Sierra Avenue and Casa Grande Avenue Warehouse Project

Draft Environmental Impact Report

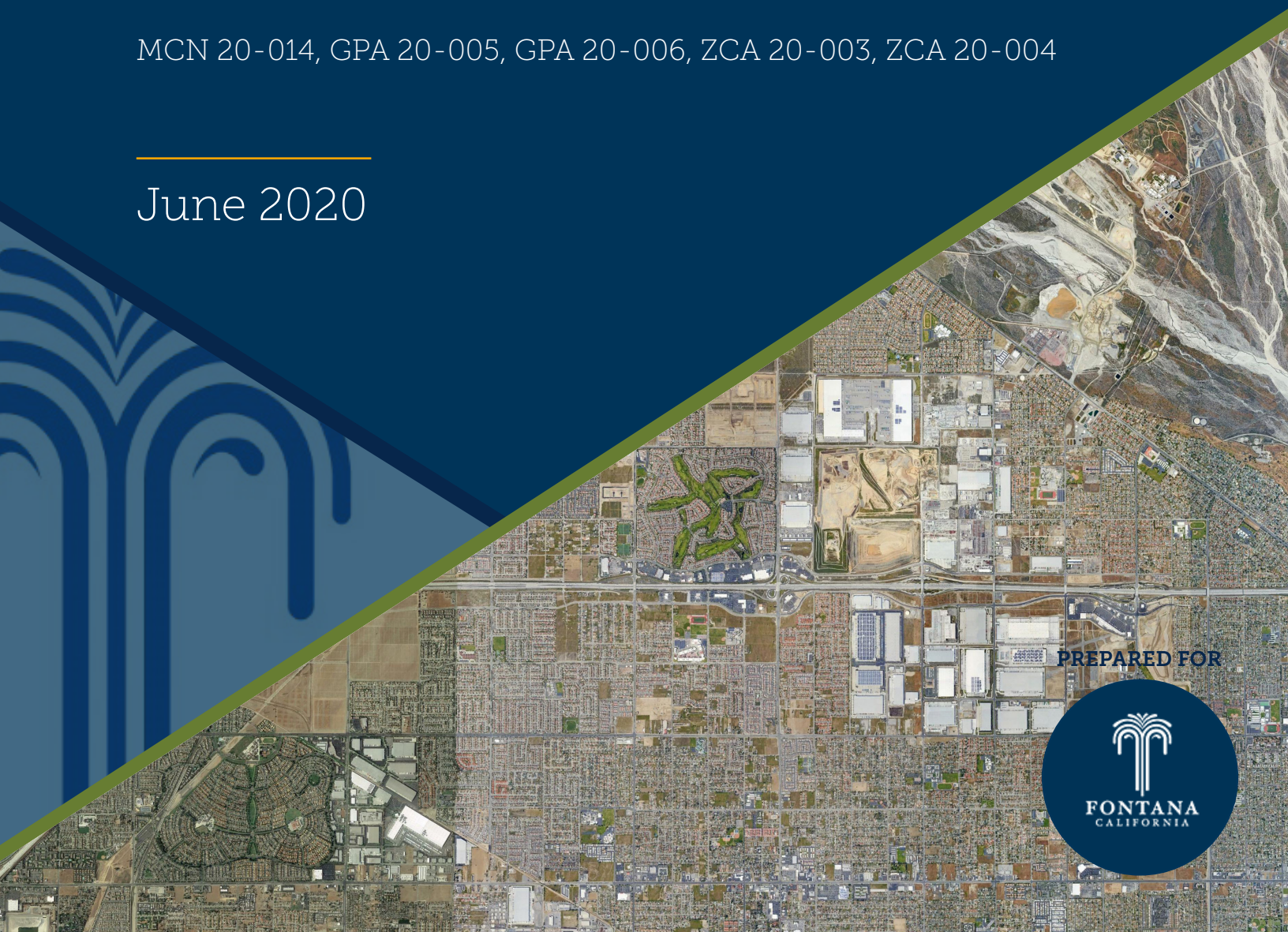
Warehouse Site

MCN 18-079, MCN 20-014, GPA No. 18-006, ZCA No. 18-006, ZCA No 18-007: DRP No. 19-038, TPM No. 19-021 (Tentative Parcel Map No. 20167), CUP No. 19-044.

Residential Unit Replacement Sites

MCN 20-014, GPA 20-005, GPA 20-006, ZCA 20-003, ZCA 20-004

June 2020



PREPARED FOR

FONTANA
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SCH No. 2019070040

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June 2020

City of Fontana
8353 Sierra Avenue
Fontana, CA 92335

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1.0 EXECUTIVE SUMMARY

1.1 INTRODUCTION

This Draft Environmental Impact Report (Draft EIR) is an informational document intended to inform the public and decision-makers about the environmental consequences of the proposed Sierra Avenue at Casa Grande Avenue Warehouse Project (proposed Project). The proposed Project involves the development of a 322,996 square foot (sf) warehouse at the northeastern corner of Sierra Avenue and Casa Grande Avenue in the City. The warehouse would be built within three connected parcels Assessor Parcel Numbers (APNs): 0239-151-22 and 0239-151-34, and 0239-151-40. The warehouse component would include applications for a General Plan Amendment (GPA) No. 18-006, a Zone Change (ZC) No. 18-006, and a Zoning Text Amendment (ZCA) No 18-007. The GPA proposed the conversion of one parcel (APN 0239-151-22) from Multi-Family High-Density Residential Zone (R-MFH) to Light Industrial (I-L) and two parcels (APNs: 0239-151-34 and 40) from Medium-Density Residential (R-M) to Light Industrial (I-L). The warehouse component proposes to rezone all three parcels to Light Industrial (M-1).

The proposed Project also includes two residential unit replacement sites (RUR's) that also are referred to as the Malaga site and Palmetto sites in this Draft Environmental Impact Report (Draft EIR). The RUR sites are required because of the recent adoption of the Housing Crisis Act (HCA) of 2019 and provisions in Senate Bill (SB) 330. In summary, the HCA of 2019 and SB 330 requires replacement housing sites when land designated for housing development is changed to a non-housing use. This is applicable to the proposed Project because the proposed warehouse development would change the residential zoning classification to an industrial classification. Due to these land uses changes the warehouse site would not be used for the development of up to 219 residential units and replacement sites must be proposed. Accordingly, and in conformance with these new laws, the City has identified two replacement sites. This includes a 5.69-acre site located north of Malaga Street and west of Mango Street (Malaga Site), and a 3.58-acre site located east of Palmetto Avenue and south of Arrow Boulevard (Palmetto Site). A summarized description of the proposed Project and its elements is provided in *Section 1.3, Project Description*, below. A complete description of the proposed Project is provided in **Chapter 3.0,** *Project Description* of this Draft EIR.

Additionally, SB 330, which provides that the City shall not "chang[e] the general plan land use designation, specific plan land use designation, or zoning…to a less intensive use… below what was allowed under the land use designation and zoning ordinances in effect on January 1, 2018". However, the Act includes an exception, and general plan and zoning designation changes to a "less intensive use" are permitted so long as the City concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction, such that there is no net loss in residential capacity. (Govt. Code §66300(i).)

This Draft EIR serves as both a "Project EIR" as defined in Section 15161 of the CEQA Guidelines related to the construction and operation of the Warehouse site and a "Program EIR" as defined in Section 15168 of the CEQA Guidelines related to the rezoning of the Malaga and Palmetto sites. The Draft EIR considers the environmental impacts of the proposed Project, including all three sites to the level of detail possible, as well as the additive effects of growth throughout the City of Fontana (City), neighboring areas of the City of Rialto, and the region. These latter impacts are referred to as cumulative impacts. The Draft EIR also evaluates a range of potential feasible alternatives anticipated to reduce significant impacts of the

Project, including different development densities for the Warehouse site, a different warehouse configuration, and different uses of the Warehouse site. This Draft EIR has been prepared for the City, pursuant to the requirements of the California Environmental Quality Act (CEQA).

Pursuant to CEQA Guidelines § 15082, the City circulated a Notice of Preparation (NOP) advising public agencies, special districts, and members of the public who had requested such notice that an EIR for the proposed Project was being prepared. The initial NOP was distributed on July 5, 2019 to solicit comments related to the proposed construction of the warehouse. This project did not include either the Malaga or Palmetto sites at that time.

Subsequent to the initial circulation of the first NOP, the proposed Project was amended to include the Malaga and Palmetto sites in response to the passage of SB 330 and thus the need for replacement housing sites to be added to the Project. To account for this need, the proposed Project was amended and the Malaga and Palmetto sites were added. As required, the amended NOP included an updated project description and a list of the environmental issues to be examined in the EIR. The revised NOP was circulated from February 24, 2020 with a 30-day public review period ending on March 25, 2020. This process and the comments submitted in response to the NOP and revised NOP is discussed in **Chapter 2.0,** *Introduction*, and Section 1.05 Areas of Controversy, below.

After receiving public comments on the NOP and revised NOP, the proposed Project was analyzed for its potential to result in environmental impacts. Impacts were evaluated in accordance with the significance criteria developed by the City that are based on criteria presented in Appendix G, "Environmental Checklist Form," of the CEQA Guidelines. The criteria in the Environmental Checklist (checklist), was used to determine if the proposed Project would result in, "no impact," "less than significant impact," "less than significant impact with mitigation measures," or potentially significant impact" to a particular environmental resource. In some instances, a project may use the checklist to provide an initial discussion of a project and to screen out certain topics from a full discussion in the Draft EIR. In the case of the proposed Project this was not done for Mineral Resources and Agricultural Resources due to these resources and feasibility for use associated with the Warehouse site and Malaga site and Palmetto site. A table listing the project impacts and any associated mitigation measures is included at the end of this summary in *Table 1-1: Project Impacts and Proposed Mitigation Measures*.

This Draft EIR describes the existing environmental resources on the Warehouse, Malaga, and Palmetto sites and in the vicinity of the Project sites, analyzes potential impacts on those resources that would or could occur upon initiation of the proposed Project, and identifies mitigation measures that could avoid or reduce the magnitude of those impacts determined to be significant. The environmental impacts evaluated in this Draft EIR concern several subject areas, including aesthetics/light and glare, air quality, biological resources, cultural and tribal resources, energy/energy conservation, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, transportation, utilities and service systems, and wildfire. As noted in the preceding paragraph, public comment was received during the NOP process and included written letters provided to the City during public meetings. In addition to the list of the summary of comments below, a copy of the letters with the NOP and a copy of the letters with the revised NOP is provided in Appendix A to this Draft EIR. The comments were used, as intended, to help inform the discussion of this Draft EIR and help determine the scope and framework of certain topical discussions.

