increasing the integration of alternative fuel, electric, and hybrid vehicles into City fleets.
- **P1.3 & A1.3:** Develop and implement a strategy to decrease greenhouse gas emissions within the Environmental Impact Report (approved alongside the West Covina General Plan). This plan aims to meet state requirements and align with the Regional Transportation Plan/Sustainable Community Strategy. The goal is to streamline approval processes, promote development, and enhance air quality.
- **P4.8 & A4.8:** Implement "green" streetscape elements to enhance aesthetics, reduce carbon emissions, and manage stormwater runoff. Within the green infrastructure framework, establish a plan to boost tree coverage along current main roads by 25 percent as a strategic goal.
- **P3.6 & A3.6:** Implement crucial land use adaptation strategies aimed at reducing greenhouse gas emissions, such as promoting transit-oriented infill development and offering incentives for high-performance buildings and infrastructure.

City of West Covin Energy Action Plan

The City of West Covina approved an Energy Action Plan (EAP) on September 6, 2011 which included conservation goals aimed at reducing greenhouse gas emissions within the community. These goals include:

- Exceed energy efficiency requirements set by the California Building Code for both new and existing municipal buildings and facilities.
- Offer online guidance and support accessible via the Internet to homeowners and builders, ensuring that compliance with updated Title 24 energy standards is as streamlined and effective as possible.

- Enhance the City's Residential Solar Power permit-waiver initiative to include additional alternative energy initiatives and consider fee modifications or rebates for local businesses and residents.
- Update the City's lighting standards which will prevent excessive and spill-over lighting.
- Create an ordinance to incentivize energy efficiency upgrades in existing buildings, encouraging real estate professionals and stakeholders to engage in financial incentives and energy retrofit opportunities before property sales.
- Incorporate energy and water conservation features in all significant renovation and development projects.
- Promote the use of pool covers and solar heating systems for residential swimming pools instead of traditional heating methods.
- Support water efficiency and minimize urban runoff by promoting natural drainage, drought-tolerant landscaping, and efficient irrigation systems in new development and major renovation projects.
- Facilitate collaboration between landscapers and residential solar power contractors to improve on shading design and reduce heat buildup in both existing and new homes.
- Expand the City's vehicle fleet with hybrid vehicles that are cleaner are more energy-efficient.
- Explore and implement additional energy conservation programs and measures beneficial to both the economy and environment of West Covina.

4.8.3 GHG Emissions

4.8.3.1 National Emissions

The United States is the second largest emitter of GHGs globally (behind China) and emitted approximately 5.3 billion $MTCO_2e$ in 2020 (WRI, 2024), not including GHG absorbed by forests and agricultural land. The largest source of GHG in the United States (86.18 percent) is the energy sector (WRI, 2020). The agriculture sector accounted for 6.94 percent of GHG emissions in the United States, followed by industrial processes accounting for 4.42 percent of GHG emissions, and the waste sector accounted for 2.46 percent. Land use change and forestry in the United States is a carbon sink, sequestering 3.92 percent of GHG emissions (WRI, 2020).

4.8.3.2 State Emissions

In 2021, emissions from GHG emitting activities statewide were 381.3 million metric tons of carbon dioxide equivalent ($MMTCO_2e$), 35.3 $MMTCO_2e$ lower than 2019 levels and 49.7 $MMTCO_2e$ below the 2020 GHG target of 431 $MMTCO_2e$. The 2019 to 2020 decrease in emissions is likely due in large part to the impacts of the COVID-19 pandemic. Economic recovery from the pandemic may result in emissions increases over the next few years. The transportation sector showed the largest decline in emissions, 27 $MMTCO_2e$ (16 percent) compared to 2019 (ARB, 2021).

GHG Thresholds

To provide guidance to local lead agencies on determining the significance of GHG emissions in their CEQA documents, the South Coast Air Quality Management District (SCAQMD) Board adopted an Interim CEQA GHG Significance Threshold for Stationary Sources, Rules, and Plans (SCAQMD, 2008).

The Interim Guidance uses a tiered approach to determining significance. Although this Interim Guidance was developed primarily to apply to stationary source industrial projects where the SCAQMD is the lead agency under CEQA, in the absence of more directly applicable policy, the SCAQMD's Interim Guidance is often used as general guidance by local agencies to address the long-term adverse impacts associated with global climate change. The guidance is described in detail in **Section 4.8.5**.

4.8.4 Impact Thresholds

The following thresholds of significance are based on criteria in Appendix G of the State CEQA Guidelines. A project has the potential to create a significant environmental impact if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of GHG.

4.8.5 Impact Analysis

4.8.5.1 Methodology

Short-term construction GHG emissions and long-term operational GHG emissions were assessed using the California Environmental Emissions Estimator Model (CalEEMod) Version 2022.1.1.25 (CAPCOA, 2023). This analysis focused upon emissions of CO_2, CH_4, and N_2O only. HFCs, PFCs, and SF_6 would be emitted in negligible quantities by the proposed project's sources, so they are not discussed further.

a) Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact

California has enacted several pieces of legislation that relate to GHG emissions and climate change, much of which set aggressive goals for GHG reductions within the state. Per Senate Bill 97, the California Natural Resources Agency adopted amendments to the CEQA Guidelines, which address the specific obligations of public agencies when analyzing GHG emissions under CEQA to determine a project's effects on the environment. However, neither a threshold of significance nor any specific mitigations are included or provided in these CEQA Guideline amendments.

GHG Significance Threshold

Neither the City of West Covina, the SCAQMD, nor the State CEQA Guidelines Amendments has adopted quantitative thresholds of significance for addressing a project's GHG emissions. Nonetheless, § 15064.4 of the CEQA Guidelines serves to assist lead agencies in determining the significance of the impacts of GHGs. As required in § 15064.4 of the CEQA Guidelines, this analysis includes an impact determination based on (1) an estimate of the amount of GHG emissions resulting from the proposed project; (2) a qualitative analysis or performance-based standards; (3) a quantification of the extent to which the proposed project increases GHG emissions as compared to the existing environmental setting; and (4) the extent to which the proposed project complies with

regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

SCAQMD's guidance (SCAQMD, 2008) uses a tiered approach rather than a single numerical emissions threshold. If a project's GHG emissions "fail" the non-significance of a given tier, then one goes to the next tier.

The threshold selected for this analysis is Tier 3, which establishes a screening significance threshold level to determine significance using a 90 percent emission capture rate. For Tier 3, the SCAQMD estimated that at a threshold of approximately 3,000 metric tons CO_2e per year emissions would capture 90 percent of the GHG emissions from new commercial and residential projects. Although this is not a residential project, it is in a residential area and, as will be seen below, operational GHG emissions from the project will be negligible. Thus, this analysis uses 3,000 $MTCO_2e$ per year as the significance threshold under the first impact criterion in **Section 4.8.3.**

Construction GHG Emissions

Construction is an episodic, temporary source of GHG emissions. Emissions are generally associated with the operation of construction equipment and the disposal of construction waste. To be consistent with the guidance from the SCAQMD for calculating emissions of criteria pollutants from construction activities, only GHG emissions from onsite construction activities and offsite hauling and construction worker commuting are considered as project-generated. As explained by the CAPCOA in its 2008 white paper (CAPCOA, 2008), the information needed to characterize GHG emissions from the manufacture, transport, and end-of-life of construction materials would be speculative at the CEQA analysis level. CEQA does not require an evaluation of speculative impacts (*CEQA Guidelines* § 15145). Therefore, the construction analysis does not consider such GHG emissions, but does consider non-speculative onsite construction activities, and offsite hauling, and construction worker trips. All GHG emissions are identified on an annual basis.

Estimated criteria pollutant emissions from the West Covina Envision Mercedes Benz Dealership Project's onsite and offsite project construction activities were calculated using CalEEMod, Version 2022.1.1.25, which was described in **Section 4.3.6**. The results of this analysis are presented in **Table 4.8-2**. The increase in GHG emissions from West Covina Envision Mercedes Benz Dealership Project's construction activities would be 314 metric tons in 2025 and 358.55 metric tons in 2026. Consistent with SCAQMD recommendations (SCAQMD, 2008, p. 3-10) and to ensure that construction emissions are assessed in a quantitative sense, construction GHG emissions have been amortized over a 30-year period. The amortized value, **22.42 $MTCO_2e$**, has been added to the West Covina Envision Mercedes Benz Dealership Project's annual operational GHG emissions. Modeling results are in **Appendix B**.

Table 4.8-2
PROJECT CONSTRUCTION-RELATED GHG EMISSIONS

Year/Phase	Annual Emissions (MT)			
	CO_2	CH_4	N_2O	CO_2e
2025	311.09	0.01	0.01	314.00
2026	355.90	0.01	0.01	358.55
Total	**666.99**	**0.03**	**0.02**	**672.55**

Operational GHG Emissions

The operational GHG emissions for the existing land uses, the Toyota dealership and Valero gas station, are shown in **Table 4.8-3**. Projected operational GHG emissions by only the proposed West Covina Envision Mercedes Benz Dealership Project is shown in **Table 4.8-4**. Net operational GHG emissions were calculated by comparing the GHG emissions from the present land uses with those of the proposed new land uses. The results of these calculations are presented in **Table 4.8-5**. The negative values show that the proposed project's operational GHG emissions from mobile sources and water demand will be less than those of the existing operations. The proposed project's operational GHG emissions from area sources, energy demand, and solid waste generation will increase slightly, and will include amortized construction emissions. However, the net change of total annual unmitigated emissions would be negative.[12]

Table 4.8-3
EXISTING OPERATIONAL GHG EMISSIONS

Emissions Source	Estimated Project Generated CO_2e Emissions (Metric Tons per Year)
Mobile (Motor Vehicles)	3,116.90
Area Sources	0.53
Energy Demand (Electricity & Natural Gas)	166.21
Water Demand	12.91
Solid Waste Generation	7.74
Total	**3,304.29**

12 Calculations are provided in **Appendix B**.

Table 4.8-4
PROJECT OPERATIONAL GHG EMISSIONS

Emissions Source	Estimated Project Generated CO_2e Emissions (Metric Tons per Year)
Mobile (Motor Vehicles)	2,685.17
Area Sources	1.76
Energy Demand (Electricity & Natural Gas)	197.87
Water Demand	11.35
Solid Waste Generation	8.55
Construction Emissions[a]	22.42
Total	**2,927**

[a] *Total construction GHG emissions were amortized over 30 years and added to those resulting from the operation of the project.*

Table 4.8-5
NET CHANGE OF OPERATIONAL GHG EMISSIONS

Emissions Source	Estimated Project Generated CO_2e Emissions (Metric Tons per Year)
Mobile (Motor Vehicles)	(431.73)
Area Sources	1.23
Energy Demand (Electricity & Natural Gas)	31.66
Water Demand	(1.55)
Solid Waste Generation	0.81
Construction Emissions[a]	22.42
Total	**(377)**

[a] *Total construction GHG emissions were amortized over 30 years and added to those resulting from the operation of the project.*

Therefore, under the first significance criterion, GHG emissions would be less than significant, and no mitigation is necessary.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG?

Less than Significant Impact

The City of West Covina has identified actions in the General Plan and EAP that the City can take to reduce GHG emissions from City operations and from development in its jurisdiction. While none of these policies and actions are directly relevant to the project, the project does not conflict with any of them and the impact would be less than significant. As was demonstrated in **Section 4.11**, the proposed project would have less than significant impacts in relation to consistency with local land use policies or regulations. Therefore, the project would not hinder the GHG emission reductions of the West Covina General Plan and EAP.

4.9 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		**X**		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			**X**	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one quarter mile of an existing or proposed school?		**X**		
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			**X**	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				**X**
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			**X**	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				**X**

The analysis for this section is based on the following technical reports:

- Phase I Environmental Site Assessment (referred to as Phase I ESA), Envision Toyota, 1800 – 1820 East Garvey Avenue S, West Covina, California, by Celly Services, Inc. (CSI) dated June 12, 2024.

- Asbestos Sampling and Testing Records for the Envision Toyota property completed by McKenna Environmental in October 2022.

- Phase I Environmental Site Assessment (referred to as Phase I ESA) for the Former Shell Station (Valero), 200 South Azusa Avenue, West Covina, California by CSI dated June 13, 2024.

Complete copies of these reports are included as **Appendices F1, F2,** and **F3**, respectively.

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

Less than Significant with Mitigation Incorporated

Construction

Envision Toyota Property

The Phase I ESA for the Envision Toyota property (**Appendix F1**) did not identify any recognized environmental conditions (RECs) on the Envision Toyota property. An REC is defined as (1) the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment (CSI, 2024, p. i).

An historical REC (HREC) is a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (CSI, 2024, p.ii). The Phase I ESA for the Envision Toyota property identified four HRECs on the property:

- A 2,000-gallon gasoline underground storage tank (UST) was removed from the property in November 1986. Soil samples were collected following the removal did not contain any hydrocarbon contamination and is therefore an HREC.

- Five USTs, including a 2,000-gallon gasoline, a 500-gallon waste oil, a 500-gallon gear oil, a 1,000-gallon waste oil and split 1,500-gallon new oil/waste oil tanks were removed in August 1992. Trace concentrations of total recoverable petroleum hydrocarbons were detected under the gear oil and waste oil tanks. Elevated concentrations of petroleum hydrocarbons were detected under the removed gasoline UST. In October 1992, the contaminated soil associated with the gasoline tank was excavated to a depth of 23 feet. A mobile laboratory was on site to analyze samples until the non-detectable concentrations were obtained. A total of 117 tons of impacted soil were transported off-site for disposal. On 18 February 1993, the Los Angeles County Department of Public Works (LADPW) issued a case closure letter for the five former USTs. Based on the analytical results, the USTs are considered an HREC.

- In January 2019, borings were drilled at each of the 20 hydraulic lifts. No total petroleum hydrocarbons (TPH) or VOCs were detected in the analyzed samples indicating no release had occurred from the lifts and is therefore an HREC.

- In January 2019, four borings were drilled near the two clarifiers, one boring was drilled near the former waste oil tank excavation (located west of building B) and three additional borings were drilled west of Building B. Soil samples were collected at varying depths with 2 to 3 samples collected from each boring and analyzed. TPH and VOCs were not detected in any of the samples and California Administrative Manual (CAM) 17 metals were either not detected or below their total threshold limit concentration (TTLC) as well as below 10x the soluble threshold limit concentration (STLC) and is therefore considered an HREC.

The Phase I ESA did not recommend additional investigation of the site. Project development would not cause substantial hazards to people or the environment related to the HRECs, and impacts from construction of the project would be less than significant.

Sampling and testing of paint, drywall, siding, and flooring from the Envision Toyota property were tested for asbestos-containing materials (ACM) by McKenna Environmental in October 2022 (**Appendix F3**); no ACM were found. Demolition and clearance of the Envision Toyota property would not cause substantial hazards relating to ACM.

Former Shell Station (Valero)

The Phase I ESA for the former Shell Station, presently Valero, (**Appendix F3**) did not identify RECs on the property. The Phase I ESA identified two HRECs on the property:

- The LADPW had a permit on file for the removal of two 5,000-gallon steel, two 8,000-gallon steel and one 10,000-gallon fiberglass USTs from August 1986. Apparently, results had not been provided to the LADPW and they were requesting that just the laboratory report needed to be submitted. Attached to the letter was a letter report from Geo-Etka, Inc. dated 25 August 1986. Five soil samples had been collected by Geo-Etka and analyzed by Anaheim Test Laboratory. The samples were analyzed for total hydrocarbons, BTE&X (benzene, toluene, ethylbenzene, and xylenes; volatile organic compounds that are found in petroleum and petroleum products); and total lead. All analytes in the samples were below detectable limits and are therefore considered an HREC (CSI, 2024b, p. ii).

- In June 2004, piping and dispensers were upgraded. As part of the project, nine soil samples were collected beneath dispensers and piping. TPH-g (gas range) was detected in three samples at concentrations ranging from 0.44 mg/kg to 6.4 mg/kg. TPH-d (diesel range) was detected in two samples at 19,000 mg/kg and 48 mg/kg. methyl tert-butyl ether (MTBE, a gasoline oxygenate) was detected in two samples at 390 ug/kg and 45 ug/kg. Based on these results, the northwest dispenser islands, adjacent product trench and southern dispenser island were excavated on 18 June 2004 to remove the hydrocarbon impacted soil. Following the excavation of 146 tons of soil, confirmatory soil samples were collected. One sample contained TPH-g at 45 mg/kg, TPH-d at 5.7 mg/kg, MTBE at 1,100 ug/kg and tertiary butyl alcohol (TBA, a gasoline additive) at 7,300 ug/kg. One additional piping excavation sample contained TBA at 46 ug/kg. The soil was transported to TPS Technologies in Adelanto, CA for recycling. Based on the results, the LADPW requested a workplan to assess the vertical and lateral extent of the impacted soil in a letter from February 2007. No work was completed

and in May 2013, the LADPW referred the case to the Regional Water Quality Control Board. The case was reviewed by the State Water Resources Control Board (SWRCB). SWRCB Order WQ 2014-0158-UST, issued on 06 October 2014, indicates that the remaining contaminants falls under the Low Threat Closure Policy and as such requires the issuance of a uniform closure letter. On 03 March 2015, the Regional Water Quality Control Board issued a case closure letter. CSI compared the results of the impacted soil left in place to the current residential Environmental Screening Levels (ESLs), established by the Regional Water Quality Control Board in 2019. The concentrations of TPH-d, MTBE and TBA fall below residential screening levels and therefore are considered an HREC (CSI, 2024b, p. iii).

- The Phase I ESA for the former Shell Station (presently Valero) noted that hydrocarbon impacted soil is present on the subject property and would be encountered during future grading operations. Impacted soil may also be encountered near the clarifier/hoists in the repair area. CSI recommends that any impacted soil that is encountered be segregated, sampled for waste profiling purposes, and transported to a licensed disposal or recycler facility (CSI, 2024b, p. iv). Impacts related to contaminated soil under the former Shell station (presently Valero) would be potentially significant without mitigation. Implementation of Mitigation Measure **HAZ-1** would reduce this impact to less than significant.

Mitigation Measure HAZ-1

During project site grading on the Valero gas station site the project proponent shall periodically have soil samples tested for TPH-g, TH-d, MTBE, and TBA. Upon finding samples with concentrations of any of the contaminants at concentrations over environmental screening levels (ESLs) for commercial use, the project proponent shall: halt grading operations; shall retain a qualified environmental assessor to conduct soil sampling and testing to determine the extent of soil contaminated with concentrations over ESLs; and shall then retain an environmental remediation company to remediate and/or remove the contaminated soil.

Level of Significance After Mitigation

Construction impacts regarding contaminants that may be present in soils onsite would be less than significant after implementation of mitigation measure **HAZ-1**.

Operation

Project operation would involve the use, storage, transport, and disposal of hazardous materials used in servicing cars, including solvents, lubricants, and degreasers, as well as other chemicals used in operation and maintenance of the building and landscaping such as cleansers, paints, fertilizers, and pesticides. These materials would be stored, handled, and disposed of in accordance with applicable regulations. Therefore, hazardous materials impacts from project operation would be less than significant.

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

Less than Significant Impact

Construction

Project construction would involve transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Chemical transport, storage, and use would comply with Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Occupational Safety and Health Administration (OSHA); California hazardous waste control law (California Health and Safety Code, Division 20, Chapter 6.5, Hazardous Waste Control); California Division of Safety and Health (DOSH); SCAQMD; and Los Angeles County Department of Public Health (LADPH) requirements. The construction contractor would maintain equipment and supplies onsite for containing and cleaning up small spills of hazardous materials; and in the event of a release of hazardous materials of quantity and/or toxicity that onsite workers could not safely contain and clean up, would notify Los Angeles County Fire Department Health Hazardous Materials Division which manages the Los Angeles County Certified Unified Program Agency (CUPA)[13]. Therefore, compliance with applicable laws and regulations during project construction would reduce the potential for accidental releases of hazardous materials, and construction hazards impacts would be less than significant.

Operation

Project operation would involve the handling and storage of materials such as commercial cleansers, solvents and other janitorial or industrial-use materials, paints, and landscape fertilizers/pesticides during project operations. However, these materials would be stored, handled, and disposed of in accordance with applicable regulations and would not be stored in amounts that would create a significant hazard to the public or the environment through accidental release. The project would have a less than significant impact in this regard.

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

Less than Significant Impact with Mitigation Incorporated

Options for Learning facility is within 0.25 mile of the project site. Although the project site contains a gas station that may contain contaminated soils, the project would implement **MM HAZ-1**, which would periodically test soils during construction and require remediation if required. As mentioned above, the project would adhere to applicable regulations regarding the transportation, handling, storage and use of hazardous materials during construction and operation. Therefore, there would be less than significant impacts with mitigation incorporated.

[13] A Certified Unified Program Agency (CUPA) is a local agency certified by CalEPA to implement and enforce six state hazardous waste and hazardous materials regulatory management programs (CACUPA, 2024).

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

Less than Significant Impact

Government Code § 65962.5 requires the Department of Toxic Substances Control (DTSC) to compile and update, at least annually, lists of the following:

- Hazardous waste and substances sites from the DTSC EnviroStor database.
- Leaking Underground Storage Tank (LUST) sites by county and fiscal year in the SWRCB GeoTracker database.
- Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside waste management units.
- SWRCB Cease and Desist Orders (CDOs), and Cleanup and Abatement Orders (CAOs).
- Hazardous waste facilities subject to corrective action pursuant to § 25187.5 of the Health and Safety Code, identified by DTSC.

These lists are collectively referred to as the "Cortese List." The project site is not included on the Cortese List. HRECs identified during the two Phase I ESAs for the project site are described above in Section 4.9.a. Seven Cortese List sites, listed below, were identified within 0.5 mile of the project site (see **Figure 4.9-1**):

- SAS C-Stores, Inc. - West Covina Valero, 200 S. Azusa Avenue (on project site), GeoTracke r leaking underground storage tank (LUST) site, gasoline release affected soil, case closed 2015.
- Penske Motor Group, Inc., 2010 East Garvey Avenue, GeoTracker LUST site, release of waste oil / motor / hydraulic / lubricating oil affected soil, case closed 2007
- Mobil #17-M51V, 201 S Azusa Avenue, GeoTracker LUST site, gasoline release affected soil, case closed 1986
- Mobil Oil Corp S/S #18-M51, 201 S Azusa Avenue, GeoTracker LUST site, contaminants and media affected unspecified, case closed 2018.
- Unocal # 4550, 245 Azusa Ave N, GeoTracker LUST cleanup site, diesel release affected soil, case closed 1996
- Arco #1276, 300 N Azusa Ave, GeoTracker LUST site, gasoline release, media affected unspecified , case closed 2010
- Arco #1276, 300 N Asuza Ave, GeoTracker LUST site, release of waste oil / motor / hydraulic / lubricating oil affected soil, case closed 1992

None of those sites are considered environmental concerns for the proposed project because all seven sites are closed cases, and due to the distances of six of the sites from the project site. Impacts would be less than significant.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the

project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact

The nearest public-use airports to the project site are San Gabriel Valley Airport, approximately seven miles to the west at 4233 Santa Anita Avenue in the City of El Monte, and Brackett Field Airport, approximately seven miles to the east at 1615 McKinley Avenue in the City of La Verne (see **Figure 4.9-2**). The project site is outside of zones around San Gabriel Valley Airport and Brackett Field Airport where land uses are regulated to minimize aviation-related hazards to persons on the ground, and outside of noise compatibility contours for the airports (County of Los Angeles, 2024a). Project development would not cause airport-related hazards, or excessive noise, to persons at the project site. No impact would occur, and no mitigation is required.

Figure 4.9-1
CORTESE LIST SITES

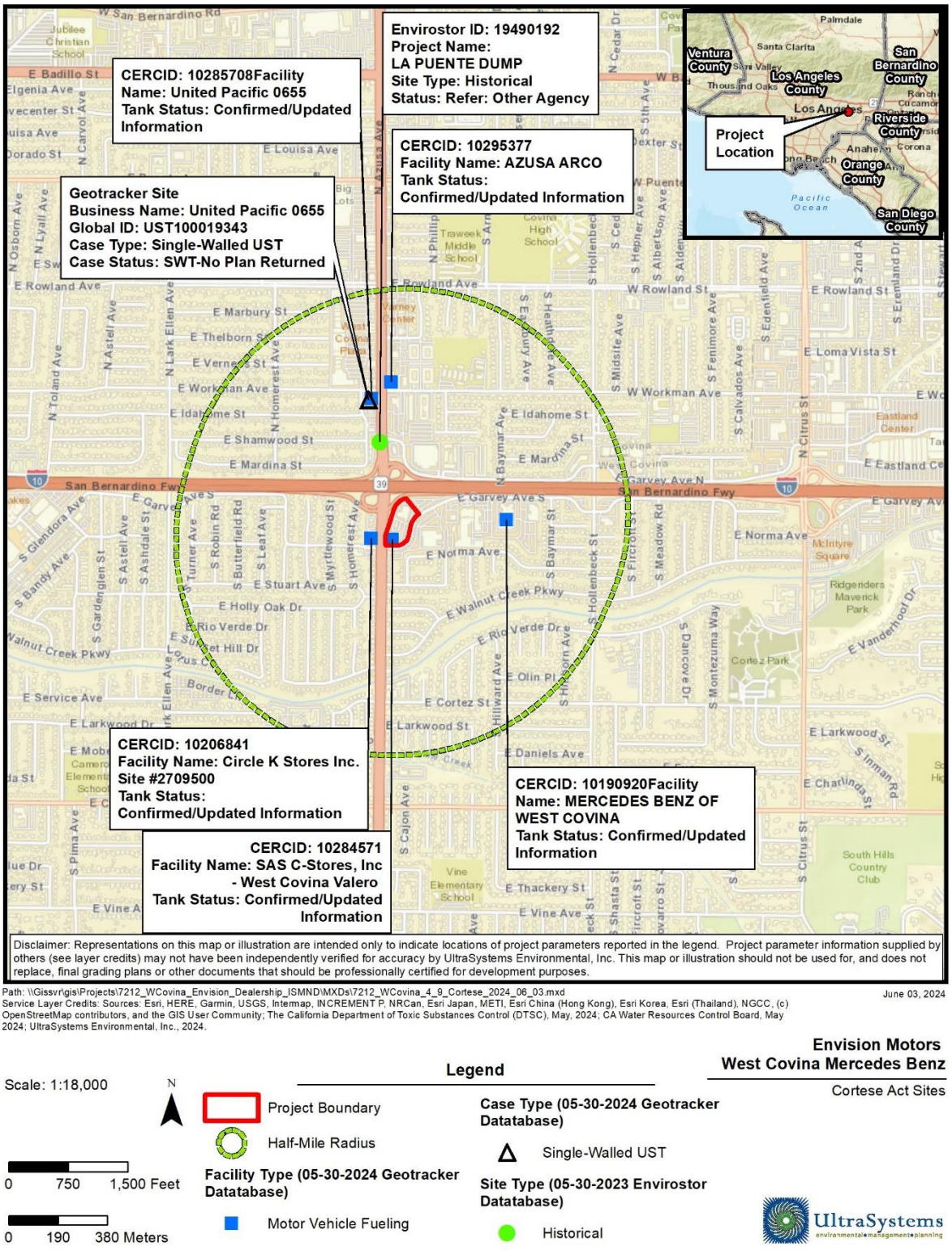
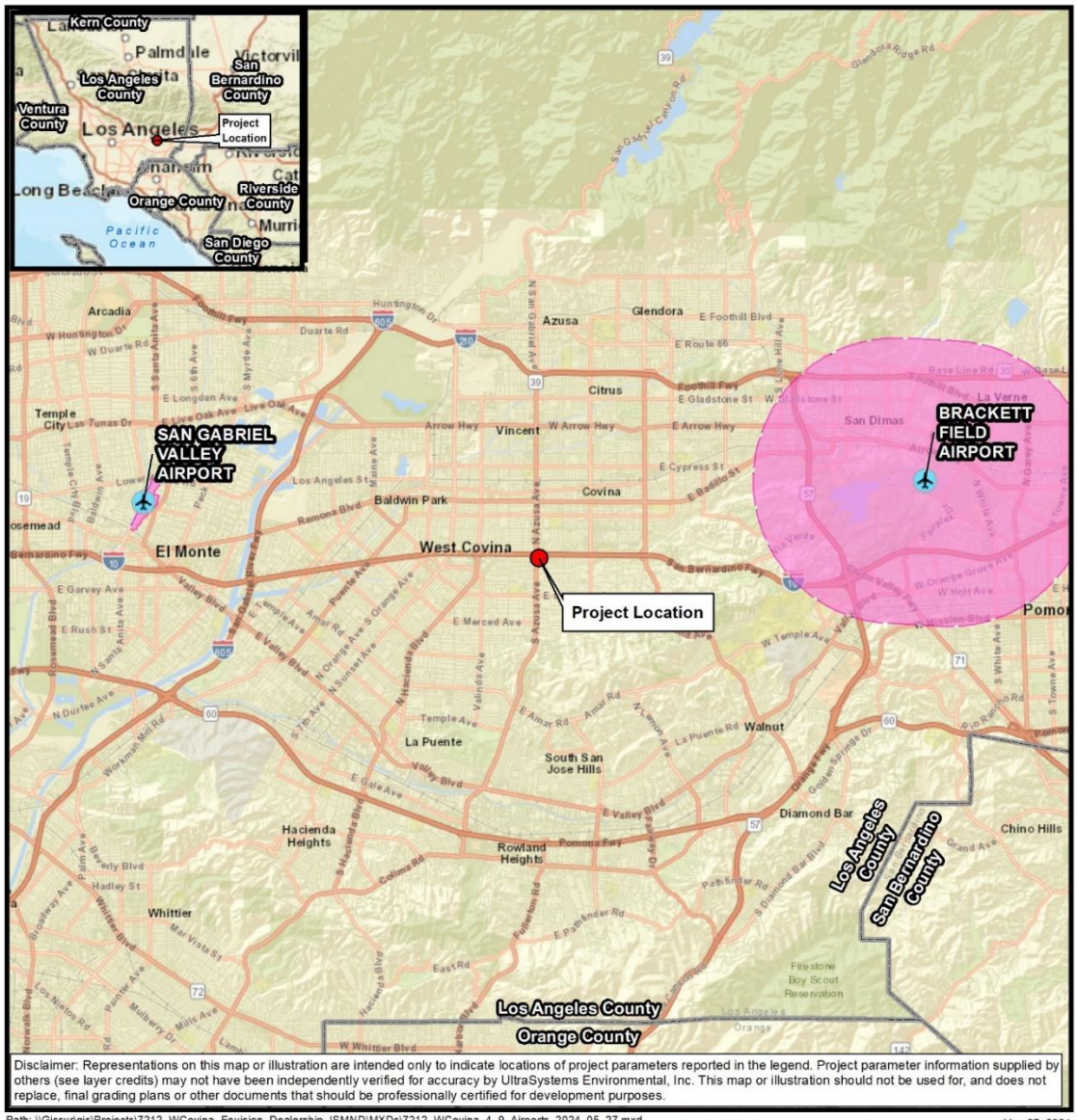


Figure 4.9-2
AIRPORTS IN THE PROJECT REGION



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

Less than Significant Impact

Construction

The County of Los Angeles All-Hazards Mitigation Plan (AHMP) was adopted by the County of Los Angeles in 2020. As further detailed in **Section 4.17**, Transportation, project construction within the public right-of-way next to the project site could temporarily impact street traffic. Project construction could temporarily reduce the number of lanes or temporarily close a portion of East Garvey Avenue S. The city requires that projects conducting construction work in City roadway rights-of-way get Engineering Permit Application approved by the Engineering Division. Emergency access must be maintained. Compliance with city requirements for traffic management during construction in the public right-of-way would ensure that the project would have a less than significant impact.

Operation

Project operation would not block traffic on East Garvey Avenue S or other local roadways. The project would provide emergency access to the proposed buildings compliant with California Fire Code Section 503. Therefore, impacts would be less than significant.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact

The California Department of Forestry and Fire Protection (CAL FIRE) developed Fire Hazard Severity Zones (FHSZ) for State Responsibility Areas (SRA) and Local Responsibility Areas (LRA).

Very High Fire Hazard Severity Zone (VHFHSZ) designation refers to either:

wildland areas supporting high-to-extreme fire behavior resulting from climax fuels typified by well-developed surface fuel profiles (e.g., mature chaparral) or forested systems where crown fire is likely. Additional site elements include steep and mixed topography and climate/fire weather patterns that include seasonal extreme weather conditions of strong winds and dry fuel moistures. Burn frequency is typically high and should be evidenced by numerous historical large fires in the area. Firebrands from both short- (<200 yards) and long-range sources are often abundant.

OR

developed/urban areas typically with high vegetation density (>70% cover) and associated high fuel continuity, allowing for frontal flame spread over much of the area to progress impeded by only isolated non-burnable fractions. Often where tree cover is abundant, these areas look very similar to adjacent wildland areas. Developed areas may have less vegetation cover

and still be in this class when in the immediate vicinity (0.25 mile) of wildland areas zoned as Very High (see above).

The project site is not in or near a fire hazard severity zone (FHSZ) mapped by CAL FIRE within a State Responsibility Area (SRA, where the state is responsible for the costs of wildfire prevention and suppression) or within a Local Responsibility Area (LRA, where cities and counties are responsible)(see **Figures 4.9-3** and **4.9-4**, respectively). The project site is bounded on three sides by urban development; the nearest FHSZ to the site is in LRA approximately 1.6 miles to the southeast. Project development would not expose people or structures to substantial hazards from wildfire, and impacts would be less than significant.

Figure 4.9-3
FIRE HAZARD SEVERITY ZONES – STATE RESPONSIBILITY AREA

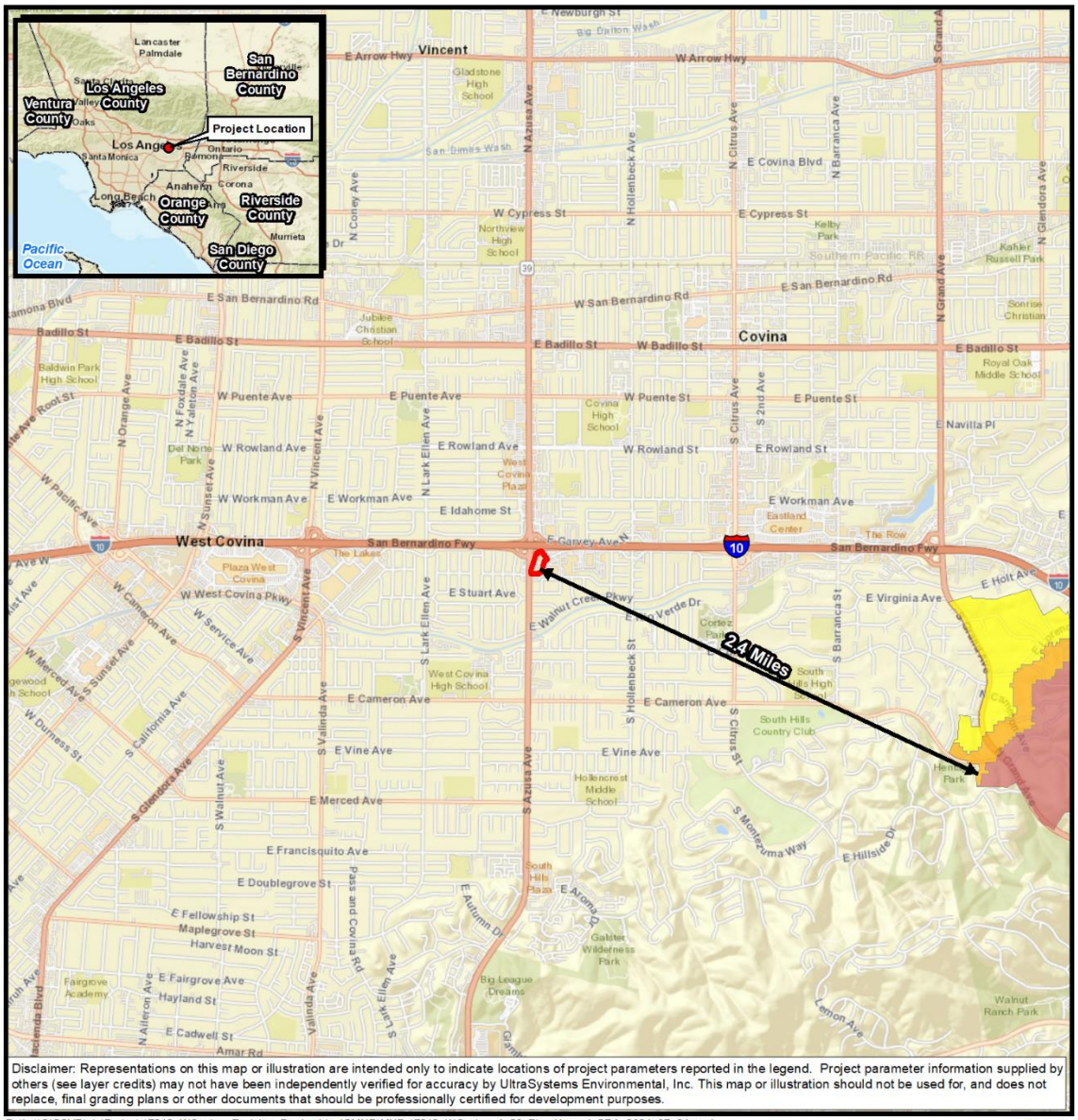
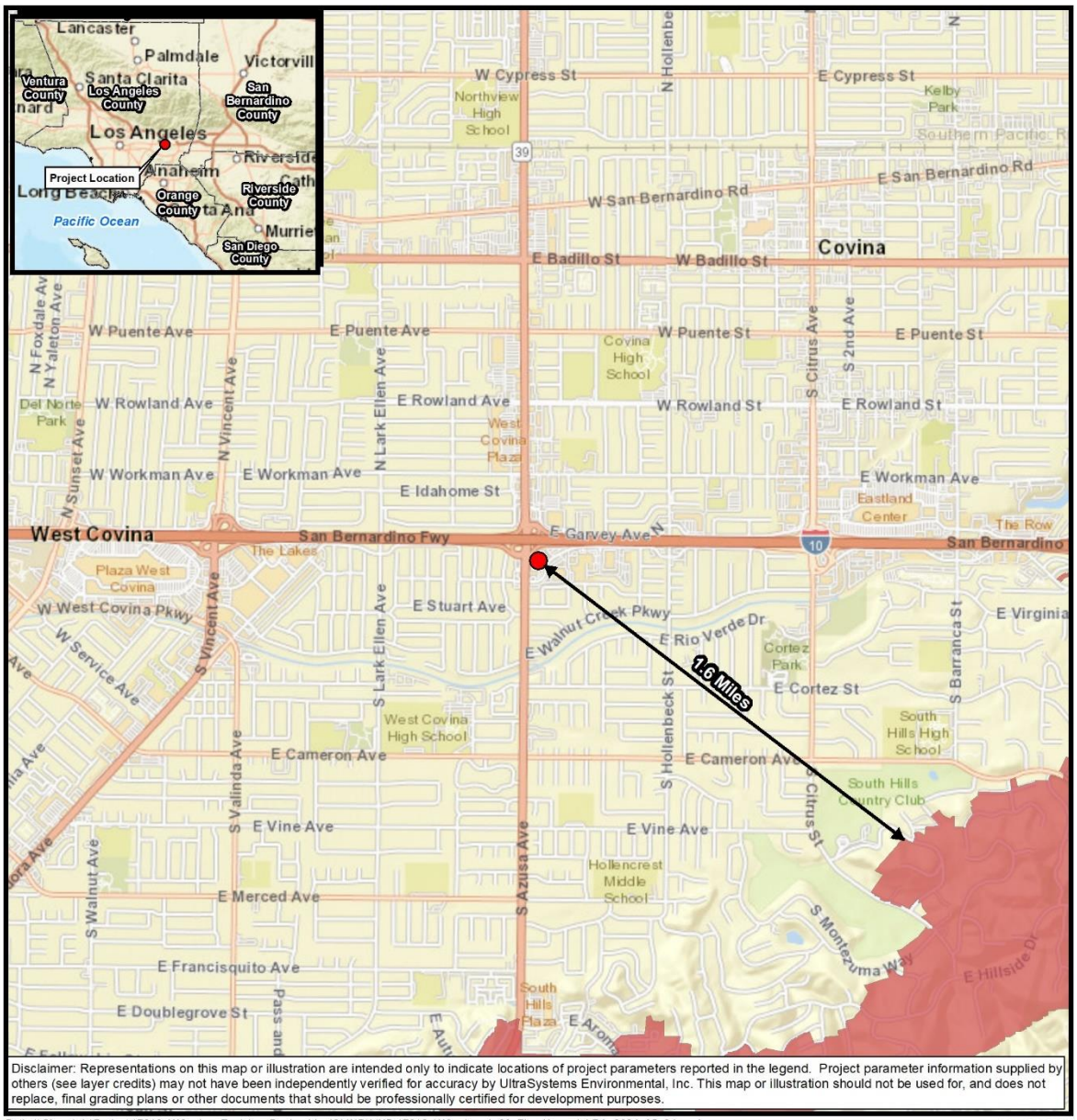


Figure 4.9-4
FIRE HAZARD SEVERITY ZONES – LOCAL RESPONSIBILITY AREA



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: \\Gissvr\gis\Projects\7212_WCovina_Envision_Dealership_ISMND\MXDs\7212_WCovina_4_20_Fire_Hazard_LRA_2024_05_24.mxd
May 24, 2024
Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community; Cal Fire, June 2022; UltraSystems Environmental, Inc., 2024.

Scale: 1:30,000
N
0 1,250 2,500 Feet
0 300 600 Meters

Legend
Project Location
Fire Hazard Severity Zones in LRA
Very High

Envision Motors
West Covina Mercedes Benz
Fire Hazard Severity Zone
Local Responsibility Area (LRA)

UltraSystems
environmental•management•planning

4.10 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			**X**	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			**X**	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			**X**	
i) result in substantial erosion or siltation on or offsite;			**X**	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			**X**	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			**X**	
iv) impede or redirect flood flows?				**X**
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				**X**
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				**X**

The analysis for this section includes information from the following technical reports:

- Preliminary Hydrology Study for West Covina Mercedes, 1800 E Garvey Ave S, West Covina, CA 91791, APN: 8478-007-031, -025 prepared by Commercial Development Resources (CDR) on May 10, 2024 (CDR, 2024a) (see **Appendix G1**).

- Low Impact Development (LID) Plan for Mercedes-Benz West Covina, 1800 East Garvey Ave South, West Covina, CA 91791, APN: 8478-007-031, 8478-007-025 prepared by CDR on May 10, 2024 (CDR, 2024b) (see **Appendix G2**).

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

Less than Significant Impact

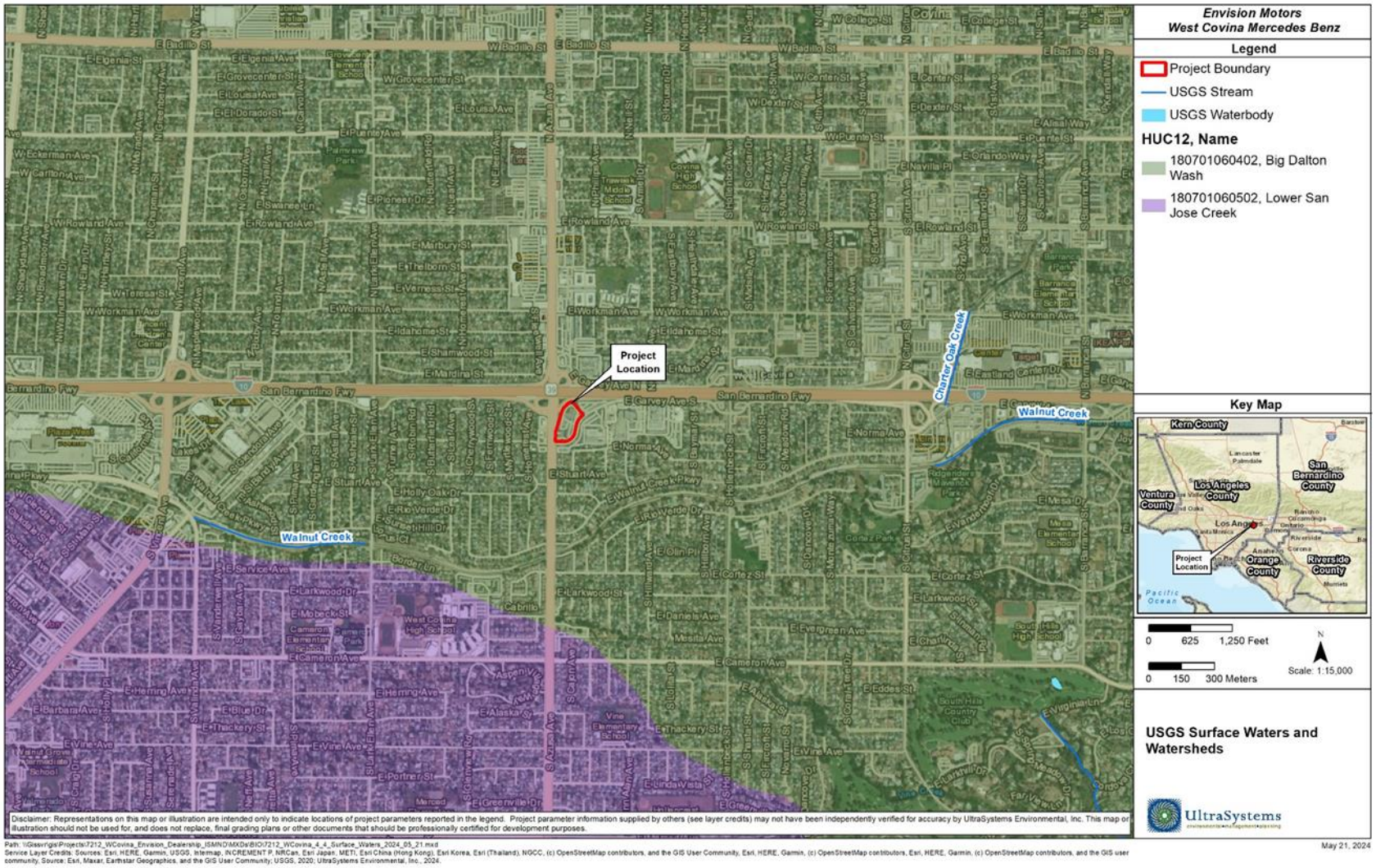
The California State Water Resources Control Board requires its nine Regional Water Quality Control Boards (RWQCBs) to develop water quality control plans (Basin Plans) designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, Basin Plans designate beneficial uses for surface waters and groundwater, set narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the State antidegradation policy, and describe implementation programs to protect all waters in the Regions (RWQCB, 2011). In addition, Basin Plans incorporate by reference all applicable State and Regional Board plans and policies, and other pertinent water quality policies and regulations. The project site is located within the Los Angeles River Watershed under the authority of the Los Angeles Regional Water Quality Control Board (Region 4)(CDR, 2024a, p. 2).

As shown in **Figure 4.10-1**, the project site is located within the Big Dalton Wash Subwatershed, which spans about 81 square miles in the northeast San Gabriel Valley and south-central San Gabriel Mountains. Walnut Creek, the major stream in the subwatershed, flows into the San Gabriel River in the city of Baldwin Park about 5.7 miles west of the project site. Existing site drainage flows to inlets for storm drains in Garvey Avenue and Azusa Avenue on the southeast and west sides of the project site, respectively; those storm drains discharge into Walnut Creek Channel (CDR, 2024a, p. 5). The storm drain in Azusa Avenue next to the project site is an 84-inch reinforced concrete pipe (LACPW, 2024). The LACFCD storm drain system eventually discharges all project site runoff to the Walnut Creek Channel and ultimately discharges to the Pacific Ocean (CDR, 2024a, p. 2).

Development of the project has the potential to result in two types of water quality impacts: (1) short-term impacts due to construction-related discharges; and (2) long-term impacts from operation. Temporary soil disturbance would occur during project construction, due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. Disturbed soils are susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project area. Erosion and sedimentation affect water quality of receiving waters through interference with photosynthesis, oxygen exchange, and respiration, growth, and reproduction of aquatic species. Runoff from construction sites may include sediments and contaminants such as oils, fuels, paints, and solvents. Additionally, other pollutants such as nutrients, trace metals, and hydrocarbons can attach to sediment and be carried by stormwater into storm drains which discharge eventually to the Pacific Ocean.

Spills and mishandling of construction materials and waste may also potentially leave the project site and negatively impact water quality. The use of construction equipment and machinery may potentially result in contamination from petroleum products, hydraulic fluids, and heavy metals. Contamination from building preparation materials such as paints and solvents, and landscaping materials such as fertilizers, pesticides, and herbicides may also potentially degrade water quality during project construction. Trash and demolition debris may also be carried into storm drains and discharged into receiving waters.

Figure 4.10-1
USGS SURFACE WATERS AND WATERSHEDS



Construction Pollutants Control

The project proponent is required by the California State Water Resources Control Board (SWRCB) to obtain coverage under a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2022-0057-DWQ, as authorized by § 402 CWA, NPDES for projects which will disturb one or more acres of soil during construction). The Construction General Permit requires potential dischargers of pollutants into Waters of the United States (WOUS) to prepare a site-specific Stormwater Pollution Prevention Plan (SWPPP), which establishes enforceable limits on discharges, requires effluent monitoring, designates reporting requirements, and requires construction best management practices (BMPs) to reduce or eliminate point and non-point source discharges of pollutants. Additionally, BMPs must be maintained, inspected before and after each precipitation event, and repaired or replaced as necessary. Because the project is required by the SWRCB to comply with all applicable conditions of Construction General Permit Order 2022-0057-DWQ, potential violations of water quality standards or waste discharge requirements during project construction would be less than significant.

Operational Pollutant Controls

The Municipal Stormwater Permit for the Coastal Watersheds of Los Angeles County (Los Angeles Regional Water Quality Control Board Order No. R4-2021-0105) regulates the discharge of pollutants into WOUS through stormwater and urban runoff conveyance systems, including flood control facilities. These conveyance systems are commonly referred to as municipal separate storm sewer systems (MS4s), or storm drains, and thus the Municipal Stormwater Permit is also referred to as an MS4 Permit.

Pursuant to the MS4 Permit, Principal Permittees (i.e., the Los Angeles County Flood Control District) and Co-Permittees (the City of West Covina is a Co-Permittee) must regulate discharges of pollutants in urban runoff from man-made sources into storm water conveyance systems within their jurisdiction.

New development and redevelopment can significantly increase pollutant loads in stormwater and urban runoff, because increased population density results in proportionately higher levels of vehicle emissions, vehicle maintenance wastes, municipal sewage wastes, household hazardous wastes, fertilizers, pet waste, trash, and other pollutants (RWQCB, 2021).

A Low-Impact Development Plan (LID Plan; CDR, 2024b) has been prepared for the proposed project site and is included herein as **Appendix G2**. The use of LID best management practices (BMPs) in project planning and design is intended to preserve a site's predevelopment hydrology by minimizing the loss of natural hydrologic processes such as infiltration, evapotranspiration, and runoff detention. LID BMPs try to offset these losses by introducing structural and non-structural design components that restore these water quality functions into the project's land plan (LACPW, 2014, p. 1-5).

The LID Plan incorporates BMPs in two categories, site design BMPs and treatment control BMPs. Site Design BMPs reduce or eliminate post project runoff. Two site design BMPs are prescribed for the project:

- Minimize Impervious Area/Maximize Permeability: landscape areas are incorporated wherever possible within the project.

- Minimize Directly Connected Impervious Areas (DCIAs): DCIAs are minimized by limiting sidewalks and patios to the minimal necessary for proper use. Yard areas will be provided with only minimal concrete walkways to the door.

Treatment Control BMPs remove pollutants from contaminated stormwater before the water is discharged offsite. Two treatment control BMPs, hydrodynamic separators (two) and infiltration basin (one), are prescribed for the project. Hydrodynamic separators remove suspended solids, debris, floatables, and free-floating oil from stormwater (CDR, 2024a, p. 46). With implementation of construction and operational BMPs, potential impacts to water quality would be less than significant and mitigation is not proposed.

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

Less than Significant Impact

The project site is in the Main San Gabriel Valley Groundwater Basin. The Basin covers approximately 255 square miles underlying most of the San Gabriel Valley (see **Figure 4.10-2**). The project site is within the service area of Suburban Water Systems (Suburban). Suburban's water supplies consist of groundwater from the Main San Gabriel Basin and the Central Subbasin of the Coastal Plain of Los Angeles Groundwater Basin; water imported from northern California and the Colorado River; and recycled water purchased from the Upper San Gabriel Valley Municipal Water District. Groundwater is forecast to comprise about 54 percent of Suburban's water supplies over the 2025-2045 period (Suburban, 2021, pp. 3-1 and 3-30).

The project proposes installation of an underground stormwater detention chamber that would have capacity for an 85th-percentile, 24-hour storm (that is, a 24-hour storm more intense than 85 percent of the 24-hour storms in the area). The detention chamber, plus a gravel pit the chamber would be installed in, would have total capacity of 11,203 cubic feet or 83,798 gallons. Water within the detention chamber would infiltrate into soil within 48 hours (CDR, 2024a, p. 28). Project development would not cause a substantial adverse impact to groundwater supplies or groundwater recharge, and impacts would be less than significant.

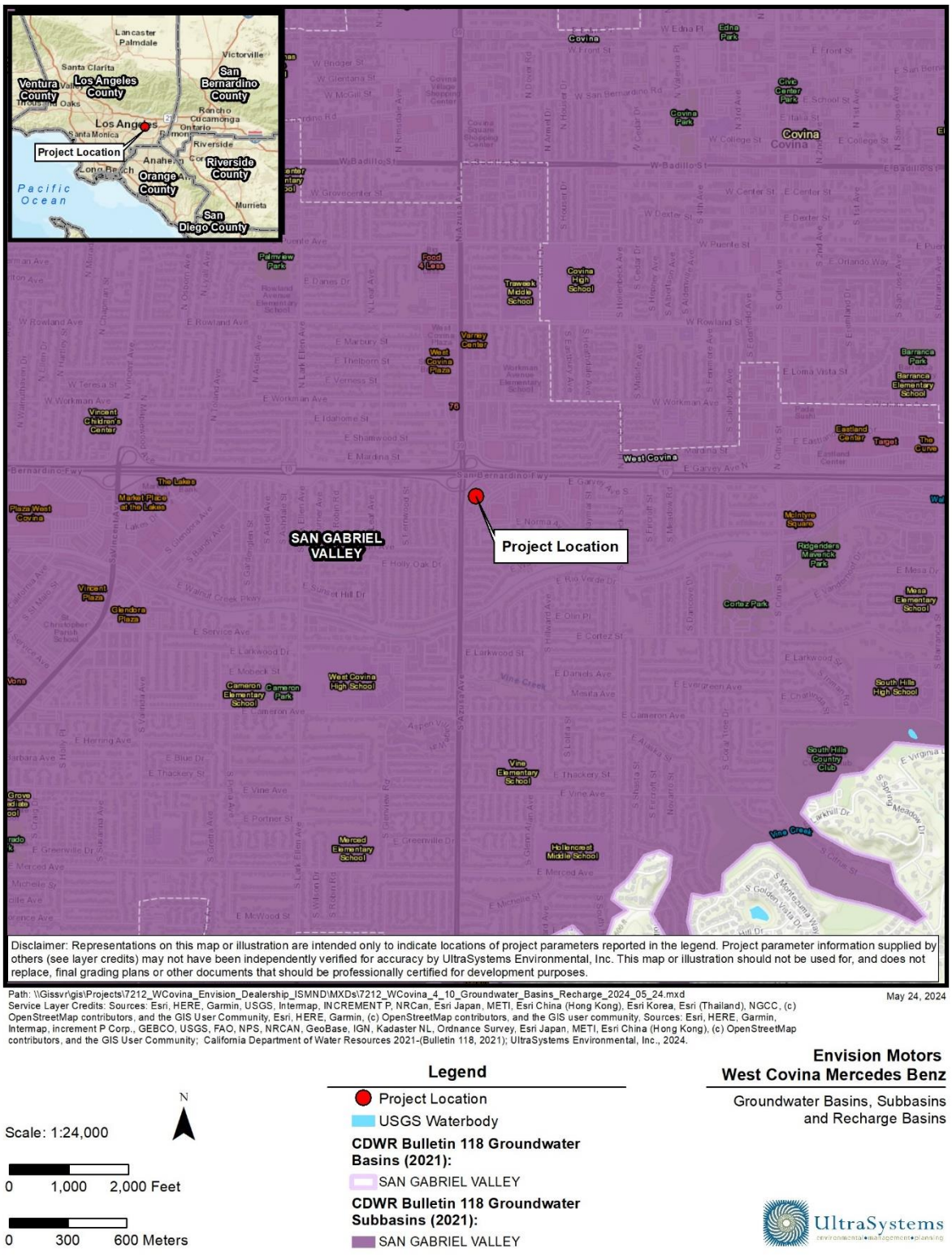
c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on or offsite;

Less Than Significant Impact

The project site is relatively flat, with elevations ranging from approximately 442 to 456 feet above mean sea level (amsl) [Google Earth Pro, 2024]. There is no evidence that ephemeral, intermittent, or perennial streams or rivers occur in the Biological Study Area (BSA). As detailed in Section **4.10 a),** the project owner would be required to develop a SWPPP by a certified qualified SWPPP developer. The required SWPPP would be project specific and would prescribe site specific stormwater BMPs which would be intended to minimize or avoid having soil leave the project site, through either stormwater or wind, and thus minimize or avoid soil erosion onsite and siltation in receiving waters.

Figure 4.10-2
GROUNDWATER BASINS MAP



With implementation of a project specific SWPPP and proper maintenance and replacement of required stormwater BMPs (as necessary), potential impacts resulting in substantial erosion or siltation on- or offsite would be minimized or avoided, and impacts would be less than significant. No mitigation is proposed.

Construction

As described in **Section 4.10 a)**, temporary soil disturbance would occur during project construction, due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. Disturbed soils are susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project area.

Implementation of the required SWPPP BMPs, including installation, maintenance, and replacement of BMPs, as discussed in **Section 4.10 a**), would minimize or avoid potential impacts resulting from on- or offsite erosion and siltation impacts to a level that is less than significant.

Operation

As detailed in **Section 4.10 a)**, the LID BMPs proposed as part of project design would minimize or avoid on- or offsite erosion and siltation by a combination of maintaining drainage patterns, installation of landscaping, and installation of hydrodynamic separators and a detention basin, which would prevent erosion and prevent siltation-laden stormwater from leaving the site. Applicable regulations (e.g., the MS4 permit, and installation of LID BMPs, including site design and infiltration BMPs), would limit pollutant discharges from development of the project. The project's adherence to existing requirements would reduce erosion and siltation during operation; therefore, impacts resulting from operation of the project would be less than significant.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

<u>Less than Significant Impact</u>

The proposed project site plan is divided into 15 drainage areas (DAs). Seven DAs are comprised of asphalt concrete (ac) pavement, concrete hardscape and commercial landscaping. Runoff from these drainage areas will sheet flow to a proposed curb and gutter before being routed to an onsite drainage basin. Two DAs are comprised of roof, ac pavement, commercial landscaping, and concrete hardscape runoff. Runoff from these drainage areas will sheet flow to a proposed area drain to be routed to the onsite storm drain network. Three DAs are comprised of roof, concrete hardscape, ac pavement, and commercial landscaping runoff. Runoff from these drainage areas will sheet flow to a curb and gutter to be routed to catch basin and the onsite drainage network. Three DAs are comprised of ac pavement, concrete hardscape, and commercial landscaping runoff. Runoff from these areas will sheet flow to onsite trench drains before entering the onsite storm drainage network (CDR, 2024b, p. 5). Peak stormwater flow rates in cubic feet per second are listed below in **Table 4.10-1.**

Table 4.10-1
HYDROLOGY ANALYSIS SUMMARY FOR EXISTING AND PROPOSED CONDITIONS

Condition	Area, acres	% Impervious	Cubic feet per second			
			Q_2[1]	Q_{10}	Q_{50}	Q_{100}
Existing	3.547	96%	3.84	8.35	12.15	14.27
Proposed	3.547	94%	4.87	9.54	13.42	15.07
% Change	0	-2%	+27%	+14%	+10%	+6%

[1] Q_2 is the peak stormwater flow rate from a two-year, 24-hour storm; that is, the storm intensity likely to recur once every two years on average, with a duration of 24 hours.
Source: CDR 2024a

The project site stormwater runoff will be pre-treated via two hydrodynamic separators and will be detained for onsite infiltration via a detention tank (CDR, 2024b, p. 6). The conditions after entering the public storm drain system will remain unchanged from the existing conditions.

Therefore, upon adherence to existing state water quality requirements, including MS4 requirements, the proposed project would minimize or avoid causing a substantial increase in the rate or amount of surface runoff in a manner which would: (1) result in flooding on- or offsite; (2) would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff; or (3) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant, and no mitigation is proposed.

iv) Impede or redirect flood flows?

No Impact

The project site is in flood hazard zone X, that is, in a 500-year flood zone; or a 100-year flood zone with average depths less than one foot or drainage area less than one square mile; and areas protected by levees from 100-year floods (FEMA, 2024); see **Figure 4.10-3.** The project site is outside of 100-year flood zones, and project development would not impede or redirect flood flows. No impact would occur, and mitigation is not required.

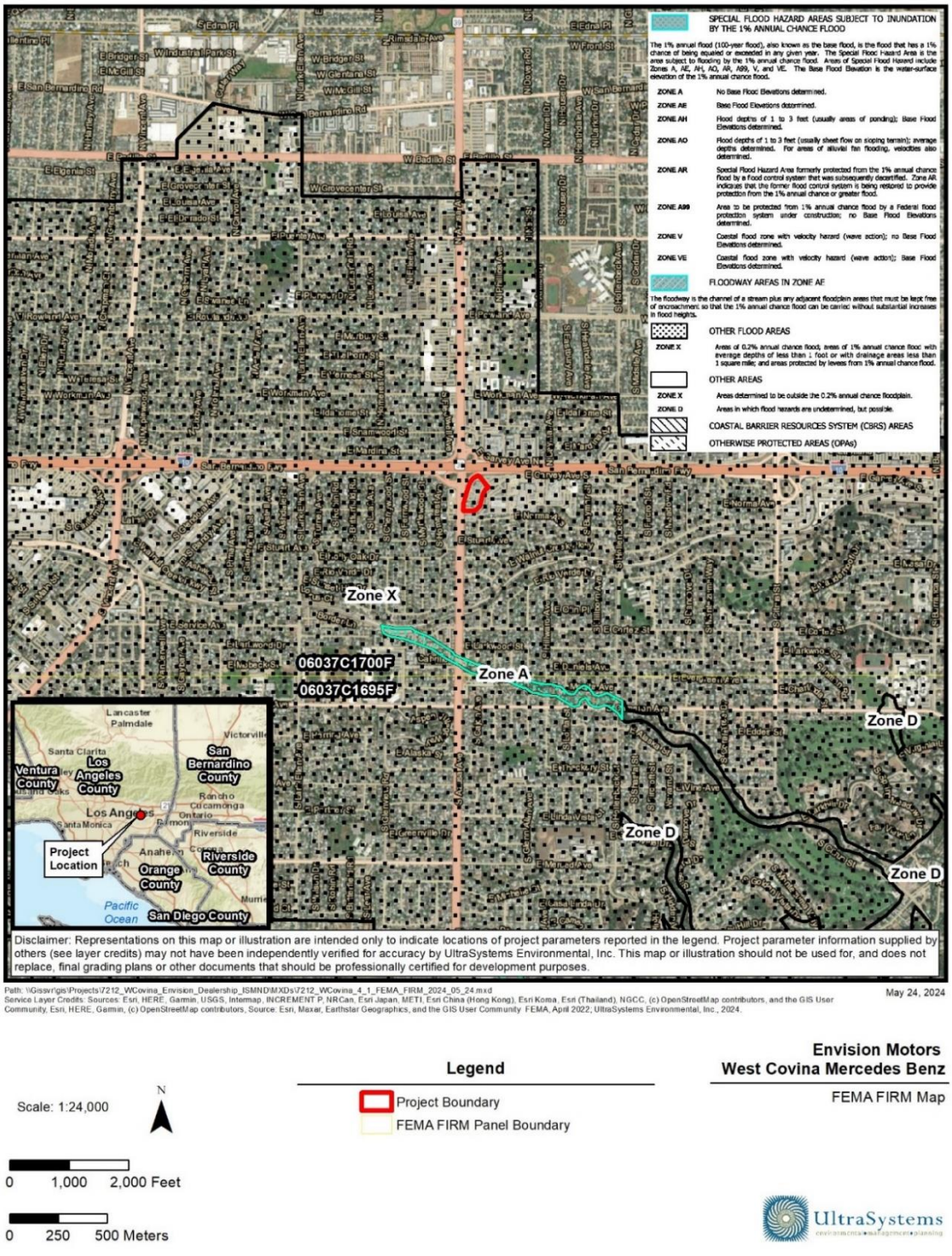
d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

No Impact

The project site is in the dam inundation area of Puddingstone Dam, which is about six miles east of the project site (DWR, 2024a). The project site is approximately 36 miles inland from the Pacific Ocean and is not in a tsunami inundation zone. A seiche is a surface wave created when an inland water body is shaken, usually by an earthquake. No waterbodies are close enough to the project site to pose a flood hazard to the site due to a seiche.

The proposed project would not be at risk of inundation by flood hazards, tsunami, or seiche, and would therefore not be at risk of release of pollutants due to inundation. No impact would occur, and mitigation is not required.

Figure 4.10-3
FEMA FLOOD INSURANCE RATE MAP



e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact

As discussed in **Section 4.10 a)**, the proposed project would comply with the Construction General Permit by developing and implementing a site-specific SWPPP and construction stormwater BMPs throughout the construction phase. The proposed project would also comply with the MS4 Permit by incorporating LID BMPs into project design, which would avoid or minimize the amount and type of pollutants leaving the project, entering receiving waters, and impacting water quality and beneficial uses defined for these waters by the Basin Plan (RWQCB, 2021). In addition, the LID BMPs would allow stormwater infiltration into the local aquifer, similar to existing conditions and minimize or avoid impacts to groundwater quality. The Main San Gabriel Valley Groundwater Basin is not subject to a groundwater sustainability plan (DWR, 2024b), and project development would not cause adverse impacts to such a plan.

4.11 Land Use and Planning

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?				**X**
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			**X**	

a) Would the project physically divide an established community?

No Impact

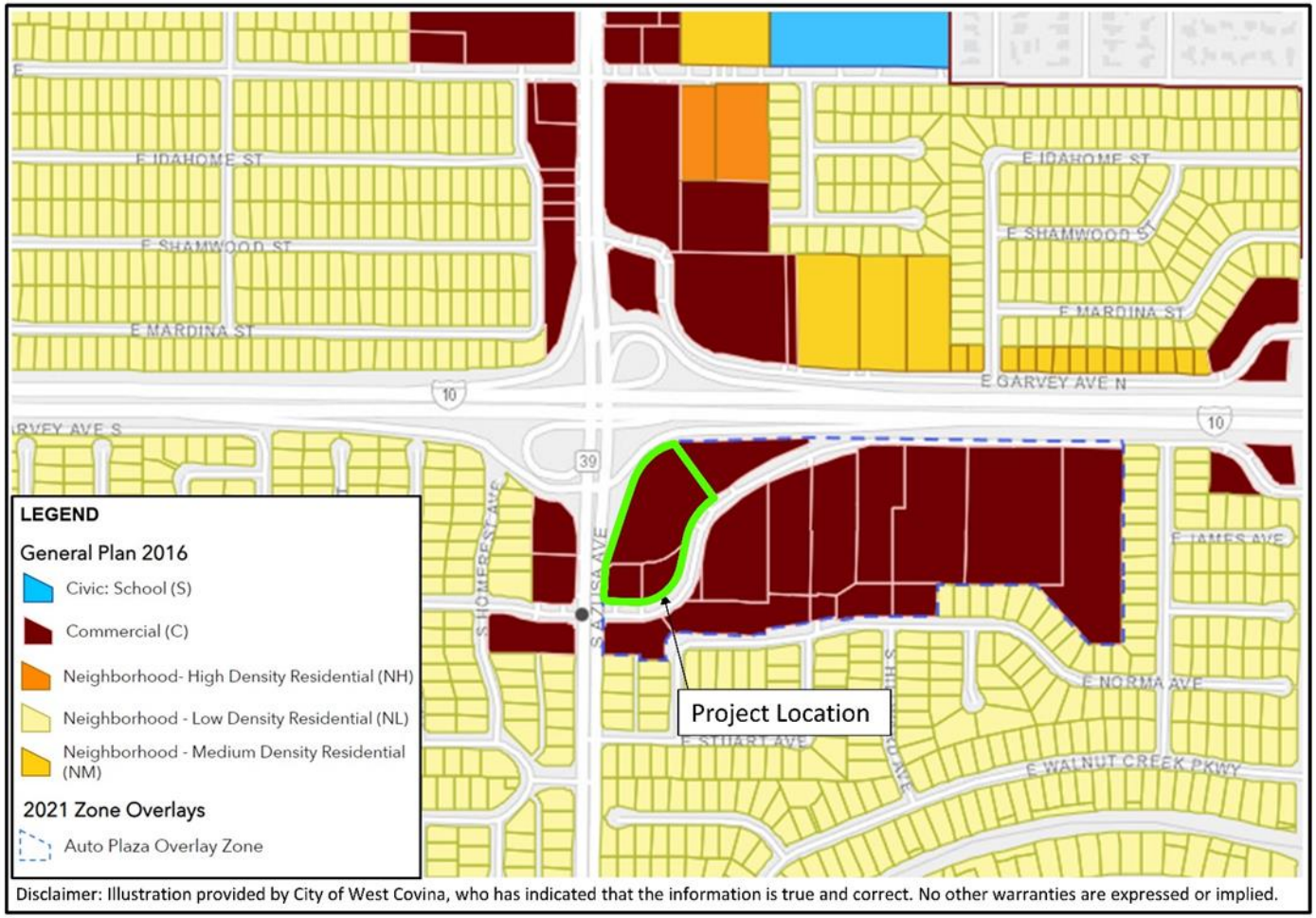
The project site consists of an existing car dealership and gas station. The project would not expand into surrounding rights-of-way (ROWs) or surrounding properties. Therefore, there would be no impact.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact

As shown in **Figures 4.11-1** and **4.11-2** below, the project site has a General Plan land use designation of Commercial (C) and zoning designations of Service Commercial (S-C) and Neighborhood Commercial (N-C) (City of West Covina, 2024). Commercial land uses could be developed but not limited to automobile dealerships and retail stores (City of West Covina, 2016, p. 33). The purpose of the service-commercial (S-C) zone is to classify and set standards for those retail and service commercial, recreational, and business office land uses which by their nature are of a relative high intensity; are unique in that their success depends upon direct motorist exposure and excellent access; require special traffic circulation patterns that will not unduly restrict rapid traffic flow and extraordinary physical treatments in order to create compatibility with adjacent zoning and the development thereon. The purpose of the neighborhood-commercial (N-C) zone is to classify and set standards for those retail and service commercial uses which by their nature are of moderate intensity; are necessary in order to provide convenient daily shopping facilities to residential home and apartment dwellers; and are generally adjacent to or within close proximity to residential zoning or development and, therefore, require extraordinary physical treatment in order to guarantee compatibility with and protection to surrounding properties and their values (City of West Covina Municipal Code, 2024).

Figure 4.11-1
GENERAL PLAN LAND USE DESIGNATION



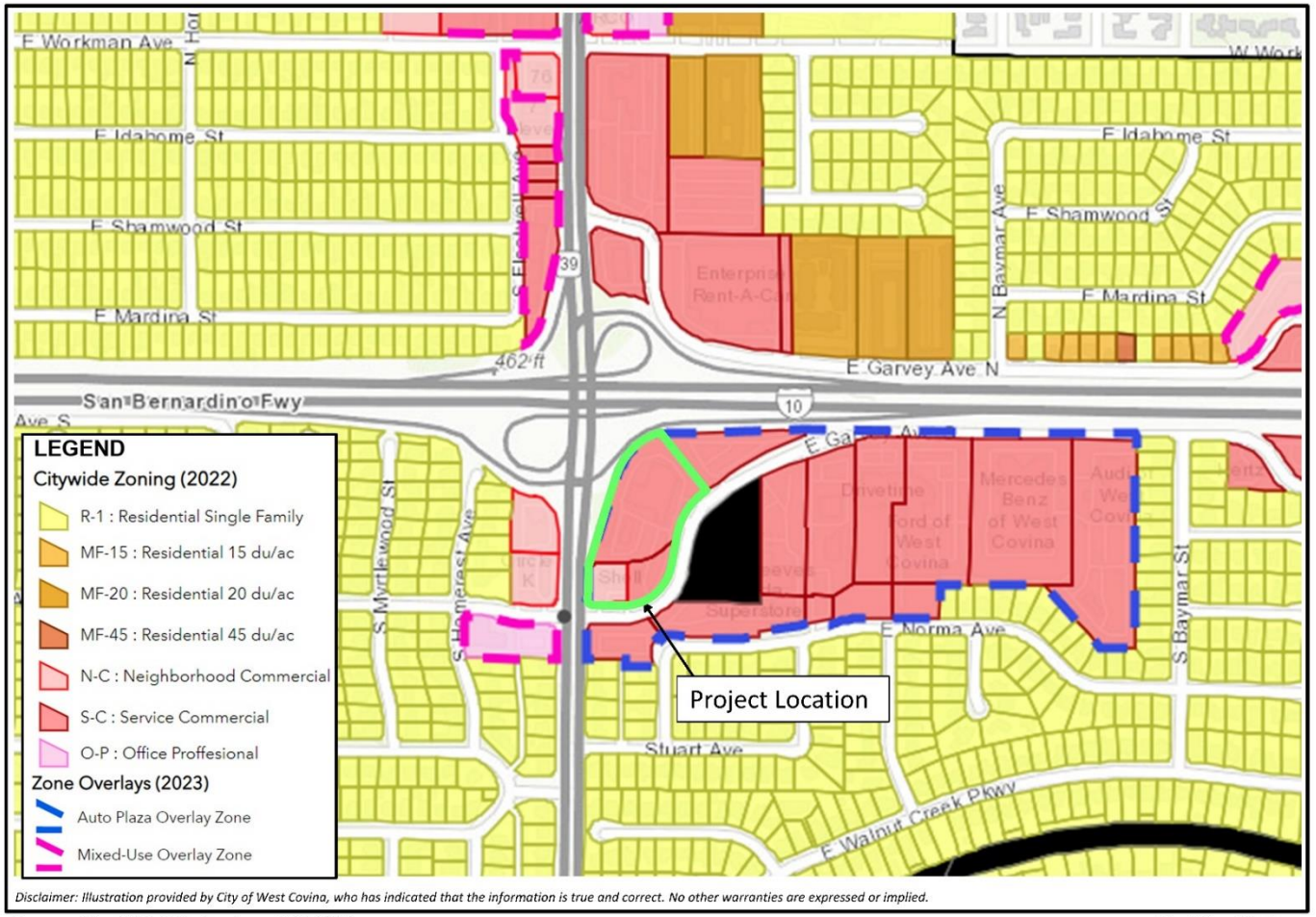
Sources: City of West Covina, 2016-2021.

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General Plan Land Use Designation

Figure 4.11-2
ZONING DESIGNATION



Sources: City of West Covina, August 22, 2023.

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Zoning Designation

As mentioned above, the project site consists of a car dealership and a gas station. The car dealership is zoned S-C and the gas station is zoned N-C. The Project Applicant requests a zoning amendment to change the portion of the site zoned as N-C to S-C. With the approval of the zoning amendment, the project would be consistent with the General Plan land use and zoning designations of the project site.

A consistency analysis of the proposed project with relevant City of West Covina General Plan land use policies and actions is provided below in **Table 4.11-1**.

Table 4.11-1
CONSISTENCY ANALYSIS: PROPOSED PROJECT COMPARED TO APPLICABLE CITY OF WEST COVINA GENERAL PLAN LAND USE, POLICIES AND ACTIONS

Policies and Actions	Consistency Analysis
Policy 3.3: New growth will complete, enhance, and reinforce the form and character of the unique West Covina neighborhoods, districts, and corridors.	
Action 3.3: Adjust regulations for the neighborhoods, districts and corridors to reflect the nature of intended change	**Consistent:** The proposed project would allow the city to develop a luxury car dealership with high-quality materials that would strengthen the City's identity as a regional commercial supplier. The project requires an adjustment in regulations with a zoning amendment to allow the development of the project. With approval of the zoning amendment, the project would be consistent with this policy and action.

Source: City of West Covina, 2016, p. 55

As detailed above, with the approval of the zoning amendment, the project would result in less than significant impacts regarding applicable land use and zoning regulations.

4.12 Mineral Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				**X**
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				**X**

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

and

b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Impact

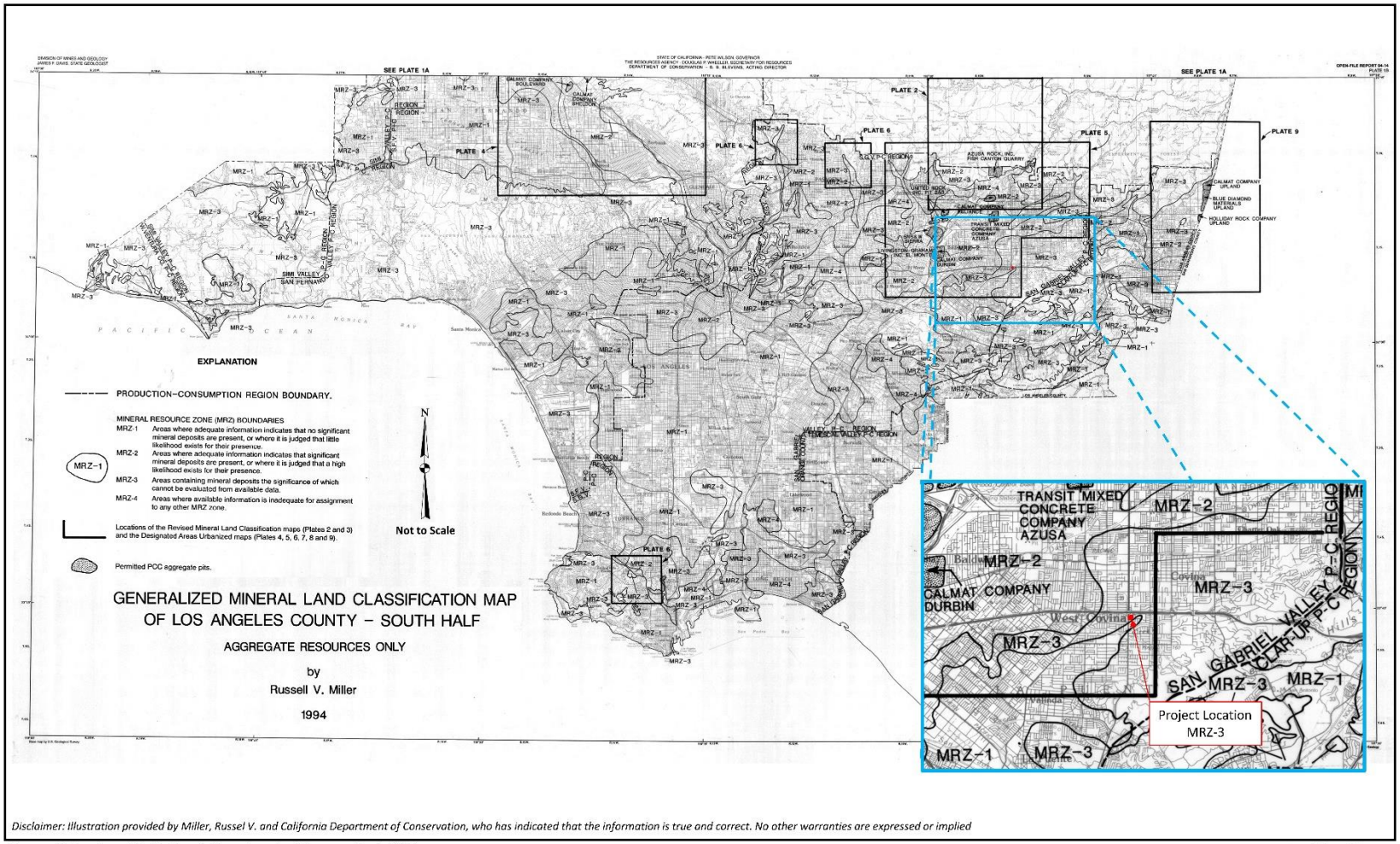
The project site is mapped as Mineral Resource Zone 3 (MRZ-3) by the California Geological Survey (CGS) as shown on **Figure 4.12-1.**The MRZ-3 is described as areas containing mineral deposits and the significance of these deposits can't be determined from available data **(**Miller, Russel V., 1994). Additionally, the project site is currently developed, is not zoned for mineral excavation, and is not compatible for mineral excavation given the surrounding land uses. Therefore, the project would not impact mineral resources on the project site.

The nearest active mine to the project site mapped by the Division of Mines Reclamation (DMR) is the Olive Pit Mine (Mine ID 91-19-0052), located approximately two miles to the northwest at 4407 Azusa Canyon Road, City of Irwindale, This is an open pit sand and gravel mine and the lead agency is the City of Irwindale (DMR, 2024).

As shown on **Figure 4.12-2**, The nearest active oil and gas well is located approximately 3.5 miles to the southwest of the project site. **Figure 4.12-3** shows the closest active geothermal well is located 35 miles to the east.

The project site is surrounded by commercial development and rights-of-way. Thus, any aggregate onsite is unavailable for mining. Given the distance of active mines, oil wells, and geothermal wells from the project site, project development would not cause a loss of availability of known mineral resources valuable to the region, and no impact would occur. Furthermore, the proposed project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No impact would occur.

Figure 4.12-1
DESIGNATED MINERAL RESOURCE ZONE



Disclaimer: Illustration provided by Miller, Russel V. and California Department of Conservation, who has indicated that the information is true and correct. No other warranties are expressed or implied

Source: Miller, Russel V. (California Department of Conservation), 1994

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Designated Mineral Resource Zones

Figure 4.12-2
OIL AND GAS WELLS AND FIELDS

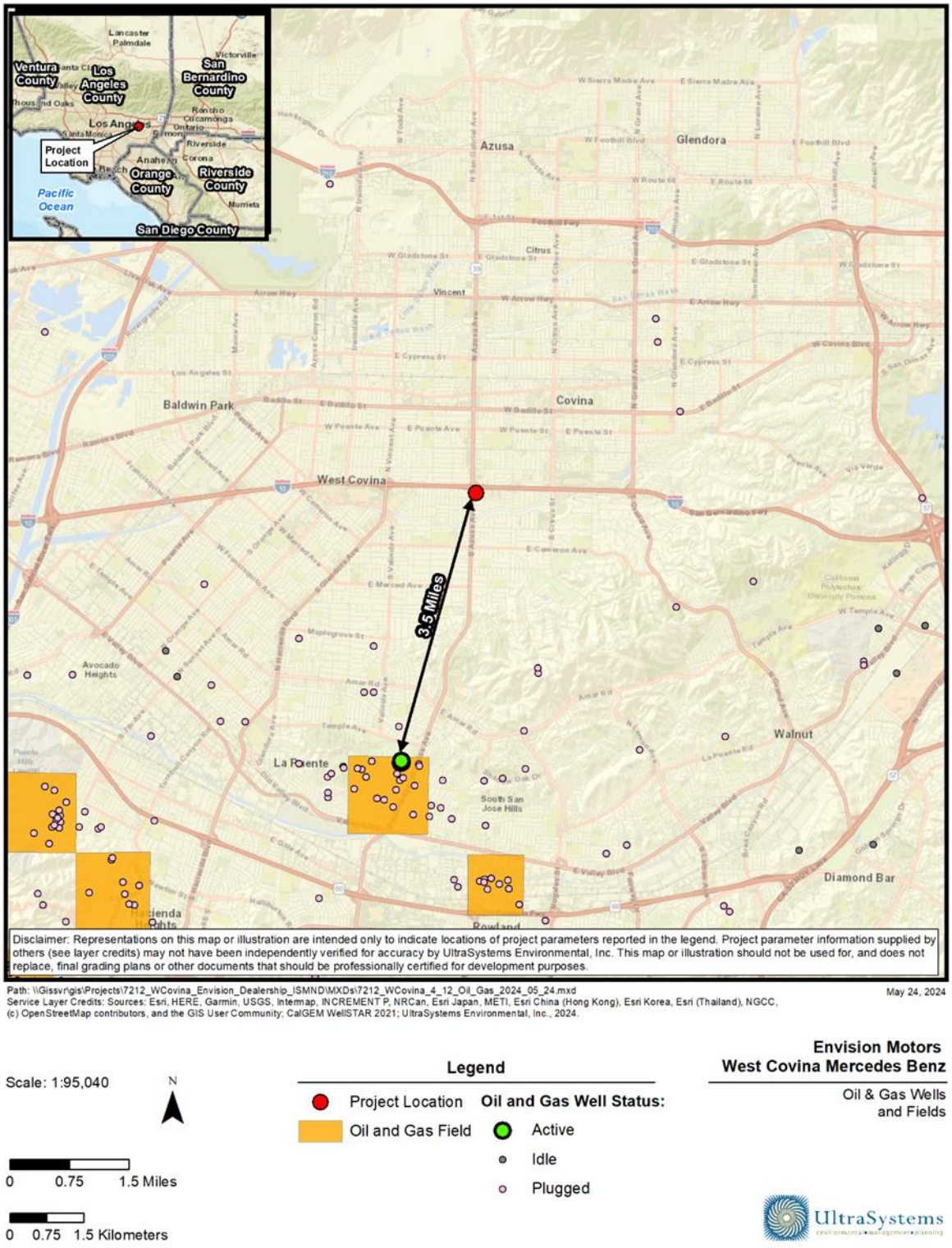


Figure 4.12-3
GEOTHERMAL WELLS



4.13 Noise

Would the project result in:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

4.13.1 Characteristics of Sound

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in hertz or cycles per second), and duration (measured in seconds or minutes). The decibel (dB) scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is related to the frequency of the pressure vibration. Because the human ear is not equally sensitive to all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by discriminating against upper and lower frequencies in a manner approximating the sensitivity of the human ear. The scale is based on a reference pressure level of 20 micropascals (zero dBA). The scale ranges from zero (for the average least perceptible sound) to about 130 (for the average human pain level).

4.13.2 Noise Measurement Scales

Several rating scales have been developed to analyze adverse effects of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people depends largely upon the total acoustical energy content of the noise, as well as the time of day when the noise occurs. Those that are applicable to this analysis are as follows:

- L_{eq}, the equivalent noise level, is an average of sound level over a defined time period (such as 1 minute, 15 minutes, 1 hour or 24 hours). Thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure.
- L_{90} is a noise level that is exceeded 90 percent of the time at a given location; it is often used as a measure of "background" noise.

- L_{max} is the root mean square (RMS) maximum noise level during the measurement interval. This measurement is calculated by taking the RMS of all peak noise levels within the sampling interval. L_{max} is distinct from the peak noise level, which only includes the single highest measurement within a measurement interval.
- CNEL, the Community Noise Equivalent Level, is a 24-hour average L_{eq} with a 4.77-dBA "penalty" added to noise during the hours of 7:00 p.m. to 10:00 p.m., and a 10-dBA penalty added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime (Hendriks, 2013). The logarithmic effect of these additions is that a 60-dBA 24-hour L_{eq} would result in a calculation of 66.7 dBA CNEL.
- L_{dn}, the day-night average noise, is a 24-hour average L_{eq} with an additional 10-dBA "penalty" added to noise that occurs between 10:00 p.m. and 7:00 a.m. The L_{dn} metric yields values within 1 dBA of the CNEL metric. As a matter of practice, L_{dn} and CNEL values are considered to be equivalent and are treated as such in this assessment.

4.13.3 Existing Noise

The City of West Covina's General Plan does not explicitly define sensitive receivers. In this document, sensitive receivers are defined as locations where human populations (especially children, senior citizens, and sick persons) are present, and where there is a reasonable expectation of lower levels of human exposure to noise. Sensitive receivers located within the City of West Covina include residential uses, schools, hospitals, churches, and parks. Additionally, the City's Municipal Code has applicable noise standards in regard to construction noise, interior noise, and exterior noise (City of West Covina Municipal Code, 2023). The closest sensitive receivers to the project site include the single-family residential neighborhood directly south of the project site, and the single-family homes and Options For Learning childcare facility west of the project site (Google Earth Pro, 2024). Sensitive receivers are summarized in **Table 4.13-1**, while **Figure 4.13-1** shows their locations.

Table 4.13-1
SENSITIVE RECEIVERS IN PROJECT AREA

Description	Location	Distance From Site Boundary (feet)[a]	Nearest Ambient Sampling Point[b]
Single-family residence	220 South Azusa Avenue	198	1
Options For Learning	203 South Azusa Avenue	319	2
Single-family residence	132 South Homerest Avenue	339	3
Single-family residence	1828 East Norma Avenue	237	4

[a]These distances were not used for the noise or vibration calculations.
[b]See **Figure 4.13-2** for locations of ambient noise sampling points.

Figure 4.13-1
SENSITIVE RECEIVERS NEAR THE PROJECT SITE



Freeway traffic (passenger vehicles and trucks) and traffic on heavily traveled surface streets are the largest contributors to ambient noise levels in West Covina. City roadways that generate the most traffic noise include the major east-west trending I-10 Freeway, due to its higher traffic volumes and vehicle speeds. Major arterials that generate significant noise include Azusa Avenue, Sunset Avenue, Valinda Avenue and Glendora Avenue (City of West Covina, 2016b). The project site is adjacent to two of the major arterials – the I-10 Freeway and South Azusa Avenue (Google Earth Pro, 2024).

On April 24, 2024, UltraSystems obtained 15-minute ambient noise samples at four locations in the general area of the project. Sampling locations are shown in **Figure 4.13-2**. Measurements were made between 11:06 a.m. and 12:57 p.m. As shown in **Table 4.13-2,** average short-term ambient noise levels (L_{eq}) ranged from 52.0 to 66.8 dBA L_{eq}. The 66.8-dBA noise level was along South Azusa Avenue, in front of a single-family home. All monitored noise levels were within the range considered typical for the nearby land uses.

Table 4.13-2
AMBIENT NOISE MEASUREMENT RESULTS

Point	Data Set	Sampling Time	Address	Sound Level (dBA)			Notes
				L_{eq}	L_{max}	L_{90}	
1	S007	1106-1121	220 South Azusa Avenue	66.8	79.6	56.9	In front of a single-family residence south of the project site.
2	S008	1142-1157	203 South Azusa Avenue	61.1	79.2	51.7	In front of Options for Learning, west of the project site.
3	S009	1214-1229	132 South Homerest Avenue	52.0	64.6	48.5	In front of a single-family residence west of the project site.
4	S010	1242-1257	1828 East Norma Avenue	52.5	68.2	47.0	In front of a single-family residence southeast of the project site.

Source: UltraSystems, 2024.

Figure 4.13-2
AMBIENT NOISE MEASUREMENT LOCATIONS



4.13.4 Regulatory Setting

State of California

The now-defunct California Department of Health Services (DHS) Office of Noise Control studied the correlation of noise levels with effects on various land uses. The most current guidelines prepared by the state noise officer are contained in the "General Plan Guidelines" issued by the Governor's Office of Planning and Research in 2003 and reissued in 2017 (Governor's Office of Planning and Research, 2017). These guidelines establish four categories for judging the severity of noise intrusion on specified land uses:

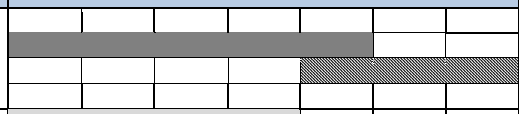
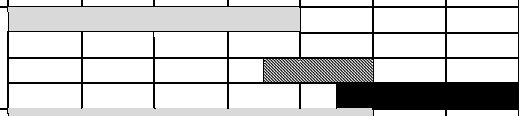
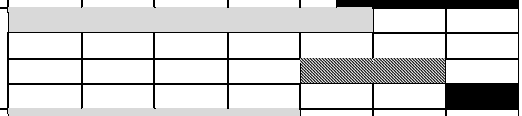
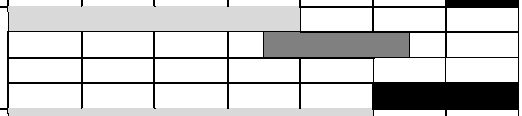
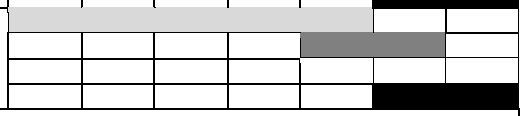
- **Normally Acceptable**: Is generally acceptable, with no mitigation necessary.
- **Conditionally Acceptable**: May require some mitigation, as established through a noise study.
- **Normally Unacceptable**: Requires substantial mitigation.
- **Clearly Unacceptable**: Probably cannot be mitigated to a less-than-significant level.