This EIR is being published as a Draft EIR. The Draft EIR will be subject to further review and comment by the public, as well as responsible agencies and other interested jurisdictions, agencies, and organizations for a period of 45 days. During the public review period, a hearing will be held before the City of Fontana Planning Commission at a date to be determined to receive additional comments on the Draft EIR. The public may comment on the Draft EIR by testifying at the public hearing or may submit written comments at any time during the 45-day public review period.

Following the public review period, written responses to all comments received on the Draft EIR will be prepared. Those written responses, and any other necessary changes to the Draft EIR, will constitute the Final EIR and will be submitted to the City of Fontana City Council for their consideration. If the City finds that the Final EIR is "adequate and complete" in accordance with the CEQA Guidelines, the City may certify the EIR. The City Council would also consider the adoption of Findings of Fact pertaining to the EIR, specific mitigation measures, a Statement of Overriding Considerations (if needed), and a Mitigation Monitoring and Reporting Plan (MMRP). Upon review and consideration of the Final EIR, the hearing body may take action concerning the proposed project.

Regarding the MMRP, CEQA Guidelines Section 15097 requires public agencies to set up monitoring and reporting programs to ensure compliance with mitigation measures, which are adopted or made as a condition of project approval and designed to mitigate or avoid the significant environmental effects identified in environmental impact reports. A MMRP incorporating the mitigation measures set forth in this EIR will be considered and acted upon by the City decision-makers concurrent with adoption of the findings of this EIR and prior to approval of the proposed project.

1.2 PROJECT LOCATION

The proposed Project includes three sites generally located and generally described as follows.

Warehouse Site. The proposes Warehouse site is located in the northeastern portion of the City approximately 330 feet west of the City border with the City of Rialto. See **Figure 3-1: Regional Vicinity**. The Warehouse site consists of three connected parcels on the northeast corner of the Sierra Avenue and Casa Grande Avenue intersection; refer to **Figure 3-2: Local Vicinity** and **Figure 3-3: Project Site**. Regional access to the Warehouse site is via major transportation routes including State Route 210 (SR-210 – Foothill Boulevard) and Interstate Highway I-15 (I-15). The SR-210 intersection with Sierra Avenue is located approximately 1.5 miles south of the proposed Warehouse site and the I-15 interchange is located approximately 1.6 miles north of the proposed Warehouse site.

Malaga Site. The Malaga RUR site is located approximately 0.5 miles north of the central Downtown area of the City. The Malaga site comprises approximately 5.69 acres and is located adjacent to the north side of Malaga Street and west side of Mango Street. Approximately two blocks north is Miller Avenue which provides two lanes in each direction for east/west travel across most of the City. Approximately 0.33 miles south is Foothill Boulevard which provides two lanes for in each direction for east/west travel across most of the City and has an existing bus route and stops proximate to the site.

Palmetto Site. The Palmetto RUR site is located approximately 0.5-mile east of the central Downtown area of the City. The Palmetto site comprises approximately 3.58-acres and is located adjacent to the eastern right-of-way of Palmetto Avenue and adjacent to the southern right-of-way of Valencia Avenue. Approximately 0.5-block north is Arrow Boulevard, which provides two lanes in each direction for east/west travel across most of the City and has an existing bus route and stops proximate to the site.

Approximately 0.3 miles south is Merril Avenue, which provides two lanes in each direction for east west travel across most of the City.

1.3 PROJECT DESCRIPTION

The proposed Project consists of the development of a warehouse on the undeveloped lots adjacent to the northeast corner of Sierra Avenue and Casa Grande Avenue. Project plans for development of the Warehouse site are known and are described in additional detail below. As discussed above, construction of the warehouse would require the upzoning of another site(s) to account for the loss of housing that would occur under the existing general plan and zoning of the Warehouse site. Accordingly, the Malaga and Palmetto sites would be upzoned to comply with SB 330. Because it is unknown if these sites would ever be developed in accordance with the upzoning, and because there are no applications or proposals to development, there are no plans detailing potential development. Therefore, descriptions of the potential development of the Malaga and Palmetto sites define known elements such as existing conditions and surrounding uses and required densities; however, specific elements of the potential development are unknown and it would be speculative to include detailed descriptions. It should be noted that it is anticipated that future CEQA analysis would be needed prior to any approval of development on those sites. At that time, when complete plans are proposed they will be evaluated under CEQA as appropriate.

The proposed Project includes changes to the existing land uses and zoning designations. Only the Warehouse site is proposed to undergo any construction. The following discussions lists the applicable land use and zoning changes and further below, the individual project elements are discussed. A complete listing of all project components is provided in **Chapter 3.0** *Project Description*.

The City's General Plan Update 2015 – 2035 (General Plan) Land Use Map was updated and adopted on November 13, 2018. The warehouse site's existing Land Use designation, as of the date previously stated, is Medium Density Residential (R-M) and Multi-Family High Residential (R-MFH); the zoning for the warehouse is (R-2) Medium Density Residential and (R-5) Multi-Family High Residential. The Project proposes to change the zoning of the site to (I-L) Light Industrial.

The RUR Malaga site is designated in the General Plan R-SF Single Family Residential (2.1-5 du/ac), and the Palmetto site is R-M Medium Density Residential (5.1-12 du/ac). Both sites are zoned as (R-1) Single Family Residential (2.1-5 du/ac). The GPLU for the Malaga Site would be changed to Walkable Mixed-Use (WMXU-1) and upzoned to Form-Based Code (FBC) – Transitional District. The GPLU for the Palmetto site would be changed to Medium Density (R-M) General Plan and would be upzoned to Medium-Density Residential (R-2). Neither site is proposed for development and there are no conceptual project designs, applications. It is unknown if the sites will be redeveloped. Refer to Figure 3-5(a) General Plan Land Use Designations for the Warehouse Site and Figure 3-5(b) General Plan Land Use Designations for the Warehouse Site and Figure 3-6(a) - Existing Zoning Designations for the Warehouse Site, and Figure 3-6 (b) - Existing Zoning Designations for the Malaga and Palmetto Sites, that show the respective designations of the three Project sites. *Table 3-2: Existing, Surrounding, and Proposed Land Use and Zoning Designations* which shows graphically the existing designations or the Project sites, surrounding areas, as well as the proposed changes applicable to the Warehouse, Malaga, and Palmetto sites. The changes are discussed in section 3.5 – Discretionary Action and Approvals, further below.

WAREHOUSE SITE

Development Overview

Development of the proposed Warehouse site involves the construction of a 332,996-square feet (sf) distribution warehouse building within the approximate 16.09-gross acre (15.21-net acre) Warehouse site. Approximately 0.86 acres would be dedicated for street right-of-way. **Figure 3-7** – *Warehouse Project Site Plan*.

The warehouse structure would consist of an approximate 332,996 sf structure with 10,000 sf of office space (5,000 sf for a first floor and 5,000 for a second floor). No refrigeration units are proposed for the warehouse building. The warehouse use itself would be 322,996 sf of the overall structure and overall coverage of the site would be 49.9% and the floor area ratio would be 50.42%. To accommodate employees and visitors based on the proposed uses, the required parking would be 87 stalls. The project would provide 134 parking spaces, which is a surplus of 47 spaces over the required number of spaces to account for anticipated demands of tenants seeking market rate Class A (highest quality) industrial space. Tenants seeking Class A industrial space typically desire more parking to support the office space uses proposed in the building. The additional number of parking spaces also accommodates future options for tenants to expand the office space area within the warehouse. In addition, the site would include 67 parking spaces for trailers and 11 loading spaces, which meets City requirements. Provision of parking and other circulation elements including driveway, interior parking lot areas, and pedestrian elements would result in a total of 239,148 sf of paving and hardscape. Lastly, the Warehouse site includes landscaping totaling approximately 95,573 sf (2.21 acres) of which, 50,203 sf (1.15 acres) would be required.

Building Design

The warehouse structure would be approximately 42’5” at its maximum height, but the roofline would vary and be articulated to as low as 41’ in height. The exterior of the building also would be articulated and at varying depth with windows and a variable blue, grey, and white paint scheme to minimize the bulk and scale of the building. **Figure 3-8** - *Building Design and Elevations*, shows the conceptual design, architecture, height and scale as seen from different directions.

Landscaping Plan

The Warehouse site would be surrounded by substantial landscaping and visual buffers that would soften the massing as seen by off-site viewers. **Figure 3-9**, *Preliminary Landscape Plan* shows these elements and includes the sidewalk that would be constructed along Sierra Avenue and Casa Grande Avenue. In addition, the plan shows the entire site is encircled by landscaping and includes a pallet with both trees, shrubs, and ground covers. The landscaping plan includes a total of a 187 trees including Chinese flame tree (*Koelreuteria bipinnata*), Desert Museum Palo Verde (*Parkinsonia* x), Afghan Pine (*Pinus eldarica*), Fern pine (*podocarpus gracillior*), Southern live oak (*Quercus virginiana*), African Sumac (*Rhus lancea*), and Brisbane box (*Tristiana conferta*). Other shrubs and ground covers would be incorporated as foundation plantings and used as visual screens and accents along the perimeter and adjacent to the exterior walls of the proposed structure. The majority of the proposed plants would be rated for low-water use with some requiring medium volume of water. The majority of non-vegetative ground cover would consist of gravel, with some river-rock cobble, or shredded mulch over weed barrier.

Access and Roadway Improvements

Regional access to the Warehouse site would be from I-15 and SR-210 via the officially designated local truck route[1] Sierra Avenue; refer to **Figure 3-10**, *Local Truck Routes.* The truck route includes Sierra Avenue, which provides direct access to the site and would intersect with Casa Grande Avenue which would be paved as part of the proposed Project.

Ingress and egress from these two roadways to the warehouse site would be via two full-movement driveways on Sierra Avenue, one right-in/right-out driveway and one full-movement driveway on Casa Grande Avenue. All four project driveways would be unsignalized and access would be via four driveways; two approximately thirty-foot driveways on Sierra Avenue and two approximately forty-foot driveways on Casa Grande Avenue. Passenger vehicles would access the project site via the two driveways on the Sierra Avenue and trucks would access the project site via the two driveways on Casa Grande Avenue. Improvements would extend a portion of Casa Grande Avenue to approximately eighteen feet beyond the southerly property line and both Sierra Avenue and Casa Grande Avenue would be improved with approved curb, gutter, and lighting.