The types of land uses addressed by the state standards, and the acceptable noise categories for each, are presented in **Table 4.13-3**. There is some overlap between categories, which indicates that some judgment is required in determining the applicability of the numbers in a given situation.

Title 24 of the California Code of Regulations requires performing acoustical studies before constructing dwelling units in areas that exceed 60 dBA L_{dn}. Given the calculation described in **Section 4.13.3**, the siting would be conditionally acceptable. In addition, the California Noise Insulation Standards identify an interior noise standard of 45 dBA CNEL for new multi-family residential units. Local governments frequently extend this requirement to single-family housing.

Table 4.13-3
CALIFORNIA LAND USE COMPATIBILITY FOR COMMUNITY NOISE SOURCES

Land Use Category	Noise Exposure (dBA, CNEL)						
	55	60	65	70	75	80	
Residential – Low-Density Single-Family, Duplex, Mobile Homes							
Residential – Multiple Family							
Transient Lodging – Motel, Hotels							
Schools, Libraries, Churches, Hospitals, Nursing Homes							
Auditoriums, Concert Halls, Amphitheaters							

Land Use Category	Noise Exposure (dBA, CNEL)
Sports Arena, Outdoor Spectator Sports	
Playgrounds, Neighborhood Parks	
Golf Courses, Riding Stables, Water Recreation, Cemeteries	
Office Buildings, Business Commercial and Professional	
Industrial, Manufacturing, Utilities, Agriculture	

	Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.
	Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning will normally suffice.
	Normally Unacceptable: New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
	Clearly Unacceptable: New construction or development should generally not be undertaken.

Source: Governor's Office of Planning and Research, 2017.

City of West Covina General Plan Noise Element

The Noise Element of the City of West Covina General Plan (City of West Covina, 2016b) identifies sources of noise in the city and provides objectives and policies that ensure that noise from various sources would not create an unacceptable noise environment. As shown in **Table 4.13-3**, for an automotive dealership such as the proposed project, exterior noise levels of 70 dBA CNEL or less are desirable.

The General Plan Noise Element has the following applicable policies (P) and actions (A) for addressing noise issues in the community (City of West Covina, 2016b):

P6.24: ***Ensure that new development does not expose surrounding land uses to excessive noise.***

A6.24 Through the environmental review process, require applicants for new development proposals to analyze potential noise impacts on nearby noise-sensitive receivers before project approval. As feasible, require appropriate noise mitigation to address any identified significant noise impacts).

P6.25: ***Minimize noise conflicts between local noise generators and sensitive receivers.***

A6.25a Continue to enforce the City's existing Noise Ordinance.

A6.25b Track noise complaints to determine areas of potential problems, and work proactively with the noise generators and the affected parties to reduce the impacts of such noise.

P6.26: ***Strive to reduce potential noise impacts in the City's own operations.***

A6.26a Incorporate noise reduction features for items such as, but not limited to, parking and loading areas, ingress/egress point, HVAC units, and refuse collection areas, during site planning to mitigate anticipated noise impacts on affected noise sensitive land uses.

A6.26b Purchase any equipment that produces high noise levels with all necessary and feasible noise abating equipment installed.

To the extent that the foregoing applies to the proposed project, the project design and operational characteristics are compatible with the Noise Element's goal, objectives and policies.

City of West Covina Municipal Code

The City of West Covina regulations with respect to noise are included in Article IV – Noise Regulations within the City's Municipal Code.

Article IV. - Noise Regulations

Division 2. - Specific Noise Sources

Sec. 15-95. - Construction and building projects.

A. **Regulation.** Between the hours of 8:00 p.m. of one day and 7:00 a.m. of the next day, it shall be unlawful for any person within a residential zone, or within a radius of five hundred (500) feet therefrom, to operate equipment or perform any outside construction or repair work on buildings, structures, or projects or to operate any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other construction type device in such manner as to create any noise which causes the noise level at the property line to exceed the ambient noise level by more than five (5) decibels unless a permit therefor has been duly obtained in accordance with paragraph (b) of this section. No permit shall be required to perform emergency work as defined in section 15-83 of this article.

B. **Permit procedure.** A permit may be issued authorizing noises prohibited by this section whenever it is found that the public interest will be served thereby. Applications for permits shall be in writing, shall be accompanied by an application fee in the amount of five dollars ($5.00), and shall set forth in detail facts showing that the public interest will be served by the issuance of such permit. Applications shall be made to the building director; provided, however, that, with respect to work upon or involving the use of a public street, alley, building, or other public place under the jurisdiction of the engineering department,

applications shall be made to the city engineer. Anyone dissatisfied with the denial of a permit may appeal to the council.

C. **Unloading and Loading**. Between the hours of 8:00 p.m. of one day and 6:00 a.m. of the next day, it shall be unlawful for any person within the radius of five hundred (500) feet of generally occupied residences to unload, load or otherwise perform duties preparatory to the commencement of construction or repair work on buildings or structures. Generally occupied residences shall include, but not be limited to, areas in which there is a reasonable probability of occupancy within the area.

(Code 1960, § 4611; Ord. No. 1826, § 2, 11-13-89)

4.13.5 Significance Thresholds

Two criteria were used for judging noise impacts. First, noise levels generated by the proposed project must comply with all applicable relevant federal, state, and local standards and regulations. Noise impacts on the surrounding community are limited by local noise ordinances, which are implemented through investigations in response to nuisance complaints. It is assumed that all existing regulations for the construction and operation of the proposed project will be enforced. In addition, the proposed project should not produce noise levels that are incompatible with adjacent noise-sensitive land uses.

The second measure of impact used in this analysis is a significant increase in noise levels above existing ambient noise levels because of the introduction of a new noise source. An increase in noise level due to a new noise source has a potential to adversely impact people. The proposed project would have a significant noise impact if it would:

- Expose persons to or generate noise levels in excess of standards prescribed by the City of West Covina Municipal Code; or
- Include construction activities within the hours prohibited by the Municipal Code, without a permit; or
- Result in total noise exposures (construction plus ambient) at sensitive receivers during construction of 80 dBA L_{eq} or more (Federal Transit Administration [FTA], 2018); or
- Contribute, with other local construction projects, to a significant cumulative noise impact; or
- Increase operational exposures at sensitive receivers (mainly because of an increase in traffic flow) by 5 dBA CNEL or more.

4.13.6 Impact Analysis

a) Would the project result in generation of substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant Impact

Noise impacts associated with automotive dealership projects include short-term and long-term impacts. Construction activities, especially heavy equipment operation, would create noise effects on and adjacent to the construction site. Long-term noise impacts include project-generated onsite and offsite operational noise sources. Onsite (stationary) noise sources from the automotive dealership would include operation of mechanical equipment such as air conditioners and building maintenance. Offsite noise would be attributable to project-induced traffic, which would result in an incremental decrease in noise levels within and near the project vicinity due to the demolition of the gas station currently on the project site.

Construction

Noise impacts from construction activities are a function of the noise generated by the operation of construction equipment and onroad delivery and worker commuter vehicles, the location of equipment, and the timing and duration of the noise-generating activities. For the purpose of this analysis, it was estimated that the proposed project would be built in the eight phases listed in **Table 4.13-4**. Construction is anticipated to run approximately one year, from early June 2025 to July 2026.

The types and numbers of pieces of equipment to be deployed during each construction phase were determined as part of the air quality and greenhouse gas emissions analyses for this project.[14] For each equipment type, **Table 4.13-4** shows the number of equipment pieces to be used, an average noise emission level (in dB at 50 feet, unless otherwise specified) and a "usage factor," which is an estimated percentage of operating time that the equipment would be producing noise at the stated level. Equipment use was matched to phases of the construction schedule. The last column of the table shows the composite noise at 50 feet for each phase; i.e., the total noise if all of each phase's equipment were to operate simultaneously.

Table 4.13-4
CONSTRUCTION EQUIPMENT CHARACTERISTICS

Construction Phase	Equipment Type	No. of Pieces	Maximum Sound Level (dBA @50 feet)	Usage Factor	Composite Noise (dBA @ 50 Feet)
1 - Demolition	Concrete/Industrial Saws	1	90.0	0.73	**89.00**
	Rubber-Tired Dozers	2	79.0	0.40	
2 – Site Preparation	Rubber Tired Dozers	2	79.0	0.40	**78.03**

14 See **Section 4.3** and **Section 4.8**.

Construction Phase	Equipment Type	No. of Pieces	Maximum Sound Level (dBA @50 feet)	Usage Factor	Composite Noise (dBA @ 50 Feet)
3- Grading	Graders	1	85.0	0.41	**86.82**
	Tractor/Loader/Backhoes	3	85.0	0.37	
4 – Building Construction	Cranes	1	83.0	0.08	**85.94**
	Forklift	3	67.0	0.30	
	Generator Sets	1	73.0	0.50	
	Welders	1	74.0	0.45	
	Tractor/Loader/Backhoes	3	85.0	0.37	
5 - Paving	Cement and Mortar Mixers	2	85.0	0.40	**86.42**
	Off-Highway Trucks	5	75.0	0.40	
	Rollers	2	74.0	0.10	
	Tractor/Loader/Backhoes	1	85.0	0.37	
6 – Architectural Coating	Air Compressors	1	81.0	0.48	**77.81**
7 – Utilities Installation	Trenchers	2	83.0	0.30	**80.78**
8 – Landscaping Installation	Rollers	1	85.0	0.37	**80.68**

Using calculation methods published by the Federal Transit Administration,[15] UltraSystems estimated the average hourly exposures at the nearest sensitive receiver for each construction phase. The receivers evaluated included single-family residences south and southeast of the project site and single-family residences along East Garvey Avenue, across from the project site (see **Figure 4.13-1**). The distances used for the calculation were measured from the receivers to the approximate center of activity of each construction phase, since that would be the average location of construction equipment most of the time. **Table 4.13-5** shows the relationships between the receivers, the noise sources, and the nearest ambient measurement points. South of the project site, an approximately seven-foot-high brick wall partially shields the single-family residences from onsite noise. Another approximately seven-foot-high brick wall shields single-family residences west of the project site from onsite noise.

Table 4.13-5
NOISE ANALYTICAL FRAMEWORK

Sensitive Receiver	Construction Phase(s)[a]	Nearest Ambient Sampling Point(s)
Single-family residence	All Construction Phases	1
Options For Learning	All Construction Phases	2

15 Transit Noise and Vibration Impact Assessment Manual. Federal Transit Administration, Office of Planning and Environment, Washington, DC, FTA Report No. 0123. September 2018. Internet: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf.

Sensitive Receiver	Construction Phase(s)[a]	Nearest Ambient Sampling Point(s)
Single-family residence	All Construction Phases	3
Single-family residence	All Construction Phases	4

Table 4.13-6 summarizes the estimated maximum construction-related short-term noise exposures for each construction phase. In no cases were there intervening buildings between a noise source and a receiver. Residential noise exposures due to construction activities would be about 67.0 to 71.4 dBA L_{eq}. These are conservative values, since sound attenuation from the aforementioned seven-foot-high brick walls were not taken into account.

Table 4.13-6
ESTIMATED MAXIMUM CONSTRUCTION NOISE EXPOSURES

Phase	Receiver[a]	Distance (feet)	Ambient (dBA L_{eq})	Construction (dBA L_{eq})[b]	New Total (dBA L_{eq})	Increase (dBA L_{eq})
Demolition	SF	470	66.8	69.5	71.4	**4.6**
Site Preparation	SF	470	66.8	58.6	67.4	**0.6**
Grading	SF	470	66.8	67.4	70.1	**3.3**
Building Construction	SF	470	66.8	66.5	69.7	**2.9**
Paving	SF	470	66.8	67.0	69.9	**3.1**
Architectural Coating	SF	470	66.8	58.4	67.4	**0.6**
Utilities Installation	SF	470	66.8	61.3	67.9	**1.1**
Landscaping Installation	SF	470	66.8	61.2	67.9	**1.1**

[a] Sensitive Receiver at 220 South Azusa Avenue.

Noise exposure from construction of the proposed project would not exceed the FTA's 80 dBA threshold. Impacts would be less than significant.

Operational Noise

Onsite

Onsite noise sources from the proposed automotive dealership project would include operation of mechanical equipment such as air conditioners and building maintenance equipment; and motor vehicles accessing, driving on, and exiting the parking lot. Noise levels are expected to decrease from the current condition due to the demolition of the gas station on the project site. Noise levels associated with operation of the project are expected to be comparable to those of nearby residential areas. Therefore, noise from onsite sources would be less than significant.

Mobile Sources

The VMT analysis prepared for this project (RK Engineering, 2024a) estimates that the existing trip generation is 2,649 trips per day, while the development will generate 2,337 trips per day. This would constitute a decrease of 272 trips per day. Given the logarithmic nature of the decibel, traffic volume needs to be doubled in order for the noise level to increase by 3 dBA (ICF Jones & Stokes, 2009), the minimum level perceived by the average human ear. A doubling is equivalent to a 100 percent increase. Because the maximum increase in traffic on any road segment would be far below 100 percent, the increase in roadway noise experienced at sensitive receivers would not be perceptible to the human ear. Therefore, roadway noise associated with project operation would not expose a land use to noise levels that are considered incompatible with or in excess of adopted standards, and impacts would be less than significant.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact

Vibration is sound radiated through the ground. Vibration can result from a source (e.g., subway operations, vehicles, machinery equipment, etc.) causing the adjacent ground to move, thereby creating vibration waves that propagate through the soil to the foundations of nearby buildings. This effect is referred to as groundborne vibration. The peak particle velocity (PPV) or the RMS velocity is usually used to describe vibration levels. PPV is defined as the maximum instantaneous peak of the vibration level, while RMS is defined as the square root of the average of the squared amplitude of the level. PPV is typically used for evaluating potential building damage, while RMS velocity in dB is typically more suitable for evaluating human response.

The background vibration velocity level in residential areas is usually around 50 vibration decibels (VdB). The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for most people. Most perceptible indoor vibration is caused by sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest is from approximately 50 VdB to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings.

Construction Vibration

Construction activities for the project have the potential to generate low levels of groundborne vibration. The operation of construction equipment generates vibrations that propagate though the ground and diminish in intensity with distance from the source. Vibration impacts can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage of buildings at the highest levels. The construction activities associated with the project could have an adverse impact on both sensitive structures (i.e., building damage) and populations (i.e., annoyance).

The FTA (2018) has published standard vibration levels, at a distance of 25 feet, for construction equipment operations. The construction-related vibration levels for the nearest sensitive receivers

for major construction phases are shown in **Table 4.13-7**. These calculations were based on the distances from the construction activity to the closest sensitive receivers.

Table 4.13-7
VIBRATION LEVELS OF TYPICAL CONSTRUCTION EQUIPMENT

Equipment	PPV at 25 feet (in/sec)	Vibration Decibels at 25 feet (VdB)	PPV at 222 feet (in/sec)[a]	Vibration Decibels at 222 feet (VdB)[a]	PPV at 64 feet (in/sec)[b]	Vibration Decibels at 64 feet (VdB)[b]
Loaded Trucks	0.076	86			0.027	74
Jackhammer	0.035	79	0.0032	51		
Small bulldozer	0.003	58	0.00027	30		
Large bulldozer	0.089	87	0.0081	59		

Source: Calculated by UltraSystems.
Note: PPV = peak particle velocity, VdB = vibration decibels, in/sec = inches per second.
[a]Applies to onsite construction activities.
[b]Applies to onroad truck activities.

As shown in **Table 4.13-7**, the PPV of construction equipment at the nearest sensitive receiver (64 feet) is at most 0.027 inch per second, which is less than the FTA damage threshold of 0.12 inch per second PPV for fragile historic buildings. The maximum VdB are 74 VdB, which are below the FTA threshold for human annoyance of 80 VdB. Unmitigated vibration impacts would therefore be less than significant.

Operational Vibration

The automotive dealership is not the type of facility that creates operational vibration. The project would not involve the use of stationary equipment that would result in high vibration levels, which are more typical for large manufacturing and industrial projects. Groundborne vibrations at the project site and immediate vicinity currently result from heavy-duty vehicular travel (e.g., refuse trucks and transit buses) on the nearby local roadways, and the project would not result in a substantive increase of these heavy-duty vehicles on the public roadways. Therefore, vibration impacts associated with operation of the project would be less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact

The closest active public airport is the Brackett Field Airport, located approximately 6.8 miles northeast of the project site (Google Earth Pro, 2024). The project site is located outside of the airport's influence area boundary and noise contours (LA County ALUC, 2015). Therefore, no impact related to the exposure of people residing or working in the proposed project area to excessive airport-related noise levels is anticipated.

4.14 Population and Housing

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

a) Would the project induce substantial unplanned growth in an area either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?

Less than Significant Impact

The project does not propose the development of any residential uses that would cause direct population growth. The proposed project would involve the demolition of an existing auto dealership and an operating gas station, and the construction of a new two-story automotive sales and dealership building, as well as associated surface parking, landscaping, and charging facilities for electric vehicles. The project does not involve the extension of roads or other infrastructure and would not be of the scale to induce indirect unplanned population growth in the project area. Therefore, there would be a less than significant impact.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact

The project site is currently occupied exclusively by commercial use and structures and does not have existing residents or residential uses. Therefore, the project would not displace any housing or people and the project would not necessitate the construction of replacement housing. There would be no impact.

4.15 Public Services

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			**X**	
b) Police protection?			**X**	
c) Schools?				**X**
d) Parks?			**X**	
e) Other public facilities?			**X**	

a) Fire protection?

Less than Significant Impact

The West Covina Fire Department (WCFD) provides fire protection and emergency medical services to the City of West Covina. WCFD operates five fire stations throughout the city. Each station has a designated district to which it responds. The nearest existing fire station to the project site is Station No. 2 at 2441 E. Cortez Street, approximately one mile to the southeast.

WCFD operations are funded mostly through property taxes and sales taxes. The City also receives one-time fees on new development to be used to cover the costs of capital equipment, and infrastructure required to serve new growth via Fund 165 - Fire Impact Fees of $0.38 per square foot for nonresidential development (City of West Covina, 2023b, p. 31). However, project development is not expected to generate an increase in calls for fire protection and emergency medical services and, therefore, would not require the city to build a new or expanded fire station. Additionally, the demand for fire protection depends on population increase. The project would not increase the population and would pay the applicable fees. Therefore, the impact would be less than significant.

b) Police protection?

Less than Significant Impact

The West Covina Police Department (WCPD) provides police protection to the City. The WCPD station is located at 1444 West Garvey Avenue, approximately 1.75 miles west of the project site. WCPD consists of the police department that has an authorized full-time workforce of 100 sworn officers and 66 civilians. In addition, there are about 55 part-time positions that include reserve officers and clerical staff. The Department also uses volunteer programs (City of West Covina, 2024d).

WCPD operations are funded mostly through property taxes and sales taxes. The City also receives one-time fees on new development to be used to cover the costs of capital equipment, and

infrastructure required to serve new growth via Fund 164 - Police Impact Fees of $0.32 per square foot for nonresidential development (City of West Covina, 2023b, p. 31).

The WCPD does not anticipate that project development would require the construction or expansion of a new or expanded police facility or adversely affect WCPD operations. Additionally, the demand for police service depends on an increase in population. The project would not increase the population and would pay the applicable fees. The impact of the project on police services would be less than significant and mitigation is not required.

c) Schools?

No Impact

The project site is in the West Covina Unified School District (WCUSD). WCUSD currently serves more than 14,000 students in 15 local area schools and two charter schools. District-wide enrollment in the 2019-2020 school year was 23,470 (WCUSD, 2024a).

The demand for school facilities is generated by the number of residential properties and school-age children within the attendance limits of schools. The project involves commercial development and does not propose the creation of new housing or increase the demand for additional housing. Additionally, the project is subject to pay the appropriate amount in developer fees. The West Covina Unified School District is authorized by the Government Code §65995 to collect a development fee of $0.66 per square foot for the development of a new commercial development (WCUSD, 2024b).

Under Government Code §65995, the WCUSD is authorized to collect a development fee of $0.66 per square foot of development for new commercial ventures. This fee serves as a source of funding for the school district, allowing it to adequately address any potential impact that might arise from such development. Therefore, there would be no impact on schools.

d) Parks?

Less Than Significant Impact

Recreational services in the City of West Covina are managed by the Community Services Division of the Public Services Department of the City, which maintains 23 city-operated recreational facilities, including 16 parks (City of West Covina, 2024e).

The nearest city park to the project is Cortez Park, located approximately 0.75 miles east of the project site. The project does not propose residential land use and is not anticipated to add new residents to the city. Additionally, park development depends on population increases. The project would not increase the population and would pay the applicable fees. Employees at the project site can visit nearby parks, but the potential impact of these visits to the parks would be less than significant.

e) Other Public Facilities?

Less Than Significant Impact

Library

The West Covina Library is part of the Los Angeles County Library System, which is made up of 72 branch libraries. The West Covina Library is the only public library within the City of West Covina and is located at 1601 West Covina Parkway (County of Los Angeles, 2024c). Additionally, libraries depend on population increases. The project is not of the scope or scale to induce any population growth. Therefore, the project would not have an impact on libraries or other public facilities.

Hospitals

The nearest hospital to the project site is the West Covina Medical Center at 725 S Orange Avenue, approximately two miles west of the project site. West Covina Medical Center provides 24-hour urgent care, physical therapy services, a wound care center, a medical imaging center, and gastrointestinal and urology services (WCMC, 2024). Additionally, the demand for hospital services depends in part on the increase in population. The project would not increase the population and would pay the applicable fees. Adequate hospital facilities are present in the project region for project residents, and project development would not require the construction of new or expanded hospitals. The impacts would be less than significant.

4.16 Recreation

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			**X**	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				**X**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less than Significant Impact

The City offers a range of park types that include two small pocket parkettes, eight neighborhood parks, three community parks, two wilderness areas, specialized sports facilities, paseos, and conservation areas (Rincon, 2016, p. 244). Impacts to recreation are based on whether the project would increase the population of the City with project buildout. As detailed in **Section 4.14**, Population and Housing, the proposed project would develop a commercial dealership that would not increase the population in the city. Employees for the project are expected to come from the local workforce. Although project employees may potentially use parks and recreational facilities, impacts would be less than significant.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact

The proposed project would not include recreational facilities as part of the project. Therefore, there would be no impact.

4.17 Transportation

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			**X**	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			**X**	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		**X**		
d) Result in inadequate emergency access?		**X**		

The project site is located along East Garvey Avenue S, a two-lane meandering street designated a Minor Arterial Roadway in the City of West Covina General Plan (City of West Covina, 2016a, p. 60). There are sidewalks near the project site on both sides of East Garvey Avenue S.

Existing public transit service in West Covina is provided by Foothill Transit and by the City of West Covina, operating as Go West. Foothill Transit is the regional bus service provider for the eastern San Gabriel Valley. The Go West system, meanwhile, consists of three shuttle routes, labeled Red, Blue, and Green (City of Covina, 2016a, p. 63).

Foothill Transit is a public transit provider in the region, including the City of West Covina, with more than 30 local and express routes and operating a fleet of more than 300 buses, fueled by low-emission compressed natural gas and zero-emission electric batteries and hydrogen fuel cells serving more than 300 square miles of the San Gabriel and Pomona Valleys of Southern California (Foothill Transit, 2024).

In 2014, the City of West Covina unveiled its Go West Transit fleet. The fleet includes seven alternative fuel, environmentally-friendly vehicles, which is utilized for both the City's fixed-route shuttle service and the dial-a-ride service. The nearest transit stop to the project site is Azusa Avenue and S Garvey Avenue N on the western edge of the project site (City of Covina, 2024f).

The City of West Covina has not adopted a bicycle master plan. Chapter 22, Article III of the Municipal Code defines standards for Class I Bike Paths, Class II Bike Lanes, and Class III Shared Routes. There are bike routes along Walnut Creek Wash east of Glendora, continuing to Azusa, approximately 1,800 feet south of the project site (City of West Covina, 2016a, p. 66).

a) Would the project conflict with a program plan, ordinance, or policy addressing circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less than Significant Impact

The project site currently has four entrance/exit driveways for the existing gas station and one entrance and one exit for the existing dealership (Google Earth Pro, 2024). The proposed project would reduce the total number of driveways from six to four. As described in **Section 3.4.1**, four vehicular entrances would be provided from surrounding streets: three from East Garvey South Avenue along the south and east site perimeter; and one from Azusa Avenue on the southwest side of the project site. The main entrance would be from East Garvey Avenue on the south site boundary. Access via the driveway to and from Azusa Avenue would be right-in-right-out only, as that segment of Azusa Avenue is a divided road. As shown in **Figure 3.4-1**, driveways would extend around the southern, western, and northern sides of the building. The proposed project would not make any changes to the surrounding roadways.

City of West Covina General Plan

The circulation element of the City has several goals and policies that are applicable to the proposed project. Refer to **Table 4.17-1** below, which lists the applicable policies and how the proposed project would comply.

Table 4.17-1
PROJECT COMPLIANCE WITH CITY OF WEST COVINA GENERAL PLAN POLICIES REGARDING MOBILITY AND TRANSPORTATION

General Plan Element	Project Compliance
Circulation Goal P5.1: Promote fine-grained network of complete streets in new and redevelopment projects.	The proposed project does not propose altering public roads and plans to maintain the existing frontages on Garvey Avenue and Azusa Avenue. However, it does propose reducing vehicular right-of-way access points from six to four; restricting vehicular access from North Azusa Avenue and completely removing two access points on either side of the northbound transit stop. This would reduce potential conflict points between pedestrians and public transit users with automobiles, a primary goal of the Complete Streets concept.
Policy A5.1: Adjust development regulations and review processes to require new development and redevelopment projects to provide a fine-grained, interconnected, multimodal transportation network with a balance of motor vehicle, pedestrian, bike, and transit amenities.	
Transportation Goal P5.5: Implement a Complete Streets Policy for the city to ensure that the right of way will provide safe access for all users.	
Policy A5.5: Publish a Complete Streets Manual that provides engineering and design guidelines for different street typologies to better accommodate a mix of modes, including cars, public transportation, cyclists, and pedestrians; apply the standards in the manual to projects whenever possible.	

Source: (City of West Covina, 2016d, pp. 138-139)

As detailed above, the proposed project would not conflict with any applicable policies of the city's General Plan addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, the project would have a less than significant impact in this regard.

City of West Covina Municipal Code § 26-751.1100

The Transportation Demand Management ordinance has a set of transportation management requirements for development projects in the city. The proposed project has a total building area of 82,000 square feet; therefore, § 26-751.1100(d)(2)(a & b) would be applicable with requirements that apply to (a) non-residential development of 25,000 square feet or more and (b) non-residential development of 50,000 square feet or more. Through the required compliance with the aforementioned Municipal Code Sections, the proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system. Impacts would be less than significant.

Project Trip Generation - Vehicle Miles Traveled (VMT)

A Vehicle Miles Traveled (VMT) Screening Analysis by RK Engineering Group, Inc. was completed on September 27, 2024 (RK Engineering, 2024) for the proposed project. This analysis is presented in **Appendix I**. The purpose of this analysis is to determine whether the proposed project will require a detailed VMT modeling analysis. The project operation is estimated to generate 300 fewer trips per day than currently achieved, as shown in **Table 4.17-2**.

Table 4.17-2
NET PROJECT TRIP GENERATION

Land Use	ITE Code	Qty.	Units	AM Peak Hour			PM Peak Hour			Daily
ITE Trip-Generation Rates										
Auto Sales (New)	840	-	TSF[1]	73%	27%	1.86	40%	60%	2.42	27.84
Conv. Store/Gas Station	945	-	VFP[2]	50%	50%	16.06	50%	50%	18.42	265.12
EV Charging Station[3]	-	-	Positions	53%	47%	1.70	49%	51%	1.89	33.43
Existing Trip Generation										
Auto Sales (New)	840	23.754	TSF	32	12	44	23	34	57	661
Conv. Store/Gas Station	945	10	VFP	80	81	161	92	92	184	2,651
Existing Trip Generation Subtotal (A)				**112**	**93**	**205**	**115**	**126**	**241**	**3,312**
Proposed Trip Generation										
Auto Sales (New)	840	85.390	TSF	116	43	159	83	124	207	2,377
EV Charging Station	-	19	Positions	17	15	32	18	18	36	635
Proposed Trip Generation Subtotal (B)				**133**	**58**	**191**	**101**	**142**	**234**	**3,012**
Net Trip Generation (A) – (B)				**21**	**-35**	**-14**	**-14**	**16**	**2**	**-300**

Source: RK Engineering, 2024, Table 1 (*Institute of Transportation Engineers (ITE) Trip Generation Manual (11th Edition, 2021)*

1. TSF = Thousand Square Feet
2. VFP = Vehicle Fueling Position
3. Trip rates based on surveys of the following three EV charging facilities on August 29–31, 2023: (1) Fountain Valley (9380 Warner Avenue), (2) Westminster (1025 Westminster Mall), and (3) Santa Monica (1425 Santa Monica Boulevard).

Note: The ITE Trip Generation Manual (11th Edition, 2021) provides the following pass-by reductions for ITE Land Use 945: 76% for the AM Peak Hour & 75% for the PM peak hour. A 25% daily pass-by reduction has been assumed.

The purpose of VMT Screening Analysis was to determine whether the proposed project will require a detailed VMT modeling analysis. The analysis utilized the City of West Covina Transportation Study Guidelines for Vehicle Miles Traveled and Level of Service Assessment, dated September 2020, which establishes uniform analysis methodologies and thresholds of significance for determining VMT impacts under the CEQA (RK Engineering, 2024).

As specified in the City's Guidelines, projects generating less than 110 daily trips are presumed to have a less than significant impact absent substantial evidence to the contrary. Comparing the existing/entitled and proposed land uses, the project is expected to generate 300 fewer daily trips. The VMT Screening Analysis concluded that the proposed project is screened out based on Step 3: Project Type Screening (i.e., the project will generate less than 110 net new daily vehicle trips). Therefore, no further VMT analysis is required, and the project would have a less than significant impact on VMT under CEQA (RK Engineering, 2024, p. 6). RK Engineering also concluded in their VMT analysis memo that since the project trips would be below the threshold, it is determined that the project does not have the potential to significantly affect roadway operations compared to existing land uses..

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)

Less than Significant Impact

CEQA Guidelines § 15064.3(b) pertains to the use of VMT as a method of determining the significance of transportation impacts. The VMT analysis presented above in **Section 4.17.a** satisfies the requirements under CEQA Guidelines § 15064.3(b). As described above, the project trip generation would be less than the existing land use trip generation. Therefore, the proposed project's impact on VMT would be less than significant.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than Significant Impact with Mitigation Incorporated

As detailed in the VMT and Site Access Report the project's circulation system, including driveways and parking areas, would be designed to meet city development standards and would allow adequate circulation throughout the project site (RK Engineering, 2024, p. 7). Vehicular access to the project would be provided by three driveways from East Garvey Avenue S and one driveway from Azusa Avenue. The report found that multiple driveways could potentially be affect driver's line of site. However, the report found that if the project implemented the corner sight distance recommendations detailed in the report, all potential corner sight impacts would be reduced to less than significant (RK Engineering, 2024, p. 10-11). Therefore, the project would implement **MM TRANS-1**, which would ensure that the project incorporate all corner sight distance recommendations that are listed in the report. Therefore, there would be a less than significant impact due to the geometric design features or incompatible uses with mitigation measures incorporated.

Mitigation Measure

TRANS-1: Corner Sight Distance Measures

Several of the project's driveway could have potentially significant corner sight impacts. However, the project would incorporate all the corner sight distance recommendations in the Vehicle Miles Traveled Screening Analysis and Site Access Assessment Report created for the proposed project by RK Engineering (**Appendix I**).

Level of Significance After Mitigation

With implementation of mitigation measure TRANS-1, the proposed project would have less than significant impacts regarding design features.

d) Would the project result in inadequate emergency access?

Less than Significant Impact with Mitigation Incorporated

Construction

Project construction could involve temporary closure of a segment of a lane on East Garvey Avenue S or an entire segment of the road. Any plans for construction activity on the right-of-way would require an encroachment permit from the City of West Covina. The City Public Works/Engineering Department would review any encroachment permit applications to ensure that such construction did not impede emergency response to the project site or nearby properties; and did not create traffic hazards. Compliance with any conditions set forth in an encroachment permit is a condition of the permit. The impacts would be less than significant after the City review and after the conformance of the project to the conditions set forth in any encroachment permit.

Operation

The project would comply with applicable city regulations, such as the requirement to comply with the City's fire code to provide adequate emergency access, as well as the California Building Standards Code. Before the issuance of building permits, the City of West Covina would review the project site plans, including the location of all buildings, fences, access driveways, and other features that can affect emergency access. The design of the site includes access and fire lanes that would accommodate emergency ingress and exit by fire trucks, police units, and ambulance/paramedic vehicles. As detailed above, the project would have deficit corner sight views at several driveways. However, with implementation of **MM TRANS-1**, there would be less than significant design features and site access. Therefore, with implementation of MM TRANS-1, the project would not result in inadequate emergency access and there would be less than significant impacts with mitigation incorporated.

Mitigation Measure

TRANS-1: See above**.**

Level of Significance After Mitigation

With implementation of mitigation measure **TRANS-1,** the proposed project would have less than significant impacts regarding emergency access.

4.18 Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code § 5020.1(k)?				**X**
b) Cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?		**X**		

Information from UltraSystems' Phase I Cultural Resources Inventory, dated June 10, 2024 for the proposed project (refer to **Appendix D**) is included in the analysis below.

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code § 5020.1(k)?

No Impact

No resources as defined by Public Resources Code § 21074 have been identified. Additionally, the project site has not been recommended for historic designation for prehistoric and tribal cultural resources (TCRs). No specific tribal resources have been identified by local tribes responding to inquiries for the Cultural Resources Inventory study. A records search by the Native American Heritage Commission's (NAHC) of their Sacred Lands File (SLF) did not find a traditional cultural site within the project area (see Section 4.2 and Attachment C in **Appendix D** of this IS/MND).

No prehistoric archaeological resources were observed during the archaeological field survey conducted March 3, 2024 by Stephen O'Neil, M.A., RPA as part of the cultural resources investigation (Section 4.3 in **Appendix D**). The results of the pedestrian assessment indicate that it is unlikely that prehistoric resources will be adversely affected by construction of the project; due to the extensive disturbance to the site by prior construction activities. The cultural resource records search at the South Central Coastal Information Center (SCCIC, the local California Historical Resources Information System [CHRIS] facility) did not identify any prehistoric resources either within the project site or the 0.5-mile buffer surrounding it. (Refer to Section 4.1 in **Appendix D**).

No tribal cultural resources onsite are listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code § 5020.1(k). Therefore, the project would have no impact in this regard.

b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?

Less than Significant Impact with Mitigation Incorporated

Assembly Bill 52 (AB 52) and Senate Bill 18 (SB 18) require meaningful consultation with California Native American Tribes on potential impacts on TCRs, as defined in Public Resources Code § 21074. TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources (CNRA, 2007).

As part of the AB 52 process, Native American tribes must submit a written request to the lead agency to be notified of projects within their traditionally and culturally affiliated area. The lead agency must provide written, formal notification to those tribes within 14 days of deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receiving this notification if they want to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the tribe's request. Consultation concludes when either (1) the parties agree to mitigation measures to avoid a significant effect on a tribal cultural resource, or (2) a party, acting in good faith and after reasonable effort, concludes mutual agreement cannot be reached.

Senate Bill (SB) 18 consultation is initiated with California Native American tribes under Government Code § 65352.3(a) when there will be either General Plan and/or Specific Plan amendments for a project. The consultation process is similar to that for AB 52 and may be conducted concurrently. The tribe must respond to the lead agency within 90 days of receiving notification if they want to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the tribe's request.

The City of West Covina (the lead agency) would initiated AB 52 and SB 18 consultation to local tribes for the Envision Motors Mercedes Benz Dealership project following submittal of the project to the City's Planning Division (personal communication, Jo-Anne Burns, Deputy Community Development Director, City of West Covina; via email to S. O'Neil, May 7, 2024). On May 22, 2024, the City received a request from the Gabrielino – Kizh Nation requesting AB 52 consultation (personal communication J. Burns, via email to S. O'Neil, May 22, 2024), but as the project had not been filed with City, at this point consultation was postponed.

Miriam Machado, Associate Planner with the City Planning Division sent letters on September 5, 2024 to the 13 contacts representing seven tribes on the NAHC list provided by UltraSystems informing them of the project and asking if they wished to participate in AB 52 and SB 18 consultation. The letters conveyed that the recipient has 30 days from the receipt of the letter to request AB 52 consultation regarding the project and 90-days for SB 18 consultation (M. Machado, personal communication to S. O'Neil; September 5, 2024). The letters were sent via certified mail to:

- Andrew Salas, Chairperson: Gabrieleno Band of Mission Indians - Kizh Nation,
- Christina Martinez, Secretary: Gabrieleno Band of Mission Indians - Kizh Nation,

- Anthony Morales, Chairperson: Gabrieleno/Tongva San Gabriel Band of Mission Indians,
- Sandonne Goad, Chairperson: Gabrieleno/Tongva,
- Robert Dorame, Chairperson: Gabrieleno Tongva Indians of California Tribal Council,
- Christina Conley, Cultural Resources Administrator: Gabrieleno Tongva Indians of California Tribal Council,
- Sam Dunlap, Cultural Resources Director: Gabrieleno-Tongva Tribe,
- Charles Alvarez, Chairperson: Gabrieleno-Tongva Tribe,
- Steven Estrada, Chairperson: Santa Rosa Band of Cahuilla Indians,
- Vanessa Minott, Tribal Administrator: Santa Rosa Band of Cahuilla Indians,
- Jessica Valdez, Cultural Resource Specialist: Soboba Band of Luiseño Indians,
- Isaiah Vivanco, Chairperson: Soboba Band of Luiseño Indians,
- Joseph Ontiveros, THPO: Soboba Band of Luiseño Indians.

There has been one response to the letters to date. The Administrative Specialist for the Gabrielino Band of Mission Indians – Kizh Nation replied by email on September 5, 2024, and followed up the following day September 6, 2024 requesting consultation (M. Machado, personal communication to S. O'Neil; September 10, 2024.) The Kizh Nation informed Ms. Machado that the project area is in an area with a high potential to impact Tribal Cultural resources due to being in the area of the traditional community of *Wininga* as well as sacred water ways and traditional trade routes. In place of a meeting the Kizh Nation sent Ms. Machado attachments providing information of the Tribe's history, traditional territory, maps and excerpts from published sources providing their history, cultural background and settlements. The Kizh Nation also submitted two recommended mitigation measures. These measures were adopted following approval by the applicant and Ms. Machado informed the tribe October 8, 2024 that they had been adopted (M. Machado, personal communication to S. O'Neil; October 7, 2024; October 8, 2024). On October 11 the Kizh Nation acknowledged that their mitigation measures had been adopted and at the tribe's request on October 14th Ms. Machado confirmed the use of their mitigation measures. With this consultation was concluded (M. Machado, personal communication to S. O'Neil; October 15, 2024).

The Native American Heritage Commission's SLF search was negative for recorded traditional sites in the project region. No resources as defined by Public Resources Code § 21074 have been identified (refer to Attachment C: "Native American Heritage Commission Records Search and Native American Contacts" in **Appendix D** to this IS/MND). Additionally, the project site has not been recommended for historic designation for prehistoric and TCRs. No specific tribal resources have been identified.

No prehistoric or archaeological resources were observed during the field survey. The SCCIC CHRIS records search was negative for prehistoric resources either in the project site or the surrounding 0.5-mile buffer zone.

Land at the project site has extensively disturbed due to road and freeway on-ramp construction surrounding the property and development of the car dealership itself. No human remains have been previously identified or recorded onsite. Therefore, the potential for subsurface prehistoric cultural deposits is considered to be low.

The project proposes demolition of several buildings and shallow grading. Grading activities associated with development of the project would involve new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. Implementation of mitigation measures **TCR-1** provides for tribal monitoring of subsurface construction work; in the event of an unexpected discovery implementation of **TCR-2**

provides for dealing with the findings by the tribe, and **TCR-3** deals with the unanticipated discovery of human remains and associated funerary objects. (**MM CR-3** in **Section 4.5 Cultural Resources** above also deals with human remains.) These three **TCR MM**s are recommended to ensure that impacts related to the accidental discovery of cultural resources and human remains would be less than significant.

Mitigation Measures

MM-TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

A. The project applicant/lead agency 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.

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

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

D. 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.

MM-TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)

A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will 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.

MM-TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects

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

Level of Significance After Mitigation

With implementation of mitigation measures **TCR-1** through **TCR-3**, the proposed project would have less than significant impacts regarding Tribal Cultural Resources.

Level of Significance After Mitigation

With implementation of **MM TCR-1,** potential project impacts on TCRs would be less than significant. With implementation of Mitigation Measures **MM TCR-2** and **MM TCR-3** above, the proposed project would result in less than significant impacts to human remains and associated funerary objects.

4.19 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of whi1ch could cause significant environmental effects?			**X**	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			**X**	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			**X**	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			**X**	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			**X**	

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact

Domestic Water - As detailed in Threshold 4.19 b) below, the project would have sufficient water supplies available to serve it for reasonably foreseeable future development during normal, dry, and multiple dry years. Additionally, no off-site improvements are proposed for the needed utilities. Therefore, impacts would be less than significant.

Wastewater Treatment and Conveyance - As detailed in Threshold 4.19 c) below, the current wastewater conveyance and treatment system servicing the project site would serve the proposed

project adequately. Therefore, impacts would be less than significant.

Storm Water – The project includes the demolition of the existing parking lot and buildings with the subsequent construction of a new automotive dealership building with onsite parking. The proposed utilities will connect to the existing utilities at the property line. Other enhancements include the installation of an underground basin to retain water, the addition of commercial landscaping, and the installation of the necessary utilities (CDR, 2024a, p. 2).

The project area will be regraded to manage stormwater on site. The excess water from the project will be released and directed into an underground basin for infiltration on the premises. If there is an overflow of the runoff, it will be discharged into the public catch basin located along Garvey Avenue. From there, it will be guided into the existing public storm drain system underneath Azusa Avenue (CDR, 2024a, p. 2).

The project site is situated in the Los Angeles River Watershed, which falls under the jurisdiction of the Los Angeles Regional Water Quality Control Board (LARWCB). The existing curb inlets that collect runoff and channel it towards E Garvey Avenue are owned by LACFCD. Eventually, the LACFCD storm drain system directs all runoff from the project site to the Walnut Creek Channel, which then ultimately discharges to the Pacific Ocean (CDR, 2024a, p. 5).

The City of West Covina has a Watershed Management-focused Stormwater Management Program Plan in accordance with Order R4-2012-0175, NPDES Permit No. CAS4001 (NPDES/MS4 Permit), Waste Discharge Requirements for Municipal Separate Storm Sewer System Discharges within the Coastal Watersheds of Los Angeles County. The West Covina has been a permittee to the Los Angeles County MS4 program since 1993. It has been a permittee designated under the 1990, 1996, and 2001 MS4 permits. The program regulates, through Order No. R4-2012-0175, the discharge of pollutants into the Waters of the U.S. through stormwater and urban runoff conveyance systems, including flood control facilities. (City of West Covina, 2014).

The NPDES/MS4 Permit requires that the Los Angeles County Flood Control District, the County of Los Angeles, and 84 other municipalities (including West Covina) within the County of Los Angeles comply with the prescribed elements of the MS4 Permit. Compliance with the MS4 Permit requires that new developments and significant redevelopment projects incorporate post-construction low impact development (LID) BMPs into the project design to minimize the amount of stormwater discharged from the project site (CDR, 2024a, p. 6).

According to the Los Angeles County Low Impact Development Standards Manual (LACPW, 2014), the project falls under 'Designated Project' because the project proposes more than 10,000 square feet of additional impervious surface area. Designated Projects are required to retain 100 percent of the stormwater quality design volume onsite through infiltration, evapotranspiration, stormwater runoff harvest, and use, or a combination thereof (LACPW, 2014, p 1-8).

As discussed in **Section 4.10**, a Low-Impact Development Plan (LID Plan; CDR, 2024b) has been prepared for the proposed project site and is included as **Appendix G2.** The use of LID BMPs in project planning and design is intended to preserve a site's predevelopment hydrology by minimizing the loss of natural hydrologic processes such as infiltration, evapotranspiration, and runoff detention. LID BMPs try to offset these losses by introducing structural and non-structural design components that restore this water quality functions into the project's land plan (LACPW, 2014, p. 1-5).With the implementation of construction and operational BMPs, the potential impacts on stormwater drainage would have a less than significant impact.

Electric Power - Southern California Edison (SCE) provides electric power for the project site (City of West Covina, 2016a). The project site is located in a developed area and the infrastructure for providing electric power to the area is well established. The proposed project would connect to existing electrical lines on the property. The project would be constructed in accordance with all applicable California Code of Regulations Title 24 provisions and would not require the construction or relocation of electric power facilities. Therefore, any impact would be less than significant.

Natural Gas: Southern California Gas Company (SoCalGas) supplies natural gas service to the City of West Covina (Rincon, 2016). In its 2022 California Gas Report, SoCalGas analyzed a 16-year demand period from 2022 to 2035, to determine its ability to meet the projected demand. Under the base case, gas demand for the entire state is projected to average 5,298 million cubic feet of gas per day (MMcf/d) in 2022, decreasing to 4,857 MMcf/d by 2035, a decline of 0.67 percent per year (CGEU, 2022, p. 7). Therefore, the expected natural gas supply is adequate to meet demand in the SoCalGas region, and the proposed project is not expected to impact this determination. Thus, no natural gas facilities would have to be constructed or relocated and would have a less than significant impact.

Telecommunications Facilities: Telecommunication services, including internet, telephone, and television, on and near the project site are provided by AT&T, Spectrum, and Frontier Communications (InMyArea, 2024). The development of the project would not interfere with the operation of telecommunications facilities and would have a less than significant impact.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant

Multiple water agencies provide water service in the City. Most areas, including the project site, are served by Suburban Water Systems (Suburban), an investor-owned water utility under the Southwest Water Company (SWC). Groundwater accounts for around 80 percent of Suburban's water supply, with additional sources including imported surface water, local surface water supplies, and recycled water (Rincon, 2016, p. 265). Suburban Water Systems serves a population of about 300,000 through a water distribution system that includes 20 wells, 34 reservoirs, and more than 870 miles of pipeline with a network of facilities and pumps that distributes approximately 45,000 acre-feet of water annually (SWC, 2024).

The Suburban service area is currently divided into two main service areas: the San Jose Hills service area and the Whittier/La Mirada service area. The project is located within the San Jose Hills service area (Suburban, 2021, p. 1-8). The San Jose Hills service area encompasses approximately 24.17 square miles (15,470 acres) and is the successor of the former San Jose Hills Water Company. The service area is located primarily along the south and east sides of the San Gabriel Valley, from just north of the San Bernardino Freeway (I-10) to south of the Pomona Freeway (I-60). The Service Area has a total of approximately 42,700 service connections within the cities of Glendora, Covina, West Covina, La Puente, and Walnut, as well as unincorporated areas of Los Angeles County (Suburban, 2021, p. 1-8).

Groundwater - The City of West Covina receives groundwater from Suburban and other agencies from the Main San Gabriel Groundwater Basin and Central Basin (Rincon, 2016, p. 265). The main San Gabriel Basin measures 167 square miles and contains an estimated 8.6 million acre-feet of water. The Central Basin spans 278 square miles and has a capacity to store 13 million acre-feet of

water (Suburban, 2021, p. 3-10)

Surface Water - West Covina receives its local surface water supply from the San Gabriel River, which originates in the San Gabriel Mountains north of the city. This water is diverted by Azusa Light and Water and the Covina Irrigation District. The Covina Irrigation District sells water to the City of Covina, Suburban Water Systems, Valencia Heights Water Company, and the Valley County Water District (Rincon, 2016, p. 265).

Imported Water - Water agencies in West Covina receive their imported water from the Metropolitan Water District of Southern California (MWD). MWD moves water from the Colorado River through the Colorado River Aqueduct and from the State Water Project through the California Aqueduct. Before supplying the city, imported water is treated at MWD's Weymouth Treatment Plant. Rather than buying directly from MWD, Suburban Water Systems purchases its imported water from local agencies such as the Upper San Gabriel Valley Municipal Water District, Covina Irrigation Company, City of Glendora, and Walnut Valley Water District Walnut Creek (Suburban, 2021, p. 2-2).

Projected supplies during single and multiple dry-year scenarios indicate that MWD's projected supply will exceed its projected single and multiple dry-year demand in all years. Likewise, for normal years, MWD supply exceeds the projected demand for all years (Suburban, 2021, p. 5-1).

As shown in **Table 4.19-1**, it is estimated that the project would have a daily water demand of approximately 2,599 gallons per day (gpd) or an annual demand of 2.9 acre-feet based on the projection that customers within Suburban's service area generate wastewater based on 80 percent of potable water demand (Suburban, 2021, p. 6-1). The Retail Area (less than 100,000 SF) of the Sewage Generation Factors Chart from the Los Angeles Bureau of Sanitation was used as the closest option to the proposed automotive dealership.

Table 4.19-1
ESTIMATE PROJECT WATER DEMAND

Land Use	Quantity (sq. ft.)	Wastewater Generation Rate (gpd/1,000 sf)	Daily Demand (gpd)	Annual Demand (afy)
Retail Area (<100,000 sf)	86,642	25	2,599	2.9

Note: sf. ft. = square feet; gpd = gallons per day; afy=acre-feet per year
Note: Daily Demand = ((86,642\1,000)*25)*1.2 (120 percent) = 2,599.26
Sources: Los Angeles Bureau of Sanitation, Sewage Generation Factors, April 2012 (City of Los Angeles, 2021); Suburban Water Systems 2020 Urban Water Management Plan, June 2021 (Suburban, 2021).

The San Jose Hills Service Area is projected to have an average excess of 11,242 acre-feet per year (afy) between 2025 and 2045 as shown in **Table 4.19-2. Tables 4.19-3** through **4.19-5** summarize the supply and demand comparisons during the normal, single-dry, and multiple-dry year scenarios for San Jose Hills Service Area.

Table 4.19-2
SUPPLY & DEMAND PREDICTIONS FOR THE SAN JOSE HILLS SERVICE AREA BY SOURCE (afy)

Supply Source	2025	2030	2035	2040	2045
Potable Water, Raw, Other Non-potable	24,089	24,328	24,570	24,815	25,062
Recycled Water Demand	700	700	700	700	700
Total Water Demand	**24,789**	**25,028**	**25,270**	**25,515**	**25,762**

Groundwater	16,715	16,715	16,715	16,715	16,715
Recycled Water Demand	700	700	700	700	700
Imported Water	18,200	18,200	18,200	18,200	18,200
Total Water Supply	**35,615**	**35,615**	**35,615**	**35,615**	**35,615**
Difference	**10,826**	**10,587**	**10,345**	**10,100**	**9,853**
Potential Impact	**0.02%**	**0.02%**	**0.02%**	**0.02%**	**0.02%**

Source: Suburban, 2021, p. 2-24 and p. 3-31

Table 4.19-3
SAN JOSE HILLS SERVICE AREA NORMAL YEAR SUPPLY & DEMAND COMPARISON (afy)

	2025	2030	2035	2040	2045
Supply totals	35,615	35,615	35,615	35,615	35,615
Demand totals	24,789	25,028	25,270	25,515	25,762
Difference	**10,826**	**10,587**	**10,345**	**10,100**	**9,853**
Potential Impact	**0.02%**	**0.02%**	**0.02%**	**0.02%**	**0.02%**

Source: Suburban, 2021, p. 5-2

Table 4.19-4
SAN JOSE HILLS SERVICE AREA SINGLE DRY YEAR SUPPLY & DEMAND COMPARISON (afy)

	2025	2030	2035	2040	2045
Supply totals	29,579	29,579	29,579	29,579	29,579
Demand Totals	25,535	25,782	26,032	26,285	26,538
Difference	**4,044**	**3,797**	**3,547**	**3,294**	**3,041**
Potential Impact	**0.06 percent**	**0.06 percent**	**0.07 percent**	**0.07 percent**	**0.08 percent**

Source: Suburban, 2021, p. 5-2

Table 4.19-5
SAN JOSE HILLS SERVICE AREA MULTIPLE DRY YEAR SUPPLY & DEMAND COMPARISON (afy)

	2025	2030	2035	2040	2045
First Year					
Supply totals	33,945	33,945	33,945	33,945	33,945
Demand totals	24,374	24,610	24,848	25,088	25,331
Difference	9,571	9,335	9,097	8,857	8,614
Potential Impact	**0.03%**	**0.03%**	**0.03%**	**0.03%**	**0.03%**
Second Year					
Supply totals	32,893	32,893	32,893	32,893	32,893
Demand totals	24,374	24,610	24,848	25,088	25,331
Difference	8,519	8,283	8,045	7,805	7,562
Potential Impact	**0.03%**	**0.03%**	**0.03%**	**0.03%**	**0.03%**
Third Year					
Supply totals	32,481	32,481	32,481	32,481	32,481
Demand totals	24,374	24,610	24,848	25,088	25,331
Difference	8,107	7,871	7,633	7,393	7,150
Potential Impact	**0.03%**	**0.03%**	**0.03%**	**0.03%**	**0.03%**
Fourth Year					
Supply totals	29,579	29,579	29,579	29,579	29,579
Demand totals	24,374	24,610	24,848	25,088	25,331
Difference	5,205	4,969	4,731	4,491	4,248
Potential Impact	**0.05%**	**0.05%**	**0.05%**	**0.05%**	**0.06%**

	2025	2030	2035	2040	2045
Fifth Year					
Supply totals	36,662	36,662	36,662	36,662	36,662
Demand totals	24,374	24,610	24,848	25,088	25,331
Difference	12,288	12,052	11,814	11,574	11,331
Potential Impact	**0.02%**	**0.02%**	**0.02%**	**0.02%**	**0.02%**

Source: Suburban, 2021, p. 5-3.

The project would require approximately 0.02 percent of the average water distributed by the water sources of the San Jose Hills service area through 2045. The impact of the project on excess water supply in normal, single, and multiple dry years would have projected demand of from a low of 0.02 percent during normal years to a high of 0.08 percent for a single dry year in 2045.

The project would not require or result in the construction of new water treatment facilities or the expansion of existing facilities and would have sufficient water supply available for the reasonably foreseeable future during normal, dry and multiple dry years. Furthermore, the project applicant would be obliged to implement the applicable requirements of the 2022 California Green Building Standards Code (CALGreen) that would further reduce water demand. The impact on water supply would be less than significant.

c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less than Significant Impact

The City of West Covina Public Works Department operates and maintains sewers within the City of West Covina, including the project site (City of West Covina, 2017, p. 15). The wastewater from the project site is transferred through the municipal wastewater infrastructure maintained by the Los Angeles Bureau of Sanitation to the San Jose Creek Water Reclamation Plant (WRP), a public facility subject to the requirements of the Los Angeles Regional Water Quality Control Board (RWQCB). The San Jose Creek Water Reclamation Plant consists of two hydrologically interconnected facilities located on the east and west side of the San Gabriel River (I-605) highway. Currently, it provides primary, secondary, and tertiary treatment with a design capacity of 100 million gallons of wastewater per day (MGD).

The City of West Covina sewers receive and transport approximately 14.1 MGD of wastewater. This waste flows to the regional trunk sewer and wastewater treatment plant. The City service area covers 17 square miles, and its wastewater collection system consists of 227 miles of community sewer facilities, with 31 miles of regional trunk sewer (owned and operated by Los Angeles County) also located within the city area (City of West Covina, 2017).

Los Coyotes Water Reclamation Plant has a capacity of 37.5 MGD; Average effluent flows in 2021 were 17.52 mgd (LACSD, 2022a, p. 1-1), for a residual capacity of approximately 19.98 MGD. Auto sales are estimated to generate 100 gallons per day (gpd) of wastewater per 1,000 square feet (LACSD, 2022b). The proposed project would develop an automotive dealership of approximately 86,642 square feet. The project operation is estimated to generate 8,664 gpd of wastewater. In the region, there is sufficient wastewater treatment capacity for project-generated wastewater, and project development would not require the construction of new or expanded wastewater treatment facilities. Impacts would be less than significant.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact

The City of West Covina is contracted with Athens Services to provide trash, recycling, and special pickup services throughout the City. Details regarding waste haulers, transfer stations, and landfills are provided below (Rincon, 2016, p. 271).

Waste Haulers - Athens Services offers waste management and recycling services to households, as well as commercial, governmental, and industrial establishments located in West Covina. Athens Services has entered into an agreement with the City for the provision of these services.

Transfer Stations - Transfer stations are facilities that move waste from small vehicles to larger transfer trailers or railway cars, which are then used to transport the waste to a remote landfill. A Materials Recovery Facility (MRF) serves as both a transfer station for waste and a location for sorting and categorizing mixed materials, such as glass, plastic, cardboard, and more. Once these materials are separated, they are sent to recycling firms for further processing.

In contrast, a "dirty" MRF specializes in sorting and retrieving recyclables from the waste stream. Following collection, the waste is transported to the Athens Services MRF situated in the City of Industry. This particular MRF boasts a processing capability of 5,000 tons of mixed materials per day (Rincon, 2016, p. 271).

Landfills. The remaining waste, which is not recycled, is routed to a remote landfill. After the waste is sorted at the Athens MRF, the material that cannot be recycled is sent to the Victorville Sanitary Landfill. **Table 4.19-6** summarizes the permitted daily throughput, estimated average waste quantities disposed, and remaining capacity for the Victorville Landfill.

Table 4.19-6
LANDFILLS SERVING WEST COVINA

Landfill	Remaining Capacity (cubic yards)	Daily Permitted Disposal Capacity (tons)	Actual Daily Disposal, (tons)[1]	Residual Daily Disposal Capacity (tons)	Estimated Closing Date
Victorville Landfill	79,400,000	3,000	1,294	1706	10/1/2047

1. Daily disposal calculated based on annual disposal tonnage assuming 300 operating days per year: 6 days/week less holidays.

Sources: CalRecycle. 2024a/b.

Construction - Construction of the project would generate solid waste that would be disposed of in local landfills. Materials generated during the construction of the project would include paper, cardboard, metal, plastics, glass, concrete, lumber scrap, and other materials. Section 4.408 of the 2022 California Green Building Standards Code (CALGreen; California Code of Regulations, Title 24, Part 11) requires that at least 65 percent of non-hazardous construction and demolition waste from residential construction operations be recycled and/or salvaged for reuse. Project construction would include recycling and/or salvaging at least 65 percent of construction and demolition waste according to the 2022 CALGreen.

Operation

The CalRecycle Solid Waste Generation Rates estimate an auto dealer has a generation rate of 0.9 pounds per 100 square feet per day (CalRecycle, 2024c). The project proposes a 85,390 square foot building area. The proposed auto dealer would generate an estimated 768.51 pounds of solid waste per day as shown in **Table 4.19-7.** The estimated project operational solid waste disposal of 140.25 tons per year is approximately 0.08 percent of the remaining annual disposal capacity at Victorville Landfill. Sufficient landfill capacity is available in the region for estimated project solid waste generation, and the impact of the project on solid waste disposal capacity would be less than significant.

Table 4.19-7
ESTIMATED PROJECT-GENERATED SOLID WASTE

Land Use	Generation Rate*	Approximate Waste	Approximate Waste
Auto Dealer / Service Station	0.9 lbs. / 100 sq. ft. / day	768.51 lbs./day	140.25 tons/yr.

*CalRecycle, 2024c

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact

State - In 1989, the California Legislature enacted the California Integrated Waste Management Act (AB 939), to address solid waste problems and capacity comprehensively. The law required each city and county to divert 50 percent of its waste from landfills by the year 2000.

Assembly Bill 1826 (AB 1826; California Public Resources Code § 42649.8 et seq.) requires the recycling of organic matter by businesses and multifamily residences of five or more units, generating such waste in amounts over certain thresholds. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste.

Senate Bill 1383 (SB 1383; California Health and Safety Code § 39730.5 et seq.) set targets to achieve a 50 percent reduction in the level of statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law is intended to reduce the emissions of methane, a short-lived climate pollutant, from the decomposition of organic waste in landfills, for the protection of people in at-risk communities as well as to reduce GHG emissions.

Section 5.408 (Construction Waste Reduction, Disposal, and Recycling) of the 2022 California Green Building Standards Code (CALGreen; Title 24, California Code of Regulations, Part 11) requires that at least 65 percent of the nonhazardous construction and demolition waste from nonresidential construction operations be recycled and/or salvaged for reuse.

Assembly Bill 341 (AB 341; Chapter 476, Statutes of 2011) increases the statewide waste diversion goal to 75 percent by 2020 and mandates recycling for commercial and multifamily residential land uses. The project would include storage areas for recyclable materials according to AB 341.

Local - Los Angeles Countywide Integrated Waste Management Plan. The Los Angeles Countywide Integrated Waste Management Plan (CIWMP), adopted by the Los Angeles County Board of Supervisors in January 1998 and approved by CalRecycle in June 1999, outlines a means of addressing the County's long-term refuse disposal needs in compliance with AB 939. The CIWMP is composed of the Los Angeles Countywide Summary Plan, the Source Reduction and Recycling Element (SRRE) for the County, the Nondisposal Facility Element (NDFE) for the County, the Household Hazardous Waste Element (HHWE) for the County, and the Los Angeles Countywide Siting Element. (Rincon, 2016, pp. 276-277).

The proposed project would comply with applicable local, state, and federal solid waste disposal standards; therefore, the impacts would be less than significant.

4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				**X**
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				**X**
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				**X**
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				**X**

a) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact

As shown in **Figure 4.9-3** in **Section 4.9** of this Initial Study, the project site is not located in or near an State Responsibility Area (SRA), i.e., where the State is responsible for the costs of wildfire prevention and suppression. The nearest SRA is approximately 2.4 miles southeast of the project site. The project site is also not located in or near a Very High Fire Hazard Severity Zone (VHFHSZ) within a Local Responsibility Area (LRA), that is, where cities or counties are responsible for the costs of wildfire prevention and suppression. As shown in **Figure 4.9-4**, the nearest VHFHSZ in an LRA to the project site is about 1.6 miles southeast of the project site. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan concerning fire hazard severity zones and no impact would occur.

b) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact

The project site is not located in or near a VHFHSZ. The project site is not located on or near a slope that could exacerbate the risks of wildfires. The Santa Ana winds can cause extreme winds in the San Gabriel Valley and the western portions of Los Angeles County. These winds can occur at any time of the year, but are most known for bringing hot, dry weather and low humidity, typically between October and March (NWS, 2024). Being situated roughly the middle of the San Gabriel Valley, West Covina would be no more susceptible to the Santa Ana winds than most of the San Gabriel Valley. Therefore, the project would not expose the project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire and would have no impact in this regard.

c) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact

The project site is not located in or near an SRA, nor is the project site in or near a VHFHSZ. The project would not require the installation or maintenance of infrastructure that can improve fire risk. Therefore, the proposed project would have no impact in this regard.

d) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact

As discussed above, the project site is not located in or near an SRA or land classified as VHFHSZ The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. As detailed in **Section 4.7** of this Initial Study, the project site is relatively flat, is not in an area with high slopes or unstable ground conditions and is not within a landslide hazard zone (refer to **Figure 4.7-3)**. Therefore, the project would have no impact in this regard.

4.21 Mandatory Findings of Significance

Would the project have:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		**X**		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			**X**	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		**X**		

a) Would the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact with Mitigation Incorporated

Section 4.4 of this Initial Study discusses Biological Resources. As noted, the project site is currently built-out with a car dealership and a gas station and is located in completely developed urban surroundings. On the site, minor amounts of ornamental landscaping are present, in addition to street trees along the perimeter of the site along Azusa Avenue and East Garey Avenue. There is no natural habitat suitable for special-status species and there are no sensitive natural communities on site. The trees on site could provide foraging, nesting, and cover habitats to support multiple species of birds. Most bird species occurring in California are protected by the federal Migratory Bird Treaty Act

(MBTA) and by California Fish and Game Code § 3503, § 3503.5, and § 3513. Mitigation measure **BIO-1** would reduce potential project impacts on wildlife to a less than significant level.

As examined in **Section 4.5**, Cultural Resources, it was determined that no historical cultural resources or prehistoric archeological sites have been previously recorded within the project site boundary. The findings of the cultural resources study suggest that there is a low potential for the presence of prehistoric cultural resources. The project site is disturbed by several decades of urban development. However, if prehistoric and/or historic items are observed during subsurface activity or during the unlikely discovery of human remains, mitigation measures **CUL-1** and **CUL-2** are recommended.

As detailed in **Section 4.18**, Tribal Cultural Resources, activities associated with the development of the project would involve new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. In the unlikely event of an unexpected discovery, the implementation of mitigation measures **TCR-1** and, **TCR-2** dealing tribal monitoring and the unanticipated discovery of TCRs, and **TCR-3** dealing with human remains and associated funerary objects is recommended.

As per **Section 4.7**, Geology and Soils, excavation or grading associated with the proposed project that goes beyond the surface soil layers and deeper into late Pleistocene sediments in the project area can uncover vertebrate fossil remains. The impacts resulting from the unexpected discovery of paleontological resources that may be related to major periods of California history or prehistory would be less than significant with the implementation of the mitigation measure **GEO-1.**

The implementation of mitigation measures **BIO-1, CUL-1, CUL-2, TCR-1, TCR-2, TCR-3** and **GEO-1** would reduce the potential impacts on plants, animals, and important examples of the major periods of California history or prehistory to a less than significant level.

b) Would the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less than Significant Impact

The proposed project would be consistent with regional plans and programs that address environmental factors such as air quality, water quality, and other applicable regulations that have been adopted by public agencies with jurisdiction over the project for avoiding or mitigating environmental effects. In **Sections 4.1** through **4.20**, all impacts are less than significant with mitigation incorporated. Therefore, without significant impacts, the proposed project would not be cumulatively significant and would have a less than significant impact.

c) Would the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact with Mitigation Incorporated

Archaeological resources may be buried in site soils and could be damaged by project ground-disturbing activities. This impact would be significant without mitigation. Implementing the mitigation measure **CUL-1** would reduce this impact to less than significant. Impacts on human remains that can be buried in the soils of the site were determined to be significant without

mitigation. Implementing the mitigation measure **CUL-2** would reduce this impact to less than significant.

As mentioned above, excavation or grading that penetrates into late Pleistocene sediments within the project area may come across vertebrate fossil remains, potentially resulting in unexpected paleontological resource findings which could cause substantial adverse effects on human beings. The impacts related to the unanticipated discovery of paleontological resources would be less than significant after the implementation of the mitigation measure **GEO-1**.

Tribal cultural resources could be buried in site soils. The grading of the project site and the construction of the project could damage such resources. Implementing mitigation measures **TCR-1, TCR-2** and **TCR-3** would reduce these impacts to less than significant.

The implementation of mitigation measures **CUL-1, CUL-2, TCR-1, TCR-2, TCR-3,** and **GEO-1** would reduce the environmental effects which could potentially cause adverse effects on human beings to a less than significant level.

5.0 REFERENCES

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7.0 MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR). The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those mitigation measures (MM) that are within the responsibility of the City and/or Applicant to implement.

The following table lists the impacts and mitigation measures adopted by the City of West Covina in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.

Table 7.0-1
MITIGATION MONITORING AND REPORTING PROGRAM

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resources				
Threshold 4.4 a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	**BIO-1: Pre-Construction Breeding Bird Survey** To be in compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels. • Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project	• Project Applicant • Qualified Biologist	• Field Verification	1. City of West Covina 2. City of West Covina 3. Before Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	site during the breeding season and during construction activities. • If project activities cannot be avoided during February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance. • If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required. • If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not			

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone. • If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency. • Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.			
Threshold 4.4 d) Would the project interfere substantially with the movement of any native resident or	Refer to Threshold 4.4 a) **MM BIO-1** above.	• Refer to above	• Refer to above	• Refer to above

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
4.5 Cultural Resources				
Threshold 4.5 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.	**MM CUL-1** l resources are discovered during construction activities, the contractor will halt construction activities in a 50-foot diameter and notify the City of West Covina. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology who will be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist will recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the South Central Coastal Information Center. Construction activities may continue on other parts of the project site while evaluation and treatment of prehistoric archaeological resources takes place	• Project Contractor • Qualified Archaeologist	• Field Verification	1. City of West Covina 2. City of West Covina 3. During construction activities
Threshold 4.5 c):	**MM CUL-2**	• Project Contractor	• Field Verification	1. City of West Covina

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Disturb any human remains, including those interred outside of formal cemeteries.	ns are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the Los Angeles County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).	• Qualified Archaeologist • Los Angeles County Coroner		2. City of West Covina 3. During project construction activities
4.7 Geology and Soils				
Threshold 4.7 f): Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**MM GEO-1** ance of the grading permit, the applicant shall provide a letter to the City of West Covina Planning Division, or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist onsite for the review and approval by the City. The PRIMP shall require that the paleontologist	• Project Applicant • Qualified Paleontologist • Construction Contractor	• Monitoring • Assessment • Recovery • Curation	1. City of West Covina 2. City of West Covina 3. Prior to the issuance of the grading permit

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	perform paleontological monitoring of any ground disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontologist may reevaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations have been completed. In the event paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be done at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.			
4.9 Hazards and Hazardous Materials				

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.9 a): Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	**MM HAZ-1** During project site grading on the Valero gas station site the project proponent shall periodically have soil samples tested for TPH-g, TH-d, MTBE, and TBA. Upon finding samples with concentrations of any of the contaminants at concentrations over environmental screening levels (ESLs) for commercial use, the project proponent shall: halt grading operations; shall retain a qualified environmental assessor to conduct soil sampling and testing to determine the extent of soil contaminated with concentrations over ESLs; and shall then retain an environmental remediation company to remediate and/or remove the contaminated soil.	• Project Applicant • Qualified Environmental Assessor	• Field Verification	1. City of West Covina 2. City of West Covina 3. During Construction
7.17 Transportation				
Threshold 4.9 c): Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	**TRANS-1: Corner Sight Distance Measures** Several of the project's driveway could have potentially significant corner sight impacts. However, the project would incorporate all the corner sight distance recommendations in the Vehicle Miles Traveled Screening Analysis and Site Access Assessment Report created for the proposed project by RK Engineering (**Appendix I**).	• Project Applicant	• Field Verification	1. City of West Covina 2. City of West Covina 4. Before and during Construction
Threshold 4.9 d):	Refer to Threshold 4.9 c) **MM TRANS-1** above.	• Refer to above	• Refer to above	3. Refer to above

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Would the project result in inadequate emergency access?				
4.18 Tribal Cultural Resources				
Threshold 4.18 b): Cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?	**MM-TCR-1** Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities A. The project applicant/lead agency 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. B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. C. The monitor will complete daily monitoring logs that	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. D. 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.			
	MM-TCR-2	• Project Contractor	• Field Verification	1. City of West Covina

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial) A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will 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.	• Qualified Archaeologist • Los Angeles County Coroner		2. City of West Covina 3. During project construction activities
	MM-TCR-3 Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects A. Native American human remains are defined in PRC 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. B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	Health and Safety Code Section 7050.5 shall be followed. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.			

EXHIBIT B

RESPONSES TO COMMENTS, ERRATA, AND MITIGATION MONITORING AND REPORTING PROGRAM

RESPONSES TO COMMENTS

Envision Motors
Mercedes Benz Dealership Project
Initial Study and Mitigated Negative Declaration (IS/MND)

CEQA Analysis Prepared for:

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ATTACHMENTS

Attachment A Notice of Intent to Adopt a Mitigated Negative Declaration (NOI)
Attachment B Tribal Consultation Letters
Attachment C Los Angeles County Sanitation Districts Comment Letter
Attachment D Caltrans Comment Letter

1.0 INTRODUCTION

This Responses to Comments (RTC) document, in conjunction with the Draft Initial Study/Mitigated Negative Declaration (IS/MND) responds to comments on the proposed Envision Motor Mercedes Benz Dealership Project (proposed project). While the State of California Environmental Quality Act (CEQA) Guidelines do not require a final initial study or the preparation of formal responses to comments received during the public review period for an Initial Study/Mitigated Negative Declaration,[1] the City of West Covina is making available responses to the comments it received during the public review process, to provide further disclosure about the proposed project.

1.1 Background of Environmental Review Process for the Project

The IS/MND, along with a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI, see **Attachment A**), was released for public and agency review on October 28, 2024, with a 20-day review period ending on November 18, 2024.

1.2 Tribal Consultation

The City of West Covina (lead agency) initiated AB 52 outreach to local tribes for the proposed project. The City of West Covina prepared and prepared and sent letters via email on September 5, 2024, from Miriam Machado, Associate Planner with the City Planning Division to the 13 tribes listed below for AB 52 contact, informing them of the project. The letters conveyed that the recipient has 30 days from the receipt of the letter to request AB 52 consultation regarding the project. All AB 52 letters are found in **Attachment B**.

- Andrew Salas, Chairperson: Gabrieleño Band of Mission Indians - Kizh Nation,
- Christina Martinez, Secretary: Gabrieleño Band of Mission Indians - Kizh Nation,
- Anthony Morales, Chairperson: Gabrieleno/Tongva San Gabriel Band of Mission Indians,
- Sandonne Goad, Chairperson: Gabrielino/Tongva,
- Robert Dorame, Chairperson: Gabrielino Tongva Indians of California Tribal Council,
- Christina Conley, Cultural Resources Administrator: Gabrielino Tongva Indians of California Tribal Council,
- Sam Dunlap, Cultural Resources Director: Gabrielino-Tongva Tribe,
- Charles Alvarez, Chairperson: Gabrielino-Tongva Tribe,
- Steven Estrada, Chairperson: Santa Rosa Band of Cahuilla Indians,
- Vanessa Minott, Tribal Administrator: Santa Rosa Band of Cahuilla Indians,
- Jessica Valdez, Cultural Resource Specialist: Soboba Band of Luiseño Indians,
- Isaiah Vivanco, Chairperson: Soboba Band of Luiseño Indians,
- Joseph Ontiveros, THPO: Soboba Band of Luiseño Indians.

There has been one response to the letters to date. The Administrative Specialist for the Gabrieleño Band of Mission Indians – Kizh Nation replied by email on September 5, 2024, and followed up the following day September 6, 2024, requesting consultation (M. Machado, personal communication to S. O'Neil; September 10, 2024.) The Kizh Nation informed Ms. Machado that the project area is in an area with a high potential to impact Tribal Cultural resources due to being in the area of the

1 CEQA only requires the lead agency to respond to comments that are received in response to an environmental impact report (Title 14, California Code of Regulations, § 15088, Evaluation of and Response to Comments).

traditional community of *Wininga* as well as sacred water ways and traditional trade routes. In place of a meeting the Kizh Nation sent Ms. Machado attachments providing information of the Tribe's history, traditional territory, maps and excerpts from published sources providing their history, cultural background and settlements. The Kizh Nation also submitted two recommended mitigation measures. These measures were adopted following approval by the applicant and Ms. Machado informed the tribe October 8, 2024, that they had been adopted (M. Machado, personal communication to S. O'Neil; October 7, 2024; October 8, 2024). On October 11, the Kizh Nation acknowledged that their mitigation measures had been adopted and at the tribe's request on October 14th Ms. Machado confirmed the use of their mitigation measures. With this consultation was concluded (M. Machado, personal communication to S. O'Neil; October 15, 2024).

The Native American Heritage Commission's SLF search was negative for recorded traditional sites in the project region. No resources as defined by Public Resources Code § 21074 have been identified. Additionally, the project site has not been recommended for historic designation for prehistoric and TCRs. No specific tribal resources have been identified.

No prehistoric or archaeological resources were observed during the field survey. The SCCIC CHRIS records search was negative for prehistoric resources either in the project site or the surrounding 0.5-mile buffer zone.

Land at the project site has been extensively disturbed due to road and freeway on-ramp construction surrounding the property and development of the car dealership itself. No human remains have been previously identified or recorded onsite. Therefore, the potential for subsurface prehistoric cultural deposits is considered to be low.

The project proposes demolition of several buildings and shallow grading. Grading activities associated with development of the project would involve new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. Implementation of mitigation measure **TCR-1** provides for tribal monitoring of subsurface construction work; in the event of an unexpected discovery implementation of **TCR-2** provides for dealing with the findings by the tribe; and **TCR-3** deals with the unanticipated discovery of human remains and associated funerary objects. These three TCR MMs are recommended to ensure that impacts related to the accidental discovery of cultural resources and human remains would be less than significant.

1.3 Responses to Comments

This document provides a response to comments received on the IS/MND. **One** comment letter was received during the public review period. This letter is in **Section 2.0**, Public Comment Letters.

1.4 Intended Uses of this IS/MND

The IS/MND will be used by City of West Covina in considering approval of the proposed project. In accordance with CEQA Guidelines § 15074, the IS/MND will be used as the primary environmental document in consideration of all subsequent planning and permitting actions associated with the proposed project, to the extent such actions require CEQA compliance and as otherwise permitted under applicable law.

15074. CONSIDERATION AND ADOPTION OF A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

(a) Any advisory body of a public agency making a recommendation to the decision-making body shall consider the proposed negative declaration or mitigated negative declaration before making its recommendation.

(b) Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

(c) When adopting a negative declaration or mitigated negative declaration, the lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(d) When adopting a mitigated negative declaration, the lead 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 mitigate or avoid significant environmental effects.

(e) A lead agency shall not adopt a negative declaration or mitigated negative declaration for a project within the boundaries of a comprehensive airport land use plan or, if a comprehensive airport land use plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, without first considering whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.

(f) When a non-elected official or decision-making body of a local lead agency adopts a negative declaration or mitigated negative declaration, that adoption may be appealed to the agency's elected decision-making body, if one exists. For example, adoption of a negative declaration for a project by the County's planning commission may be appealed to the City Council. A local lead agency may establish procedures governing such appeals.

Upon review and consideration of the IS/MND, the City Council may take action to adopt, revise, or reject the proposed project. A decision to approve the proposed project would be made in a resolution recommending certification of the IS/MND as part of the consideration of the proposed project. The City of West Covina has prepared this IS/MND and has determined that the environmental impacts of the proposed project have been reduced to a less than significant level through mitigation measures.

2.0 PUBLIC COMMENT LETTERS

The following agencies and entitles submitted written comments on the IS/MND, during the public review period. The comment letters are provided in **Attachment C** of this document.

Letter	Agency, Organization, or Individual	Date
A	**Los Angeles County Sanitation Districts (Districts)**	**November 13, 2024**
Comment A-1:	**The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' 24-inch diameter Cameron Trunk Sewer, Section 1, 2 & 3, located in South Azusa Avenue at East Walnut Creek Parkway. This trunk sewer has a capacity of 1.8 million gallons per day (mgd) and conveyed a peak flow of 0.2 mgd when last measured in 2015.**	
Response A-1:	This comment is noted.	
Comment A-2:	**The expected average wastewater flow from the project, described in the Initial Study as 70,758 square foot (sf) auto sales, 13,489 sf office building and 2,395 sf service shop, is 10,013 gallons per day. A copy of the District's average wastewater generation factors is available on our website at Table 1, Loadings for Each Class of Land Use.**	
Response A-2:	This comment is noted.	
Comment A-3:	**The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average recycled flow of 60.1 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the A.K. Warren Water Resource Facility (formerly known as the Joint Water Pollution Control Plant) in the City of Carson, which has a capacity of 400 mgd and currently processes an average flow of 248.3 mgd.**	
Response A-3:	This comment is noted.	
Comment A-4:	**The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by the Districts for its capital facilities. Payment of a connection fee may be required before this project is permitted to discharge to the Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, under Services, then Wastewater (Sewage) and select Rates & Fees. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g., Condominium, Single Family Home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, please contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727.**	

Letter	Agency, Organization, or Individual	Date
Response A-4:	This comment is noted.	
Comment A-5:	**In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service but is to advise the City that the Districts intend to provide this service up to the levels that are legally permitted and to inform the City of the currently existing capacity and any proposed expansion of the Districts' facilities.**	
Response A-5:	This comment is noted.	
B	**California Department of Transportation (Caltrans)**	**November 28, 2024**
Comment B-6:	**Caltrans strongly recommends that auto-oriented projects, like the one proposed, be required to contribute Complete Streets infrastructure as a condition of approval. Complete Streets incorporate high-quality infrastructure for pedestrians, bicyclists, and transit riders, prioritizing the needs of all users, regardless of age or ability. The most effective methods to reduce pedestrian and bicyclist exposure to vehicles are through physical design and geometrics. These methods include the construction of physically separated facilities such as Class IV bike lanes, wide sidewalks, pedestrian refuge islands, landscaping, street furniture, and reductions in crossing distances through roadway narrowing. The implementation of Complete Streets leads to positive outcomes, including improved regional connectivity, enhanced air quality, reduced traffic congestion, better first/last-mile connections for transit users, and overall improved safety for all modes of transportation.** **Due to the project's adjacency to I-10, extra care should be taken to ensure that there will be no impacts to Caltrans ROW. Any project work occurring within, or abutting Caltrans ROW will require an encroachment permit, this includes any grading, topography, or equipment work that will change the pattern or direction of water runoff in a way that will impact State facilities or ROW.** **Final design requirements for any proposed changes to infrastructure within or along Caltrans Right-of-way will be determined by the Office of Permits. At the time of permit application there will be rounds of review and corrections to ensure all design, Right-of-way, access management, water runoff, environmental, and statutory requirements are being addressed.** **Caltrans District 7 Office of Permits contact information:** **Mailing Address: 100 S Main Street, Ste 100 Los Angeles, CA 90012** **Office Hours: 8:00 a.m. to 5:00 p.m. Monday-Friday**	

Letter	Agency, Organization, or Individual	Date
	Phone: 213-897-3631 | Fax: 213-897-0420 **E-mail: D7.Permits@dot.ca.gov** **Caltrans also recommends limiting large truck travel and construction traffic to off-peak commute hours. A permit for any heavy construction equipment and or materials that require the use of oversized transport vehicles on State highways. If construction traffic is expected to cause issues on any State facilities, please submit a construction traffic control plan detailing potential impacts for Caltrans for review.**	
Response B-6:	The proposed project does not propose altering public roads, including Caltrans ROW. The proposed project plans to maintain the existing frontages on Garvey Avenue and Azusa Avenue. However, it does propose reducing vehicular right-of-way access points from six to four; restricting vehicular access from North Azusa Avenue and completely removing two access points on either side of the northbound transit stop. This would reduce potential conflict points between pedestrians and public transit users with automobiles, a primary goal of the Complete Streets concept. Further, the project would incorporate mitigation measure Trans-1, which would ensure that all driveways have proper corner sight distance to ensure traffic and pedestrian safety. Although the project is an auto-oriented project, this is a common land use in this area and the proposed project would replace an existing auto dealer. Additionally, the VMT analysis concluded that there would be less than significant impacts due to the low traffic generation the project would produce. Lastly, the proposed project would not have large trucks, such as car cargo trucks, to the project site. All cars would be delivered to a service area located primarily along the south and east sides of the San Gabriel Valley, from just north of the San Bernardino Freeway (I-10) to south of the Pomona Freeway (I-60). Cars would then be individually drive to the proposed dealership.	

3.0 ERRATA

In **Section 4.4**, Biological Resources, the text of the analysis for Threshold 4.4 e) concludes that, regarding the question of whether the project "*would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance*," there would be No Impact. However, an *erroneous entry* in the matrix table at the beginning of **Section 4.4** indicates that the impact would be Less Than Significant with Mitigation Incorporated. The matrix table entry has been revised to No Impact.

In the Mitigation and Monitoring Plan under Biological Resources, there is an erroneous entry for a mitigation measure relating to Threshold 4.4 e). That entry has been deleted.

This error does not alter the conclusions of the Initial Study/Mitigated Negative Declaration nor the significance of an impact.

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

The Final Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a MND or an EIR. The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those MMs that are within the responsibility of the City of West Covina to implement.

The following table lists impacts, mitigation measures adopted by the City Council in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.

Table 3.0-1
FINAL MITIGATION MONITORING AND REPORTING PROGRAM

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resources				
Threshold 4.4 a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	**BIO-1: Pre-Construction Breeding Bird Survey** To be in compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels. • Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project	• Project Applicant • Qualified Biologist	• Field Verification	1. City of West Covina 2. City of West Covina 3. Before Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	site during the breeding season and during construction activities. • If project activities cannot be avoided during February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance. • If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required. • If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not			

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone. • If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency. • Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.			
Threshold 4.4 d) Would the project interfere substantially with the movement of any native resident or	Refer to Threshold 4.4 a) **MM BIO-1** above.	• Refer to above	• Refer to above	• Refer to above

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
4.5 Cultural Resources				
Threshold 4.5 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.	**MM CUL-1** If archaeological resources are discovered during construction activities, the contractor will halt construction activities in a 50-foot diameter and notify the City of West Covina. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology who will be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist will recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the South Central Coastal Information Center. Construction activities may continue on other parts of the project site while evaluation and treatment of prehistoric archaeological resources takes place	• Project Contractor • Qualified Archaeologist	• Field Verification	1. City of West Covina 2. City of West Covina 3. During construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.5 c): Disturb any human remains, including those interred outside of formal cemeteries.	**MM CUL-2** If human remains are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the Los Angeles County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities
4.7 Geology and Soils				
Threshold 4.7 f): Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**MM GEO-1** Prior to the issuance of the grading permit, the applicant shall provide a letter to the City of West Covina Planning Division, or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried	• Project Applicant • Qualified Paleontologist • Construction Contractor	• Monitoring • Assessment • Recovery • Curation	1. City of West Covina 2. City of West Covina 3. Prior to the issuance of the grading permit

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	paleontological resources that may exist onsite for the review and approval by the City. The PRIMP shall require that the paleontologist perform paleontological monitoring of any ground disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontologist may reevaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations have been completed. In the event paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be done at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The			

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.			
4.9 Hazards and Hazardous Materials				
Threshold 4.9 a): Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	**MM HAZ-1** During project site grading on the Valero gas station site the project proponent shall periodically have soil samples tested for TPH-g, TH-d, MTBE, and TBA. Upon finding samples with concentrations of any of the contaminants at concentrations over environmental screening levels (ESLs) for commercial use, the project proponent shall: halt grading operations; shall retain a qualified environmental assessor to conduct soil sampling and testing to determine the extent of soil contaminated with concentrations over ESLs; and shall then retain an environmental remediation company to remediate and/or remove the contaminated soil.	• Project Applicant • Qualified Environmental Assessor	• Field Verification	1. City of West Covina 2. City of West Covina 3. During Construction
4.17 Transportation				
Threshold 4.9 c): Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses	**TRANS-1: Corner Sight Distance Measures** Several of the project's driveway could have potentially significant corner sight impacts. However, the project would incorporate all the corner sight distance recommendations in the Vehicle Miles Traveled Screening Analysis and Site Access Assessment Report created for the proposed project by RK Engineering (**Appendix I**).	• Project Applicant	• Field Verification	1. City of West Covina 2. City of West Covina 4. Before and during Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
(e.g., farm equipment)?				
Threshold 4.9 c): Would the project result in inadequate emergency access?	Refer to Threshold 4.9 c) **MM TRANS-1** above.	• Refer to above	• Refer to above	3. Refer to above
4.18 Tribal Cultural Resources				
Threshold 4.18 b): Cause a substantial adverse change in the significance of a tribal cultural resource that is determined to be a significant resource to a California Native American tribe pursuant to the criteria set forth in subdivision (c) of Public Resource Code § 5024.1(c)?	**MM-TCR-1** Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities A. The project applicant/lead agency 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. B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. D. 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			

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	possesses the potential to impact Kizh TCRs.			
	MM-TCR-2 Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial) A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will 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.	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities
	MM-TCR-3 Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects A. Native American human remains are defined in PRC 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.	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed. C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.			

ATTACHMENT A
Notice of Intent

City of West Covina

Notice of Intent to Adopt a Mitigated Negative Declaration and Planning Commission Public Hearing Notice

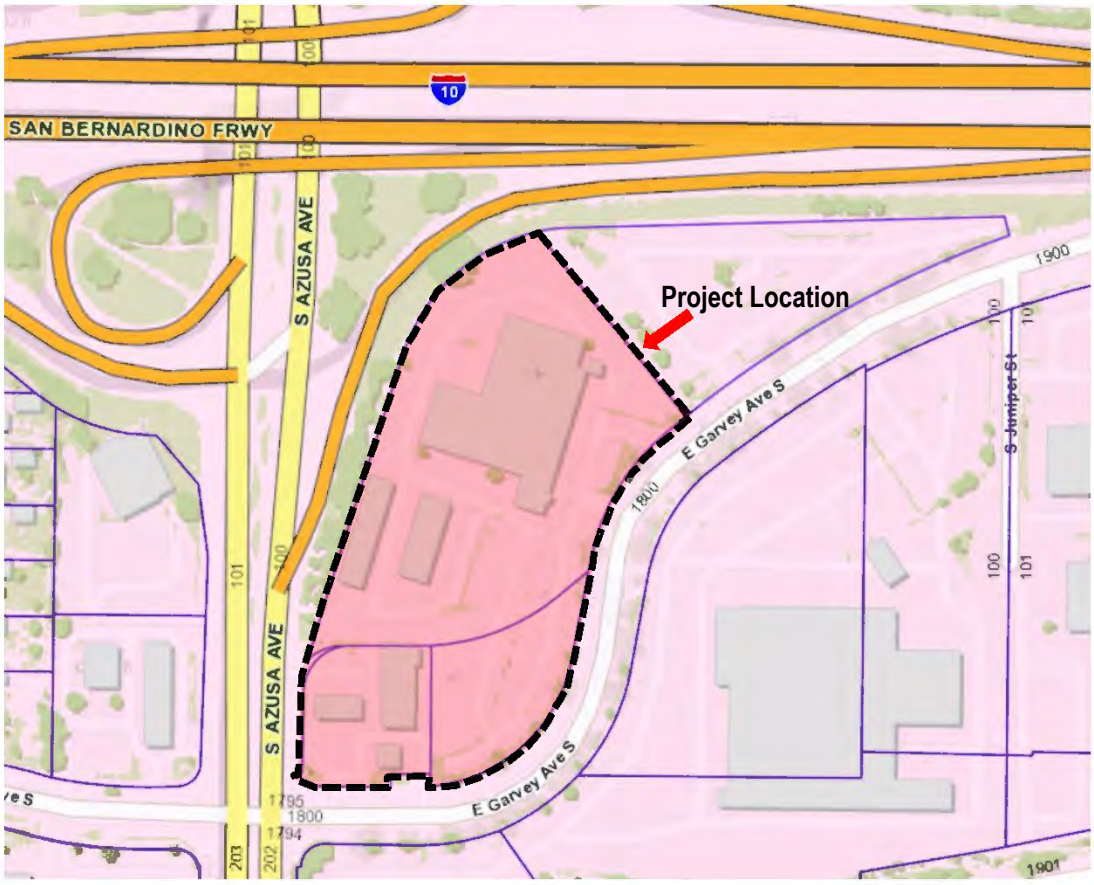
Pursuant to the State of California Public Resources Code Section 21092, this is to advise you that the City of West Covina has prepared an Initial Study of environmental impacts for the following project:

Case No.: Precise Plan No. 24-01 and Zone Change No. 24-01

Project Title: Mercedes Benz Dealership Project

Applicant: Boyd Sumner, Envision Motors

Project Location: 1800 E. Garvey Avenue and 200 S. Azusa Avenue (APN's 8478-007-025; -031; and -042)



Project Description: The proposed construction consists of electric vehicle charging stations and a two-story dealership with a total of 85,390 square feet – first floor 42,890 square feet, second floor 42,500 square feet, and second floor roof overhang 8,920 square feet. The first level includes showroom and delivery, office, service (detail bays), and other facilities such as lunchrooms, restrooms and storage. The second floor includes showrooms and delivery, office space, and other facilities such as restrooms, lunchrooms and storage. The project also includes a zone change to alter a portion of the project site currently zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone.

Environmental Determination: Based on the findings of the Initial Study, the City has determined that this project would not result in significant environmental impacts. Mitigation measures for biological resources, cultural resources, geology and soils, hazards and hazardous materials, noise, transportation, and tribal cultural resources will be required to reduce impacts to a less than significant level. Accordingly, the City intends to adopt a Mitigated Negative Declaration, pursuant to Section 21080(c) of the Public Resources Code. The project site is not included on any list of hazardous materials facilities, hazardous waste properties, or hazardous waste disposal sites enumerated under Section 65962.5 of the California Government Code (Cortese List).