The warehouse would be encircled by an internal roadway connecting all of the interior parking stalls. The northerly side of the Project site would have 27 trailer stalls, the easterly site would have 49 regular parking stalls, 4 handicapped parking stalls. The southern site of the structure would have 35 dock positions and a total of 40 trailer stalls separated by a 40’ truck access off Casa Grande Avenue. On the easterly side of the dock positions, there would be an additional 16 parking stalls and on the westerly side there would be 22 parking spaces. These areas could be accessed via a 40’ truck entrance on the easternmost portion of the site from Casa Grande. On the westerly side of the site there would be a total of 42 parking spaces with 20 spaces including 5 handicapped spaces on the southerly side of the 32’ central access driveway from Sierra Avenue and 40 regular spaces on the northerly side between there and the 35’ access driveway on Sierra Avenue.

Other Improvements

The warehouse would have other associated elements typical of similar projects. Within the structures there would be an approximate 5,000 sf mezzanine within the office area. This area would include guest seating and lobby. A small patio would be located outside the mezzanine and office area for use by associates and guests. Walkways accessing this area would be compliance with Americans with Disabilities Act (ADA) requirements. The interior roadway would be gated adjacent to this area to limit access to the adjacent docking and trailer stalls. Interior to this gated area would be the pump station needed to lift wastewater flows to the off-site sewer system. A trash enclosure for two bins would be located adjacent to the pump house. The central driveway from Casa Grande Avenue providing access to this area also would be gates as would the easterly portion of the interior driveway. A propose guard shack would be located adjacent to the easterly gate to help control access. A second employee ADA compliance access point would be located on the southeastern corner of the building. As discussed above, the easterly side of the site also would be accessed via the internal private drive and there would be four exit-only doors, that could be used for emergencies and evacuations on this side of the structure. Similarly, on the northerly side of the building adjacent to the 27 trailer stalls there would be three additional exit-only doors, and three more doors on the western portion of the northerly structure wall. Lastly, the western

[1] City of Fontana. 2017. Local Truck Route – Ordinance No. 1273. Available at https://www.fontana.org/DocumentCenter/View/3971/Local-Truck-Routes-2017-11x17?bidId=, accessed July 2019.

side of the building also would have four exit-only doors. Refer to Figure 3-7 which shows the project site plan.

Grading and Utilities

The Warehouse site is relatively flat but would require grading to achieve the needed slopes and contour to facilitate building design and connections to existing utilities. The Warehouse site generally slopes from approximately 1,765 feet on the north to approximately 1,730 feet on the south. The Warehouse site would maintain the same general drainage pattern and would be graded to conduct runoff to the new drainage facilities that would be constructed on the southern portion of the Project site. It is anticipated that the site would be graded to balance on-site and the finished floor would be 1,754 feet on the northerly side of the structure and 1,752.5 feet on the southerly side.

The Warehouse site would tie into existing utility lines within the existing roadways and right-of-way's adjacent to the site. There are existing 12" and 6" water lines in Sierra Avenue and existing MWD 120" water line in a portion of Casa Grande Avenue. The applicant would work with the water supplier to access and tie into the line and extend services into the Project site. This would include conformance with the MWD Guidelines for Improvements and Construction Project Proposed in the Area of Metropolitan's Facilities and Rights-of-Way. Similarly, there is an existing 12" gas line in Sierra Avenue and two 6" gas lines in Casa Grande Avenue. Existing power poles and utility lines that would be relocated as part of the Project are along both Sierra Avenue and Casa Grande Avenue. The applicant would work with Southern California Edison (SCE) to tie into, relocate, and extend services into the site as required. Lastly, the project would utilize a lift station in the pump house on the southern project boundary transfer wastewater to the proposed and existing sewer lines that would be extended from the site to the existing lines. Similarly, stormwater runoff would be captured and controlled onsite and released to the existing stormwater drainage facilities.

PROJECT PHASING AND CONSTRUCTION

The warehouse Project is anticipated to be developed in one phase with construction anticipated to occur over a duration of approximately 12 months, commencing in the first half of 2021; the facility would be operational in the first half of 2022.

There are no current development plans for either the Malaga or Palmetto sites and therefore, project phasing and construction timelines are unknown.

Malaga and Palmetto sites

As discussed above, there are no existing plans for development of the Malaga or Palmetto sites. It is anticipated, based on the upzoning of the site, that each would be redeveloped at a higher density than currently exists. Accounting for the proposed upzoned designations, and as shown in Table 3-1 in **Chapter 3.0**, the Malaga site would be redeveloped with approximately an additional 195 units. A total of approximately 209 units would be anticipated at the Malaga site, when taken in account with the 14 existing units on-site. The Palmetto site would be redeveloped with approximately 24 replacement units. A total of approximately 32 units would be anticipated at the Palmetto site, when taken in account with 8 existing units on-site.

Access to these sites is not anticipated to require major changes to the existing roadway alignments and primary access for the Malaga site would be from Malaga Street or Mango Avenue. Similarly, primary

access to the Palmetto site would be anticipated to be via Palmetto Avenue and/or Valencia Avenue. Existing utilities exist within the vicinity and within existing rights-of-way and within the sites and it is anticipated existing lines would be tied into and extended as needed. Both projects, should they occur, would comply with all applicable zoning and general plan requirements related to hours of construction, sets backs, design theme, lighting requirements, landscaping, building height, etc. In addition, each Project would be required to conform with area plans that currently exist or subsequent planning documents applicable to either area should they be adopted and include either site in the future.

The Malaga Site would be upzoned to Form-Based Code (FBC) – Transitional District and the Palmetto site would be upzoned to Medium-Density Residential (R-2). Parking for both sites would be provided in accordance with the requirements of Article XI – On-Site Street Parking and Loading Regulations of the Fontana Zoning and Development Code for the respective zones.

Offsite Improvements

Offsite improvements to the Malaga site and Palmetto sites, if constructed, would conform to the requirements of the Fontana Zoning and Development Code. Because there are no development plans for the site, it is unknown what, if any off-site improvements would be required.

1.4 DISCRETIONARY ACTIONS AND APPROVALS

The City of Fontana is the Lead Agency under CEQA and is responsible for reviewing and certifying the adequacy of the EIR for the proposed project. Prior to development of the proposed project, discretionary permits and approvals must be obtained from local, State and federal agencies, as listed below. It is expected that these agencies, at a minimum, would consider the data and analyses contained in this EIR when making their permit determinations. To implement the proposed project, the Project Applicant would need to obtain discretionary permits/approvals including but not limited to the following:

CITY OF FONTANA

- Certification by the City of Fontana that the Final EIR has been completed in compliance with CEQA and has been reviewed and considered by the decision-makers.
- Adoption by the City of Fontana of findings regarding significant impacts and appropriate mitigation.
- Adoption by the City of Fontana of a statement of overriding considerations for significant and unavoidable impacts, if applicable.
- Adoption by the City of Fontana of a mitigation monitoring and reporting program (MMRP).
- Approval by the City of Fontana of zone changes.
- Approval by the City of Fontana of a zoning text amendment.
- Approval by the City of Fontana of general plan amendments.
- Approval by the City of Fontana of a tentative parcel map.
- Approval by the City of Fontana of a conditional use permit.
- Approval by the City of Fontana of a design review.

- Issuance of encroachment permits by the City of Fontana for road work or other improvements that may be constructed in local road rights-of-way.
- Issuance of a grading permit by the City of Fontana.
- Issuance of building permits.

Future required approvals and possible permitting requirements from other public agencies may be required. Upon completion of the environmental review process and prior to construction, the proposed project would be reviewed through standard City plan check procedures to verify that the proposed project conforms to all applicable City design criteria.

STATE OF CALIFORNIA

- California Department of Fish and Wildlife (CDFW), Agreements/Permits/Authorizations pursuant to the California Fish and Game Code.
- California Air Resources Board – Riverside County Air Quality Management District – Fugitive Dust Control Plan, Authority to Construct, Permit to Operate, any other permits as necessary.
- Santa Ana Regional Water Quality Control Board (Santa Ana RWQCB):
  - General Construction Stormwater Permit [Preparation of a Storm Water Pollution Prevention Plan (SWPPP).
  - Section 401 Water Quality Certification.

FEDERAL APPROVALS

- There are no federal approvals applicable to the proposed Project.

1.5 AREAS OF CONTROVERSY

Pursuant to CEQA Guidelines Section 15123, this EIR acknowledges the areas of controversy and issues to be resolved that are known to the City of Fontana and/or were raised during the EIR scoping process. These issues were identified during the NOP review periods. A total of eighteen comment letters were received from agencies, organizations, and individuals in response to the original NOP and revised NOP comment periods (February 24, 2020 through March 25, 2020). These comments on the original NOP and revised NOP are included in Appendix A-1 and A-2, respectfully.

The following list, categorized by issue, summarizes the concerns brought forth in the comment letters:

Issue Area:	
Procedural Comments	○ Notifications of all public hearings, determinations, public meetings, etc., related to the proposed Project
Aesthetics (EIR Chapter 4.1)	○ Disruption to view and light and glare, ○ Would reduce the aesthetic value,
Air Quality (EIR Chapter 4.2)	○ Unsafe fumes; ○ Address baseline and buildout, Consideration for nearby uses and toxic diesel fumes, notes residents and three elementary schools with two miles; address cumulative air quality impacts, address AB 617 (reduce emissions in communities with high exposure burdens and disproportionately affected communities), address potentially disadvantaged communities, cold storage use and higher

Issue Area:	
	associated emissions from trucks, HRA should include consideration of existing residences based on OEHHA and SCAQMD handbook., minimize NO_x, Use Air Pollution Emission Reductions Measures for Warehouse and Distribution Centers. ○ Recommended use of Air Quality Handbook 1993 and CalEEMod; quantify criteria pollutants and compare to AQMD CEQA regional thresholds and localized significance thresholds, include all phases of project in analysis of air quality, recommended performance of mobile source HRA, incompatible use evaluation and concern of location near residences and diesel particulate matter (DPM), use truck trip rates from ITE, project must meet requirements for mitigation for air quality impacts and recommendations of mitigation, obtain all required air quality permits. ○ Cumulative effects of the numerous warehouse projects must be evaluated, and previous mitigation has been ineffective.
Biological Resources (EIR Chapter 4.3)	○ Recognition of CDFW as a Trustee Agency and associated authority and jurisdiction ○ Habitat assessment, biological inventory including rare, threatened, endangered, and sensitive species following proper procedures and evaluation methodology; evaluation related to burrowing owl, ○ Analysis of direct, indirect, and cumulative impacts to biological resources, lighting, noise, human activity impacts, drainage patterns, water quality, defensible space, nearby public lands, wildlife movement, connectivity, and seasonal use, alternatives to the project, mitigation measures for fully protected and sensitive plants/communities, habitat and revegetation/restoration plans, conformance with nesting bird and migratory bird treaty act, moving out of harm's way, conformance with the California Endangered Species Act, conformance with Lake and Streambed Alteration Program, payment of filing fees, conformance with City's 2004 North Fontana Conservation Program, and analysis of cumulative impacts, and water wise concepts to reduce water demand.
Cultural and Tribal Resources (EIR Chapter 4.4)	○ No comments received.
Hazards and Hazardous Materials (EIR Chapter 4.8)	○ Air Toxics evaluation and HRA evaluations due to proximity to schools and nearby residential.
Hydrology and Water Quality (EIR Chapter 4.9)	○ No specific comments received. Comments were received related to biological resources.
Land Use (EIR Chapter 4.10)	○ Reduced property values, also need to consider and coordinate with Rialto. ○ Does not satisfy the intent of the Housing Crisis Act (HCA) 2019 and the Residential unit Replacement sites is not a valid solution and is a false equivalency. Suggests demolishing an existing warehouse and place housing there. ○ Inconsistent with the original vision of northeastern Fontana ○ Evaluate the jobs created and where employees will come from. ○ Warehouses are less revenue-producing the residential and depress residential value.
Noise (EIR Chapter 4.11)	○ Increased noise levels.
Public Services (EIR Chapter 4.13)	○ Proximity of project to school(s) and encroachment.
Transportation and Traffic (EIR Chapter 4.14)	○ Road congestion, increased traffic and accidents, damage to roads. ○ Opening of Casa Grande only for residents.

Issue Area:	
	○ The Traffic Impact Analysis (TIA) should discuss nearest state facilities (I-15 and SR 210) and use SCAG 2016 RTP; safe design of streets, ADA compliant and California Highway Design Manual, multimodal uses, place minimum parking at rear, use car-vanpools, EV charging, alternative fuel options. ○ Impedes pedestrian flow and difficult for ADA. ○ Consultation with City of Rialto regarding extension of Casa Grande into that city.
Energy (EIR Chapter 4.5)	○ No comments received.
Utilities and Service Systems (EIR Chapter 4.15)	○ In the West Valley Water District (WVWD) service area – Needs a hydraulics analysis, improvements installed by district approved contractor, pass plan check. ○ Concern regarding the 120" Metropolitan Water District line in Casa Grande Avenue and maintenance of right-of-way, include water conservation measures
Alternatives (EIR Chapter 5.0)	○ Include a reasonable range of Alternatives.
Cumulative (EIR Chapter 6.0)	○ Cumulative impacts related to biological resources and the air basin need to be included. ○ Cumulative hot spots and relation to climate change.

1.6 SIGNIFICANT AND UNAVOIDABLE IMPACTS

Section 15126.2 (b) of the CEQA Guidelines requires an EIR to "describe any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. Where there are impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed, notwithstanding their effect, should be described."

The specific mitigation measures summarized in Table ES-1 would reduce the level of project-specific significant impacts to less than significant. Similarly, many impacts are identified that would be less than significant without the need for additional mitigation measures. Significant and unavoidable impacts were identified in the analysis.

SIGNIFICANT PROJECT-LEVEL EFFECTS

The proposed Project would result in significant impacts related to air quality and greenhouse gas emissions.

Air Quality - Air quality calculations were conducted for the Warehouse, Malaga, and Palmetto sites individually and it was concluded that the buildout of each of these sites would not generate any air quality emissions that would exceed South Coast Air Quality Management District (SCAQMD) thresholds for criteria pollutants. Although it is unlikely buildout of the three sites would occur at the same time, and it is unknown when, if ever, the RUR sites would be constructed, the three sites were evaluated collectively as a conservative approach. Under this conservative buildout scenario, the warehouse and RUR sites would generate NO_X emissions that would exceed SCAQMD daily air quality standards and contribute to the non-attainment of ozone standards in the Southern California Air Basin in both construction and operational phases of the Project. Additionally, Project-related emissions also would exceed the growth projections utilized in the SCAQMD's *2016 Air Quality Management Plan (AQMP)*; thus, the Project would conflict with implementation of the *AQMP*.

Greenhouse Gas Emissions - Each site individually would not generate any air quality emissions that would exceed SCAQMD's screening threshold of 3,000 $MTCO_2e$/yr. The Malaga site and Palmetto sites both involve potential redevelopment with residential uses. The Warehouse site was evaluated separately because the SCAQMD has separate screening thresholds for industrial and residential projects. Although it is unlikely buildout of the three sites would occur at the same time, and it is unknown when, if ever, the Malaga and Palmetto sites would be constructed, the analysis of the two sites is combined to provide conservative analysis and a complete disclosure of GHG emissions that could occur from the residential development components. When the GHG emissions from the Malaga and Palmetto sites are combined, the operational emissions would exceed the 3,000 $MTCO_2e$/year threshold.

1.7 ALTERNATIVES TO THE PROPOSED PROJECT

Chapter 5.0 of this EIR evaluates alternatives to the proposed Project in accordance with the CEQA Guidelines Section 15126.6. The analysis of project alternatives takes into consideration the base assumption that all applicable mitigation measures associated with the project would be implemented with the appropriate alternatives. However, applicable mitigation measures may be scaled to reduce or avoid the potential impacts of the alternatives under consideration and may not precisely match those identified for the project. If a specific impact is not raised within the discussion of an alternative, it is because the effect is expected to be the same as that associated with the implementation of the proposed project. Detailed descriptions and analyses of the project alternatives can be found in **Chapter 5.0** *Alternatives*. The following is a summary of the alternatives evaluated in this EIR.

ALTERNATIVE 1: NO PROJECT ALTERNATIVE (EXISTING ZONING AND GENERAL PLAN DEVELOPMENT)

Alternative 1 focuses on impacts that would occur if no zoning map amendment and no General Plan Amendment was proposed. This alternative evaluates what development could occur if development under the existing zoning (R-2 and R-5) and General Plan (R-M and R-MFH) designations, were implemented. This alternative would eliminate the need for the RUR Malaga and Palmetto sites for upzoning and not result in redevelopment of those areas.

ALTERNATIVE 2: REDUCED WAREHOUSE FOOTPRINT AND HABITAT PRESERVATION ALTERNATIVE

This alternative would reduce the overall development footprint by approximately 50% with a warehouse area of approximately 158,910 sf and would concentrate development on the southerly/easterly end of the Project site. This alternative would preserve the southerly end that has greater shrub habitat densities. This alternative would reduce overall impacts to the site and decrease potential impacts to sensitive species and preserve some connectivity with pockets of undeveloped land and the utility corridor. To provide access to the new uses, this alternative would include a reduced widening of Casa Grande and only include one lane in each direction to enable access to the new warehouse site. This Alternative would include three smaller warehouse sites and associated parking and landscaped area.

ALTERNATIVE 3: INCREASED HOUSING DENSITY ALTERNATIVE

This alternative proposes to increase the allowable housing density on the Sierra Avenue site and not construct the warehouse. Alternative 3 was developed to increase housing availability and to eliminate the need for upzoning of the Malaga and Palmetto sites. This alternative would develop the site with a

greater number of housing and at a greater density than in the General Plan and zoning ordinance. This alternative would be responsive to the housing crisis and housing needs addressed by SB 330 because it would provide a larger number of units but at a higher density. This project would require a zone change to R-3 and the General Plan designation R-MF which would allow 12.1-24 du/acre. This alternative would result in the construction of approximately 219 units depending on the approved plan. Development within the R-3 zones allows residential development such as garden apartments, condominiums and townhouses.

1.8 ENVIRONMENTAL IMPACT SUMMARY

Table ES-1 (Summary of Environmental Impacts and Mitigation Measures), has been organized to correspond with the environmental issues discussed in **Chapter 4.0** of this Draft EIR. The summary table is arranged in four columns:

- Environmental impacts ("Impact").
- Level of significance without mitigation ("Significance Before Mitigation").
- Mitigation measures ("Mitigation Measure").
- The level of significance after implementation of mitigation measures ("Significance After Mitigation").

If an impact is determined to be significant or potentially significant, mitigation measures are identified, where appropriate and feasible. More than one mitigation measure may be required to reduce the impact to a less-than-significant level. This Draft EIR assumes that all applicable plans, policies, and regulations would be implemented, including, but not necessarily limited to, City General Plan policies, laws, and requirements or recommendations of the City planning staff or Board.

Applicable plans, policies, and regulations are identified and described in the Regulatory Setting of each issue area and within the relevant impact analysis. A description of the organization of the environmental analysis, as well as key foundational assumptions regarding the approach to the analysis, is provided in **Chapter 2.0** *Introduction*.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Chapter 4.1 – Aesthetics			
Impact 4.1-1: Have a substantial adverse effect on a scenic vista?	**Warehouse Site**: Less than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
Impact 4.1-2: Substantially damage scenic resources including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	**Warehouse Site**: No Impact	No mitigation measures are required.	No Impact.
	Malaga and Palmetto Site: No Impact	No mitigation measures are required.	No Impact.
Impact 4.1-3: 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?	**Warehouse Site**: Less than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
Impact 4.1-4: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	**Warehouse Site**: Less than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
Cumulative Impacts	**Warehouse Site**: Less than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Chapter 4.2 – Air Quality			
Impact 4.2-1: Conflict with or obstruct implementation of the applicable air quality plan?	**Warehouse Site**: Potentially Significant Impact.	No feasible mitigation measures have been identified.	Significant and Unavoidable.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No feasible mitigation measures have been identified.	Significant and Unavoidable.
Impact 4.2-2: 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?	**Warehouse Site**: Potentially Significant Impact.	**MM AQ-1:** Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 to minimize construction emissions of dust and particulates. The measures include, but are not limited to, the following: ▪ Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized. ▪ All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized. ▪ All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust. ▪ The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times. ▪ Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.	Significant and Unavoidable.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
	Malaga and Palmetto Sites: Potentially Significant Impact.	No mitigation measures are required.	Significant and Unavoidable.
Impact 4.2-3: Expose sensitive receptors to substantial pollutant concentrations?	**Warehouse Site**: Potentially Significant Impact.	**MM AQ-2:** Off-Road Diesel-Powered Construction Equipment. Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the City of Fontana that demonstrate that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards.	Less than Significant Impact with Mitigation.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
Chapter 4.3 – Biological Resources			
Impact 4.3-1: 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?	**Warehouse Site**: Potentially Significant Impact.	**MM-BIO-1:** Prior to ground-disturbing activities, focused protocol surveys for California Gnatcatcher (CAGN) shall be conducted by a qualified biologist for presence/absence on the Warehouse site. Surveys for CAGN will follow USFWS protocol by permitted biologists. The protocol should be followed for all surveys unless otherwise authorized by the USFWS writing. The permittee shall notify the USFWS in writing, at least ten (10) working days prior to the anticipated start date of survey work and receive approval prior to beginning work. The permittee shall provide a report to the USFWS within 45 days following the field surveys. For breeding season: From March 15 through June 30, a minimum of six (6) surveys shall be conducted at least one week apart. The protocol for the breeding season was	Less than Significant Impact with Mitigation.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		designed to provide a 95% confidence level of detecting CAGN at a site when they are present. For nonbreeding season: From July 1 through March 14, a minimum of nine (9) surveys shall be conducted at least two weeks apart. Prevailing site conditions and professional judgment must be applied to determine appropriate survey rates and acreage covered per day. These factors may dictate that the maximum daily coverage specified below is not prudent under certain conditions. If no CAGN are identified during surveys, no further action would be required. If CAGN are identified during surveys, then, occupied portions of the site would not be able to be developed until the Project Applicant can demonstrate that the appropriate authorization has been obtained from the United States Fish and Wildlife Service. **MM-BIO-2:** Prior to ground-disturbing activities, focused small mammal surveys shall be conducted by a qualified biologist on the Warehouse site. Surveys for SBKR/LAPM will follow USFWS protocol for live mammal trapping by permitted biologists. Live trapping will be conducted over five (5) consecutive nights if no target species are captured. Trapping shall be terminated if a target species is trapped prior to the fifth night. Trapping will be conducted under mild weather conditions, with a minimum temperature greater than 50° Fahrenheit and atmospheric conditions relatively dry, and calm. Trapping shall not be conducted in extended periods of wind, rain or fog that may jeopardize the lives of	