Public Review Dates: The public comment period during which the City of West Covina will receive written comments on the Mitigated Negative Declaration is:

October 30, 2024 – November 18, 2024

The City of West Covina must receive all written comments relating to the Mitigated Negative Declaration no later than 5:00pm on November 18, 2024. Please direct your written comments to:

Miriam Machado, Associate Planner
City of West Covina, Planning Division
1444 West Garvey Avenue S, Room 208
West Covina, California 91790

Or via e-mail to: mmachado@westcovina.org

Document Availability: The Mitigated Negative Declaration, as well as all referenced documents are available for public review online. Please visit: https://www.westcovina.org/departments/community-development/planning-division/projects-and-environmental-documents.

Public Hearing: The West Covina Planning Commission is scheduled to consider the Mitigated Negative Declaration and the proposed project at its regular meeting on **December 10, 2024,** at **7:00 P.M.** at **1444 W. Garvey Avenue South, West Covina, CA,** in the **City Hall Council Chambers** located on the 1st Floor. The meeting is open to the public. The public may also watch the Planning Commission Meeting live on the City's website at https://www.westcovina.org/departments/city-clerk/agendas-and-meetings/current-meetings-and-agendas under the "Watch Live" tab or through the West Covina City YouTube channel at www.westcovina.org/LIVE. To confirm the date and time of the meeting and for additional information concerning the proposed project, please check the City's website: http://www.westcovina.org/home.

If you wish to challenge the action(s) taken on the request(s), you may be limited to raising only those issues, which you (or someone else) raised orally at this public hearing or in written correspondence received by the City at or before the hearing.

If you have any questions or would like any additional information, please contact Miriam Machado of the Planning Division at (626) 939-8422, or at mmachado@westcovina.org.

ATTACHMENT B
Tribal Consultation Letters

Planning Division

September 5, 2024

Charles Alvarez, Chairperson
Gabrielino-Tongva Tribe
23454 Vanowen Street
West Hills, CA, 91307

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Chairperson Alvarez,

The City of West Covina Planning Division ("City") is contacting the Gabrielino-Tongva Tribe, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

In addition, the City is contacting the Gabrielino-Tongva Tribe, pursuant to the provisions of Senate Bill 18. Government Code § 65352.3(a) requires consultation with Native Americans on General Plan proposals for the purposes of preserving or mitigating impacts to places, features, and objects described in § 5097.5 and § 5091.993 of the Public Resources Code that are located within the City's jurisdiction. The SB 18 process requires that the City makes an attempt to contact you for the purpose of opening consultations between the City and your tribal government. Following legislation guidelines, we note that you have 90 days to request a consultation with us (Public Resources Code § 21080.3.a(s)).

Project Description: The proposed Project would consist of the development and operation of a new Envision Mercedes Benz Dealership facility. The existing dealership, Envision Toyota of West Covina, would be razed, along with the 10-VFP (vehicle fueling position) Valero gas station at 200 South Azusa Avenue. A new Mercedes Benz facility (both new and used car dealership) would be constructed in their place. The existing site area encompasses 3.53 acres on three parcels. The proposed construction consists of a two-story structure with a total of 85,390 square feet – first floor 42,890 square feet, second floor 42,500 square feet, and second floor roof overhang 8,920 square feet. The first level includes showroom and delivery, office, service (detail bays), and other facilities such as lunchrooms, restrooms and storage. The second floor includes showrooms and delivery, office space, and other facilities such as restrooms, lunchrooms and storage. There will be a total of 395 parking spaces including display parking and 25 spaces for customers.

Also, there will be a zone change to alter the portion of the project site currently zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone.

Project Location: The Project is located in the City of West Covina and is specifically located at 1800 East Garvey Avenue South and 200 South Azusa Avenue, West Covina, California, 91791. The project site is within an existing designated Auto Plaza area and is visible from the I-10 Freeway and major street corridors, such

as East Garvey Avenue South and South Azusa Avenue. Access to the project site is along East Garvey Avenue and South Azusa Avenue. This may be seen on the *Baldwin Park, Calif.*, USGS topographical quadrangle, Range 10 West, Township 1 South, in the SW ¼ of the NW ¼ of Section 23. The project is surrounded by I-10 San Bernardino Freeway to the north, Azusa Avenue to the west and Garvey Avenue on the east and south. This is shown on the accompanying map and the Project boundary is depicted with a one-half mile buffer zone.

You are a traditionally and culturally affiliated California Native American tribal representative that may request notice of projects where AB 52 and SB 18 applies within the City. We are requesting any information that you may have regarding tribal cultural resources (as defined by Public Resources Code 21074) in the project site so that this information can be incorporated into the planning phase of the project. Please inform the City if you wish to conduct consultation with the City regarding this project.

Your comments and concerns are important to the City and we welcome the opportunity to consult with the Gabrielino-Tongva Tribe, upon your request. Pursuant to AB 52, the City, as the lead agency, is requesting you contact us within 30 days of receipt of this letter if you would like additional information about this project or would like to consult with the City about any tribal cultural resources located within the project site. Pursuant to SB 18, the City, as the lead agency, is requesting you contact us within 90 days of receipt of this letter, though consultation for AB 52 and SB 18 may be more efficiently conducted concurrently.

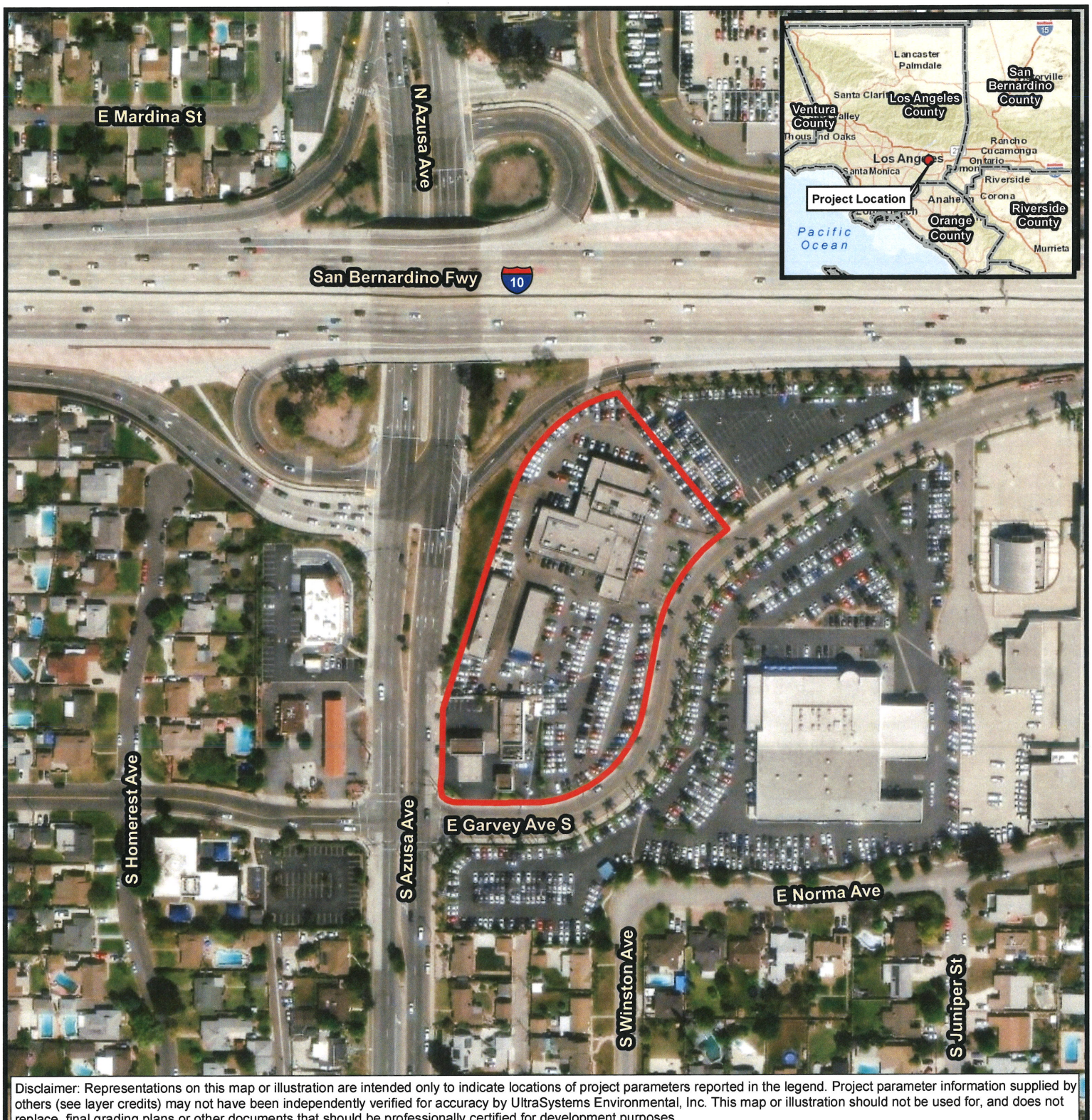
To arrange consultation with the City (face-to-face or via telephone meeting), please contact Associate Planner, Miriam Machado, at (626) 939-8422 or <mmachado@westcovina.org> to make scheduling arrangements. Any dealing between your government and the City of West Covina will be kept in the strictest confidence.

Respectfully,

Mmachado

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

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April 18, 2024

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community UltraSystems Environmental, Inc., 2024.

Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

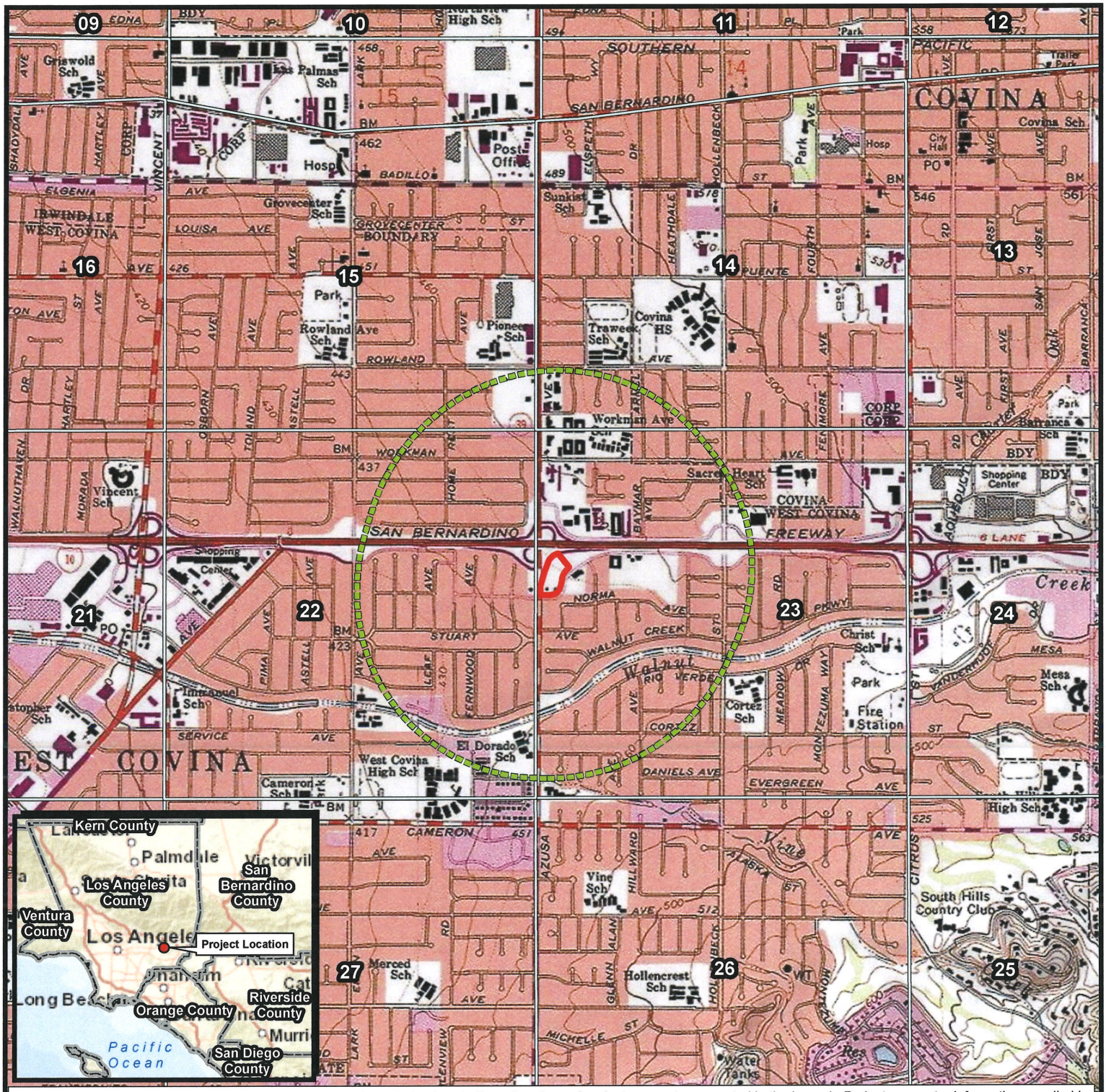
Scale: 1:2,400

N

0 100 200 Feet

0 30 60 Meters

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April 18, 2024

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Scale: 1:24,000

N

0 1,000 2,000 Feet

0 250 500 Meters

Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

UltraSystems
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WEST COVINA
Planning Division

September 5, 2024

Christina Conley, Cultural Resource Administrator
Gabrielino Tongva Indians of California Tribal Council
P.O. Box 941078
Simi Valley, CA, 93094

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Ms. Conley,

The City of West Covina Planning Division ("City") is contacting the Gabrielino Tongva Indians of California Tribal Council, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

In addition, the City is contacting the Gabrielino Tongva Indians of California Tribal Council, pursuant to the provisions of Senate Bill 18. Government Code § 65352.3(a) requires consultation with Native Americans on General Plan proposals for the purposes of preserving or mitigating impacts to places, features, and objects described in § 5097.5 and § 5091.993 of the Public Resources Code that are located within the City's jurisdiction. The SB 18 process requires that the City makes an attempt to contact you for the purpose of opening consultations between the City and your tribal government. Following legislation guidelines, we note that you have 90 days to request a consultation with us (Public Resources Code § 21080.3.a(s)).

Project Description: The proposed Project would consist of the development and operation of a new Envision Mercedes Benz Dealership facility. The existing dealership, Envision Toyota of West Covina, would be razed, along with the 10-VFP (vehicle fueling position) Valero gas station at 200 South Azusa Avenue. A new Mercedes Benz facility (both new and used car dealership) would be constructed in their place. The existing site area encompasses 3.53 acres on three parcels. The proposed construction consists of a two-story structure with a total of 85,390 square feet – first floor 42,890 square feet, second floor 42,500 square feet, and second floor roof overhang 8,920 square feet. The first level includes showroom and delivery, office, service (detail bays), and other facilities such as lunchrooms, restrooms and storage. The second floor includes showrooms and delivery, office space, and other facilities such as restrooms, lunchrooms and storage. There will be a total of 395 parking spaces including display parking and 25 spaces for customers.

Also, there will be a zone change to alter the portion of the project site currently zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone.

Project Location: The Project is located in the City of West Covina and is specifically located at 1800 East Garvey Avenue South and 200 South Azusa Avenue, West Covina, California, 91791. The project site is within an existing designated Auto Plaza area and is visible from the I-10 Freeway and major street corridors, such

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Respectfully,

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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April 18, 2024

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community UltraSystems Environmental, Inc., 2024.

Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

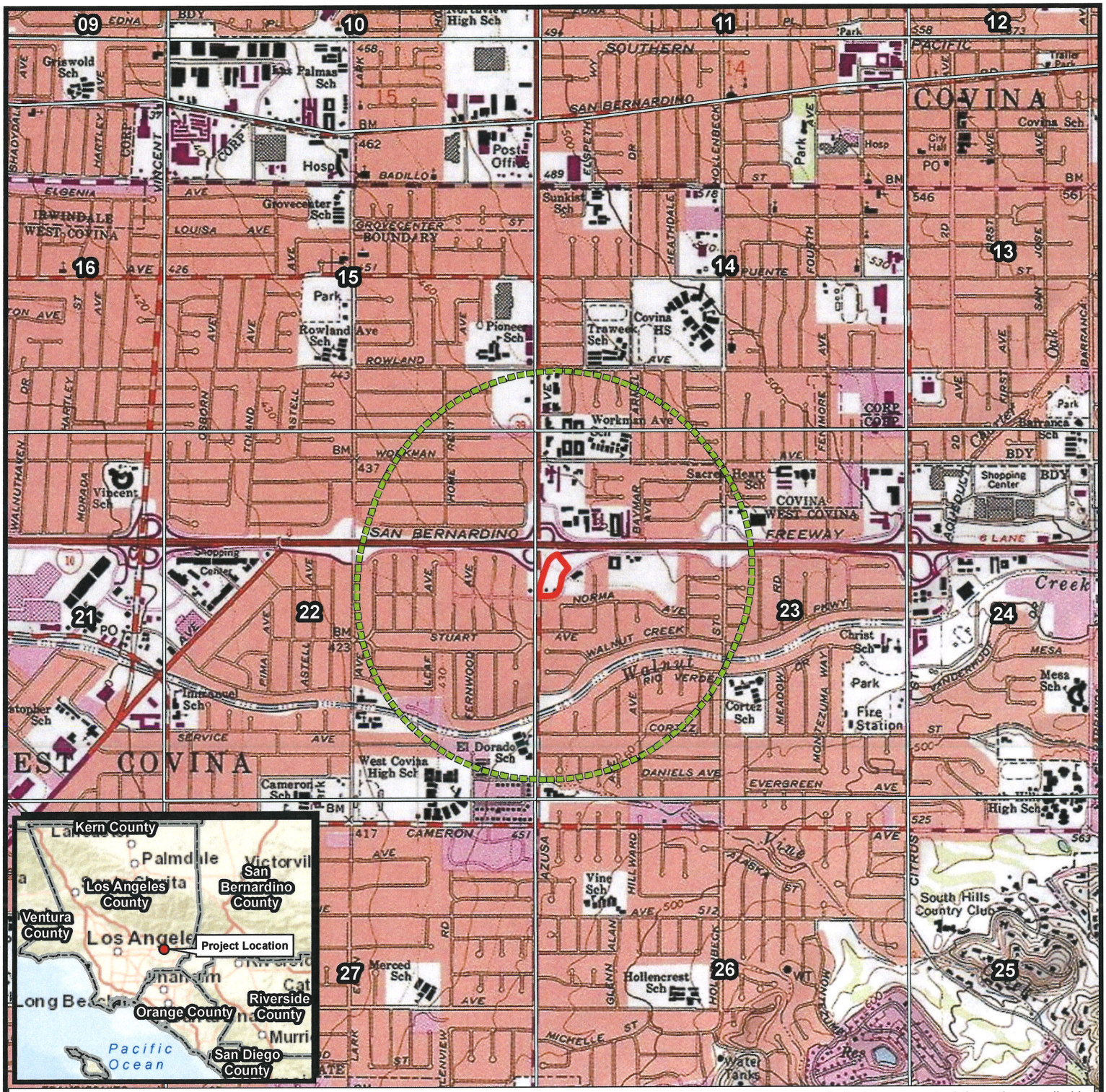
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Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Scale: 1:24,000

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Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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WEST COVINA
Planning Division

September 5, 2024

Robert Dorame, Chairperson
Gabrielino Tongva Indians of California Tribal Council
P.O. Box 490
Covina, CA, 90707

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Chairperson Dorame,

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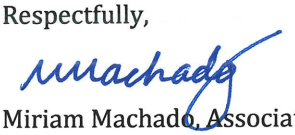
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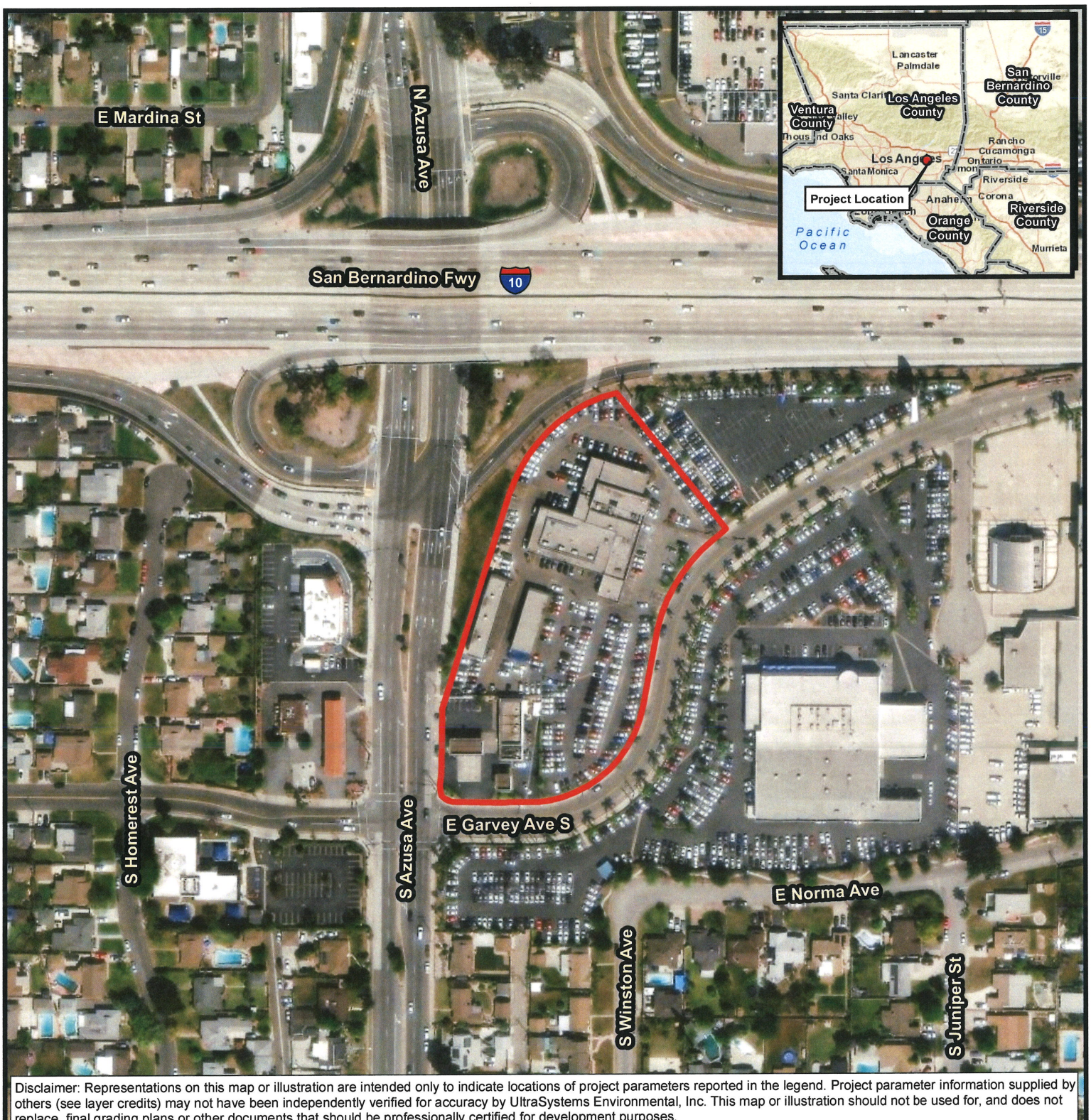
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Respectfully,



Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

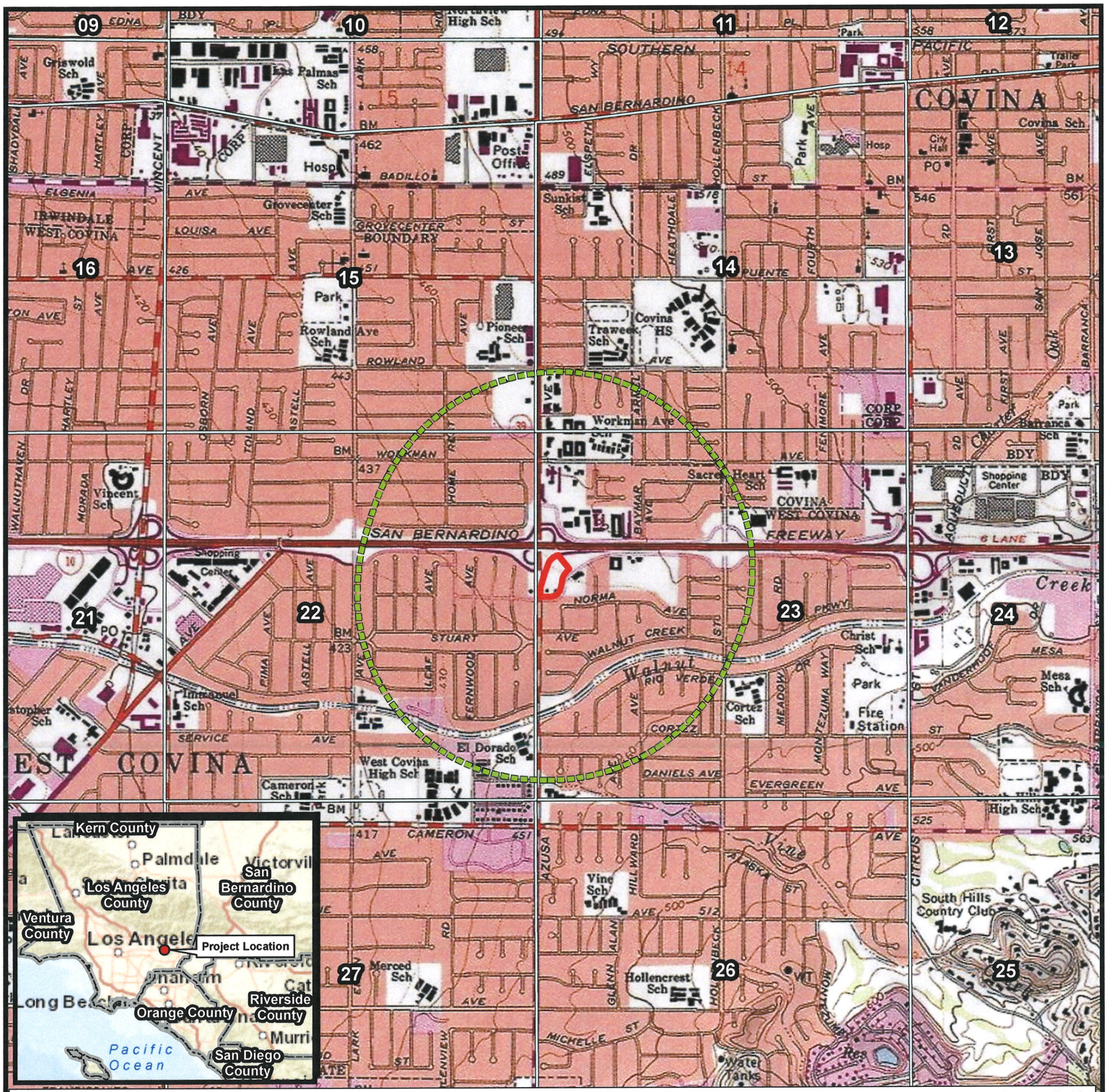
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Legend

- Project Boundary
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- Section Boundary

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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Planning Division

September 5, 2024

Sam Dunlap, Cultural Resource Director
Gabrielino-Tongva Tribe
P.O. Box 3919
Seal Beach, CA, 90740

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Mr. Dunlap,

The City of West Covina Planning Division ("City") is contacting the Gabrielino-Tongva Tribe, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

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Respectfully,

MMachado

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

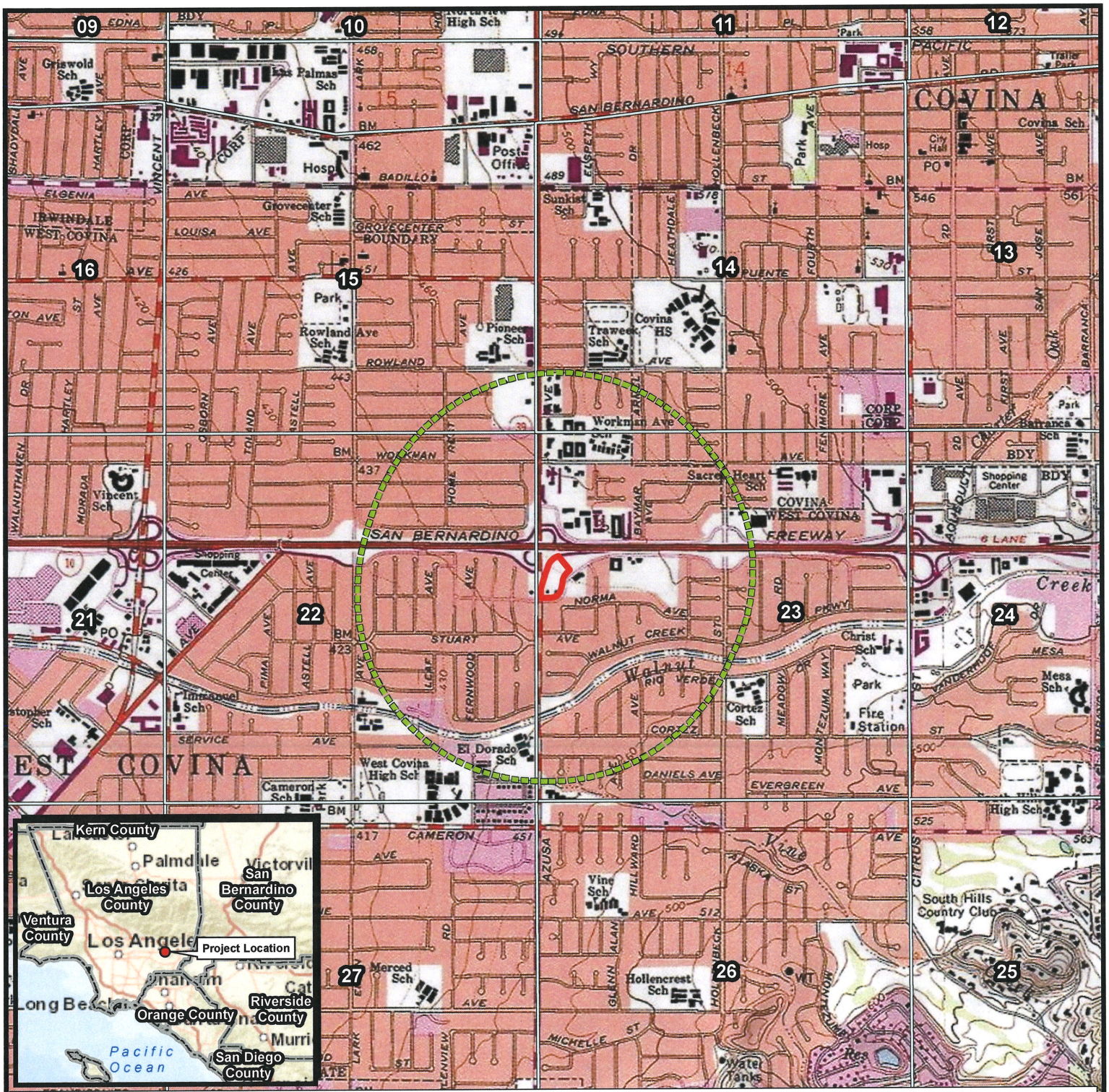
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Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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WEST COVINA
Planning Division

September 5, 2024

Steven Estrada, Tribal Chairman
Santa Rosa Band of Cahuilla Indians
P.O. Box 391820
Anza, CA, 92539

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Tribal Chairman Estrada,

The City of West Covina Planning Division ("City") is contacting the Santa Rosa Band of Cahuilla Indians, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

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Respectfully,

mmachado

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

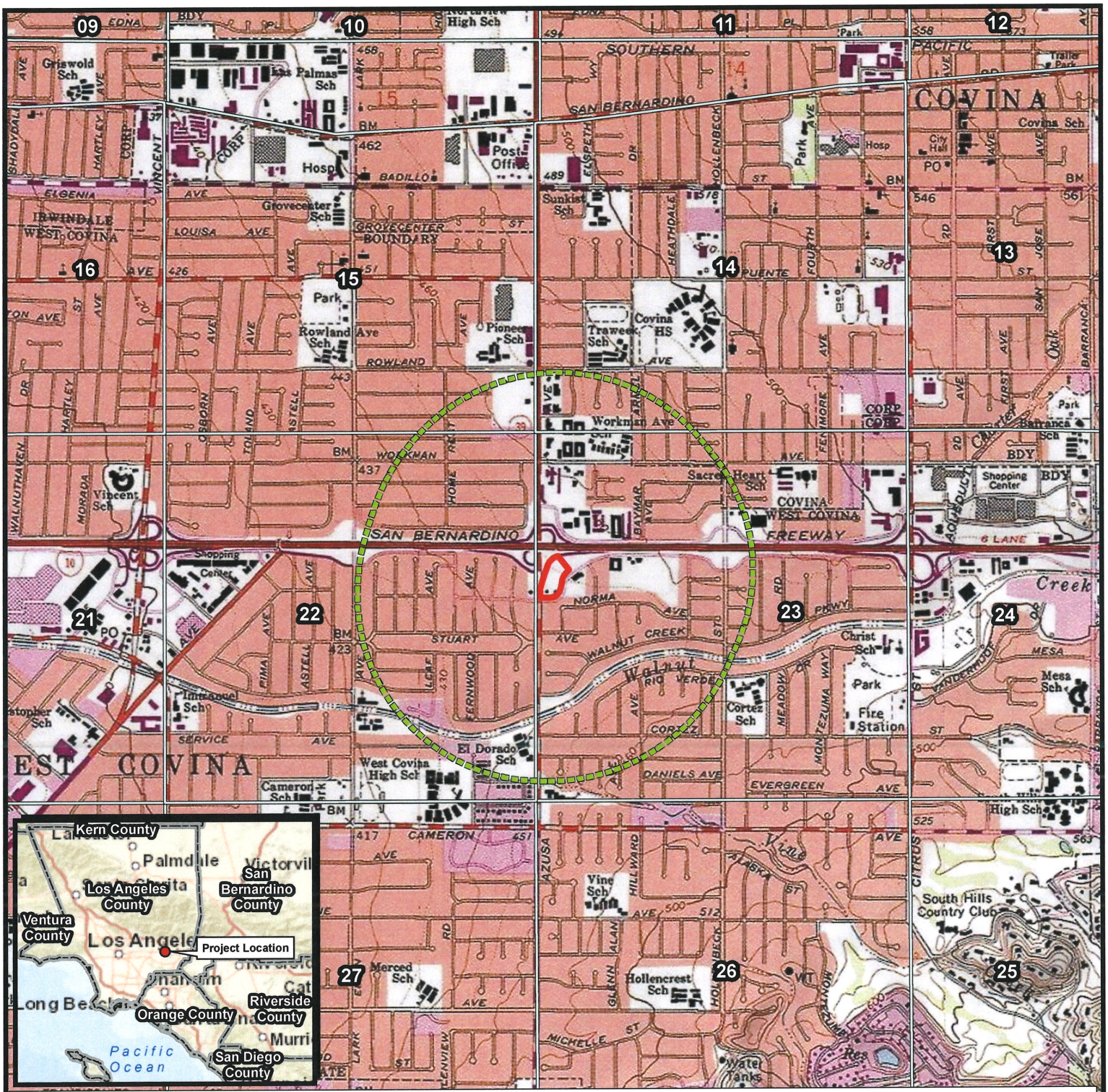
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Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Scale: 1:24,000

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0 250 500 Meters

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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WEST COVINA
Planning Division

September 5, 2024

Sandonne Goad, Chairperson
Gabrielino/Tongva Nation
106 1/2 Judge John Aiso St., #231
Los Angeles, CA, 90012

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Chairperson Goad,

The City of West Covina Planning Division ("City") is contacting the Gabrielino/Tongva Nation, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

In addition, the City is contacting the Gabrielino/Tongva Nation, pursuant to the provisions of Senate Bill 18. Government Code § 65352.3(a) requires consultation with Native Americans on General Plan proposals for the purposes of preserving or mitigating impacts to places, features, and objects described in § 5097.5 and § 5091.993 of the Public Resources Code that are located within the City's jurisdiction. The SB 18 process requires that the City makes an attempt to contact you for the purpose of opening consultations between the City and your tribal government. Following legislation guidelines, we note that you have 90 days to request a consultation with us (Public Resources Code § 21080.3.a(s)).

Project Description: The proposed Project would consist of the development and operation of a new Envision Mercedes Benz Dealership facility. The existing dealership, Envision Toyota of West Covina, would be razed, along with the 10-VFP (vehicle fueling position) Valero gas station at 200 South Azusa Avenue. A new Mercedes Benz facility (both new and used car dealership) would be constructed in their place. The existing site area encompasses 3.53 acres on three parcels. The proposed construction consists of a two-story structure with a total of 85,390 square feet – first floor 42,890 square feet, second floor 42,500 square feet, and second floor roof overhang 8,920 square feet. The first level includes showroom and delivery, office, service (detail bays), and other facilities such as lunchrooms, restrooms and storage. The second floor includes showrooms and delivery, office space, and other facilities such as restrooms, lunchrooms and storage. There will be a total of 395 parking spaces including display parking and 25 spaces for customers.

Also, there will be a zone change to alter the portion of the project site currently zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone.

Project Location: The Project is located in the City of West Covina and is specifically located at 1800 East Garvey Avenue South and 200 South Azusa Avenue, West Covina, California, 91791. The project site is within an existing designated Auto Plaza area and is visible from the I-10 Freeway and major street corridors, such

as East Garvey Avenue South and South Azusa Avenue. Access to the project site is along East Garvey Avenue and South Azusa Avenue. This may be seen on the *Baldwin Park, Calif.*, USGS topographical quadrangle, Range 10 West, Township 1 South, in the SW ¼ of the NW ¼ of Section 23. The project is surrounded by I-10 San Bernardino Freeway to the north, Azusa Avenue to the west and Garvey Avenue on the east and south. This is shown on the accompanying map and the Project boundary is depicted with a one-half mile buffer zone.

You are a traditionally and culturally affiliated California Native American tribal representative that may request notice of projects where AB 52 and SB 18 applies within the City. We are requesting any information that you may have regarding tribal cultural resources (as defined by Public Resources Code 21074) in the project site so that this information can be incorporated into the planning phase of the project. Please inform the City if you wish to conduct consultation with the City regarding this project.

Your comments and concerns are important to the City and we welcome the opportunity to consult with the Gabrielino/Tongva Nation, upon your request. Pursuant to AB 52, the City, as the lead agency, is requesting you contact us within 30 days of receipt of this letter if you would like additional information about this project or would like to consult with the City about any tribal cultural resources located within the project site. Pursuant to SB 18, the City, as the lead agency, is requesting you contact us within 90 days of receipt of this letter, though consultation for AB 52 and SB 18 may be more efficiently conducted concurrently.

To arrange consultation with the City (face-to-face or via telephone meeting), please contact Associate Planner, Miriam Machado, at (626) 939-8422 or <mmachado@westcovina.org> to make scheduling arrangements. Any dealing between your government and the City of West Covina will be kept in the strictest confidence.

Respectfully,

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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April 18, 2024

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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

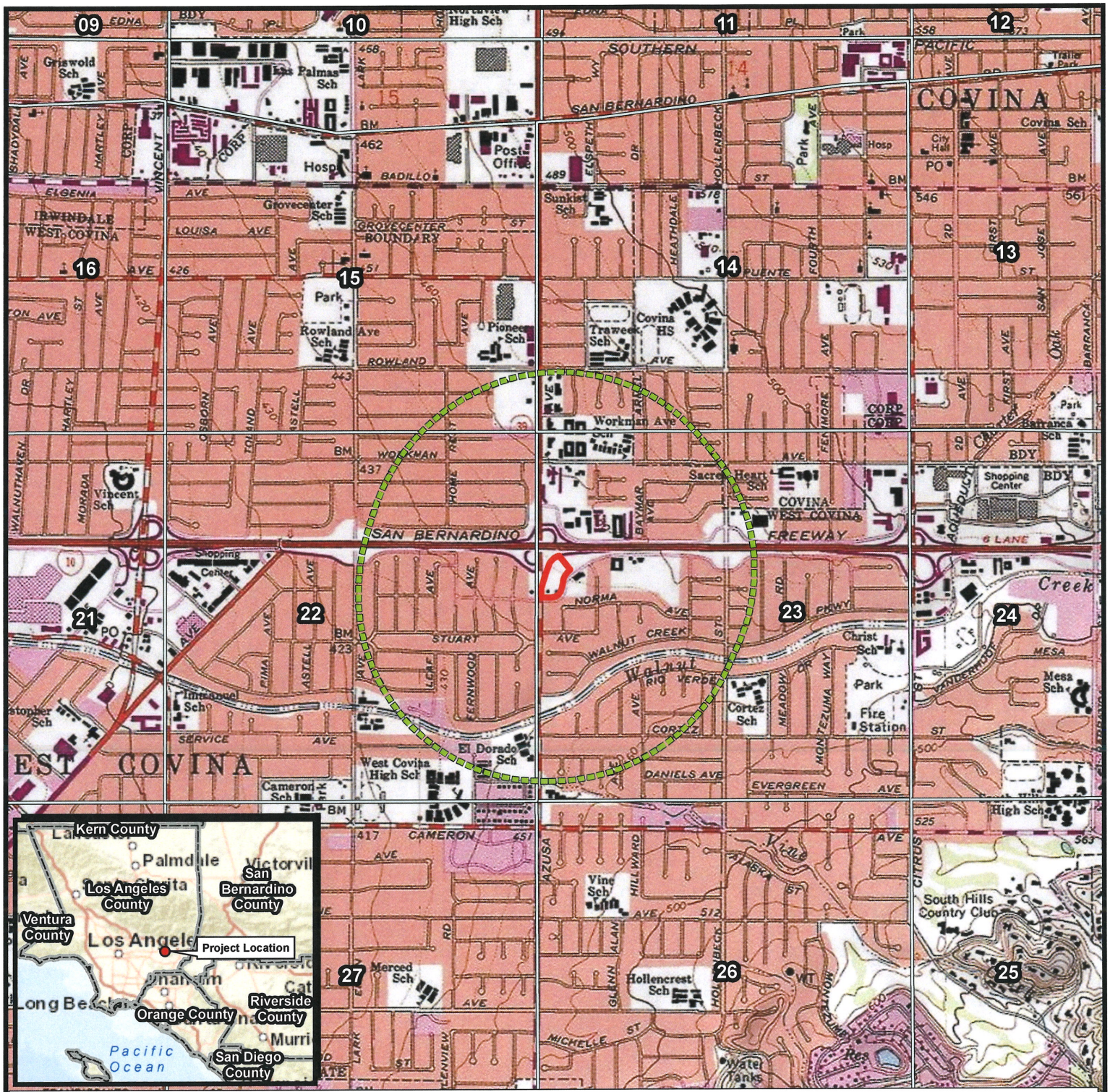
Scale: 1:2,400

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Scale: 1:24,000

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Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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Planning Division

September 5, 2024

Christina Swindall Martinez, Secretary
Gabrieleno Band of Mission Indians - Kizh Nation
P.O. Box 393
Covina, CA, 91723

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Ms. Martinez,

The City of West Covina Planning Division ("City") is contacting the Gabrieleño Band of Mission Indians –Kizh Nation, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

In addition, the City is contacting the Gabrieleño Band of Mission Indians – Kizh Nation, pursuant to the provisions of Senate Bill 18. Government Code § 65352.3(a) requires consultation with Native Americans on General Plan proposals for the purposes of preserving or mitigating impacts to places, features, and objects described in § 5097.5 and § 5091.993 of the Public Resources Code that are located within the City's jurisdiction. The SB 18 process requires that the City makes an attempt to contact you for the purpose of opening consultations between the City and your tribal government. Following legislation guidelines, we note that you have 90 days to request a consultation with us (Public Resources Code § 21080.3.a(s)).

Project Description: The proposed Project would consist of the development and operation of a new Envision Mercedes Benz Dealership facility. The existing dealership, Envision Toyota of West Covina, would be razed, along with the 10-VFP (vehicle fueling position) Valero gas station at 200 South Azusa Avenue. A new Mercedes Benz facility (both new and used car dealership) would be constructed in their place. The existing site area encompasses 3.53 acres on three parcels. The proposed construction consists of a two-story structure with a total of 85,390 square feet – first floor 42,890 square feet, second floor 42,500 square feet, and second floor roof overhang 8,920 square feet. The first level includes showroom and delivery, office, service (detail bays), and other facilities such as lunchrooms, restrooms and storage. The second floor includes showrooms and delivery, office space, and other facilities such as restrooms, lunchrooms and storage. There will be a total of 395 parking spaces including display parking and 25 spaces for customers.

Also, there will be a zone change to alter the portion of the project site currently zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone.

Project Location: The Project is located in the City of West Covina and is specifically located at 1800 East Garvey Avenue South and 200 South Azusa Avenue, West Covina, California, 91791. The project site is within an existing designated Auto Plaza area and is visible from the I-10 Freeway and major street corridors, such

as East Garvey Avenue South and South Azusa Avenue. Access to the project site is along East Garvey Avenue and South Azusa Avenue. This may be seen on the *Baldwin Park, Calif.*, USGS topographical quadrangle, Range 10 West, Township 1 South, in the SW ¼ of the NW ¼ of Section 23. The project is surrounded by I-10 San Bernardino Freeway to the north, Azusa Avenue to the west and Garvey Avenue on the east and south. This is shown on the accompanying map and the Project boundary is depicted with a one-half mile buffer zone.

You are a traditionally and culturally affiliated California Native American tribal representative that may request notice of projects where AB 52 and SB 18 applies within the City. We are requesting any information that you may have regarding tribal cultural resources (as defined by Public Resources Code 21074) in the project site so that this information can be incorporated into the planning phase of the project. Please inform the City if you wish to conduct consultation with the City regarding this project.

Your comments and concerns are important to the City and we welcome the opportunity to consult with the Gabrieleño Band of Mission Indians – Kizh Nation, upon your request. Pursuant to AB 52, the City, as the lead agency, is requesting you contact us within 30 days of receipt of this letter if you would like additional information about this project or would like to consult with the City about any tribal cultural resources located within the project site. Pursuant to SB 18, the City, as the lead agency, is requesting you contact us within 90 days of receipt of this letter, though consultation for AB 52 and SB 18 may be more efficiently conducted concurrently.