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		the target species. Following the survey, the biologist shall submit all a report and associated information required by their USFWS federal Section 10(a) permit. If no SBKR/LAPM are identified during surveys, no further action would be required. If SBKR are identified during surveys, then, occupied portions of the site would not be able to be developed until the Project Applicant can demonstrate that the appropriate authorization has been obtained from the United States Fish and Wildlife Service. If LAPM are identified then, occupied portions of the site would not be able to be developed until the Project Applicant can demonstrate that the appropriate coordination with the California Department of Fish and Wildlife (CDFW) has been completed to determine the appropriate mitigation ratio under the CDFW jurisdiction. **MM-BIO-3:** To avoid direct mortality of special status wildlife species or other wildlife with low or limited mobility, during site clearing operations at the Warehouse Site, a qualified biologist (biological monitor) shall be present on-site during all ground-disturbing activities to monitor construction activities and limits to ensure that special-status wildlife species with the potential to occur on-site (i.e., CAGN, LAPM, and SBKR) and that are observed on-site are not adversely affected, at the discretion of the biological monitor, by construction activities. The biological monitor shall have the authority to halt construction activities should any special-status wildlife species be observed on-site until the species has left the active construction areas.	

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		MM-BIO-4: Prior to the issuance of a grading permit, or any permit allowing ground disturbance, the Project Applicant shall provide to the satisfaction of the Planning Director, evidence habitat impacts have been mitigated pursuant to the City of Fontana's tiered mitigation program for the North Fontana Conservation Program (NFCP). The Project shall mitigate impacts to Suitable Habitat, Restorable Riversidean Alluvial Fan Sage Scrub (RAFSS) Habitat, and Unsuitable Habitat through the following: 1. Conservation Easement/Mitigation Bank Credits. The Project Applicant shall either dedicate to a certified third-party land trust a permanent conservation easement for like habitat or purchase mitigation credits in a California Department of Fish and Wildlife (CDFW)-approved mitigation bank at a ratio of a minimum of 1:1. Proof of mitigation shall be provided to the City of Fontana Planning Division prior to the commencement of any ground disturbance activities.	
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less Than Significant Impact.
Impact 4.3-2: 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 Game or US Fish and Wildlife Service?	**Warehouse Site**: No Impact.	No mitigation measures are required.	No Impact.
	Malaga and Palmetto Sites: No Impact.	No mitigation measures are required.	No Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Impact 4.3-3: 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?	**Warehouse Site**: No Impact.	No mitigation measures are required.	No Impact.
	Malaga and Palmetto Sites: No Impact.	No mitigation measures are required.	No Impact.
Impact 4.3-4: 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?	**Warehouse Site**: Potentially Significant Impact.	**MM-BIO-5:** Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but it can vary slightly from year to year based on seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If no active nests are found, no further action will be required. If an active nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure nesting	Less than Significant Impact with Mitigation.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur. This protocol is in accordance with the Migratory Bird Treaty Act and CDFW Fish and Game Code standards.	
	Malaga and Palmetto Sites: Potentially Significant Impact.	No mitigation measures are required.	Less than Significant Impact with Mitigation.
Impact 4.3-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	**Warehouse Site**: Less than Significant Impact.	No mitigation measures are required.	Less than Significant.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No mitigation measures are required.	Less than Significant.
Impact 4.3-6: Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	**Warehouse Site**: No Impact.	No mitigation measures are required.	No Impact.
	Malaga and Palmetto Sites: No Impact.	No mitigation measures are required.	No Impact.
Cumulative Impacts	**Warehouse Site**: Potentially Significant Impact.	Implement **MM-BIO 1 through 4.**	Less than Significant Impact with Mitigation.
	Malaga and Palmetto Sites: Less than Significant Impact	No mitigation measures are required.	Less than Significant Impact.
Chapter 4.4 – Cultural and Tribal Resources			
Impact 4.4-1: Would the project cause a substantial adverse change in	**Warehouse Site**: Potentially Significant Impact	**MM CUL-1:** During initial ground disturbance of either the Warehouse site, Malaga site, or Palmetto site, a qualified archaeologist shall be present on-site to observe disturbance areas. The qualified	Less than Significant Impact with Mitigation.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
the significance of a historical resource pursuant to § 15064.5?		archaeologist shall be able to halt work in the immediate vicinity should artifacts, exotic rock, shell or bone are uncovered during construction. In the event such cultural resources are unearthed during ground-disturbing activities by anyone other than the archaeologist, the project operator shall cease any ground-disturbing activities within 50 feet of the find and immediately contact the qualified archaeologist. Work shall not resume until the potential resource can be evaluated by the qualified archaeologist. The qualified archaeologist shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find until the find has been evaluated, determined whether the find is culturally sensitive, and an appropriate short-term and long-term treatment plan has been designed. **MM CUL-2:** Prior to the issuance of any grading permits for the Warehouse site, a Cultural Awareness Training Program shall be provided to all construction managers and construction personnel prior to commencing any ground disturbance work at any of the project sites. The training shall be prepared and conducted by a qualified archaeologist to the satisfaction of the City Planning Department. The training may be discontinued when ground disturbance is completed. Construction personnel shall not be permitted to operate equipment within the construction area unless they have attended the training. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be	

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		submitted to the City Planning Department for their review and approval. **MM CUL-3:** In the event that unanticipated cultural or tribal cultural resources are encountered during the course of grading or construction at either the Warehouse site, Malaga site, or Palmetto sites, the project operator/contractor shall cease any ground-disturbing activities within 50 feet of the find. Cultural and/or tribal cultural resources may include prehistoric archaeological materials such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock, as well as historic materials such as glass, metal, wood, brick, or structural remnants. A qualified archaeologist shall evaluate the resource and recommend appropriate treatment measures, as appropriate.	
	Malaga and Palmetto Sites: Less than Significant Impact	No mitigation measures are required.	Less than Significant Impact.
Impact 4.4-2: Would the Project **c**ause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	**Warehouse Site**: Potentially Significant Impact	Implement **MM CUL-1** through **MM CUL -3**.	Less than Significant Impact with Mitigation.
	Malaga and Palmetto Sites: Less than Significant Impact	No mitigation measures are required.	Less than Significant Impact.
Impact 4.4-3: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?	**Warehouse Site**: Potentially Significant Impact	**MM CUL-4**: If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are prehistoric, the Coroner will notify	Less than Significant Impact with Mitigation.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.	
	Malaga and Palmetto Sites: Less than Significant Impact	No mitigation measures are required.	Less than Significant Impact.
Impact 4.4-4: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:			Less than Significant Impact with Mitigation.
ii) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or iii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in	**Warehouse Site**: Potentially Significant Impact. **Malaga and Palmetto Sites**: Less than Significant Impact.	Implement **MM CUL-1** through **MM CUL -4.** **MM CUL-5: Retain a Native American Monitor/Consultant**: The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site	Less than Significant Impact with Mitigation. Less than Significant Impact

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources. **Professional Standards**: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified. **MM CUL-6**: **Unanticipated Discovery of Tribal Cultural and Archaeological Resources**: Upon	

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native	

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or historical society in the area for educational purposes. **MM CUL-7**: **Unanticipated Discovery of Human Remains and Associated Funerary Objects**: 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 PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed. **Resource Assessment & Continuation of Work Protocol**: Upon discovery, the tribal and/or archaeological monitor/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction	

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD). **Kizh-Gabrieleño Procedures for burials and funerary remains**: If the Gabrieleño Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. **Treatment Measures**: Prior to the continuation of ground-disturbing activities, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be	

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on-site if possible. These items should be retained and reburied within	

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.	
Cumulative	**Warehouse Site**: Potentially Significant Impact. **Malaga and Palmetto Sites**: Potentially Significant Impact.	Implement **MM CUL-1** through **MM CUL -7.**	Less than Significant Impact with Mitigation.
Chapter 4.5 – Energy			
Impact 4.5-1: Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	**Warehouse Site**: Less than Significant Impact.	No mitigation measures are required.	Less than Significant.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No mitigation measures are required.	Less than Significant.
Impact 4.5-2: Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	**Warehouse Site**: Less than Significant Impact.	No mitigation measures are required.	Less than Significant.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No mitigation measures are required.	Less than Significant.
Cumulative Impacts	**Warehouse Site**: Less than Significant Impact.	No mitigation measures are required.	Less than Significant.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No mitigation measures are required.	Less than Significant.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Chapter 4.6 – Geology and Soils			
Impact 4.6-1: 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?	**Warehouse Site**: Less than Significant	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Potentially Significant Impact	No mitigation measures are required.	Less than Significant Impact.
ii) Strong seismic ground shaking?	**Warehouse Site**: Potentially Significant Impact	**MM GEO-1:** Prior to approval of the proposed Project, including the Warehouse site, Malaga site, and Palmetto site, a geotechnical evaluation of each site shall be required. Geotechnical report shall be a design-level geotechnical investigation and a final geotechnical report with site-specific recommendations for each site prior to initiation of and construction activities. The geotechnical investigations may be prepared individually to account for differences in anticipated construction schedules and times lines. The geotechnical investigations shall be reviewed and approved by the City of Fontana, and shall comply with requirements of Local Hazard Mitigation Plan and all other applicable City codes and policies, as well as the California Building Code and International Building Code as required. The geotechnical evaluation shall be reviewed and approved by the engineering department prior to issuance of any	Less than Significant Impact with Mitigation.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		grading permit. All requirements of the report shall be developed and verified by a certified geotechnical engineer or engineering geologist.	
	Malaga and Palmetto Sites: Potentially Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
iii) Seismic-related ground failure, including liquefaction?	**Warehouse Site**: Less than Significant	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Potentially Significant Impact	No mitigation measures are required.	Less than Significant Impact.
iv) Landslides?	**Warehouse Site**: Less than Significant	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Potentially Significant Impact	No mitigation measures are required.	Less than Significant Impact.
Impact 4.6-2: Result in substantial soil erosion or the loss of topsoil?	**Warehouse Site**: Less than Significant Impact	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.6-3: 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?	**Warehouse Sites** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No mitigation measures are required.	Less than Significant Impact with Mitigation

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Impact 4.6-4: Be located on expansive soil, as defined in Table18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	**Warehouse Sites** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.6-5: 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?	**Warehouse Sites** No Impact.	No mitigation measures are required.	No Impact.
	Malaga and Palmetto Sites: No Impact.	No mitigation measures are required.	No Impact.
Impact 4.6-6: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	**Warehouse Sites** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Cumulative Impacts	**Warehouse Sites** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Chapter 4.7 – Greenhouse Gas Emissions			
Impact 4.7-1: Generate greenhouse gas emissions, either directly or indirectly, that could have a significant impact on the environment?	**Warehouse Sites** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No feasible mitigation measures have been identified.	Significant and Unavoidable.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Impact 4.7-2: 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?	**Warehouse Sites** Potentially Significant Impact.	No feasible mitigation measures have been identified.	Significant and Unavoidable.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No feasible mitigation measures have been identified.	Significant and Unavoidable.
Cumulative Impacts	**Warehouse Sites** Potentially Significant Impact.	No feasible mitigation measures have been identified.	Significant and Unavoidable.
	Malaga and Palmetto Sites: Potentially Significant Impact.	No feasible mitigation measures have been identified.	Significant and Unavoidable.
Chapter 4.8 – Hazards and Hazardous Materials			
Impact 4.8-1: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.8-2: Would the project **c**reate 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?	**Warehouse Site:** Potentially Significant Impact.	**MM- HAZ-1:** Prior to approval of any development permit or approval of any grading plan, a Phase I Environmental Site Assessment (ESA) shall be completed for both the Malaga and Palmetto sites. The Phase I ESA shall document all potential on-site recognized environmental conditions (RECs) as well as any off-site RECs that could affect construction or operation of either project. If necessary, that Phase I ESA shall require additional testing and reporting that would detail remediation measures needed to render the site safe for planned activities.	Less than Significant Impact with Mitigation.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
		MM-HAZ-2: Prior to approval of any grading or construction permit, the applicant shall coordinate with a licensed professional to conduct an evaluation of the existing residence and all ancillary structures for the presence of ACMs or lead-based paint. If ACM or lead-based paint is located, a remediation plan to include the safe removal, handling, and disposal of all materials shall be implemented. All work shall be completed to the satisfaction of the City Planning department and shall be conducted in accordance with all applicable ASTM standards related to hazardous materials handling and disposal.	
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.8-3: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.8-4: 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?	**Warehouse Sites** No Impact.	No mitigation measures are required.	No Impact.
	Malaga and Palmetto Sites: Less than Significant Impact	No mitigation measures are required.	Less than Significant Impact with Mitigation.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Impact 4.8-5: 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?	**Warehouse Sites** No Impact.	No mitigation measures are required.	No Impact.
	Malaga and Palmetto Sites: No Impact.	No mitigation measures are required.	No Impact.
Impact 4.8-6: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.8-7: Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	**Warehouse Site:** Potentially Significant Impact.	Implement **MM-WLD**-1, below.	Less than Significant Impact with Mitigation
	Malaga and Palmetto Sites: No Impact.	No mitigation measures are required.	No Impact.
Cumulative Impacts	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Chapter 4.9 – Hydrology and Water Quality			
Impact 4.9-1: Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Impact 4.9-2: Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.9-3: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			
i) Result in substantial erosion or siltation on- or off-site?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
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?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
iv) Impede or redirect flood flows?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.9-4: In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?	**Malaga and Palmetto Sites:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Warehouse Site: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.9-5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Cumulative Impacts	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Chapter 4.10 – Land Use and Planning			
Impact 4.10-1: Physically divide and established community?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.10-2: Cause a significant environmental impact due to a	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	**Malaga and Palmetto Sites:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Cumulative Impacts	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Chapter 4.11 – Noise			
Impact 4.11-1: 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?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.11-2: Generation of excessive groundborne vibration or groundborne noise levels?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Impact 4.11-3: 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?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Cumulative Impacts	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Chapter 4.12 – Population and Housing			
Impact 4.12-1: Would the Project 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)?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.12-2: Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Cumulative Impacts	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Chapter 4.13 – Public Services and Recreation			
Impact 4.13-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:			
a) Fire Protection?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
b) Police Protection?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
c) Schools?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
d) Parks?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
e) Other public facilities?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.13 2: 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?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.13-3: 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?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Cumulative Impacts	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Chapter 4.14 – Transportation			
Impact 4.14-1: Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.14-2: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.14-3: Result in inadequate emergency access?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Cumulative Impacts	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Chapter 4.15 – Utilities and Service Systems			
Impact 4.15-1: Require or result in the relocation or construction of new	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
or expanded water, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities or expansion of existing facilities, the construction or relocation of which could cause significant environmental effects?	**Malaga and Palmetto Sites:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.15-2: Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.15-3: 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?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.15-4: 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?	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.15-5: Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	**Warehouse Site:** No Impact	No mitigation measures are required.	No Impact
	Malaga and Palmetto Sites: No Impacts.	No mitigation measures are required.	No Impact

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Cumulative Impacts	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Chapter 4.16 – Wildfire			
Impact 4.16-1 Due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	**Warehouse Site:** Potentially Significant Impact.	**MM- WLD-1** Prior to issuance of a building permit, the applicant shall show to the satisfaction of the fire code official that the Warehouse site would conform to all requirements and standards needed to reduce the risk of wildfire. A fire protection plan (FPP) shall be developed in consideration of the existing topography, geology, flammable vegetation, and climate of the Warehouse site. The FPP shall include a description of the Warehouse design, distances from areas with wildland vegetation, show adequate water supply and fire and emergency access, measures used to reduce building ignition, defensible space, and any other applicable fire control measures. The FPP shall be consistent with the California Building Code Chapter 7A, International Wildland Urban Interface Code, and Fontana Municipal Code	Less than Significant Impact with Mitigation.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
Impact 4.16-2: Will the Project substantially impair an adopted emergency response plan or emergency evacuation plan?	**Warehouse Site:** Potentially Significant Impact.	Implement **MM-WLD-1**	Less than Significant Impact with Mitigation.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

Table ES-1: Project Impacts and Proposed Mitigation Measures			
Impact	**Level of Significance Before Mitigation**	**Mitigation Measure**	**Level of Significance After Mitigation**
Cumulative Impacts	**Warehouse Site:** Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.
	Malaga and Palmetto Sites: Less than Significant Impact.	No mitigation measures are required.	Less than Significant Impact.

2.0 INTRODUCTION AND PURPOSE

This document is an Environmental Impact Report (EIR) prepared for the Fontana Sierra Avenue and Casa Grande Avenue Project (hereafter, the "Project" or "proposed Project") in compliance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 et seq, and the California Code of Regulations §15000 et seq. The CEQA Guidelines are located within the California Code of Regulations (CCR), Title 14, Division 6, Chapter 3, §15000-15387, while the CEQA Statute is codified as Public Resources Code (PRC) §21000-21189.57. This Draft EIR has been prepared for the City of Fontana (herein referred to as the "City"), and evaluates the potential environmental impacts associated with planning, constructing, and operating of the proposed 322,996 square-foot (sf) warehouse project located at the southeast corner of Sierra Avenue and Casa Grande Avenue in the northeastern portion of the City. To enable the proposed development on the approximate 16.09-acre Warehouse site, the proposed Project includes a request for a Zone Change (ZCA No. 18-006), General Plan Amendment (GPA) (GPA No. 18-006), and Development Code Amendment (ZCA 18-007) for the Warehouse site. A GPA is requested to change the land use designation of the Warehouse site from Multi-Family High-Density Residential Zone (R-MFH) and Medium-Density Residential (R-M) to Light Industrial (I-L).

The proposed Project also includes two separate sites, the Malaga site (5.68 acres) and the Palmetto site (3.58 acres). No development is proposed to occur at these locations, but adoption of the proposed Project would result in changes to the zoning and land use designations for these sites. The land use and zoning designations of the Malaga and Palmetto sites would be changed to conform to the requirements of Senate Bill 330 (SB 330), also known as the Housing Crisis Act of 2019. SB 330 provides that the City shall not "chang[e] the general plan land use designation, specific plan land use designation, or zoning…to a less intensive use… below what was allowed under the land use designation and zoning ordinances in effect on January 1, 2018". However, the Act includes an exception, and general plan and zoning designation changes to a "less intensive use" are permitted so long as the City concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction, such that there is no net loss in residential capacity. (Govt. Code §66300(i).) Accordingly, to account for the loss of potential residential development on the Warehouse site, a GPA from Single-Family Residential (R-SF) to Walkable Mixed-Use I (WMXU-1) and an upzone from Single-Family Residential (R-1) to Form-Based Code (FBC) – Transitional District is proposed for the Malaga site. The Palmetto site would undergo a GPA from Single-Family Residential (R-SF) to Medium-Density Residential (R-2) and an upzone from Single-Family Residential (R-1) to Medium-Density Residential (R-2) to conform with SB 330 requirements.

This Draft EIR evaluates the potentially significant, adverse and beneficial impacts on the environment resulting from implementation of the proposed Project**.** The Draft EIR also evaluates a range of potential feasible alternatives anticipated to reduce significant impacts of the Project, including different development densities for the Warehouse site, a different warehouse configuration, and different uses of the Warehouse site. **Section 3.0**, *Project Description*, provides detailed descriptions of the construction and operational components of the proposed Project. **Section 4.0**, *Environmental Impact Analysis,* discusses the regulatory environment, existing conditions, environmental impacts, and mitigation measures for the Project. Following public review of the Draft EIR, a Final EIR will be prepared, in which the City will respond to public comments on the Draft EIR.