To arrange consultation with the City (face-to-face or via telephone meeting), please contact Associate Planner, Miriam Machado, at (626) 939-8422 or <mmachado@westcovina.org> to make scheduling arrangements. Any dealing between your government and the City of West Covina will be kept in the strictest confidence.

Respectfully,

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

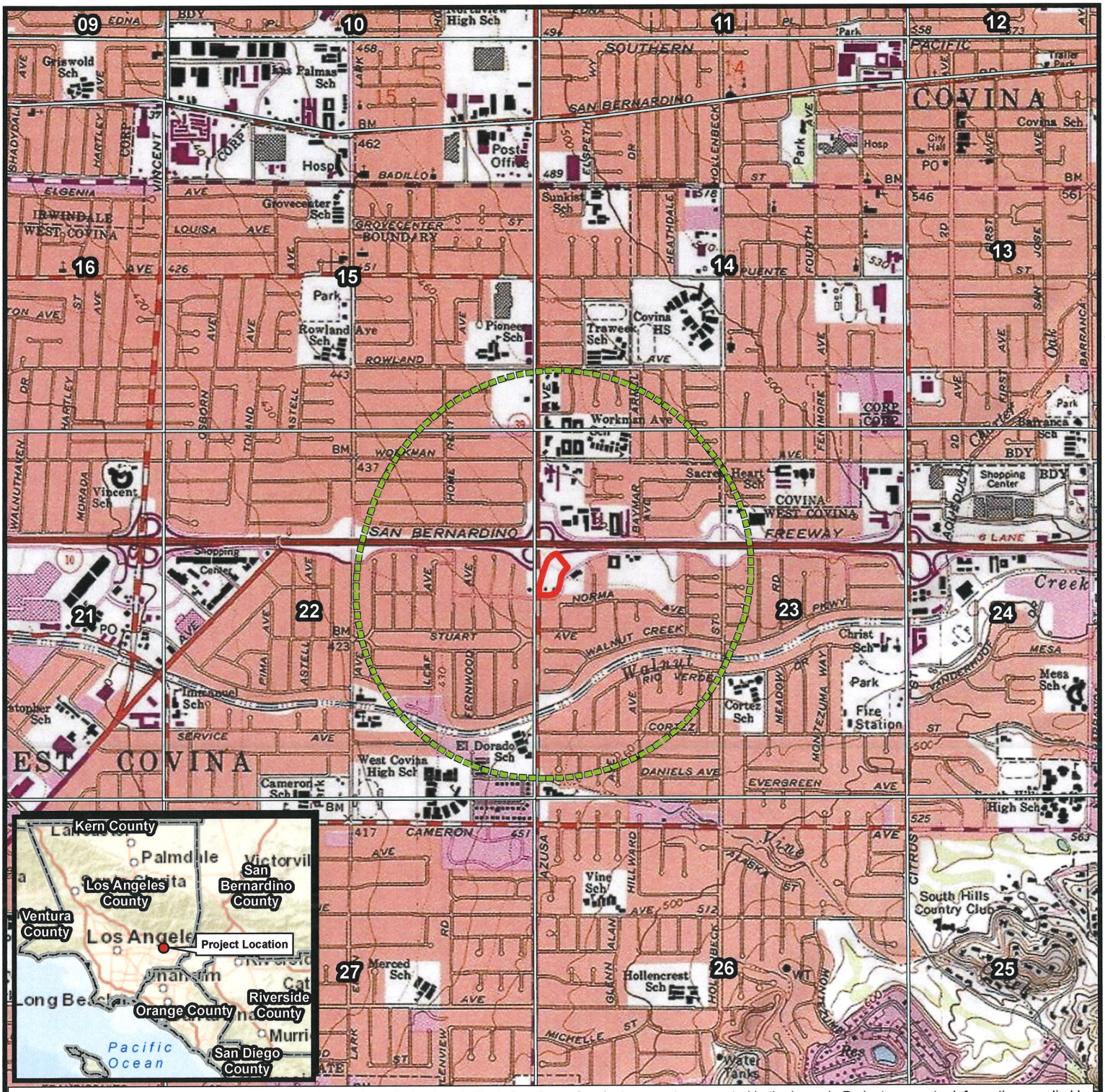
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Scale: 1:24,000

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Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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WEST COVINA
Planning Division

September 5, 2024

Vanessa Minott, Tribal Administrator
Santa Rosa Band of Cahuilla Indians
P.O. Box 391820
Anza, CA, 92539

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Ms. Minott,

The City of West Covina Planning Division ("City") is contacting the Santa Rosa Band of Cahuilla Indians, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

In addition, the City is contacting the Santa Rosa Band of Cahuilla Indians, pursuant to the provisions of Senate Bill 18. Government Code § 65352.3(a) requires consultation with Native Americans on General Plan proposals for the purposes of preserving or mitigating impacts to places, features, and objects described in § 5097.5 and § 5091.993 of the Public Resources Code that are located within the City's jurisdiction. The SB 18 process requires that the City makes an attempt to contact you for the purpose of opening consultations between the City and your tribal government. Following legislation guidelines, we note that you have 90 days to request a consultation with us (Public Resources Code § 21080.3.a(s)).

Project Description: The proposed Project would consist of the development and operation of a new Envision Mercedes Benz Dealership facility. The existing dealership, Envision Toyota of West Covina, would be razed, along with the 10-VFP (vehicle fueling position) Valero gas station at 200 South Azusa Avenue. A new Mercedes Benz facility (both new and used car dealership) would be constructed in their place. The existing site area encompasses 3.53 acres on three parcels. The proposed construction consists of a two-story structure with a total of 85,390 square feet – first floor 42,890 square feet, second floor 42,500 square feet, and second floor roof overhang 8,920 square feet. The first level includes showroom and delivery, office, service (detail bays), and other facilities such as lunchrooms, restrooms and storage. The second floor includes showrooms and delivery, office space, and other facilities such as restrooms, lunchrooms and storage. There will be a total of 395 parking spaces including display parking and 25 spaces for customers.

Also, there will be a zone change to alter the portion of the project site currently zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone.

Project Location: The Project is located in the City of West Covina and is specifically located at 1800 East Garvey Avenue South and 200 South Azusa Avenue, West Covina, California, 91791. The project site is within an existing designated Auto Plaza area and is visible from the I-10 Freeway and major street corridors, such

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Your comments and concerns are important to the City and we welcome the opportunity to consult with the Santa Rosa Band of Cahuilla Indians, upon your request. Pursuant to AB 52, the City, as the lead agency, is requesting you contact us within 30 days of receipt of this letter if you would like additional information about this project or would like to consult with the City about any tribal cultural resources located within the project site. Pursuant to SB 18, the City, as the lead agency, is requesting you contact us within 90 days of receipt of this letter, though consultation for AB 52 and SB 18 may be more efficiently conducted concurrently.

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Respectfully,

mmachado

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

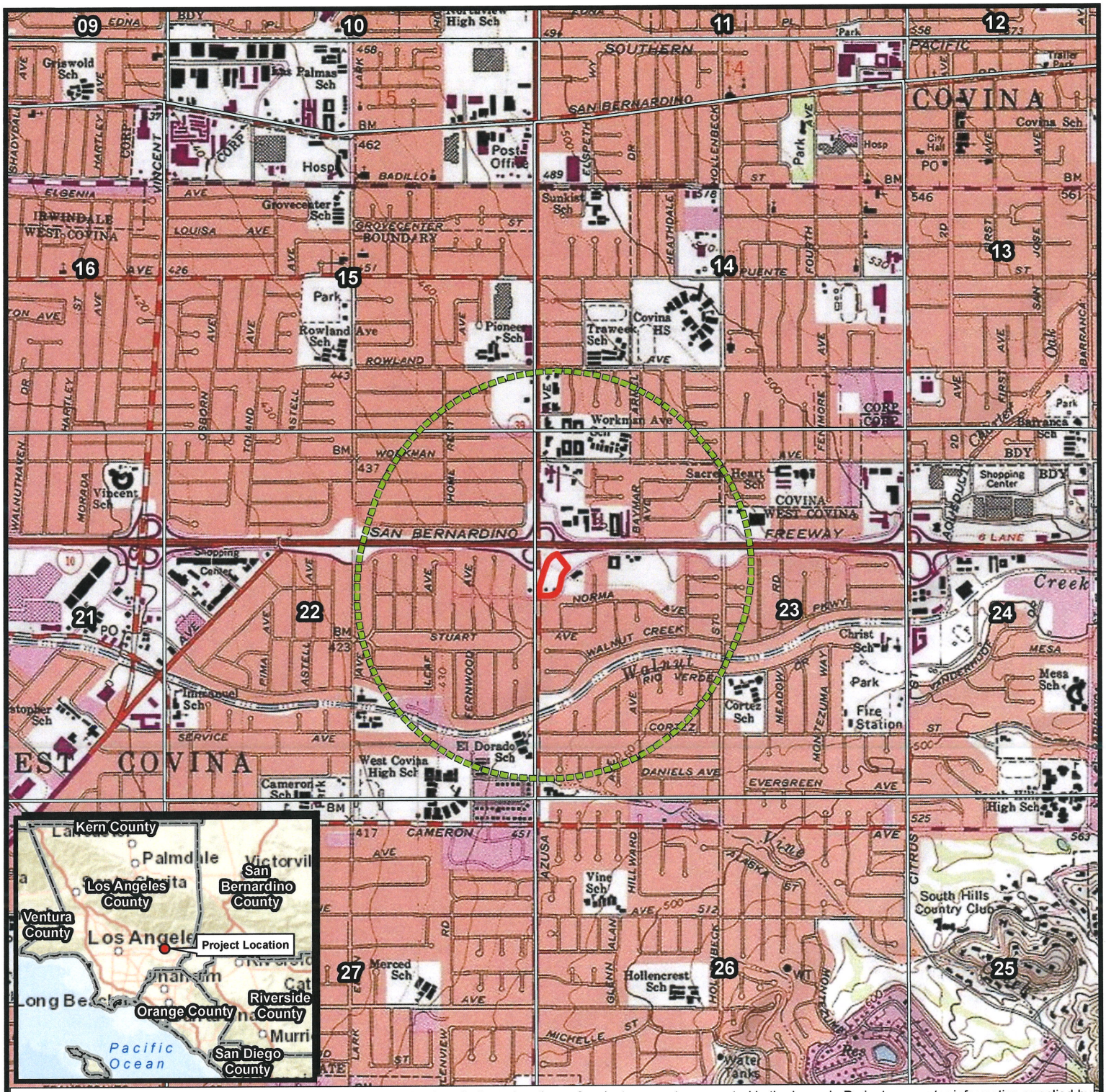
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Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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Planning Division

September 5, 2024

Anthony Morales, Chairperson
Gabrieleno/Tongva San Gabriel Band of Mission Indians
P.O. Box 693
San Gabriel, CA, 91778

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Chairperson Morales,

The City of West Covina Planning Division ("City") is contacting the Gabrieleno/Tongva San Gabriel Band of Mission Indians, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

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Respectfully,

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

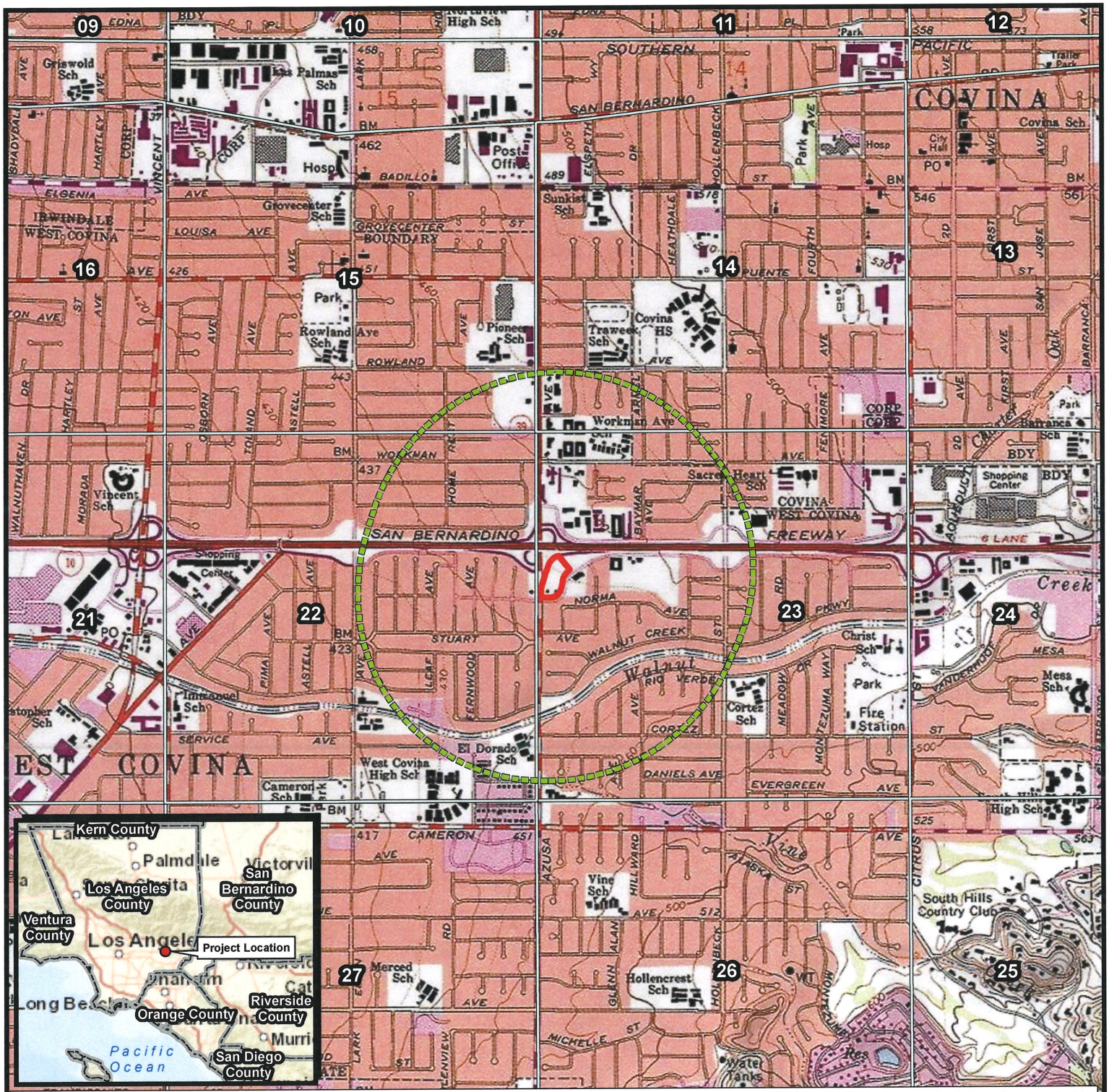
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Path: \\Gissvr\gis\Projects\7212_WCovina_Envision_Dealership_ISMND\MXDs\7212_WCovina_4_5_Topo_2024_04_18.mxd

April 18, 2024

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Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Scale: 1:24,000

N

0 1,000 2,000 Feet

0 250 500 Meters

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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Planning Division

September 5, 2024

Joseph Ontiveros, Tribal Historic Preservation Officer
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA, 92581

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Mr. Ontiveros,

The City of West Covina Planning Division ("City") is contacting the Soboba Band of Luiseno Indians, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

In addition, the City is contacting the Soboba Band of Luiseno Indians, pursuant to the provisions of Senate Bill 18. Government Code § 65352.3(a) requires consultation with Native Americans on General Plan proposals for the purposes of preserving or mitigating impacts to places, features, and objects described in § 5097.5 and § 5091.993 of the Public Resources Code that are located within the City's jurisdiction. The SB 18 process requires that the City makes an attempt to contact you for the purpose of opening consultations between the City and your tribal government. Following legislation guidelines, we note that you have 90 days to request a consultation with us (Public Resources Code § 21080.3.a(s)).

Project Description: The proposed Project would consist of the development and operation of a new Envision Mercedes Benz Dealership facility. The existing dealership, Envision Toyota of West Covina, would be razed, along with the 10-VFP (vehicle fueling position) Valero gas station at 200 South Azusa Avenue. A new Mercedes Benz facility (both new and used car dealership) would be constructed in their place. The existing site area encompasses 3.53 acres on three parcels. The proposed construction consists of a two-story structure with a total of 85,390 square feet – first floor 42,890 square feet, second floor 42,500 square feet, and second floor roof overhang 8,920 square feet. The first level includes showroom and delivery, office, service (detail bays), and other facilities such as lunchrooms, restrooms and storage. The second floor includes showrooms and delivery, office space, and other facilities such as restrooms, lunchrooms and storage. There will be a total of 395 parking spaces including display parking and 25 spaces for customers.

Also, there will be a zone change to alter the portion of the project site currently zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone.

Project Location: The Project is located in the City of West Covina and is specifically located at 1800 East Garvey Avenue South and 200 South Azusa Avenue, West Covina, California, 91791. The project site is within an existing designated Auto Plaza area and is visible from the I-10 Freeway and major street corridors, such

as East Garvey Avenue South and South Azusa Avenue. Access to the project site is along East Garvey Avenue and South Azusa Avenue. This may be seen on the *Baldwin Park, Calif.*, USGS topographical quadrangle, Range 10 West, Township 1 South, in the SW ¼ of the NW ¼ of Section 23. The project is surrounded by I-10 San Bernardino Freeway to the north, Azusa Avenue to the west and Garvey Avenue on the east and south. This is shown on the accompanying map and the Project boundary is depicted with a one-half mile buffer zone.

You are a traditionally and culturally affiliated California Native American tribal representative that may request notice of projects where AB 52 and SB 18 applies within the City. We are requesting any information that you may have regarding tribal cultural resources (as defined by Public Resources Code 21074) in the project site so that this information can be incorporated into the planning phase of the project. Please inform the City if you wish to conduct consultation with the City regarding this project.

Your comments and concerns are important to the City and we welcome the opportunity to consult with the Soboba Band of Luiseno Indians, upon your request. Pursuant to AB 52, the City, as the lead agency, is requesting you contact us within 30 days of receipt of this letter if you would like additional information about this project or would like to consult with the City about any tribal cultural resources located within the project site. Pursuant to SB 18, the City, as the lead agency, is requesting you contact us within 90 days of receipt of this letter, though consultation for AB 52 and SB 18 may be more efficiently conducted concurrently.

To arrange consultation with the City (face-to-face or via telephone meeting), please contact Associate Planner, Miriam Machado, at (626) 939-8422 or <mmachado@westcovina.org> to make scheduling arrangements. Any dealing between your government and the City of West Covina will be kept in the strictest confidence.

Respectfully,



Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

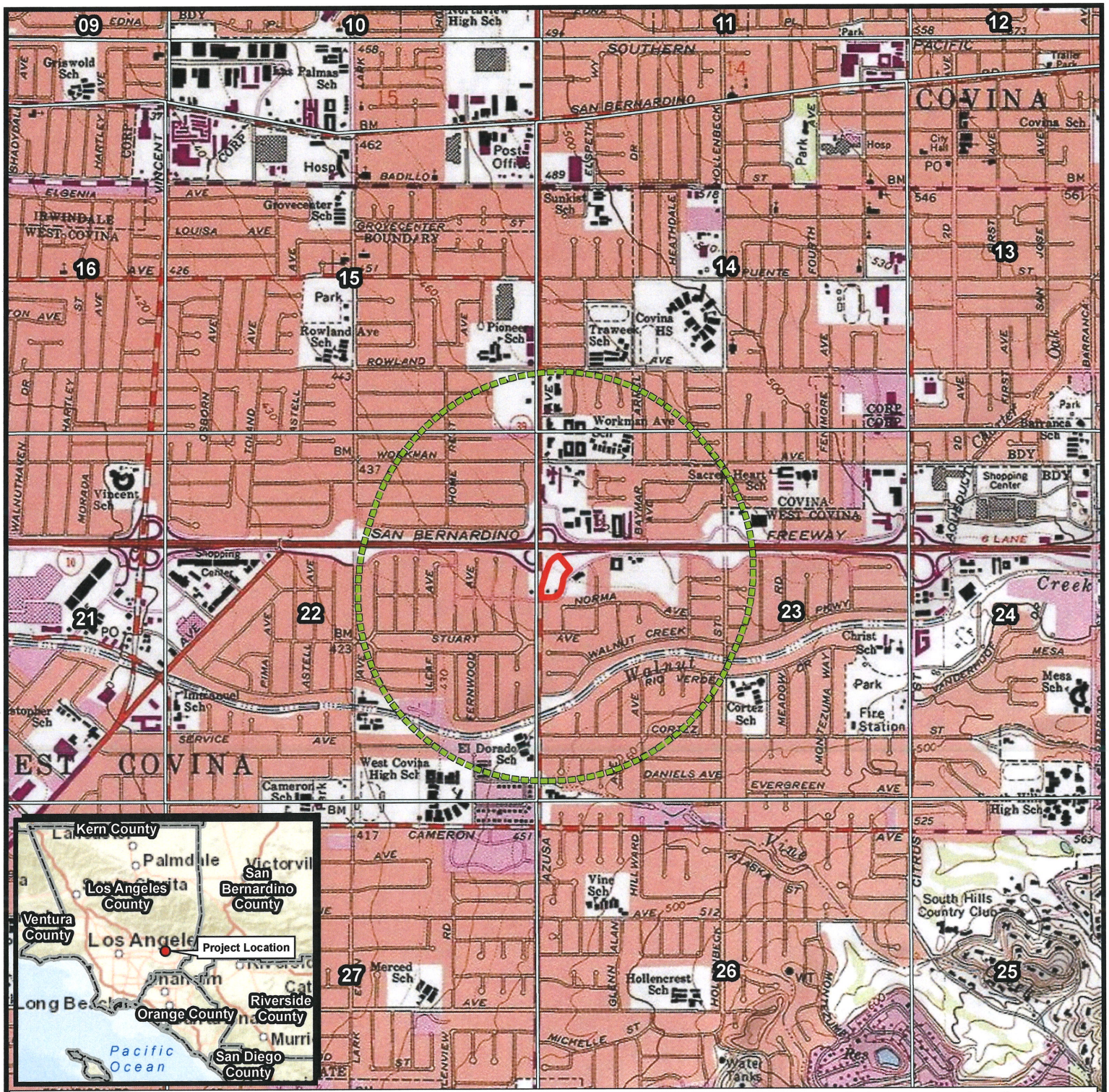
Scale: 1:2,400

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Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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WEST COVINA

Planning Division

September 5, 2024

Andrew Salas, Chairperson
Gabrieleno Band of Mission Indians - Kizh Nation
P.O. Box 393
Covina, CA, 91723

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Chairperson Salas,

The City of West Covina Planning Division ("City") is contacting the Gabrieleño Band of Mission Indians –Kizh Nation, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

In addition, the City is contacting the Gabrieleño Band of Mission Indians – Kizh Nation, pursuant to the provisions of Senate Bill 18. Government Code § 65352.3(a) requires consultation with Native Americans on General Plan proposals for the purposes of preserving or mitigating impacts to places, features, and objects described in § 5097.5 and § 5091.993 of the Public Resources Code that are located within the City's jurisdiction. The SB 18 process requires that the City makes an attempt to contact you for the purpose of opening consultations between the City and your tribal government. Following legislation guidelines, we note that you have 90 days to request a consultation with us (Public Resources Code § 21080.3.a(s)).

Project Description: The proposed Project would consist of the development and operation of a new Envision Mercedes Benz Dealership facility. The existing dealership, Envision Toyota of West Covina, would be razed, along with the 10-VFP (vehicle fueling position) Valero gas station at 200 South Azusa Avenue. A new Mercedes Benz facility (both new and used car dealership) would be constructed in their place. The existing site area encompasses 3.53 acres on three parcels. The proposed construction consists of a two-story structure with a total of 85,390 square feet – first floor 42,890 square feet, second floor 42,500 square feet, and second floor roof overhang 8,920 square feet. The first level includes showroom and delivery, office, service (detail bays), and other facilities such as lunchrooms, restrooms and storage. The second floor includes showrooms and delivery, office space, and other facilities such as restrooms, lunchrooms and storage. There will be a total of 395 parking spaces including display parking and 25 spaces for customers.

Also, there will be a zone change to alter the portion of the project site currently zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone.

Project Location: The Project is located in the City of West Covina and is specifically located at 1800 East Garvey Avenue South and 200 South Azusa Avenue, West Covina, California, 91791. The project site is within an existing designated Auto Plaza area and is visible from the I-10 Freeway and major street corridors, such

as East Garvey Avenue South and South Azusa Avenue. Access to the project site is along East Garvey Avenue and South Azusa Avenue. This may be seen on the *Baldwin Park, Calif.*, USGS topographical quadrangle, Range 10 West, Township 1 South, in the SW ¼ of the NW ¼ of Section 23. The project is surrounded by I-10 San Bernardino Freeway to the north, Azusa Avenue to the west and Garvey Avenue on the east and south. This is shown on the accompanying map and the Project boundary is depicted with a one-half mile buffer zone.

You are a traditionally and culturally affiliated California Native American tribal representative that may request notice of projects where AB 52 and SB 18 applies within the City. We are requesting any information that you may have regarding tribal cultural resources (as defined by Public Resources Code 21074) in the project site so that this information can be incorporated into the planning phase of the project. Please inform the City if you wish to conduct consultation with the City regarding this project.

Your comments and concerns are important to the City and we welcome the opportunity to consult with the Gabrieleño Band of Mission Indians – Kizh Nation, upon your request. Pursuant to AB 52, the City, as the lead agency, is requesting you contact us within 30 days of receipt of this letter if you would like additional information about this project or would like to consult with the City about any tribal cultural resources located within the project site. Pursuant to SB 18, the City, as the lead agency, is requesting you contact us within 90 days of receipt of this letter, though consultation for AB 52 and SB 18 may be more efficiently conducted concurrently.

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Respectfully,

MMachado

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

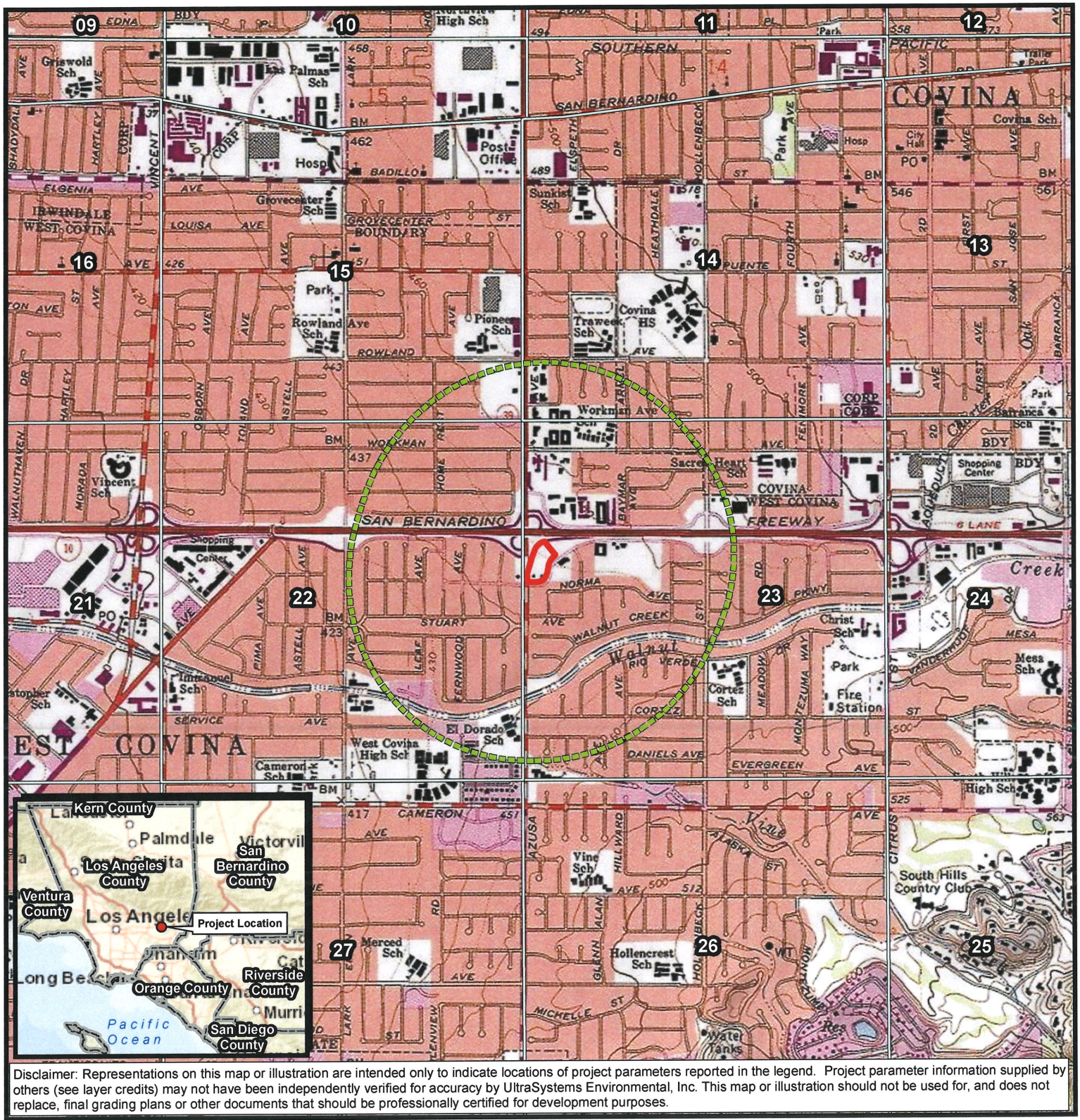
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Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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Planning Division

September 5, 2024

Jessica Valdez, Cultural Resource Specialist
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA, 92581

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Ms. Valdez,

The City of West Covina Planning Division ("City") is contacting the Soboba Band of Luiseno Indians, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

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Respectfully,

mmachado

Miriam Machado, Associate Planner
City of West Covina, Planning Division
Phone: (626) 939-8422
E-Mail: mmachado@westcovina.org

Attachments:
Project Location Map
Topographic Map



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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

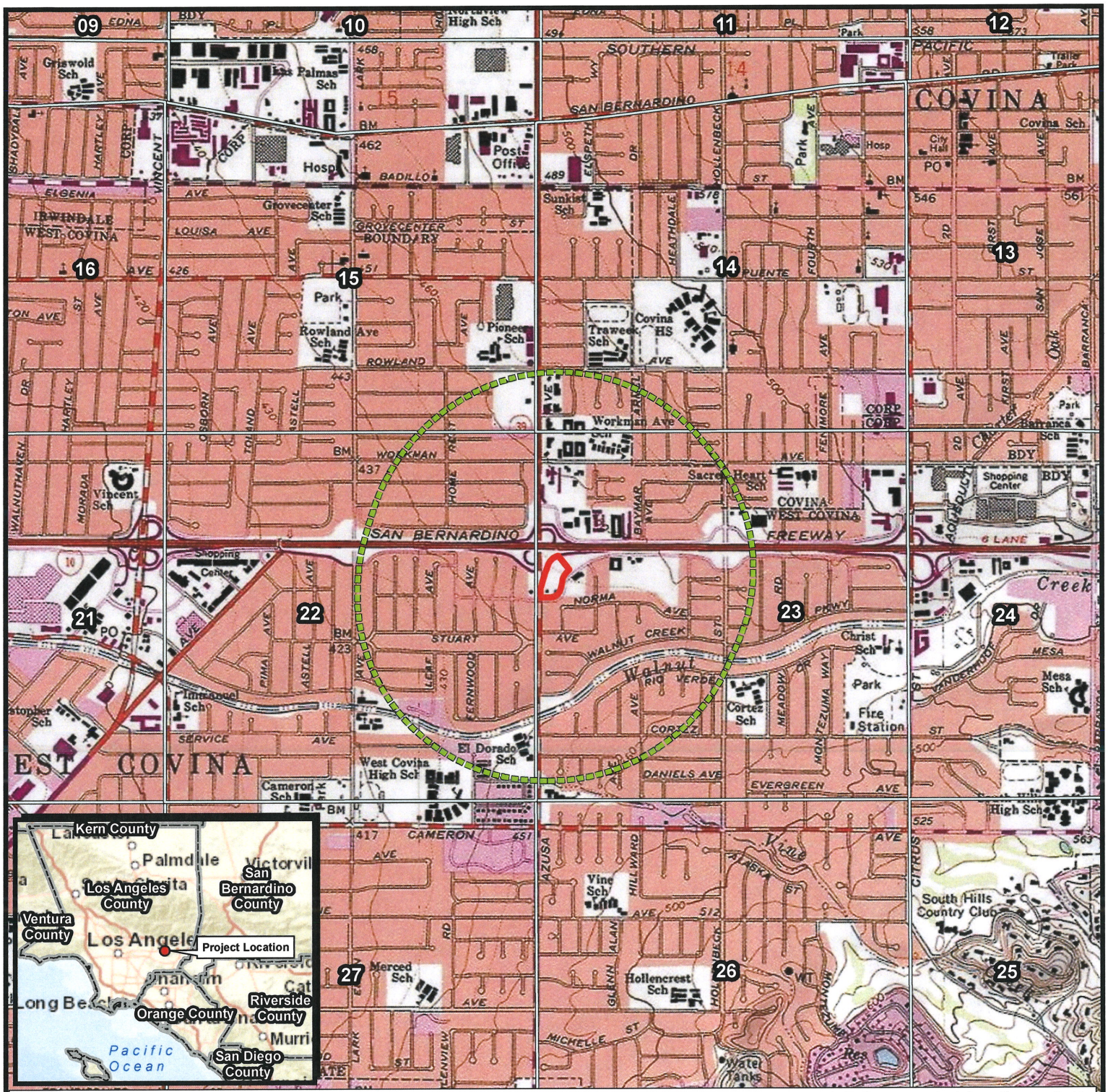
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Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
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WEST COVINA
Planning Division

September 5, 2024

Isaiah Vivanco, Chairperson
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA, 92581

Subject: Assembly Bill 52 and Senate Bill 18 Notice for the Envision Merecedes Benz Dealership Project, in the City of West Covina, Los Angeles County, California.

Dear Chairperson Vivanco,

The City of West Covina Planning Division ("City") is contacting the Soboba Band of Luiseno Indians, pursuant to the provisions of Assembly Bill 52 of the Public Resources Code, for formal notification of proposed projects in the geographic area that is traditionally and culturally affiliated with your tribe for the purpose of requesting consultation to protect any tribal cultural resources that may exist in the planning area. Section 21080.3.1(d) requires the written notification to include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation.

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Respectfully,

Miriam Machado, Associate Planner
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Phone: (626) 939-8422
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Attachments:
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Envision Motors
West Covina Mercedes Benz

Project Location

Legend

Project Boundary

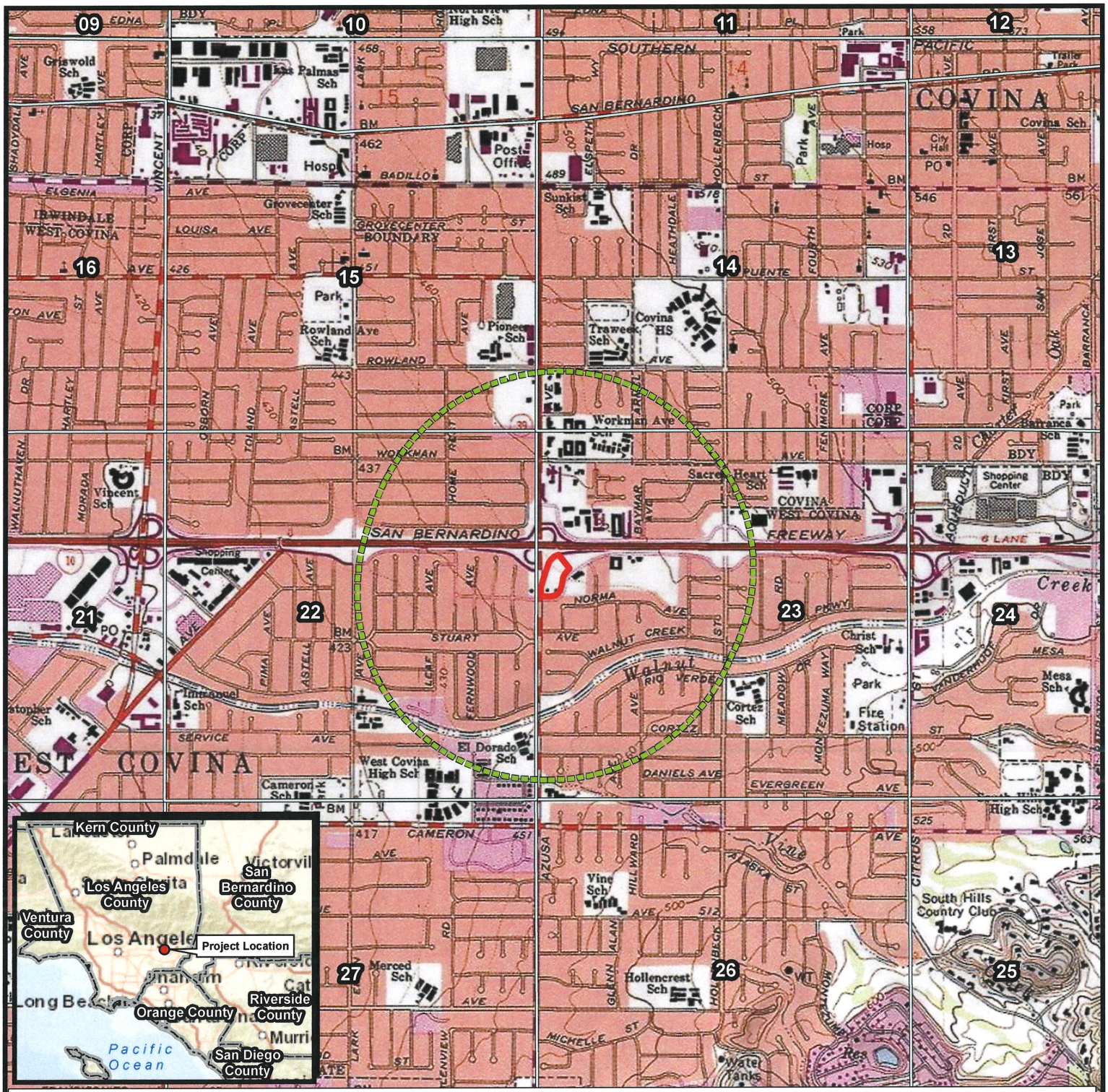
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Path: \\Gissvr\gis\Projects\7212_WCovina_Envision_Dealership_ISMND\MXDs\7212_WCovina_4_5_Topo_2024_04_18.mxd

April 18, 2024

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Copyright:© 2013 National Geographic Society, i-cubed; California Department of Conservation, 2019; UltraSystems Environmental, Inc., 2024.

Scale: 1:24,000

N

0 1,000 2,000 Feet

0 250 500 Meters

Legend

- Project Boundary
- Half-Mile Radius
- Section Boundary

Envision Motors
West Covina Mercedes Benz

Topographic Map
USGS Quadrangle: Baldwin Park
Township: 1S Range: 10W
Section: 23

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ATTACHMENT C
Comment Letters

LOS ANGELES COUNTY
SANITATION DISTRICTS
Converting Waste Into Resources

Robert C. Ferrante
Chief Engineer and General Manager
1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
(562) 699-7411 • www.lacsd.org

Coment Letter A

November 13, 2024

Ref. DOC 7354602

VIA EMAIL mmachado@westcovina.org

Ms. Miriam Machado, Associate Planner
City of West Covina, Planning Division
1444 West Garvey Avenue S, Room 208
West Covina, CA 91790

Dear Ms. Machado:

NOI Response to Mercedes Benz Dealership Project

The Los Angeles County Sanitation Districts (Districts) received a Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND) for the subject project located in the City of West Covina on October 28, 2024. The proposed project is located within the jurisdictional boundaries of District No. 22. We offer the following comments regarding sewerage service:

1. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' 24-inch diameter Cameron Trunk Sewer, Section 1, 2 & 3, located in South Azusa Avenue at East Walnut Creek Parkway. This trunk sewer has a capacity of 1.8 million gallons per day (mgd) and conveyed a peak flow of 0.2 mgd when last measured in 2015. A-1

2. The expected average wastewater flow from the project, described in the Initial Study as 70,758 square foot (sf) auto sales, 13,489 sf office building and 2,395 sf service shop, is 10,013 gallons per day. A copy of the District's average wastewater generation factors is available on our website at Table 1, Loadings for Each Class of Land Use. A-2

3. The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average recycled flow of 60.1 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the A.K. Warren Water Resource Facility (formerly known as the Joint Water Pollution Control Plant) in the City of Carson, which has a capacity of 400 mgd and currently processes an average flow of 248.3 mgd A-3

4. The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by the Districts for its capital facilities. Payment of a connection fee may be required before this project is permitted to discharge to the Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, under Services, then Wastewater (Sewage) and select Rates & Fees. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family Home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding A-4

the connection fee application procedure and fees, please contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727. A-4

5. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service but is to advise the City that the Districts intend to provide this service up to the levels that are legally permitted and to inform the City of the currently existing capacity and any proposed expansion of the Districts' facilities. A-5

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2742, or phorsley@lacsd.org.

Very truly yours,

Patricia Horsley

Patricia Horsley
Environmental Planner
Facilities Planning Department

PLH:plh

cc: D. Hatch
A. Howard

DEPARTMENT OF TRANSPORTATION
DISTRICT 7
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 266-3562
FAX (213) 897-1337
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life

November 28, 2024

Miriam Machado
City of West Covina
1444 W. Garvey Avenue South
West Covina, CA 91790

RE: Mercedes Benz Dealership Project;
Precise Plan No. 24-01 and Zone Change No. 24-01: MND
GTS # 07-LA-2024-04669
SCH # 2024101288
Vic. I-10 PM 36.544

Dear Miriam Machado:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. The proposed construction consists of electric vehicle charging stations and a two-story dealership with a total of 85,390 square feet – first floor 42,890 square feet, second floor 42,500 square feet, and second-floor roof overhang 8,920 square feet. The first level includes the showroom and delivery, office, service (detail bays), and other facilities such as lunchrooms, restrooms, and storage. The second floor includes showrooms and delivery, office space, and other facilities such as restrooms, lunchrooms, and storage. The project also includes a zone change to alter a portion of the project site currently zoned Neighborhood Commercial Mixed Use (SMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone. The City of West Covina is the Lead Agency under the California Environmental Quality Act (CEQA).

The closest state facility is I-10. After reviewing the project's documents, Caltrans has the following comments:

Caltrans strongly recommends that auto-oriented projects, like the one proposed, be required to contribute Complete Streets infrastructure as a condition of approval. Complete Streets incorporate high-quality infrastructure for pedestrians, bicyclists, and transit riders, prioritizing the needs of all users, regardless of age or ability. The most effective methods to reduce pedestrian and bicyclist exposure to vehicles are through physical design and geometrics. These methods include the construction of physically separated facilities such as Class IV bike lanes, wide sidewalks, pedestrian refuge

islands, landscaping, street furniture, and reductions in crossing distances through roadway narrowing. The implementation of Complete Streets leads to positive outcomes, including improved regional connectivity, enhanced air quality, reduced traffic congestion, better first/last-mile connections for transit users, and overall improved safety for all modes of transportation.

Due to the project's adjacency to I-10, extra care should be taken to ensure that there will be no impacts to Caltrans ROW. Any project work occurring within, or abutting Caltrans ROW will require an encroachment permit, this includes any grading, topography, or equipment work that will change the pattern or direction of water runoff in a way that will impact State facilities or ROW.

Final design requirements for any proposed changes to infrastructure within or along Caltrans Right-of-way will be determined by the Office of Permits. At the time of permit application there will be rounds of review and corrections to ensure all design, Right-of-way, access management, water runoff, environmental, and statutory requirements are being addressed.

Caltrans District 7 Office of Permits contact information:
Mailing Address: 100 S Main Street, Ste 100 Los Angeles, CA 90012
Office Hours: 8:00 a.m. to 5:00 p.m. Monday-Friday
Phone: 213-897-3631 | Fax: 213-897-0420 | E-mail: D7.Permits@dot.ca.gov

Caltrans also recommends limiting large truck travel and construction traffic to off-peak commute hours. A permit for any heavy construction equipment and or materials that require the use of oversized transport vehicles on State highways. If construction traffic is expected to cause issues on any State facilities, please submit a construction traffic control plan detailing potential impacts for Caltrans for review.

If you have any questions, please feel free to contact Jaden Oloresisimo, the project coordinator, at Jaden.Oloresisimo@dot.ca.gov and refer to GTS # 07-LA-2024-04669.

Sincerely,

Anthony Higgins

Anthony Higgins
Acting LDR/CEQA Branch Chief

cc: State Clearinghouse

ATTACHMENT NO. 2

ORDINANCE NO. 2527

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA ADOPTING ZONE CHANGE NO. 24-01, REZONING A PROPERTY (200 SOUTH AZUSA AVENUE) IN THE NEIGHBORHOOD COMMERICAL MIXED-USE ZONE (NMU) TO SERVICE COMMERCIAL MIXED-USE (SMU) WITHIN THE AUTO PLAZA OVERLAY

The City Council of the City of West Covina hereby finds and declares as follows:

WHEREAS, the applicant, Boyd Sumner of Envision Motors, filed with the City a verified application requesting approval of a precise plan (Precise Plan No. 24-01) to:

> Allow the demolition of an existing auto dealership and an operating gas station and the construction of a new two-story 85,390 square foot dealership building on a certain property described as:
>
> Assessor's Parcel No. 8478-007-031, -025, and -042 in the records of the Los Angeles County Assessor; and

WHEREAS, the applicant also filed an application requesting approval of a zone change (Zone Change No. 24-01) to alter a portion of the project site currently zoned Neighborhood Commercial Mixed Use (NMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone; and

WHEREAS, on December 10, 2024, the Planning Commission conducted a duly noticed public hearing to consider in part Zone Change No. 24-01 and gave all persons interested therein an opportunity to be heard. At the conclusion of the public hearing, the Planning Commission recommended that the City Council approve Zone Change No. 24-01; and

WHEREAS, on February 4, 2025, the City Council conducted a duly noticed public hearing to consider in part Zone Change No. 24-01; and

WHEREAS, studies and investigations made by the City Council and on its behalf reveal the following:

1. The project includes a zone change to rezone a portion of the overall Project site for a property located at 200 South Azusa Avenue from Neighborhood Commercial Mixed-Use (NMU) to Service Commercial Mixed-Use (SMU) within the Auto Plaza Overlay Zone.

2. The project includes a Precise Plan to allow the demolition of an existing auto dealership and gas station and construction of a new two-story 85,390 square foot dealership building.