2.1 PURPOSE OF THE EIR

According to §15121 of the CEQA Guidelines, an EIR is an informational document which is meant to inform public agency decision-makers and the public of the significant environmental effects of a proposed project. The purpose of this Draft EIR is to review the existing conditions at and in the vicinity of the Project sites; identify and analyze the potential environmental impacts; and suggest feasible mitigation measures (if required) or alternatives to reduce significant adverse environmental effects. **Section 5.0**, *Alternatives to the Proposed Project* contains a discussion of Project Alternatives and explains how impacts of each alternative for each environmental resource area would differ from the proposed Project. Impacts discussions include both temporary construction-related effects and the long-term effects of development, operation, and maintenance of the Project, as described in **Section 3.0**, *Project Description*.

The intent of this Draft EIR is to address the potential Project impacts utilizing the most current and detailed plans, technical studies, and related information available. This Draft EIR will be used by the City as the lead agency, other responsible and trustee agencies, interested parties, and the general public to evaluate the potential environmental impacts of the proposed Project (refer to **Section 3.5**, *Anticipated Discretionary Actions and Approvals*, for a list of anticipated responsible and trustee agencies and Project approvals).

COMPLIANCE WITH CEQA

According to the CEQA Guidelines (14 CCR §15064[f][1]), preparation of an EIR is required whenever a project may result in a significant effect on the environment. An EIR is an informational document used to inform public agency decision-makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the Project that could feasibly attain most of the basic objectives of the Project while substantially lessening or avoiding any of the significant environmental impacts. Public agencies are required to consider the information presented in the EIR when determining whether to approve a project. CEQA requires that state and local government agencies consider the environmental effects of projects over which they have discretionary authority before taking action on those projects.

This document analyzes the environmental effects of the proposed Project to the degree of specificity appropriate to the current proposed actions, as required by §15146 of the CEQA Guidelines. The analysis considers the activities associated with the proposed Project, to determine the short-term and long-term effects associated with their implementation. This EIR discusses both direct and indirect impacts of the proposed Project, as well as cumulative impacts associated with other past, present, and reasonably foreseeable future projects.

Based on significance criteria, the effects of the proposed Project have been categorized as either “no impact,” “less than significant impact,” “less than significant with mitigation incorporated,” or “significant unavoidable impact” (refer to **Section 4.0**, *Environmental Impact Analysis*). Mitigation measures are recommended when reasonable and feasible to avoid or lessen impacts. In the event the proposed Project would result in significant unavoidable impacts, even with implementation of feasible mitigation measures, the decision-makers may approve the proposed Project with the adoption of a “Statement of Overriding Considerations.” This determination requires the decision-makers to balance the benefits of

the proposed Project to determine if they outweigh identified unavoidable impacts. The CEQA Guidelines §15093 provides in part the following:

- CEQA requires that the decision-makers balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the Project. If the benefits of the Project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- Where the decision of the public agency allows the occurrence of significant effects that are identified in the Final EIR but are not avoided or substantially lessened, the agency must state in writing the reason to support its action based on the Final EIR and/or other information on the record. This statement may be necessary if the agency also makes the finding under §15091 (a)(3) of the CEQA Guidelines.
- If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the Project approval and should be mentioned in the Notice of Determination.

2.2 NOTICE OF PREPARATION/EARLY CONSULTATION

In compliance with the CEQA Guidelines, the City has provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft EIR, efforts were made to contact various federal, State, regional, and local government agencies and other interested parties to solicit comments on the scope of review in this document. This included the distribution of a Notice of Preparation (NOP) to various responsible agencies, trustee agencies, and interested parties. Pursuant to CEQA Guidelines §15082, the City circulated an initial NOP directly to public agencies, special districts, and members of the public who had requested such notice. The initial NOP was distributed on July 5, 2019 to solicit comments related to the proposed construction of the warehouse. This Project did not include either the Malaga or Palmetto sites at that time. The initial NOP and comment letters received are attached as Appendix A-1, *NOP and Comment Letters*.

Subsequent to the initial circulation, the proposed Project was amended to include the Malaga and Palmetto sites in response to the passage of SB 330 and thus the need for replacement housing sites to be added to the Project. Accordingly, the proposed Project was amended and the Malaga and Palmetto sites were added to address residential unit replacement sites (RURs). The amended NOP included an updated project description and a list of the environmental issues to be examined in the EIR). Minus a few minor changes in the design and elements of the Warehouse site, which are discussed throughout the chapters of this Draft EIR, as identified in the previously circulated NOP remain the same.

The amended NOP was circulated from February 24, 2020 with a 30-day public review period ending on March 25, 2020. The amended NOP and comment letters received are provided in Appendix A-2, *Amended NOP and Comment Letters*.

During the scoping process, certain environmental topics were identified as having the potential for significant environmental impacts. The following issues identified as "potentially significant impact" in the NOP are addressed in detail in this EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources

- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services and Recreation
- Transportation and Traffic
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire Hazards

The NOP also noted that cumulative and growth-inducing impacts would be analyzed and that alternatives would be considered.

The following issues identified as "no impact" in the NOP are addressed in **Section 7.0**, *Effects Found not to be Significant*, of this Draft EIR.

- Agricultural Resources
- Minerals

PUBLIC SCOPING MEETINGS

A notice of a public scoping meeting for the proposed Project was included within the original NOP. A public scoping meeting was held on July 24, 2019 at the Development Services Office Building located in the City.

A total of eleven comment letters were received in response to the initial NOP. Comments were received from the following: 1) Lozeau Drury LLP; 2) California Department of Fish and Wildlife (CDFW); 3) California Department of Transportation (CalTrans); 4) California Air Resources Board (CARB); 5) West Valley Water District; 6) City of Rialto (Daniel Rosas); 7) South Coast Air Quality Management District; 8) The Metropolitan Water District of Southern California; 9) Jimmy Barela; 10) Rami Asad; and 11) Jacqueline Perez.

A total of seven comment letters were received in response to the amended NOP. Comments were received from the following: 1) Abigail Correa; 2) April Heringtonij; 3) Brenda Avilo; 4) Hubbard Law Firm; 5) Jimmy Barela; 6) Nikos Constant; and 7) Rami Asad.

The comment letters received during the NOP periods, along with Scoping Reports for the NOP, providing a more detailed summary of the issues raised during the public scoping meetings, are included in Appendix A-1 and A-2. It should be noted that comments were briefly summarized and that comments do not pertain to environmental issues required by CEQA and hence are not discussed in additional detail within the Draft EIR.

Areas of concern that were identified from the first public scoping include:

- Procedural Requests:
  - Notifications of all public hearings, determinations, public meetings, etc., related to the proposed Project.

- Aesthetics
  - Disruption to views and light and glare.
- Air Quality
  - Unsafe fumes.
  - Address baseline and buildout, consideration for nearby uses and toxic diesel fumes, notes residents and three elementary schools with two miles; address cumulative air quality impacts, address AB 617 (reduce emissions in communities with high exposure burdens and disproportionately affected communities), address potentially disadvantaged communities, cold storage use and higher associated emissions from trucks, HRA should include consideration of existing residences based on OEHHA and SCAQMD handbook., and minimize NOx.
  - Recommended use of Air Quality Handbook 1993 and CalEEMod; quantify criteria pollutants and compare to AQMD CEQA regional thresholds and localized significance thresholds, include all phases of Project in analysis of air quality, recommended performance of mobile source HRA, incompatible use evaluation and concern of location near residences and diesel particulate matter (DPM), use truck trip rates from ITE, Project must meet requirements for mitigation for air quality impacts and recommendations of mitigation, obtain all required air quality permits.
- Biological Resources
  - Recognition of CDFW as a Trustee Agency and associated authority and jurisdiction.
  - Habitat assessment, biological inventory including rare, threatened, endangered, and sensitive species following proper procedures and evaluation methodology; and evaluation related to burrowing owl.
  - Analysis of direct, indirect, and cumulative impacts to biological resources, lighting, noise, human activity impacts, drainage patterns, water quality, defensible space, nearby public lands, wildlife movement, connectivity, and seasonal use, alternatives to the Project, mitigation measures for fully protected and sensitive plants/communities, habitat and revegetation/restoration plans, conformance with nesting bird and migratory bird treaty act, moving out of harm's way, conformance with the California Endangered Species Act, conformance with Lake and Streambed Alteration Program, payment of filing fees, conformance with City's 2004 North Fontana Conservation Program, and analysis of cumulative impacts, and water-wise concepts to reduce water demand.
- Noise
  - Increased noise levels.
- Hazards and Hazardous Materials
  - Air Toxics evaluation and HRA evaluations due to proximity to schools and nearby residential.
- Land Use
  - Reduced property values.

- Public Services;
  - Proximity to elementary school.
- Traffic
  - Road congestion, increased traffic and accidents, damage to roads.
  - Opening of Casa Grande only for residents.
  - The Traffic Impact Analysis (TIA) should discuss nearest state facilities (I-15 and SR 201) and use SCAG 2016 RTP; safe design of streets, ADA compliant and California Highway Design Manual, multimodal uses, minimum parking at rear, use car-vanpools, EV charging, alternative fuel options.
  - Consultation with City of Rialto regarding extension of Casa Grande into that city.
- Utilities
  - In the West Valley Water District (WVWD) service area – Needs a hydraulics analysis, improvements installed by district approved contractor, pass plan check.
  - Concern regarding the 120" Metropolitan Water District line in Casa Grande Avenue and maintenance of right-of-way, include water conservation measures.
- Alternatives
  - A reasonable range of alternatives must be considered.

2.3 FORMAT OF THE EIR

The purpose of this EIR is to enable the City and other responsible and trustee agencies and interested parties to evaluate the environmental impacts of the proposed Project.

This Draft EIR is organized into twelve sections:

Section 1.0 **Executive Summary**, provides a project summary and summary of environmental impacts, and the proposed mitigation measures and alternatives.

Section 2.0 **Introduction**, provides CEQA compliance information.

Section 3.0 **Project Description**, provides Project history, as well as the environmental setting, Project characteristics and objectives, phasing, and anticipated permits and approvals that may be required for the Project.

Section 4.0 **Environmental Impact Analysis**, provides a discussion of the existing conditions for each of the environmental impact areas. This section also describes methodologies for significance determinations, identifies both short-term and long-term environmental impacts of the Project, recommends mitigation measures to reduce the significance of environmental impacts, and identifies any areas of potentially significant and unavoidable impacts. This section includes a discussion of cumulative impacts that could arise as a result of the implementation of the proposed Project.