WHEREAS, Precise Plan No. 24-01 and Zone Change No. 24-01 (the "Project") are considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA); and

WHEREAS, the City, through its environmental consultant, prepared an Initial Study and Mitigated Negative Declaration for the Project; and

WHEREAS, prior to introducing this Ordinance, the City Council adopted Resolution No. 2025-7, adopting a Mitigated Negative Declaration for the Project and approving a Mitigation Monitoring and Reporting Program; and

WHEREAS, the City Council has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above recitals are true and correct and are incorporated herein.

SECTION 2. Consistency with General Plan. Based on the evidence presented, Zone Change No. 24-01 is found to be consistent with the City's General Plan.

SECTION 3. Approval of Zone Change. The City Council hereby approves Zone Change No. 24-01, changing the zoning designation for subject property as set forth on Exhibit A and amending the Zoning Map of the City of West Covina accordingly.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of West Covina hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 5. Certification. The City Clerk shall certify passage of this ordinance and shall cause the same to be published as required by law.

SECTION 6. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage.

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2025.

_____
Tony Wu
Mayor

APPROVED AS TO FORM

_____
Thomas P. Duarte
City Attorney

ATTEST

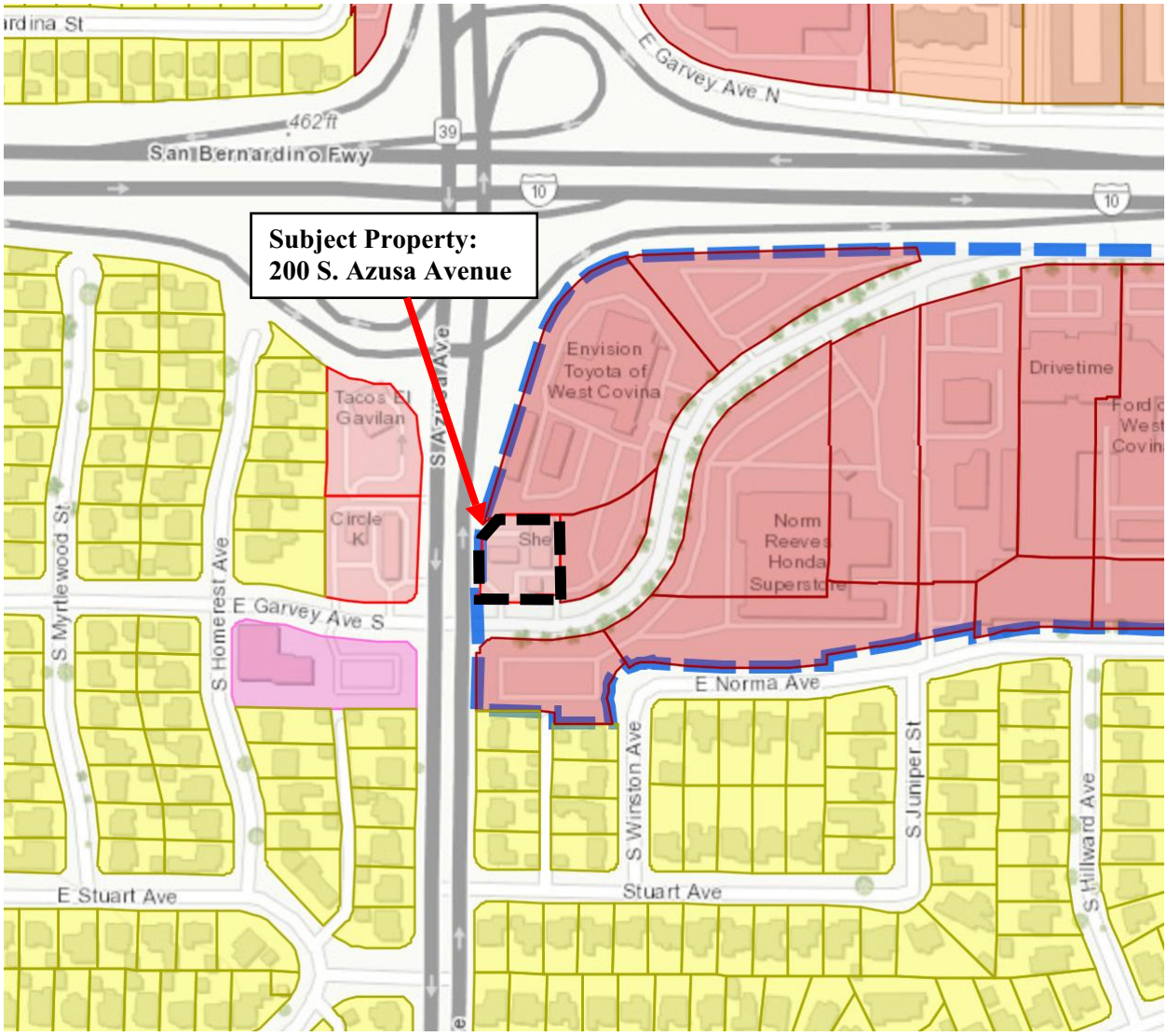
_____
Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2527 was introduced at a regular meeting of the City Council held on the 4th day of February, 2025, and adopted at a regular meeting of the City Council held on the ____ day of _____, 2025, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Lisa Sherrick
Assistant City Clerk

EXHIBIT A



Indicates the area to be changed from "Neighborhood Commercial Mixed-Use" (NMU) to "Service Commercial Mixed-Use" (SMU).

RESOLUTION NO. 2025-8

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 24-01 FOR THE PROPERTY LOCATED AT 1800 EAST GARVEY AVENUE SOUTH AND 200 SOUTH AZUSA AVENUE

The City Council of the City of West Covina hereby finds and declares as follows:

WHEREAS, the applicant, Boyd Sumner of Envision Motors, filed with the City a verified application requesting approval of a precise plan (Precise Plan No. 24-01) to:

> Allow the demolition of an existing auto dealership and an operating gas station and the construction of a new two-story 85,390 square foot dealership building on a certain property described as:
>
> Assessor's Parcel No. 8478-007-031, -025, and -042 in the records of the Los Angeles County Assessor; and

WHEREAS, the applicant also filed an application requesting approval of a zone change (Zone Change No. 24-01) to alter a portion of the project site currently zoned Neighborhood Commercial Mixed Use (NMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone; and

WHEREAS, Precise Plan No. 24-01 and Zone Change No. 24-01 (the "Project") are considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA); and

WHEREAS, the City, through its environmental consultant, prepared an Initial Study and Mitigated Negative Declaration for the Project; and

WHEREAS, pursuant to CEQA Guidelines Section 15074(a), the Planning Commission is required to consider the proposed Mitigated Negative Declaration before making a recommendation to the City Council; and

WHEREAS, pursuant to Chapter 26 (Zoning) of the West Covina Municipal Code, the Planning Commission is the decisionmaking authority on precise plan applications; and

WHEREAS, on December 10, 2024, the Planning Commission conducted a duly noticed public hearing to consider in part Precise Plan No. 24-01; and

WHEREAS, at the conclusion of the public hearing, the Planning Commission approved Precise Plan 24-01; however, it did not adopt the Mitigated Negative

Declaration, which must be adopted by the City Council before approval of Precise Plan No. 24-01; and

WHEREAS, on February 4, 2025, the City Council conducted a duly noticed public hearing to consider the Project; and

WHEREAS, prior to adopting this Resolution, the City Council adopted Resolution No. 2025-7, adopting a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the Project, and introduced Ordinance No. 2527 changing the zoning for the property located at 200 South Azusa Avenue to Service Commercial Mixed-Use which is necessary to develop an auto dealership.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The foregoing recitals are true and correct and are incorporated herein.

SECTION 2. Precise Plan Findings. On the basis of the evidence presented, both oral and documentary, the City Council makes the following findings required by Section 26-213 of Chapter 26 the West Covina Municipal Code:

a. *The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.*

   The Project site is designated as "Commercial" in the City's General Plan and is consistent with the General Plan's goals. The subject property is located south of the Interstate 10 Freeway and is easily accessed via N. Azusa Avenue and E. Garvey Avenue South. The Project site is adjacent to commercial properties to the North, East, and South and West.

b. *The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provisions of the Municipal Code.*

   The Project proposal is to demolish the existing dealership building and gas station to allow for the construction of an 85,390 square two-story dealership building. The proposal complies with the requirements of the Service Commercial Mixed-Use (SMU) Zone and the Auto Plaza Overlay Zone.

c. *Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.*

The proposed Project is surrounded by commercial uses, including other dealership properties. Therefore, granting the permit would not be detrimental to the public interest, health, safety, and welfare would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

d. *The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.*

The site will be physically suitable for the type, density and intensity of the development being proposed. The Project site is visible from the surrounding areas, which includes the Interstate 10 Freeway and commercial buildings. Vehicles will be able to access the Project site via S. Azusa Avenue and E. Garvey Avenue South.

e. *The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.*

The architectural style of the building is modern. The building will primarily be composed of large glass panels. The use does not interfere with the orderly development in the vicinity.

SECTION 3. Precise Plan Approval. The City Council approves Precise Plan No. 24-01, subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions of approval set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Deputy Community Development Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued.

SECTION 4. Limitations on Effectiveness of Precise Plan. The Precise Plan shall not be effective for any purpose until the applicant (or a duly authorized representative) has filed at the office of the Community Development Director his/her affidavit stating he/she is aware of, and accepts, all conditions of this Precise Plan as set forth below. Additionally, no permits shall be issued until the applicant (or a duly authorized representative) pays all costs associated with the processing of this applications for this project pursuant to City Council Resolution No. 8690.

SECTION 5. Effective Date of Precise Plan. The Precise Plan shall not be effective until Ordinance No. 2527 takes effect.

SECTION 6. Costs of Enforcement Activities. The costs and expenses of any enforcement activities, including, but not limited to, attorneys' fees, caused by the

applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.

SECTION 7. Conditions of Approval. The Precise Plan is subject to the following conditions:

PLANNING DIVISION

a. Comply with the plans reviewed by the City Council on February 4, 2025.

b. These conditions of approval shall be printed on, or attached to, the working drawings submitted to the Building Division for approval.

c. That the project complies with all requirements of the "Service Commercial Mixed-Use" (SMU) Zone and all other applicable standards of the West Covina Municipal Code.

d. This approval is to allow for the construction of a new two-story 85,390 square foot automobile dealership building. The first floor will be 42,890 square feet, and will consist of a showroom, vehicle delivery rooms, offices, detail bays (used to clean/polish vehicles for display), and other facilities such as a customer lounge room, employee lunchrooms, offices, restrooms and storage rooms. The second floor will be 42,500 square feet with a second-floor roof overhang of 8,920 square feet and will consist of a showroom, an employee lunchroom, conference rooms, offices, restrooms, and storage rooms.

e. The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.

f. The approved use shall be in compliance with the Noise Ordinance (Chapter 15).

g. This Precise Plan approval shall become null and void if the building permit is not obtained within two (2) years of the date of this approval.

h. The applicant shall sign an affidavit accepting all conditions of this approval.

i. That any proposed change to the approved site plan, floor plan or elevations be reviewed by the Planning, Building, Fire and Police Departments and that the written authorization of the Community Development Director shall be obtained prior to implementation.

j. All outstanding fees and Development Impact Fees will be due at the time of building permit issuance.

k. All new gutters and downspouts shall not project from the vertical surface of the building pursuant to Section 26 568 (a) (3).

l. This approval does not include approval of signs; a separate sign permit shall be obtained. All signs shall be required to comply with the City of West Covina Sign Code.

m. All approved materials and colors shall be clearly indicated on the plans.

n. All new ground-mounted, wall-mounted and/or roof-mounted equipment not shown on the approved plans shall be screened from all views, in a manner that is architecturally compatible with the main building. Plans and elevations indicating the type of equipment and method of concealment shall be submitted to the Community Development Director for review and approval prior to the issuance of building permits.

o. The location of new electrical transformers, vaults, antennas, mechanical and all other equipment not indicated on the approved plans must be approved by the Community Development Director prior to the issuance of the building permit. Provide construction details prior to the issuance of a building permit.

p. The parking lot shall be resurfaced/repaired and restriped so that there are no visible cracks and/or holes on the surface prior to Building permit final.

    i. Parking lots or other paved areas with a cracked, broken or otherwise deteriorating surface, in excess of ten (10) percent of the surface area shall be considered a nuisance and shall be repaired.

q. The paved areas at the site shall be maintained clean and free of oil stains. All paved areas shall be pressure-washed as needed to maintain the site in a clean and orderly manner.

r. All new utilities shall be placed underground prior to the issuance of the Certificate of Occupancy. All relocated on-site utility service lines shall be underground when the cost or square footage of an addition or alteration exceeds 50% of the existing value or area per WCMC 23-273.

s. Any graffiti that appears on the property during construction shall be cleaned or removed on the same business day. During construction, the delivery of materials and equipment, outdoor operations of equipment, and construction activity shall be limited to the hours between 7:00 a.m. and 8:00 p.m.

t. Prior to the final building permit approval, a detailed landscape and irrigation plan in compliance with AB 1881 and executive order 13-29-15 shall be submitted for all planted areas to be affected by project. Plans shall include type, size and quantity of landscape materials and irrigation equipment. All vegetation areas shall be automatically irrigated, and a detailed watering program and water budget shall be provided. All damaged vegetation shall be replaced, and the site shall be kept free of diseased or dead plant materials and litter at all times.

u. The applicant shall execute an indemnity agreement, in a form provided by the City and approved by the City Attorney, indemnifying the City against any, and all actions brought against the City in connection with the approvals set forth herein.

BUILDING DIVISION

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

b. Plans prepared in compliance with the current Building Code shall be submitted to the Building Division for review prior to permit issuance.

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

d. The building shall be addressed as 1800 E. Garvey Ave. South, and an application to consolidate addresses shall be filed with the City prior to plan check submittal.

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

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

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

    i. Observation of cleared areas and benches prepared to receive fill;
    ii. Observation of the removal of all unsuitable soils and other materials;
    iii. The approval of soils to be used as fill material;
    iv. Inspection of compaction and placement of fill;
    v. The testing of compacted fills; and
    vi. The inspection of review of drainage devices.

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

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

j. Stormwater Planning Program LID Plan Checklist (MS4-1 FORM) completed by Engineer of Record shall be copied on the first sheet of Building Plans and on the first sheet of Grading Plans. When applicable per the LID plan checklist, LID plan shall be approved through the Engineering Division prior submitting grading plans for review. The form can be found at the following link: https://www.westcovina.org/home/showdocument?id=18427.

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

l. Approval is required from the Los Angeles County Health Department for food handling and/or storage.

m. The property shall be surveyed, and the boundaries marked by a land surveyor licensed by the State of California.

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

o. Separate application and plan review is required for Electrical plans.

p. Separate application and plan review are required for Mechanical plans.

q. Separate application and plan review are required for Plumbing plans.

r. Plumbing fixtures shall be provided as required by Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.

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

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

u. A demolition permit is required for any existing buildings which are to be demolished.

v. Designated rooms or space used to store large quantities of motor vehicles on the first floor shall be separated from the rest of the showroom of Business Group B Occupancy as well as the office spaces at the second floor and be classified as a parking garage of Storage Group S-2 Occupancy per Section 311 of the Building Code. The parking garage shall also be separated from the portion used for repair garage of Storage Group S-1 Occupancy per Table 508.4. Because of the separation requirement, the stairway communicating between the 1st floor parking garage and 2nd floor office shall be enclosed with the fire-resistance rating as required by the Building Code. Furthermore, this interior exit stairway shall discharge directly to the exterior of building unless the conditions per the exceptions under Section 1028.2 are met.

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

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

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

z. Separate permits are required for Fire Sprinklers.

aa. The proposed site is a combination of lots. A parcel merger shall be processed prior to the issuance of the building permit.

ENGINEERING DIVISION

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

b. The building shall be addressed as 1800 East Garvey Avenue South and an application to assign address shall be filed with Engineering Division prior to plan check submittal.

c. Reconstruct the two driveway approaches located along East Garvey Avenue South and one driveway approach on South Azusa Avenue in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.

d. Close existing two driveway aprons along East Garvey Avenue South and one driveway along South Azusa Avenue, and install necessary improvements (parkway,

landscape, sidewalk, curb and gutter, any others as applicable) to match required adjacent sections, and as directed by the City Engineer or his/her designee.

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

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

g. The approved building address(es) shall be painted on the curb to the City's standards as required by the Public Works Inspector prior to final inspection.

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

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

j. Underground all utility services to the property.

k. Prior to the final of the building permit(s), an inspection is required by the Public Works inspector.

l. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
    i. Observation of cleared areas and benches prepared to receive fill;
    ii. Observation of the removal of all unsuitable soils and other materials;
    iii. The approval of soils to be used as fill material;
    iv. Inspection of compaction and placement of fill;
    v. The testing of compacted fills; and
    vi. The inspection of review of drainage devices.

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

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

o. Stormwater Planning Program LID Plan Checklist (Form MS4-1 PC) completed by Engineer of Record shall be copied on the first sheet of Grading Plans. The form can be found at the following link: https://www.westcovina.org/home/showdocument?id=18427.

p. Project shall be reviewed and approved by the City Traffic Engineer, prior to the issuance of permits. Any improvement measures needed as a result of findings from the traffic study or VTM Analysis shall be made at the sole cost to the property owner/developer.

q. A lot merger shall be submitted for review and approval.

FIRE DEPARTMENT

Based on the preliminary information received, the Fire Department Requirements* for the above-noted project are:

a. NFPA 13D/13R/13 Fire Sprinkler System.

b. NFPA 14 – Standpipe System/Yard Standpipes.

c. NFPA 72 – Fire Alarm/Fire Sprinkler Monitoring System.

d. NFPA 17/17A – Dry/Wet Chemical Extinguishing System.*

e. NFPA 10 – Portable Fire Extinguishers.

f. New Fire Flow Test Required.

g. Required Fire Flow of 2,000 GPM @ 20 PSI for two (2) hours.

h. A minimum 20-foot-wide fire land shall be provided throughout the lot.

i. An approved Fire Department turnaround may be required upon review of final architectural drawings.

***NOTE: Additional Fire Department Requirements may be set upon a future review of a full set of architectural plans.**

SECTION 8. Certification. The City Clerk shall certify to the adoption of this Resolution and shall enter it into the book of original resolutions.

APPROVED AND ADOPTED on this 4th day of February, 2025.

_____
Tony Wu
Mayor

APPROVED AS TO FORM

_____
Thomas P. Duarte
City Attorney

ATTEST

_____
Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2025-8 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 4th day of February, 2025, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Lisa Sherrick
Assistant City Clerk

ATTACHMENT NO. 4

RESPONSES TO COMMENTS

Envision Motors
Mercedes Benz Dealership Project
Initial Study and Mitigated Negative Declaration (IS/MND)

CEQA Analysis Prepared for:

City of West Covina
Planning Division
1444 W. Garvey Avenue S
West Covina, CA 91790

Prepared by:

UltraSystems Environmental Inc.
16431 Scientific Way
Irvine, CA 92618-4355
Telephone: 949-788-4900
FAX: 949/788-4901

December 2024
Project No. 7212

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1.0 INTRODUCTION

This Responses to Comments (RTC) document, in conjunction with the Draft Initial Study/Mitigated Negative Declaration (IS/MND) responds to comments on the proposed Envision Motor Mercedes Benz Dealership Project (proposed project). While the State of California Environmental Quality Act (CEQA) Guidelines do not require a final initial study or the preparation of formal responses to comments received during the public review period for an Initial Study/Mitigated Negative Declaration,[1] the City of West Covina is making available responses to the comments it received during the public review process, to provide further disclosure about the proposed project.

1.1 Background of Environmental Review Process for the Project

The IS/MND, along with a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI, see **Attachment A**), was released for public and agency review on October 28, 2024, with a 20-day review period ending on November 18, 2024.

1.2 Tribal Consultation

The City of West Covina (lead agency) initiated AB 52 outreach to local tribes for the proposed project. The City of West Covina prepared and prepared and sent letters via email on September 5, 2024, from Miriam Machado, Associate Planner with the City Planning Division to the 13 tribes listed below for AB 52 contact, informing them of the project. The letters conveyed that the recipient has 30 days from the receipt of the letter to request AB 52 consultation regarding the project. All AB 52 letters are found in **Attachment B**.

- Andrew Salas, Chairperson: Gabrieleño Band of Mission Indians - Kizh Nation,
- Christina Martinez, Secretary: Gabrieleño Band of Mission Indians - Kizh Nation,
- Anthony Morales, Chairperson: Gabrieleno/Tongva San Gabriel Band of Mission Indians,
- Sandonne Goad, Chairperson: Gabrielino/Tongva,
- Robert Dorame, Chairperson: Gabrielino Tongva Indians of California Tribal Council,
- Christina Conley, Cultural Resources Administrator: Gabrielino Tongva Indians of California Tribal Council,
- Sam Dunlap, Cultural Resources Director: Gabrielino-Tongva Tribe,
- Charles Alvarez, Chairperson: Gabrielino-Tongva Tribe,
- Steven Estrada, Chairperson: Santa Rosa Band of Cahuilla Indians,
- Vanessa Minott, Tribal Administrator: Santa Rosa Band of Cahuilla Indians,
- Jessica Valdez, Cultural Resource Specialist: Soboba Band of Luiseño Indians,
- Isaiah Vivanco, Chairperson: Soboba Band of Luiseño Indians,
- Joseph Ontiveros, THPO: Soboba Band of Luiseño Indians.

There has been one response to the letters to date. The Administrative Specialist for the Gabrieleño Band of Mission Indians – Kizh Nation replied by email on September 5, 2024, and followed up the following day September 6, 2024, requesting consultation (M. Machado, personal communication to S. O'Neil; September 10, 2024.) The Kizh Nation informed Ms. Machado that the project area is in an area with a high potential to impact Tribal Cultural resources due to being in the area of the

1 CEQA only requires the lead agency to respond to comments that are received in response to an environmental impact report (Title 14, California Code of Regulations, § 15088, Evaluation of and Response to Comments).

traditional community of *Wininga* as well as sacred water ways and traditional trade routes. In place of a meeting the Kizh Nation sent Ms. Machado attachments providing information of the Tribe's history, traditional territory, maps and excerpts from published sources providing their history, cultural background and settlements. The Kizh Nation also submitted two recommended mitigation measures. These measures were adopted following approval by the applicant and Ms. Machado informed the tribe October 8, 2024, that they had been adopted (M. Machado, personal communication to S. O'Neil; October 7, 2024; October 8, 2024). On October 11, the Kizh Nation acknowledged that their mitigation measures had been adopted and at the tribe's request on October 14th Ms. Machado confirmed the use of their mitigation measures. With this consultation was concluded (M. Machado, personal communication to S. O'Neil; October 15, 2024).

The Native American Heritage Commission's SLF search was negative for recorded traditional sites in the project region. No resources as defined by Public Resources Code § 21074 have been identified. Additionally, the project site has not been recommended for historic designation for prehistoric and TCRs. No specific tribal resources have been identified.

No prehistoric or archaeological resources were observed during the field survey. The SCCIC CHRIS records search was negative for prehistoric resources either in the project site or the surrounding 0.5-mile buffer zone.

Land at the project site has been extensively disturbed due to road and freeway on-ramp construction surrounding the property and development of the car dealership itself. No human remains have been previously identified or recorded onsite. Therefore, the potential for subsurface prehistoric cultural deposits is considered to be low.

The project proposes demolition of several buildings and shallow grading. Grading activities associated with development of the project would involve new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. Implementation of mitigation measure **TCR-1** provides for tribal monitoring of subsurface construction work; in the event of an unexpected discovery implementation of **TCR-2** provides for dealing with the findings by the tribe; and **TCR-3** deals with the unanticipated discovery of human remains and associated funerary objects. These three TCR MMs are recommended to ensure that impacts related to the accidental discovery of cultural resources and human remains would be less than significant.

1.3 Responses to Comments

This document provides a response to comments received on the IS/MND. **One** comment letter was received during the public review period. This letter is in **Section 2.0**, Public Comment Letters.

1.4 Intended Uses of this IS/MND

The IS/MND will be used by City of West Covina in considering approval of the proposed project. In accordance with CEQA Guidelines § 15074, the IS/MND will be used as the primary environmental document in consideration of all subsequent planning and permitting actions associated with the proposed project, to the extent such actions require CEQA compliance and as otherwise permitted under applicable law.

15074. CONSIDERATION AND ADOPTION OF A NEGATIVE DECLARATION OR MITIGATED NEGATIVE DECLARATION.

(a) Any advisory body of a public agency making a recommendation to the decision-making body shall consider the proposed negative declaration or mitigated negative declaration before making its recommendation.

(b) Prior to approving a project, the decision-making body of the lead agency shall consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed negative declaration or mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration or mitigated negative declaration reflects the lead agency's independent judgment and analysis.

(c) When adopting a negative declaration or mitigated negative declaration, the lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(d) When adopting a mitigated negative declaration, the lead 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 mitigate or avoid significant environmental effects.

(e) A lead agency shall not adopt a negative declaration or mitigated negative declaration for a project within the boundaries of a comprehensive airport land use plan or, if a comprehensive airport land use plan has not been adopted, for a project within two nautical miles of a public airport or public use airport, without first considering whether the project will result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.

(f) When a non-elected official or decision-making body of a local lead agency adopts a negative declaration or mitigated negative declaration, that adoption may be appealed to the agency's elected decision-making body, if one exists. For example, adoption of a negative declaration for a project by the County's planning commission may be appealed to the City Council. A local lead agency may establish procedures governing such appeals.

Upon review and consideration of the IS/MND, the City Council may take action to adopt, revise, or reject the proposed project. A decision to approve the proposed project would be made in a resolution recommending certification of the IS/MND as part of the consideration of the proposed project. The City of West Covina has prepared this IS/MND and has determined that the environmental impacts of the proposed project have been reduced to a less than significant level through mitigation measures.

2.0 PUBLIC COMMENT LETTERS

The following agencies and entitles submitted written comments on the IS/MND, during the public review period. The comment letters are provided in **Attachment C** of this document.

Letter	Agency, Organization, or Individual	Date
A	**Los Angeles County Sanitation District**	**November 13, 2024**
Comment A-1:	**The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts, for conveyance to the Districts' 24-inch diameter Cameron Trunk Sewer, Section 1, 2 & 3, located in South Azusa Avenue at East Walnut Creek Parkway. This trunk sewer has a capacity of 1.8 million gallons per day (mgd) and conveyed a peak flow of 0.2 mgd when last measured in 2015.**	
Response A-1:	This comment is noted.	
Comment A-2:	**The expected average wastewater flow from the project, described in the Initial Study as 70,758 square foot (sf) auto sales, 13,489 sf office building and 2,395 sf service shop, is 10,013 gallons per day. A copy of the District's average wastewater generation factors is available on our website at Table 1, Loadings for Each Class of Land Use.**	
Response A-2:	This comment is noted.	
Comment A-3:	**The wastewater generated by the proposed project will be treated at the San Jose Creek Water Reclamation Plant (WRP) located adjacent to the City of Industry, which has a capacity of 100 mgd and currently processes an average recycled flow of 60.1 mgd. All biosolids and wastewater flows that exceed the capacity of the San Jose Creek WRP are diverted to and treated at the A.K. Warren Water Resource Facility (formerly known as the Joint Water Pollution Control Plant) in the City of Carson, which has a capacity of 400 mgd and currently processes an average flow of 248.3 mgd.**	
Response A-3:	This comment is noted.	
Comment A-4:	**The Districts are empowered by the California Health and Safety Code to charge a fee to connect facilities (directly or indirectly) to the Districts' Sewerage System or to increase the strength or quantity of wastewater discharged from connected facilities. This connection fee is used by the Districts for its capital facilities. Payment of a connection fee may be required before this project is permitted to discharge to the Districts' Sewerage System. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, under Services, then Wastewater (Sewage) and select Rates & Fees. In determining the impact to the Sewerage System and applicable connection fees, the Districts will determine the user category (e.g. Condominium, Single Family Home, etc.) that best represents the actual or anticipated use of the parcel(s) or facilities on the parcel(s) in the development. For more specific information regarding the connection fee application procedure and fees, please contact the Districts' Wastewater Fee Public Counter at (562) 908-4288, extension 2727.**	

Letter	Agency, Organization, or Individual	Date
Response A-4:	This comment is noted.	
Comment A-5:	**In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CAA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service but is to advise the City that the Districts intend to provide this service up to the levels that are legally permitted and to inform the City of the currently existing capacity and any proposed expansion of the Districts' facilities.**	
Response A-5:	This comment is noted.	
Comment A-6:	**Caltrans strongly recommends that auto-oriented projects, like the one proposed, be required to contribute Complete Streets infrastructure as a condition of approval. Complete Streets incorporate high-quality infrastructure for pedestrians, bicyclists, and transit riders, prioritizing the needs of all users, regardless of age or ability. The most effective methods to reduce pedestrian and bicyclist exposure to vehicles are through physical design and geometrics. These methods include the construction of physically separated facilities such as Class IV bike lanes, wide sidewalks, pedestrian refuge islands, landscaping, street furniture, and reductions in crossing distances through roadway narrowing. The implementation of Complete Streets leads to positive outcomes, including improved regional connectivity, enhanced air quality, reduced traffic congestion, better first/last-mile connections for transit users, and overall improved safety for all modes of transportation.** **Due to the project's adjacency to I-10, extra care should be taken to ensure that there will be no impacts to Caltrans ROW. Any project work occurring within, or abutting Caltrans ROW will require an encroachment permit, this includes any grading, topography, or equipment work that will change the pattern or direction of water runoff in a way that will impact State facilities or ROW.** **Final design requirements for any proposed changes to infrastructure within or along Caltrans Right-of-way will be determined by the Office of Permits. At the time of permit application there will be rounds of review and corrections to ensure all design, Right-of-way, access management, water runoff, environmental, and statutory requirements are being addressed.** **Caltrans District 7 Office of Permits contact information:** **Mailing Address: 100 S Main Street, Ste 100 Los Angeles, CA 90012** **Office Hours: 8:00 a.m. to 5:00 p.m. Monday-Friday** **Phone: 213-897-3631 | Fax: 213-897-0420**	

Letter	Agency, Organization, or Individual	Date
	E-mail: D7.Permits@dot.ca.gov **Caltrans also recommends limiting large truck travel and construction traffic to off-peak commute hours. A permit for any heavy construction equipment and or materials that require the use of oversized transport vehicles on State highways. If construction traffic is expected to cause issues on any State facilities, please submit a construction traffic control plan detailing potential impacts for Caltrans for review.**	
Response A-6:	The proposed project does not propose altering public roads, including Caltrans ROW. The proposed project plans to maintain the existing frontages on Garvey Avenue and Azusa Avenue. However, it does propose reducing vehicular right-of-way access points from six to four; restricting vehicular access from North Azusa Avenue and completely removing two access points on either side of the northbound transit stop. This would reduce potential conflict points between pedestrians and public transit users with automobiles, a primary goal of the Complete Streets concept. Further, the project would incorporate mitigation measure Trans-1, which would ensure that all driveways have proper corner sight distance to ensure traffic and pedestrian safety. Although the project is an auto-oriented project, this is a common land use in this area and the proposed project would replace an existing auto dealer. Additionally, the VMT analysis concluded that there would be less than significant impacts due to the low traffic generation the project would produce. Lastly, the proposed project would not have large trucks, such as car cargo trucks, to the project site. All cars would be delivered to a service area located primarily along the south and east sides of the San Gabriel Valley, from just north of the San Bernardino Freeway (I-10) to south of the Pomona Freeway (I-60). Cars would then be individually drive to the proposed dealership.	

3.0 ERRATA

In **Section 4.4**, Biological Resources, the text of the analysis for Threshold 4.4 e) concludes that, regarding the question of whether the project "*would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance*," there would be No Impact. However, an *erroneous entry* in the matrix table at the beginning of **Section 4.4** indicates that the impact would be Less Than Significant with Mitigation Incorporated. The matrix table entry has been revised to No Impact.

In the Mitigation and Monitoring Plan under Biological Resources, there is an erroneous entry for a mitigation measure relating to Threshold 4.4 e). That entry has been deleted.

This error does not alter the conclusions of the Initial Study/Mitigated Negative Declaration nor the significance of an impact.

4.0 FINAL MITIGATION MONITORING AND REPORTING PROGRAM

The Final Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a MND or an EIR. The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those MMs that are within the responsibility of the City of West Covina to implement.

The following table lists impacts, mitigation measures adopted by the City Council in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.

Table 3.0-1
FINAL MITIGATION MONITORING AND REPORTING PROGRAM

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resources				
Threshold 4.4 a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	**MM BIO-1: Pre-Construction Breeding Bird Survey:** To be in compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels. • Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would have a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project	• Project Applicant • Qualified Biologist	• Field Verification	1. City of West Covina 2. City of West Covina 3. Before Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	site during the breeding season and during construction activities. • If project activities cannot be avoided during February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance. • If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin, and no further mitigation will be required. • If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring			

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone. • If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency. • Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.			
Threshold 4.4 d) Would the project interfere substantially with the movement of	Refer to Threshold 4.4 a) **MM BIO-1** above.	• Refer to above	• Refer to above	• Refer to above

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
4.5 Cultural Resources				
Threshold 4.5 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.	**MM CUL 1:** If archaeological resources are discovered during construction activities, the contractor will halt construction activities within a 50-foot diameter and notify the City of West Covina. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology who will be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist will recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A L) form and filed with the South Central Coastal Information Center. Construction activities may continue on other parts of the project site while evaluation and treatment of prehistoric archaeological resources takes place.	• Project Contractor • Qualified Archaeologist	• Field Verification	1. City of West Covina 2. City of West Covina 3. During construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.5 c): Disturb any human remains, including those interred outside of formal cemeteries.	**MM CUL2:** If human remains are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the Los Angeles County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities
4.7 Geology and Soils				
Threshold 4.7 f): Would the project directly or indirectly destroy a unique paleontological resource or site or	**MM GEO-1:** Prior to the issuance of the grading permit, the applicant shall provide a letter to the City of West Covina Planning Division , or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried	• Project Applicant • Qualified Paleontologist • Construction Contractor	• Monitoring • Assessment • Recovery • Curation	1. City of West Covina 2. City of West Covina 3. Prior to the issuance of the grading permit

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
unique geologic feature?	paleontological resources that may exist onsite for the review and approval by the City. The PRIMP shall require that the paleontologist perform paleontological monitoring of any ground disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontologist may reevaluate the necessity for paleontological monitoring after 50 percent or greater of the excavations have been completed. In the event paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be done at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The			

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.			
4.9 Hazards and Hazardous Materials				
Threshold 4.9 a): Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	**MM HAZ-1:** During project site grading on the Valero gas station site the project proponent shall periodically have soil samples tested for TPH-g, TH-d, MTBE, and TBA. Upon finding samples with concentrations of any of the contaminants at concentrations over environmental screening levels (ESLs) for commercial use, the project proponent shall: halt grading operations; shall retain a qualified environmental assessor to conduct soil sampling and testing to determine the extent of soil contaminated with concentrations over ESLs; and shall then retain an environmental remediation company to remediate and/or remove the contaminated soil.	• Project Applicant • Qualified Environmental Assessor	• Field Verification	1. City of West Covina 2. City of West Covina 3. During Construction
4.18 Tribal Cultural Resources				
Threshold 4.18 b): Cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or in a local register of historical	**MM TCR-1:** Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities A. The project applicant/lead agency 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	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
resources as defined in Public Resources Code § 5020.1(k)?	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. B. 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. C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. D. 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			

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	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.			
	MM TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial) A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will 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.	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	MM TCR 3: As specified by California Health and Safety Code § 7050.5, if human remains are found on the project site during construction or during archaeological work, the Los Angeles County Coroner's office shall be immediately notified and no further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code § 5097.98. The Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent.	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

ATTACHMENT NO. 5

RESOLUTION NO. 24-6154

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR PRECISE PLAN NO. 21-01 AND ZONE CHANGE NO. 24-01, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: Boyd Sumner (Envision Motors)

LOCATION: 1800 E. Garvey Avenue and 200 S. Azusa Avenue

WHEREAS, there was filed with the City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting approval of a Precise Plan to:

> Allow the construction of a new two-story 85,390 square foot dealership building on a certain property described as:
>
> Assessor's Parcel No.'s 8478-007-031, -025, and -042 in the records of the Los Angeles County Assessor; and

WHEREAS, an application for a Zone Change to change the existing zoning of one parcel from Neighborhood Commercial Mixed Use (NMU) to Service Commercial Mixed Use (SMU) within the Auto Plaza Overlay Zone has been submitted for the development of the project; and

WHEREAS, an application for a Precise Plan was submitted for the physical development of the site; and

WHEREAS, the proposed project is considered a "project" pursuant to the terms of the California Environmental Quality Act (CEQA); and

WHEREAS, an initial study was prepared for said project; and

WHEREAS, based upon the findings of the initial study, it was determined that the proposed project will not have a significant impact on the environment and will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Fish and Game Code; and

WHEREAS, a Mitigated Negative Declaration of Environmental Impact was prepared for the proposed project pursuant to the requirements of the California Environmental Quality Act of 1970, and mitigation measures are included in said Negative Declaration in support of the finding that there will not be a significant effect on the environment as a result of this project.

WHEREAS, the Planning Commission, upon giving the required notice, did on the 10th day of December 2024, conduct a duly advertised public hearing to consider the subject application, at which time the Planning Commission adopted a resolution approving the Mitigated Negative Declaration; and

NOW, THEREFORE, the Planning Commission of the City of West Covina does hereby resolve as follows:

1. After receiving and considering all determinations, studies, documents, and recommendations, as well as other appropriate public comments, the Planning Commission of the City of West Covina recommends that the City Council certify the Mitigated Negative Declaration of Environmental Impact, subject to compliance with the mitigation measures that are recommended in the Mitigated Negative Declaration of Environmental Impact as set forth in Exhibit A.

2. Non-compliance with the aforementioned mitigation measures as by the monitoring department/agency and any measures taken to correct said non-compliance shall be immediately reported to the Planning Division on the City of West Covina Monitoring Checklist Form.

3. The applicant agrees to implement the aforementioned mitigation measures and monitoring or reporting requirements.

4. Failure to comply with any aforementioned mitigation measures and/or monitoring or reporting requirements will result in a written notice of violation from the City to the applicant at which time the City may order that all or a portion of pre-construction, construction, post-construction activity or project implementation must cease until compliance is reached.

5. The California Environmental Quality Act (CEQA) and State and local guidelines, rules, regulations, and procedures adopted pursuant thereto permits the City of West Covina to impose any fees or charges associated with implementing the above monitoring program upon the applicant.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 10th day of December 2024, by the following vote:

AYES: Becerra, Lewis, Heng

NOES: None

ABSENT: None

ABSTAIN: None

DATE: December 10, 2024

Sheena Heng, Chair
Planning Commission

Jo-Anne Burns, Secretary
Planning Commission

EXHIBIT A

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND MITIGATION MONITORING AND REPORTING PROGRAM

7.0 MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the CEQA Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR). The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those mitigation measures (MM) that are within the responsibility of the City and/or Applicant to implement.

The following table lists the impacts and mitigation measures adopted by the City of West Covina in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented.

Only those environmental topics for which mitigation is required are listed in this Mitigation Monitoring and Reporting Program.

Table 7.0-1
MITIGATION MONITORING AND REPORTING PROGRAM

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resources				
Threshold 4.4 a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	**MM BIO-1: Pre-Construction Breeding Bird Survey** To be in compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds, their nests, young, and eggs, the following measures will be implemented. The measures below will help to reduce direct and indirect impacts caused by construction on migratory non-game breeding birds to less than significant levels. • Project activities that will remove or disturb potential nest sites, such as open ground, trees, shrubs, grasses, or burrows, during the breeding season would be a potential significant impact if migratory non-game breeding birds are present. Project activities that will remove or disturb potential nest sites will be scheduled outside the breeding bird season to avoid potential direct impacts on migratory non-game breeding birds protected by the MBTA and Fish and Game Code. The breeding bird nesting season is typically from February 15 through September 15, but can vary slightly from year to year, usually depending on weather conditions. Removing all physical features that could potentially serve as nest sites will also help to prevent birds from nesting within the project site during the breeding season and during construction activities.	• Project Applicant • Qualified Biologist	• Field Verification	1. City of West Covina 2. City of West Covina 3. Before Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	• If project activities cannot be avoided during February 15 through September 15, a qualified biologist will conduct a pre-construction breeding bird survey for breeding birds and active nests or potential nesting sites within the limits of project disturbance. The survey will be conducted at least seven days prior to the onset of scheduled activities, such as mobilization and staging. It will end no more than three days prior to vegetation, substrate, and structure removal and/or disturbance. • If no breeding birds or active nests are observed during the pre-construction survey or they are observed and will not be impacted, project activities may begin, and no further mitigation will be required. • If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted, the site will be mapped on engineering drawings and a no activity buffer zone will be marked (fencing, stakes, flagging, orange snow fencing, etc.) a minimum of 100 feet in all directions or 500 feet in all directions for listed bird species and all raptors. The biologist will determine the appropriate buffer size based on the type of activities planned near the nest and the type of bird that created the nest. Some bird species are more tolerant than others of noise and activities occurring near their nest. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have			

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a biologist will be performed to determine when nesting is complete. Once the nesting cycle has finished, project activities may begin within the buffer zone. • If listed bird species are observed within the project site during the pre-construction survey, the biologist will immediately map the area and notify the appropriate resource agency to determine suitable protection measures and/or mitigation measures and to determine if additional surveys or focused protocol surveys are necessary. Project activities may begin within the area only when concurrence is received from the appropriate resource agency. • Birds or their active nests will not be disturbed, captured, handled or moved. Active nests cannot be removed or disturbed; however, nests can be removed or disturbed if determined inactive by a qualified biologist.			
Threshold 4.4 d) Would the project interfere substantially with the movement of any native resident or	Refer to Threshold 4.4 a) **MM BIO-1** above.	• Refer to above	• Refer to above	• Refer to above

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
4.5 Cultural Resources				
Threshold 4.5 b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5.	**MM CUL 1:** If archaeological resources are discovered during construction activities, the contractor will halt construction activities within a 50-foot diameter and notify the City of West Covina. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology who will be notified and afforded the necessary time to recover, analyze, and curate the find(s). The qualified archaeologist will recommend the extent of archaeological monitoring necessary to ensure the protection of any other resources that may be in the area. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A L) form and filed with the South Central Coastal Information Center. Construction activities may continue on other parts of the project site while evaluation and treatment of prehistoric archaeological resources takes place.	• Project Contractor • Qualified Archaeologist	• Field Verification	1. City of West Covina 2. City of West Covina 3. During construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.5 c): Disturb any human remains, including those interred outside of formal cemeteries.	**MM CUL2:** If human remains are encountered during excavations associated with this project, all work will stop within a 30-foot radius of the discovery and the Los Angeles County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities
4.7 Geology and Soils				
Threshold 4.7 f): Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**MM GEO-1:** Prior to the issuance of the grading permit, the applicant shall provide a letter to the City of West Covina Planning Division , or designee, from a qualified paleontologist stating that the paleontologist has been retained to provide services for the project. The paleontologist shall develop, as needed, a Paleontological Resources Impact Mitigation Plan (PRIMP) to mitigate the potential impacts to unknown buried paleontological resources that may exist onsite for the review and approval by the City. The PRIMP shall require that the paleontologist perform paleontological monitoring of any ground disturbing activities within undisturbed native sediments during mass grading, site preparation, and underground utility installation. The project paleontologist may reevaluate the necessity for paleontological monitoring after 50 percent or	• Project Applicant • Qualified Paleontologist • Construction Contractor	• Monitoring • Assessment • Recovery • Curation	1. City of West Covina 2. City of West Covina 3. Prior to the issuance of the grading permit

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	greater of the excavations have been completed. In the event paleontological resources are encountered, ground-disturbing activity within 50 feet of the area of the discovery shall cease. The paleontologist shall examine the materials encountered, assess the nature and extent of the find, and recommend a course of action to further investigate and protect or recover and salvage those resources that have been encountered. Criteria for discard of specific fossil specimens will be made explicit. If the qualified paleontologist determines that impacts to a sample containing significant paleontological resources cannot be avoided by project planning, then recovery may be applied. Actions may include recovering a sample of the fossiliferous material prior to construction, monitoring work and halting construction if a significant fossil needs to be recovered, and/or cleaning, identifying, and cataloging specimens for curation and research purposes. Recovery, salvage and treatment shall be done at the Applicant's expense. All recovered and salvaged resources shall be prepared to the point of identification and permanent preservation by the paleontologist. Resources shall be identified and curated into an established accredited professional repository. The paleontologist shall have a repository agreement in hand prior to initiating recovery of the resource.			
4.9 Hazards and Hazardous Materials				
Threshold 4.9 a): Would the project create a significant hazard to the public or the environment through the	**MM HAZ-1:** During project site grading on the Valero gas station site the project proponent shall periodically have soil samples tested for TPH-g, TH-d, MTBE, and TBA. Upon finding samples with concentrations of any of the contaminants at concentrations over environmental screening levels (ESLs) for commercial use, the project proponent shall: halt grading operations; shall retain a	• Project Applicant • Qualified Environmental Assessor	• Field Verification	1. City of West Covina 2. City of West Covina

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
routine transport, use, or disposal of hazardous materials?	qualified environmental assessor to conduct soil sampling and testing to determine the extent of soil contaminated with concentrations over ESLs; and shall then retain an environmental remediation company to remediate and/or remove the contaminated soil.			3. During Construction
4.18 Tribal Cultural Resources				
Threshold 4.18 b): Cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or in a local register of historical resources as defined in Public Resources Code § 5020.1(k)?	**MM TCR-1:** Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities A. The project applicant/lead agency 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. B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or	• Project Contractor • Qualified Archaeologist Los Angeles County Coroner	•Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	"TCR"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe. D. 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.			
	MM TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial) A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will 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.	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	MM TCR 3: As specified by California Health and Safety Code § 7050.5, if human remains are found on the project site during construction or during archaeological work, the Los Angeles County Coroner's office shall be immediately notified and no further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code § 5097.98. The Coroner would determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC would make a determination as to the Most Likely Descendent.	• Project Contractor • Qualified Archaeologist • Los Angeles County Coroner	• Field Verification	1. City of West Covina 2. City of West Covina 3. During project construction activities

PLANNING COMMISSION

RESOLUTION NO. 24-6155

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING PRECISE PLAN NO. 24-01

PRECISE PLAN NO. 24-01

CATEGORICAL EXEMPTION

APPLICANT: Boyd Sumner (Envision Motors)

LOCATION: 1800 E. Garvey Avenue and 200 S. Azusa Avenue

WHEREAS, there was filed with this City, a verified application on the forms prescribed in Chapter 26, Article VI of the West Covina Municipal Code, requesting the approval of a Precise Plan to:

Allow the construction of a new two-story 85,390 square foot dealership building on a certain property described as:

Assessor's Parcel No.'s 8478-007-031, -025, and -042 in the records of the Los Angeles County Assessor; and

WHEREAS, the Planning Commission upon giving the required notice, did, on the 10th day of December 10th, conduct a duly advertised public hearing as prescribed by law to consider said application.

WHEREAS, studies and investigations made by this Commission and on its behalf reveal the following facts:

1. The applicant is requesting the approval of a Precise Plan to allow the construction of a new two-story 85,390 square foot dealership building. The proposal also includes the construction of an 8,920 square foot second floor roof overhang.

2. Appropriate findings for approval of a Precise Plan of design are as follows:

    a. *The proposed development plans and the uses proposed are consistent with the General Plan and any applicable specific plan.*

    b. *The proposed development is consistent with adopted development standards for the zone and complies with all other applicable provisions of the Municipal Code.*

c. *Granting the permit would not be detrimental to the public interest, health, safety, and welfare and would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.*

d. *The site is physically suitable for the type, density and intensity of the development being proposed, including vehicle access and circulation, utilities, and the absence of physical constraints.*

e. *The architecture, site layout, location, shape, bulk and physical characteristics of the proposed development are compatible with the existing and future land uses, and do not interfere with orderly development in the vicinity.*

3. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating that although the project could have a significant effect on the environment, there will not be a significant effect due to mitigating measures.

NOW, THEREFORE, the Planning Commission of the City of West Covina does resolve as follows:

1. On the basis of the evidence presented, both oral and documentary, the Planning Commission makes the following findings:

   a. The project site is designated as "Commercial" in the City's General Plan and is consistent with the General Plan's goals. The subject property is located south of the Interstate 10 Freeway and is easily accessed via N. Azusa Avenue and E. Garvey Avenue South. The project site is adjacent to commercial properties to the North, East, and South and West.

   b. The project proposal is to demolish the existing dealership building and gas station to allow for the construction of an 85,390 square two-story dealership building. The proposal complies with the requirements of the Service Commercial Mixed-Use (SMU) Zone and the Auto Plaza Overlay Zone.

   c. The proposed project is surrounded by commercial uses, including other dealership properties. Therefore, granting the permit would not be detrimental to the public interest, health, safety, and welfare would not unreasonably interfere with the use or enjoyment of property in the vicinity of the subject property.

   d. The site will be physically suitable for the type, density and intensity of the development being proposed. The project site will be visible from the surrounding areas, which includes the Interstate 10 Freeway and commercial buildings. Vehicles would be able to access the project site via S. Azusa Avenue and E. Garvey Avenue South.

e. The architectural style of the building is modern. The building will primarily be composed of large glass panels. The use does not interfere with the orderly development in the vicinity.

2. That pursuant to all of the evidence presented, both oral and documentary, and further based on the findings above, Precise Plan No. 24-01, is approved subject to the provisions of the West Covina Municipal Code, provided that the physical development of the herein described property shall conform to said plan and the conditions set forth herein which, except as otherwise expressly indicated, shall be fully performed and completed or shall be secured by bank or cash deposit satisfactory to the Community Development Director, before the use or occupancy of the property is commenced and before the Certificate of Occupancy is issued.

3. That the Precise Plan shall not be effective for any purpose until the applicant (or a duly authorized representative) has filed at the office of the Community Development Director, their affidavit stating they aware of, and accepts, all conditions of this Precise Plan as set forth below. Additionally, no permits shall be issued until the applicant (or a duly authorized representative) pays all costs associated with the processing of this application pursuant to City Council Resolution No. 8690.

4. The costs and expenses of any enforcement activities, including, but not limited to attorneys' fees, caused by the applicant's violation of any condition imposed by this approval or any provision of the West Covina Municipal Code shall be paid by the applicant.

5. That the approval of the Precise Plan is subject to the following conditions:

PLANNING DIVISION

a. Comply with the plans reviewed by the Planning Commission on December 10, 2024.

b. These conditions of approval shall be printed on, or attached to, the working drawings submitted to the Building Division for approval.

c. That the project complies with all requirements of the "Service Commercial Mixed-Use" (SMU) Zone and all other applicable standards of the West Covina Municipal Code.

d. This approval is to allow for the construction of a new two-story 85,390 square foot automobile dealership building. The first floor will be 42,890 square feet, and will consist of a showroom, vehicle delivery rooms, offices, detail bays (used to clean/polish vehicles for display), and other facilities such as a customer lounge room, employee lunchrooms, offices, restrooms and storage rooms. The second floor will be 42,500 square feet with a second-floor roof overhang of 8,920 square feet and will consist of a showroom, an employee lunchroom, conference rooms, offices, restrooms, and storage rooms.

e. The approved use shall not create a public nuisance as defined under Section 15-200 of the West Covina Municipal Code.

f. The approved use shall be in compliance with the Noise Ordinance (Chapter 15).

g. This Precise Plan approval shall become null and void if the building permit is not obtained within two (2) years of the date of this approval.

h. The applicant shall sign an affidavit accepting all conditions of this approval.

i. That any proposed change to the approved site plan, floor plan or elevations be reviewed by the Planning, Building, Fire and Police Departments and that the written authorization of the Community Development Director shall be obtained prior to implementation.

j. All outstanding fees and Development Impact Fees will be due at the time of building permit issuance.

k. All new gutters and downspouts shall not project from the vertical surface of the building pursuant to Section 26-568 (a) (3).

l. This approval does not include approval of signs; a separate sign permit shall be obtained. All signs shall be required to comply with the City of West Covina Sign Code.

m. All approved materials and colors shall be clearly indicated on the plans.

n. All new ground-mounted, wall-mounted and/or roof-mounted equipment not shown on the approved plans shall be screened from all views, in a manner that is architecturally compatible with the main building. Plans and elevations indicating the type of equipment and method of concealment shall be submitted to the Community Development Director for review and approval prior to the issuance of building permits.

o. The location of new electrical transformers, vaults, antennas, mechanical and all other equipment not indicated on the approved plans must be approved by the Community Development Director prior to the issuance of the building permit. Provide construction details prior to the issuance of a building permit.

p. The parking lot shall be resurfaced/repaired and restriped so that there are no visible cracks and/or holes on the surface prior to Building permit final.
    i. Parking lots or other paved areas with a cracked, broken or otherwise deteriorating surface, in excess of ten (10) percent of the surface area shall be considered a nuisance and shall be repaired.

q. The paved areas at the site shall be maintained clean and free of oil stains. All paved areas shall be pressure-washed as needed to maintain the site in a clean and orderly manner.

r. All new utilities shall be placed underground prior to the issuance of the Certificate of Occupancy. All relocated on-site utility service lines shall be underground when the cost or square footage of an addition or alteration exceeds 50% of the existing value or area per WCMC 23-273.

s. Any graffiti that appears on the property during construction shall be cleaned or removed on the same business day. During construction, the delivery of materials and equipment, outdoor operations of equipment, and construction activity shall be limited to the hours between 7:00 a.m. and 8:00 p.m.

t. Prior to the final building permit approval, a detailed landscape and irrigation plan in compliance with AB 1881 and executive order 13-29-15 shall be submitted for all planted areas to be affected by project. Plans shall include type, size and quantity of landscape materials and irrigation equipment. All vegetation areas shall be automatically irrigated, and a detailed watering program and water budget shall be provided. All damaged vegetation shall be replaced, and the site shall be kept free of diseased or dead plant materials and litter at all times.

u. The applicant shall execute an indemnity agreement, in a form provided by the City and approved by the City Attorney, indemnifying the City against any, and all actions brought against the City in connection with the approvals set forth herein.

BUILDING DIVISION

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

b. Plans prepared in compliance with the current Building Code shall be submitted to the Building Division for review prior to permit issuance.

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

d. The building shall be addressed as 1800 E. Garvey Ave. South, and an application to consolidate addresses shall be filed with the City prior to plan check submittal.

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

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

g. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
   i. Observation of cleared areas and benches prepared to receive fill;
   ii. Observation of the removal of all unsuitable soils and other materials;
   iii. The approval of soils to be used as fill material;
   iv. Inspection of compaction and placement of fill;
   v. The testing of compacted fills; and
   vi. The inspection of review of drainage devices.

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

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

j. Stormwater Planning Program LID Plan Checklist (MS4-1 FORM) completed by Engineer of Record shall be copied on the first sheet of Building Plans and on the first sheet of Grading Plans. When applicable per the LID plan checklist, LID plan shall be approved through the Engineering Division prior submitting grading plans for review. The form can be found at the following link: https://www.westcovina.org/home/showdocument?id=18427.

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

l. Approval is required from the Los Angeles County Health Department for food handling and/or storage.

m. The property shall be surveyed, and the boundaries marked by a land surveyor licensed by the State of California.

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

o. Separate application and plan review is required for Electrical plans.

p. Separate application and plan review are required for Mechanical plans.

q. Separate application and plan review are required for Plumbing plans.

r. Plumbing fixtures shall be provided as required by Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.

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

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

u. A demolition permit is required for any existing buildings which are to be demolished.

v. Designated rooms or space used to store large quantities of motor vehicles on the first floor shall be separated from the rest of the showroom of Business Group B Occupancy as well as the office spaces at the second floor and be classified as a parking garage of Storage Group S-2 Occupancy per Section 311 of the Building Code. The parking garage shall also be separated from the portion used for repair garage of Storage Group S-1 Occupancy per Table 508.4. Because of the separation requirement, the stairway communicating between the 1st floor parking garage and 2nd floor office shall be enclosed with the fire-resistance rating as required by the Building Code. Furthermore, this interior exit stairway shall discharge directly to the exterior of building unless the conditions per the exceptions under Section 1028.2 are met.

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

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

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

z. Separate permits are required for Fire Sprinklers.

aa. The proposed site is a combination of lots. A parcel merger shall be processed prior to the issuance of the building permit.

ENGINEERING DIVISION

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

b. The building shall be addressed as 1800 East Garvey Avenue South and an application to assign address shall be filed with Engineering Division prior to plan check submittal.

c. Reconstruct the two driveway approaches located along East Garvey Avenue South and one driveway approach on South Azusa Avenue in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.

d. Close existing two driveway aprons along East Garvey Avenue South and one driveway along South Azusa Avenue, and install necessary improvements (parkway, landscape, sidewalk, curb and gutter, any others as applicable) to match required adjacent sections, and as directed by the City Engineer or his/her designee.

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

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

g. The approved building address(es) shall be painted on the curb to the City's standards as required by the Public Works Inspector prior to final inspection.

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

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

j. Underground all utility services to the property.

k. Prior to the final of the building permit(s), an inspection is required by the Public Works inspector.

l. A geotechnical and soils investigation report is required, the duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
   i. Observation of cleared areas and benches prepared to receive fill;
   ii. Observation of the removal of all unsuitable soils and other materials;

iii. The approval of soils to be used as fill material;
iv. Inspection of compaction and placement of fill;
v. The testing of compacted fills; and
vi. The inspection of review of drainage devices.

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

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

o. Stormwater Planning Program LID Plan Checklist (Form MS4-1 PC) completed by Engineer of Record shall be copied on the first sheet of Grading Plans. The form can be found at the following link: https://www.westcovina.org/home/showdocument?id=18427.

p. Project shall be reviewed and approved by the City Traffic Engineer, prior to the issuance of permits. Any improvement measures needed as a result of findings from the traffic study or VTM Analysis shall be made at the sole cost to the property owner/developer.

q. A lot merger shall be submitted for review and approval.

FIRE DEPARTMENT
Based on the preliminary information received, the Fire Department Requirements* for the above-noted project are:

a. NFPA 13D/13R/13 Fire Sprinkler System.

b. NFPA 14 – Standpipe System/Yard Standpipes.

c. NFPA 72 – Fire Alarm/Fire Sprinkler Monitoring System.

d. NFPA 17/17A – Dry/Wet Chemical Extinguishing System.*

e. NFPA 10 – Portable Fire Extinguishers.

f. New Fire Flow Test Required.

g. Required Fire Flow of 2,000 GPM @ 20 PSI for two (2) hours.

h. A minimum 20-foot-wide fire land shall be provided throughout the lot.

i. An approved Fire Department turnaround may be required upon review of final architectural drawings.

***NOTE: Additional Fire Department Requirements may be set upon future review of a full set of architectural plans.**

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 10th day of December 2024, by the following vote:

AYES: Becerra, Lewis, Heng

NOES: None

ABSTAIN: None

ABSENT: None

DATE: December 10, 2024

Sheena Heng, Chair
Planning Commission

Jo-Anne Burns, Secretary
Planning Commission

PLANNING COMMISSION

RESOLUTION NO. 24-6156

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE CHANGE NO. 24-01

ZONE CHANGE NO. 24-01

MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT

APPLICANT: Boyd Sumner (Envision Motors)

LOCATION: 200 S. Azusa Avenue

WHEREAS, there was filed with this City a verified application on the forms prescribed for the following reclassification:

> From Neighborhood Commercial Mixed-Use (NMU) within the Auto Plaza Overlay Zone to Service Commercial Mixed-Use (SMU) within the Auto Plaza Overlay Zone, on that certain property generally described as follows:
>
> Assessor's Parcel No. 8478-007-042, in the records of the Los Angeles County Assessor; and

WHEREAS, consistent with this request, the applicant has also requested the approval of a Precise Plan to allow the construction of an 85,390 square foot two-story dealership building; and

WHEREAS, the Planning Commission, upon giving the required notice, did on the 10th day of December 2024, conduct a duly noticed public hearing to consider said application and did give all persons interested therein an opportunity to be heard; and

WHEREAS, studies and investigations made by the Planning Commission and in its behalf reveal the following facts:

1. The project includes a Precise Plan to allow the construction of a new two-story 85,390 square foot dealership building.

2. Pursuant to the requirements of the California Environmental Quality Act (CEQA) of 1970, a MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT has been prepared indicating the project will not have a significant effect on the environment.

NOW, THEREFORE, the Planning Commission of the City of West Covina, California, does resolve as follows:

SECTION NO. 1: Based on the evidence presented Zone Change No. 24-01 is found to be consistent with the City's General Plan and the land uses permitted within said zone classification.

SECTION NO. 2: The Planning Commission does hereby recommend to the City Council that it approve Zone Change No. 24-01, redesignating the subject property from "Neighborhood Commercial Mixed-Use" (NMU) within the Auto Plaza Overlay Zone to "Service Commercial Mixed-Use" (SMU) within the Auto Plaza Overlay Zone.

SECTION NO. 3: The Secretary is instructed to forward a copy of this Resolution to the City Council for its attention in the manner prescribed by law.

I HEREBY CERTIFY, that the foregoing Resolution was adopted by the Planning Commission of the City of West Covina, at a regular meeting held on the 10th day of December 2024, by the following vote:

AYES: Becerra, Lewis, Heng

NOES: None

ABSTAIN: None

ABSENT: None

DATE: December 10, 2024

Sheena Heng, Chair
Planning Commission

Jo-Anne Burns, Secretary
Planning Commission

AGENDA ITEM NO. 6

AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: February 4, 2025

TO: Mayor and City Council

FROM: Paulina Morales, City Manager

SUBJECT: **CONSIDERATION OF A CORRECTIVE ACTION PLAN IN RESPONSE TO STATE AUDITOR REPORT 2024-801**

RECOMMENDATION:

It is recommended that the City Council approve the following:

1. Proposed Corrective Action Plan in response to the Local High Risk Program Report 2024-801 issued by the State Auditor;
2. Authorize staff to transfer $1,787,000 from the Other Post-Employment Benefit (OPEB) Internal Service Fund back to the General Fund; and
3. Authorize staff to issue a Request for Proposals for investment management and advisory services to evaluate the City's full portfolio and recommend changes to maximize the return of assets.

BACKGROUND:

In December 2019, the State Auditor's Office informed the City of West Covina that it had been selected for review under the High-Risk Local Government Agency Audit Program. The State Auditor completed its audit and published its report on December 1, 2020. To view the report, please visit: http://www.auditor.ca.gov/reports/2020-806/index.html.

In 2024, the State Auditor performed a follow-up review of the City and included its findings in Local High Risk Program Report No. 2024-801. Report No. 2024-801 provides an update regarding seven cities in the High-Risk Local Government Agency Audit Program, including West Covina. An excerpt of this report has been included as Attachment No. 1. To view the full report, please visit: https://www.auditor.ca.gov/reports/2024-801/.

DISCUSSION:

In response to the report, the City must submit a Corrective Action Plan to the State. The report indicates that the City has fully addressed three (3) of the six (6) risk areas.

No.	High-Risk Area	Current Assessment
1	Continual Diminishing of Reserves	Partially Addressed
2	Questionable Use of City Resources	Partially Addressed
3	Financial Decisions Based on Insufficient Analyses	Fully Addressed
4	Lack of Formal Financial Recovery Plan	Fully Addressed
5	Inadequate Management of Purchase Cards	Fully Addressed
6	Lack of Oversight to Ensure That Contracts Provide Best Value	Partially Addressed

The proposed Corrective Action Plan (Attachment No. 2) seeks to address the three remaining risk areas:

High Risk Area #1 – Continual Diminishing of Reserves

- State Auditor Conclusion: Although the City's general fund revenue is higher than its operational expenditures, the City has chosen to maintain the minimum recommended reserve level, which introduces higher risk in that it will not be able to address future financial needs.
- State Auditor Recommendation to Address This Risk Area: West Covina should establish a general fund reserve level higher than its current 17 percent goal that is sufficient to mitigate current and future risks, including its pension related debt.
- Proposed Corrective Action: The City will continue to review its Fund Balance policy annually and proposes maintaining an unassigned fund balance over the Government Finance Officers Association's (GFOA) recommended minimum of 17% and assigning a portion of its reserve for Pension and OPEB liabilities.

The proposal includes changes to the City's Fund Balance policy to increase the percent of reserves to 18% and reallocate excess fund balance transfers. Outside this plan, there are several strategies the City can take to ensure it maintains the proposed level of reserves. First, staff recommends transferring back the amount set aside for OPEB liabilities back to the General Fund. Second, staff recommends issuing a Request for Proposals for investment management and advisory services to evaluate the City's full portfolio and recommend changes to maximize the return of the City's assets. Investing in a Section 115 Pension Trust is one investment tool that would be included in the evaluation to determine the best rate of return.

High Risk Area #2 – Questionable Use of City Resources

- State Auditor Conclusion: The City has not renegotiated its labor agreements with its employee unions as we recommended, but it has updated its fee schedule.
- State Auditor Recommendation to Address This Risk Area: To limit its costs related to employee health care benefits, West Covina should renegotiate employee union agreements once the effects of the pandemic subside so that its employees contribute a reasonable percentage of their premiums. To determine that percentage, West Covina should consider options such as using survey data from comparably sized cities in its region.
- Proposed Corrective Action: The City's ability to lower its costs related to employee health care benefits is limited by the bargaining groups' willingness to negotiate. Thus, the City will continue to show good faith efforts to lower its costs related to employee health care benefits during renegotiations of its labor agreements.

It is important to note that in 2019, the City was out of contract with most if not all the nine employee unions. Since then, the City has negotiated three (3) year contracts with all employee unions. Most expired June 30, 2024, one expired December 31, 2024, and one expires June 30, 2025. At the time the City was evaluated for the 2024 Audit Report, the City was under negotiations with six (6) of the employee unions, under contract with two (2), and pending initiation of negotiations with one (1) union.

Negotiation requires the parties' agreement. Parties cannot be forced to negotiate; they must do so voluntarily. An outcome is not guaranteed. Thus, staff has committed to what it can guarantee, the City's good-faith effort to lower its overall contributions to medical premiums. The time frame for the negotiations is also predicated on the other parties' willingness to reach an agreement.

High Risk Area #6 – Lack of Oversight to Ensure that Contracts Provide Best Value

- State Auditor Conclusion: The City has addressed some but not all concerns regarding its contracting practices.
- State Auditor Recommendation to Address This Risk Area: Amend its contracting policies to include a requirement that city management document reasons for entering into any contract or

extension with a duration in excess of five years.

- Proposed Corrective Action: On December 3, 2024, the City formally amended its contracting policies to include a requirement that city management document reasons for entering into any contract or extension with a duration in excess of five (5) years through adoption of Ordinance No. 2524.

Audit Committee Recommendation

The proposed Corrective Action Plan was reviewed by the Audit Committee on January 27, 2025. The committee made a motion regarding the proposed Corrective Action for High Risk Area #2 for the Council's consideration. Rather than showing *good faith efforts to* lower its costs related to employee health care benefits, the Audit Committee recommends that the City *reject a negotiation that does not* lower its costs related to employee health care benefits.

Staff did not include this recommendation in the proposed plan because, as stated, the Audit Committee's recommendation implies the City may be forced into an impasse during future negotiations. Councilmember Gutierrez and City Treasurer Colleen Rozatti requested that it be put on record that they opposed this motion and instead recommended evaluating options for healthcare outside of CalPERS. This is something staff has discussed internally with its broker but would also require buy-in from the bargaining groups.

Next Steps

The Corrective Action Plan is due by February 17, 2025, 60 days from the audit report publication. Every six (6) months (in this case mid-June and mid-December of each year) the City must update the State on the progress it is making in implementing the Corrective Action Plan. As the State Auditor reviews those updates, they may conclude that the City has fully addressed one or more risk areas.

The City does not necessarily need to wait until the next full audit to have its designation removed. The State Auditor has the authority to determine if the City is no longer high risk at any point in time. Keeping the State up to date on these risk areas and the steps the City is taking to address them is key. As more information about the risk areas is available, the State will continue to assess the City’s progress and make determinations about the overall high-risk status of the City.

LEGAL REVIEW:

The City Attorney's Office has reviewed this staff report.

Prepared by: Stephanie Sikkema, Finance Director

Fiscal Impact

FISCAL IMPACT:

The implementation of the proposed Corrective Action Plan may increase General Fund reserves by reducing the amount transferred out of the General Fund each year.

Attachments

Attachment No. 1 - Excerpt from Report No. 2024-801

Attachment No. 2 - Proposed Corrective Action Plan

Attachment No. 3 - Presentation

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability
Maintain Good Intergovernmental Relations

The City of West Covina Remains a High-Risk Entity Because Its Approach to Addressing Its Reserve Level Increases Its Risk for Future Financial Instability

	RISK AREAS AS REPORTED IN DECEMBER 2020	STATE AUDITOR'S CURRENT ASSESSMENT OF WEST COVINA'S PROGRESS IN ADDRESSING THE RISK AREA*
West Covina's Ineffective Fiscal Management Threatens Its Ability to Meet Its Financial Obligations and to Provide City Services		
1	Continual diminishing of reserves	Partially Addressed
2	Questionable use of city resources	Partially Addressed
3	Financial decisions based on insufficient analyses	Fully Addressed
4	Lack of formal financial recovery plan	Fully Addressed
West Covina's Weak Enforcement of Its Procurement Policy Increases the Risk of Waste and Fraud		
5	Inadequate management of purchase cards	Fully Addressed
6	Lack of oversight to ensure that contracts provide best value	Partially Addressed

* In accordance with state law, we used our professional judgment to assess the city's progress in each of the risk areas in the table. We determined whether the steps the city took and the overall conditions relevant to each risk area meant that the city fully or partially addressed the risk areas, or whether substantial action relevant to the risk area was still pending. We explain the statuses identified in this table in more detail below.

Fully addressed: The city has taken sufficient action to address the risk area when we consider its effort in combination with the related conditions at the time of this audit.

Partially addressed: The city has taken positive action to address the risk area, but its effort is incomplete when we consider it in combination with the related conditions at the time of this audit.

HIGH-RISK AREA #1
Continual Diminishing of Reserves

Status: We conclude that West Covina has partially addressed this risk area. Although the city's general fund revenue is higher than its operational expenditures, the city has chosen to maintain the minimum recommended reserve level, which introduces higher risk it will not be able to address future financial needs.

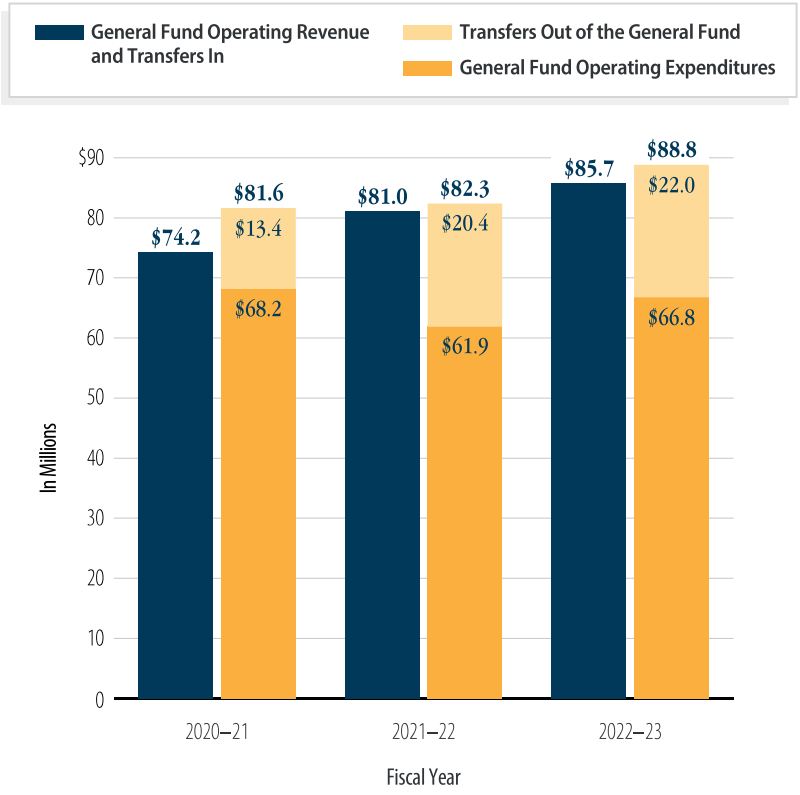
In our December 2020 audit, we reported that West Covina had diminished its general fund reserve by operating with a *structural deficit*, a condition in which operating expenditures exceeded revenue. We reported that the city's general fund reserves had declined, leaving the city vulnerable to unexpected expenditures or reductions in anticipated revenue, which jeopardized the city's ability to meet its financial obligations without reducing services.

Since our original audit in December 2020, West Covina has grown its general fund reserves from $12.6 million in fiscal year 2019–20 to $17.7 million as of the end of fiscal year 2022–23, which equals roughly two and a half months of general fund expenditures. The GFOA

recommends that government entities maintain unrestricted fund balances in their general funds of no less than two months of reserves. West Covina's general fund reserves were above that minimum standard at the end of fiscal year 2022–23.

In addition, the city no longer operates with a structural deficit. Instead, the city's general fund revenue exceeds its operating expenditures. Figure 7 shows the city's revenue, which includes the transfers the city made into its general fund, as well as operating expenditures and transfers the city made out of the general fund from fiscal years 2020–21 through 2022–23. Because the amount the city transfers out of its general fund causes the funding flowing out of the general fund to exceed the funding flowing in, we inquired further with the city about how it was managing its resources.

Figure 7
The City of West Covina Has Maintained Its Operating Expenditures Below Its Operating Revenue



Source: West Covina's ACFRs.

Note: We calculated revenue by combining the revenue and transfers into the general fund in each fiscal year but did not include $185.6 million in transfers into the general fund related to the city's pension bonds in fiscal year 2020–21. The city did not have other financing sources or uses flowing in or out of its general fund in these three fiscal years.

The city explained that it is managing the general fund according to its reserve policy, which states that the city will maintain a reserve of no less than 17 percent of its annual operating expenditures, equating to a two-month threshold. In fiscal years 2020–21 through 2022–23, because the city's general fund reserves were above the two-month threshold, the city made certain transfers out of its general fund. During those years, the city calculated the level of general fund reserves its policy required it to maintain and transferred most of the remaining difference in general fund revenue to other city funds. These other funds include a fund related to the city's OPEB costs and another fund accounting for capital projects. These transfers were discretionary as the city's policy on reserves allows the city council to override them. Although the city also made other transfers that were not discretionary, its general fund reserves would have grown by the end of fiscal year 2022–23 if the city had not made the discretionary transfers.

The city's approach to managing its general fund reserves is riskier than if it focused on building a higher reserve amount. Although the city's reserve policy aligns with the GFOA's fund balance guidelines, the GFOA also identifies that a government's particular situation may require a reserve balance significantly in excess of this recommended minimum level. West Covina's pension related debt may represent such a situation. The city's net pension liability and pension-related debt equaled nearly 200 percent of government-wide revenue for fiscal year 2022–23. When a city's pension obligations and debt reach levels that equal such high percentages of its overall revenue, the city is at high risk for obligations and debt payments supplanting other priorities or goals that the city needs to or wants to accomplish. The city's pension debt represents a significant risk to the stability of the city's general fund, which should prompt West Covina to consider establishing a general fund reserve target at a level above its current policy to better mitigate this risk.

Recommendation to Address This Risk Area:

West Covina should establish a general fund reserve level higher than its current 17 percent goal that is sufficient to mitigate current and future risks, including its pension-related debt.

HIGH-RISK AREA #2
Questionable Use of City Resources

Status: We conclude that West Covina has partially addressed this risk area. The city has not renegotiated its labor agreements with its employee unions as we recommended, but it has updated its fee schedule.

In our December 2020 audit, we raised concerns about city leadership's decisions regarding the use of city resources because we concluded that those decisions had significantly reduced the city's financial reserves. Specifically, we focused on the

decisions the city had made to fund its employees' health benefits at rates well above the average for state and local governments. West Covina paid 95 percent of its employees' healthcare premiums, compared to the 86 percent and 75 percent rates, on average, that state and local governments in the region paid for employee-only and family plans respectively. As of fiscal year 2022–23, the city's contribution rates to employee health benefits remained at 95 percent, demonstrating that the city is still incurring unusually high costs for healthcare. The finance director stated that the city has not yet renegotiated its agreements with its employee unions to alter how much it contributes to health benefits. The finance director also stated that West Covina is in the process of renegotiating those agreements and that the city hopes to complete its negotiations before the end of December 2024.

In December 2020, we also expressed concern about the fact that the city had not raised service fees to levels that would fully cover the city's costs to provide services such as building permits and inspections. West Covina has now addressed that concern. The city's August 2023 cost of service study calculated the full cost of city services and identified new fees for services the city had been providing without charging a fee. In December 2023, the city adopted an updated fee schedule with the amount the city planned to charge for specific services.

HIGH-RISK AREA #3
Financial Decisions Based on Insufficient Analyses

Status: We conclude that West Covina has fully addressed this risk area. The city has improved its processes for providing financial information to its city council and has developed long-range financial forecasts.

In our December 2020 audit, we noted that West Covina did not always provide complete information to the city council when it requested approval for budgetary or organizational changes. For example, we noted an instance in which the city council approved salary increases for firefighters based on the city fire chief's assertion that the increases would save money in the long term, but the fire chief did not present a documented analysis to support this assertion. We also raised concerns that West Covina lacked a process for developing financial projections of its planned expenditures and anticipated revenue for the following years.

West Covina has taken steps to ensure that it considers the financial impact of its decisions. The city has developed a financial evaluation template that provides a guide for evaluating both the short and long-term impacts of major revenue and expenditure decisions, and it has incorporated the template into its city council proposals for agenda actions. Further, West Covina has begun to regularly produce long-range financial forecasts. For each of its last three budgets, the city has produced a corresponding long-range financial forecast. The forecasts include projected general fund revenues and expenditures, and they identify assumptions the city used for projecting growth in its revenues and expenditures.

HIGH-RISK AREA #4
Lack of Formal Financial Recovery Plan

Status: In January 2022, we determined that West Covina had fully addressed this risk area by developing and implementing a financial recovery plan.

In our December 2020 audit, we concluded that West Covina had not developed a comprehensive financial recovery plan to improve its long-term financial health. In January 2022, we determined that West Covina had fully addressed this risk area. West Covina developed a financial recovery plan that included corrective action objectives, steps to achieve those objectives, expected completion dates for those steps, the lead and support staff responsible for accomplishing each of the steps, and the status of its progress toward accomplishing its objectives. The city's finance director has submitted updates of this plan to the city's audit committee—the members of which are a combination of city representatives and members of the general public—ensuring that the city is able to track its progress and be held accountable to its objectives by the public.

HIGH-RISK AREA #5
Inadequate Management of Purchase Cards

Status: We conclude that West Covina has fully addressed this risk area by strengthening its purchase card policy.

In our December 2020 audit, we found that West Covina had inadequately managed components of its purchase card policy. In particular, we determined that the city did not have sufficient documentation showing that managers had authorized temporary increases to the amount that individuals were allowed to charge in a single purchase card transaction. We raised concerns that the lack of documentation could be indicative of systemic issues that, if left unaddressed, could result in increased risk of excessive expenditures or potential fraud.

The city's July 2022 purchasing manual includes provisions covering employees' use of purchase cards, including the process for requesting single-transaction limit increases. We reviewed examples of completed single-transaction limit increase requests, which document the individual's current transaction limit and the temporary transaction increase amount. The examples document the duration for the temporary increase and the reason for the request. Because of its recent implementation of policies and practices, the city has addressed this risk area.

HIGH-RISK AREA #6
Lack of Oversight to Ensure That Contracts Provide Best Value

Status: We conclude that West Covina has partially addressed this risk area. The city has addressed some but not all of our concerns regarding its contracting practices.

In our December 2020 audit, we found that West Covina had violated its competitive bidding requirements by contracting with a consulting firm because of a recommendation from the human resources director rather than comparing bids. We also raised concerns about repeated amendments the city had made to a waste collection contract. That contract provided to the city annual recurring payments of $300,000 from the waste collection company. It also included terms that we determined may not be in the best interest of the city or its residents, such as the contract's built-in extensions that annually reset the period of the agreement to 25 years. To address this risk area, we recommended that the city adopt policies clarifying when contract amendments are appropriate, adopt a policy requiring the city to document its rationale for contract periods longer than five years, and negotiate with the waste collection vendor for more favorable terms.

In response to our recommendations, the city has established policies clarifying the appropriate use of contract amendments. In particular, West Covina's June 2022 update to its ordinances identifies circumstances under which the city manager may amend purchase orders or contracts. However, according to its finance director, West Covina has not amended its contracting policies to include a requirement that city management document reasons for entering into any contract or extension with a duration in excess of five years. The finance director stated that, by July 2025, the city will develop such a policy. Finally, the finance director stated that West Covina has not taken steps to address issues we identified related to the questionable terms in the waste collection contract. She indicated that the city's commercial and residential rates under the contract were in line with rates from surrounding cities, as the city noted in a February 2022 staff report to the city council, and that it was in the city's best interest to keep the terms of the contract in order to maintain the annual recurring payments that the city receives from its waste collection provider. City staff presented a similar analysis to the city council again in May 2023 as part of ongoing negotiations with its waste collection vendor about a contract amendment. In light of its regular comparison to the waste collection rates paid by surrounding cities, we are no longer concerned about this element of this risk area.

Corrective Action Plan

Local High Risk Program Report 2024-801

City of West Covina

The City of West Covina's proposed corrective action plan addresses the conditions identified in the Local High Risk Program Report No. 2024-801. The 2024 report was a follow up to the initial audit conducted in 2020. The 2020 Audit Report identified six (6) risk areas for the City of West Covina. The audit report issued in December 2024 indicates that the City has fully addressed three (3) of the six (6) risk areas as noted in the table below.

	High-Risk Area	Current Assessment
1	Continual Diminishing of Reserves	*Partially Addressed*
2	Questionable Use of City Resources	*Partially Addressed*
3	Financial Decisions Based on Insufficient Analyses	*Fully Addressed*
4	Lack of Formal Financial Recovery Plan	*Fully Addressed*
5	Inadequate Management of Purchase Cards	*Fully Addressed*
6	Lack of Oversight to Ensure That Contracts Provide Best Value	*Partially Addressed*

This proposed corrective action plan seeks to address the three (3) remaining risk areas:

High-Risk Area #1 – Continual Diminishing of Reserves

High-Risk Area #2 – Questionable Use of City Resources

High-Risk Area #6 – Lack of Oversight To Ensure That Contracts Provide Best Value

High-Risk Area #1 – Continual Diminishing Of Reserves

- **State Auditor Conclusion:** Although the City's general fund revenue is higher than its operational expenditures, the City has chosen to maintain the minimum recommended reserve level, which introduces higher risk it will not be able to address future financial needs.
- **State Auditor Recommendation to Address This Risk Area:** West Covina should establish a general fund reserve level higher than its current 17 percent goal that is sufficient to mitigate current and future risks, including its pension-related debt.
- **Proposed Corrective Action:** The City will continue to review its Fund Balance policy annually and proposes maintaining an unassigned fund balance over the Government Finance Officers Association (GFOA)'s recommended minimum of 17% and assigning a portion of its reserve for Pension and Other Post Employment Benefit (OPEB) liabilities.

Below is an example amendment to the reserve policy:

RESERVE POLICIES

The City shall maintain a minimum unassigned fund balance of at least ~~17~~18% of the General Fund operating expenditures. If the reserve level falls below ~~17~~18%, the City must amend this policy, including a plan to rebuild the fund within three years. This is considered the minimum level necessary to maintain the City's credit worthiness and to adequately provide for:

- Economic uncertainties, local disasters and other hardships or downturns in the local economy
- Contingencies for unforeseen operating or capital needs
- Cash flow requirements

At the end of the fiscal year, the annual excess ~~revenue over expenditures~~unassigned fund balance in the City's General Fund will be automatically allocated as follows, unless the transfer is overridden by an action of City Council: ~~25~~50% will stay in the General Fund Balance reserves and become Assigned for the City's Pension and Other Post Employment Benefit (OPEB) liabilities, 25% will be transferred to the Capital Projects Fund, 15% will be transferred to the Self-Insurance Funds – General Liability and Workers Compensation Funds, and 10% will be transferred to the Vehicle Replacement Fund ~~and 25% will go to pay down the City's Other Post Employment Benefit (OPEB) liability~~.

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Below is an example of how this would be implemented:

Est. General Fund (GF) Unassigned Fund Balance	18,000,000
Total FY2024-25 GF Operating Expenditures	91,277,260
Unassigned Fund Balance as % of Expenditures	19.7%

Percentage	Reserve Amount ($)	Excess Reserve ($)
Current Requirement - 17%	15,517,134	2,482,866
Proposed Requirement - 18%	16,429,907	1,570,093

Annual Allocation	Percent (%)	Amount ($)
Assigned for Pension and OPEB liabilities	50%	785,047
Transferred to the Capital Projects Fund	25%	392,523
Transferred to the Self-Insurance Funds	15%	235,514
Transferred to the Vehicle Replacement Fund	10%	157,009
Total Allocation of excess unassigned fund balance	**100%**	**$1,570,093**

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High-Risk Area #2 – Questionable Use Of City Resources

- **State Auditor Conclusion:** The City has not renegotiated its labor agreements with its employee unions as we recommended, but it has updated its fee schedule.
- **State Auditor Recommendation to Address This Risk Area:** To limit its costs related to employee health care benefits, West Covina should renegotiate employee union agreements once the effects of the pandemic subside so that its employees contribute a reasonable percentage of their premiums. To determine that percentage, West Covina should consider options such as using survey data from comparably sized cities in its region.
- **Proposed Corrective Action:** The City's ability to lower its costs related to employee health care benefits is limited by the bargaining groups willingness to negotiate. Thus, the City will continue to show good faith efforts to lower its costs related to employee health care benefits during renegotiations of its labor agreements. The City will strive to have contracts renegotiated as follows:

Association	Current Contract Expiration	Target Contract Renewal
Confidential	June 30, 2024	June 2025
General	June 30, 2024	June 2025
Maintenance & Crafts	June 30, 2024	June 2025
Mid-Management	June 30, 2024	June 2025
Police Support Services	June 30, 2024	June 2025
Police Officers'	June 30, 2024	Executed October 2024
Police Management	December 31, 2024	April 2025
Firefighters'	June 30, 2025	September 2025
Fire Management*	June 30, 2024	December 2025

**This group has requested to negotiate after the Firefighters'.*

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High-Risk Area #6 – Lack Of Oversight To Ensure That Contracts Provide Best Value

- **State Auditor Conclusion:** The City has addressed some but not all concerns regarding its contracting practices.
- **State Auditor Recommendation to Address This Risk Area:** Amend its contracting policies to include a requirement that city management document reasons for entering into any contract or extension with a duration in excess of five years.
- **Proposed Corrective Action:** On December 3, 2024, the City formally amended its contracting policies to include a requirement that city management document reasons for entering into any contract or extension with a duration in excess of five years through adoption of Ordinance No. 2524:

  "ORDINANCE NO. 2524 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING DIVISION 2 (PURCHASING PROCEDURES) OF ARTICLE VII (PURCHASES AND SALES) OF CHAPTER 2 (ADMINISTRATION) OF THE WEST COVINA MUNICIPAL CODE….

  SECTION 2. Amendment to Section 2-330. Section 2-330 (Maximum Contract Term) of Division 2 (Purchasing Procedures) of Article VII (Purchases and Sales) of Chapter 2 (Administration) of the West Covina Municipal Code is hereby amended to read as follows:

  Sec. 2-330. - Maximum contract duration.

  (a) Unless otherwise approved by the city council, the maximum duration for any agreement for goods and/or services shall not exceed five (5) years. Prior to approving any agreement with a duration that exceeds five (5) years, the city shall document the rationale for entering into the agreement and why such agreement is in the best interest of the city.

  (b) Notwithstanding subsection (a) of this section, the city may:

  (1) Extend the term of an agreement beyond a five-year duration, provided that (a) no extension period shall exceed five (5) years, **(b) the city documents the rationale for the extension and why such extension is in the best interest of the city,** and (c) the city complies with any applicable procurement requirements set forth in this division. The city manager may approve such extension, provided it is within the city manager's signing authority.

  (2) Enter into an agreement for goods and/or services that includes automatic extension or renewal periods that do not exceed one (1) year periods, provided the agreement allows the city to terminate the agreement at the end of any automatic one (1) year extension or renewal period.

  (c) Unless otherwise approved by the city council, the maximum duration for any lease agreement shall not exceed thirty (30) years."

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CONSIDERATION OF A CORRECTIVE ACTION PLAN IN RESPONSE TO STATE AUDITOR REPORT 2024-801

FEBRUARY 4, 2025



BACKGROUND

Dec. 2019

West Covina was selected for review under High-Risk Local Government Agency A udit Program.

Dec. 2020

State Auditor published its report of findings

2021–2024

City developed and implemented Financial Recovery Plan

July 2024

State Auditor performed a follow-up review of the City

Dec. 2024

State Auditor issued its findings in Local High Risk Program Report

FINDINGS FROM REPORT NO. 2024-801

1	Continual Diminishing of Reserves	Partially Addressed
2	Questionable Use of City Resources	Partially Addressed
3	Financial Decisions Based on Insufficient Analyses	Fully Addressed
4	Lack of Formal Financial Recovery Plan	Fully Addressed
5	Inadequate Management of Purchase Cards	Fully Addressed
6	Lack of Oversight to Ensure That Contracts Provide Best Value	Partially Addressed

HIGH RISK AREA #1 – CONTINUAL DIMINISHING OF RESERVES

State Auditor Conclusion

- Although the City's general fund revenue is higher than its operational expenditures, the City has chosen to maintain the minimum recommended reserve level, which introduces higher risk in that that it will not be able to address future financial needs.

State Auditor Recommendation

- West Covina should establish a general fund reserve level higher than its current 17% goal that is sufficient to mitigate current and future risks, including its pension related debt.

HIGH RISK AREA #1 – PROPOSED ACTIONS

Proposed Corrective Action

- Review Fund Balance policy annually and maintain an unassigned fund balance over GFOA's recommended min. of 17% and assign a portion for pension and OPEB liabilities.
- Staff proposes to increase reserves to 18% and reallocate excess fund balance transfers.

Proposed Strategies Outside this plan

- Transfer back amount set aside for OPEB liabilities back to the General Fund.
- Issue an RFP for investment management and advisory services.

HIGH RISK AREA #2 – QUESTIONABLE USE OF CITY RESOURCES

State Auditor Conclusion

- The City has not renegotiated its labor agreements with its employee unions as recommended, but it has updated its fee schedule.

State Auditor Recommendation

- To limit its costs related to employee health care benefits, West Covina should renegotiate employee union agreements once the effects of the pandemic subside so that its employees contribute a reasonable percentage of their premiums. To determine that percentage, West Covina should consider options such as using survey data from comparably sized cities in its region.

HIGH RISK AREA #2 – PROPOSED ACTIONS

Proposed Corrective Action

- The City's ability to lower its costs related to employee health care benefits is limited by the bargaining groups' willingness to negotiate. Thus, the City will continue to show good faith efforts to lower its costs related to employee health care benefits during renegotiations of its labor agreements.

Proposed Strategies Outside this plan

- Evaluate other options outside of CalPERS.

HIGH RISK AREA #6 – LACK OF OVERSIGHT TO ENSURE THAT CONTRACTS PROVIDE BEST VALUE

State Auditor Conclusion

- The City has addressed some but not all concerns regarding its contracting practices.

State Auditor Recommendation

- Amend its contracting policies to include a requirement that city management document reasons for entering into any contract or extension with a duration in excess of five years.

HIGH RISK AREA #6 – PROPOSED ACTIONS

Proposed Corrective Action

- On December 3, 2024, the City formally amended its contracting policies to include a requirement that city management document reasons for entering into any contract or extension with a duration in excess of five (5) years

AUDIT COMMITTEE RECOMMENDATION

- Reviewed by the Audit Committee January 27th
- Committee recommends changes to Corrective Action for High-Risk Area #2:
  - Rather than showing "*good faith efforts* to lower its costs related to employee healthcare benefits,"
  - State that the "City will *reject a negotiation that does not* lower its costs…. "
  - This implies the City may be forced into an impasse during future negotiations.
  - Councilmember Gutierrez and City Treasurer Colleen Rozatti requested that it be put on record that they opposed this and instead recommended evaluating options for healthcare outside of CalPERS.

NEXT STEPS

- Plan due February 17th
- City must update the State on progress every 6 months.
- State Auditor can determine City is no longer high-risk at any point in time.
- As more information is available, the State Auditor will continue to assess the City's progress and make determinations about the overall high-risk status of the City.

QUESTIONS