Section 5.0 **Alternatives to the Proposed Project**, describes potential Project alternatives, including alternatives considered but rejected from further consideration, the No Project Alternative, various Project Alternatives, and identifies the Environmentally Superior Alternative.

Section 6.0 **Other CEQA Considerations**, summarizes unavoidable significant impacts, and discusses significant irreversible environmental changes, growth-inducing impacts, and energy conservation, in accordance with CEQA Guidelines Appendix F.

Section 7.0 **Effects Found Not to Be Significant**, describes potential impacts that have been determined not to be significant throughout the EIR process.

Section 8.0 **Agency Contacts and Preparers**, identifies the CEQA Lead Agency and EIR preparation team, as well as summarizes the EIR consultation process.

Section 9.0 **References**, identifies informational resources used for the preparation of the EIR.

Appendices Contains the NOP and DEIR notification documents and Project-specific technical studies.

2.4 ENVIRONMENTAL REVIEW PROCESS

In accordance with CEQA Guidelines §§5087 and 15105, this Draft EIR will be circulated for a 45-day public review period. The public is invited to comment in writing on the information contained in this document. Interested agencies and members of the public are invited to provide written comments on the Draft EIR and are encouraged to provide information that they believe should be included in the EIR.

Comment letters should be sent to:

City of Fontana
Planning Division
Attn: Cecily Session-Goins
8353 Sierra Avenue
Fontana, CA 92335

FINAL EIR

Upon completion of the 45-day Draft EIR public review period, the City will evaluate all written comments received during the public review period on the Draft EIR. Pursuant to CEQA Guidelines §15088, the City will prepare written responses to comments raising environmental issues. Pursuant to CEQA Guidelines §15132 (Contents of Final Environmental Impact Report), the Final EIR will be prepared and will include:

a) The Draft EIR or a revision of the Draft;
b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
c) A list of persons, organizations, and public agencies commenting on the Draft EIR; and
d) The Lead Agency's responses to significant environmental points raised in the review and consultation process.

Additionally, pursuant to CEQA Guidelines §15088 (Evaluation of and Response to Comments), after the Final EIR is completed, the City will provide a written proposed response to each public agency on comments made by that public agency at least ten days prior to certifying the EIR.

CERTIFICATION OF THE FINAL EIR

The Draft EIR, as revised by the Final EIR, will be considered by the City Council (the decision-making body for the Project) for certification, consistent with CEQA Guidelines §15090, which states:

Prior to approving a project, the lead agency shall certify that:

1) *The final EIR has been completed in compliance with CEQA;*
2) *The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the Project; and*
3) *The final EIR reflects the lead agency's independent judgment and analysis.*

Regarding the adequacy of an EIR, according to CEQA Guidelines §15151, "An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

PROJECT CONSIDERATION

After certification of the Final EIR, the City Council may consider approval of the proposed Project. A decision to approve the Project would be accompanied by specific, written findings, in accordance with CEQA Guidelines §15091 and, if necessary, a specific, written Statement of Overriding Considerations, in accordance with CEQA Guidelines §15093.

2.5 RESPONSIBLE AND TRUSTEE AGENCIES

LEAD AGENCY

City of Fontana

For the proposed Project, the City is the lead agency under CEQA and the proponent of the proposed Project. This Draft EIR has been prepared in accordance with PRC §21000 *et seq.* and the State CEQA Guidelines (CCR §15000 *et seq*.). CEQA requires lead agencies to consider potential environmental effects that may occur with implementation of a project and to avoid or substantially lessen significant effects to the environment when feasible. When a project may have a significant effect on the environment, the agency with primary responsibility for carrying out or approving the Project (the lead agency) is required to prepare an EIR.

TRUSTEE, RESPONSIBLE, AND COOPERATING AGENCIES

Other federal, state, and local agencies are involved in the review and approval of the proposed Project, including trustee and responsible agencies under CEQA. Under CEQA, a trustee agency is a state agency that has jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. A responsible agency is an agency other than the lead agency that has responsibility for carrying out or approving a project. Responsible and trustee agencies are consulted by

the CEQA lead agency to ensure the opportunity for input and also review and comment on the Draft EIR. Responsible agencies also use the CEQA document in their decision-making. Several agencies other than the City may require permits, approvals, and/or consultation in order to implement various elements of the Project, as listed in **Section 3.7**, *Anticipated Permits and Approvals Required*.

2.6 INCORPORATION BY REFERENCE

Pertinent documents relating to this EIR have been cited in accordance with CEQA Guidelines §15148, or have been incorporated by reference in accordance with CEQA Guidelines §15150, which encourages incorporation by reference as a means of reducing redundancy and the length of environmental reports. The following documents are hereby incorporated by reference into this EIR and are available for review online and at the City. Information contained within this document has been utilized for various sections of this EIR.

Fontana Forward General Plan. The City adopted the Fontana Forward General Plan in 2003 and was updated in 2018. The sixteen chapters or "elements" summary of existing conditions and current trends, the planning process, and goals, policies and actions for many different topic areas that will affect the physical and economic development of the City over the next twenty years.

- The Community and Neighborhood (CN) Element focuses on attributes that contribute to the form, character and quality of life in the communities and neighborhoods where people live.
- The Housing (H) Element provides a summary of the State-approved 2014-2021 Housing Element, prepared according to State requirements and on the State timetable.
- The Building a Healthier Fontana (BHF) element identifies a shared vision and set of values for addressing health and wellness within Fontana, including goals for the future physical development that will result in a healthier city.
- The Conservation, Open Space, Parks and Trails (COPT) Element describes measures for the preservation of open space for the protection of natural resources, and for public health and safety.
- The Public and Community Services Department (PCS) Element focuses on three important aspects of municipal service provision: public safety, public facilities, and the many services provided by the Community Services department.
- The Community Mobility and Circulation Element (CMC) expands the options for transit and "active transportation" (pedestrian and bicycle mobility) for Fontana. It is aligned with the Southern California Association of Governments (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy concepts of Neighborhood Mobility Areas and Livable Corridors.
- The Infrastructure and Green Systems (IGS) Element focuses on maintenance of city property, including parks and trails, streets, sewer lines and lift stations, and City buildings; for stormwater management; and for maintaining the City fleet.
- The Noise and Safety (NS) Element's goal is to combine the Goals and Policies of the Noise and Safety Elements of the 2003 General Plan into one Noise and Safety Element supported by detailed recent data in the Hazard Mitigation Plan.

- The Sustainability and Resilience (SR) element focuses especially on resource efficiency and planning for climate change.
- The Economy, Education, and Workforce Development (EEWD) element focuses on providing more jobs in Fontana for Fontana residents by promoting a diversified economy that builds on existing businesses and develops, attracts and retains future job-creating sectors.
- The Downtown Area Plan (DTAP) element ensure that new infill development is compatible in scale and character with the existing neighborhood while ensuring that transportation and utility infrastructure keeps pace with the neighborhood character.
- The Land Use, Zoning, and Urban Design (LUZUD) element includes an amended Land Use Plan. The amendments will provide new development opportunities in targets areas and along corridors that can accommodate such development.
- The final element, Stewardship and Implementation (SI), discusses overall stewardship of the plan to keep it useful and current by creating systems and procedures to make sure that the plan is used to guide decision-making and that it is evaluated regularly to see if strategies are working and if it continues to reflect community goals.

The General Plan was used throughout this EIR since it contains information, policies, and regulations relevant to the proposed Project. This document is available for review on the City's website at: https://www.fontana.org/2632/General-Plan-Update-2015---2035.

General Plan Update 2015-2035 Environmental Impact Report, June 2018. The General Plan Update 2015-2035 Environmental Impact Report (General Plan EIR) identifies potential significant environmental impacts of General Plan Update proposals, alternatives with fewer adverse impacts, and potential ways to reduce or avoid environmental damage, thereby addressing significant environmental impacts and mitigation options. The General Plan EIR evaluates the proposed General Plan Update's effect on the physical environment as it is now, and the impact on the environment that would exist under the proposed General Plan Update, including secondary and cumulative effects. The General Plan EIR identified Significant Impacts to Biological Resources and Transportation, but impacts were mitigated to less than significant. The General Plan EIR determined that cumulatively considerable impacts would not occur.

City of Fontana Municipal Code, as (continuously) updated. The Fontana Municipal Code (Municipal Code) establishes detailed zoning districts and regulations based on the General Plan. The Fontana Zoning and Development Code (Municipal Code Chapter 30) serves as the primary implementation tool for the General Plan. Whereas the General Plan is a policy document that sets forth direction for development decisions, the Zoning Code is a regulatory document that establishes specific standards for the use and development of all properties in the City. The Zoning Code regulates development intensity using a variety of methods, such as setting limits on building setbacks, yard landscaping standards, and building heights. The Zoning Code also indicates which land uses are permitted in the various zones. The Municipal Code includes all the City's zoning ordinance provisions and has been supplemented over time to include other related procedures such as subdivision regulations, environmental review procedures, and an advertising and sign code. Municipal Code regulations and maps must be consistent with the General Plan land uses, policies, and implementation programs. The Municipal Code is referenced throughout this Draft EIR to establish the proposed Project's baseline requirements according to the City's regulatory framework.

3.0 PROJECT DESCRIPTION

3.1 PURPOSE

The City of Fontana (City), as the Lead Agency under the California Environmental Quality Act (CEQA), has prepared this Environmental Impact Report (EIR) for the proposed Sierra Avenue at Casa Grande Avenue Warehouse Project (proposed Project). The following Project Description is provided in conformance with CEQA Guidelines Section 15124. It discusses the geographic setting, Project location, Project setting, current City land use and zoning designations, Project characteristics, Project objectives, discretionary actions required to implement the Project, and recent State of California legislation related to the provision of housing. This information will be the basis for analyzing the Project's impacts on the existing physical environment in **Chapter 4.0** of this EIR. The Project Description contains the following:

1. The precise location and boundaries of the proposed Project area(s) shown on a detailed map, along with a regional location map;
2. A statement of the objectives sought by the proposed Project including the underlying purpose of the Project and Project benefits;
3. A description of the proposed Project's technical, economic, and environmental characteristics along with engineering and public service facilities details;
4. A statement describing the intended uses of the EIR, including a list of all necessary approvals and permits, a list of agencies that may use the document in their decision-making, and a list of related consultation and environmental review necessary under local, state, and federal laws, regulations, and policies; and
5. A discussion of the passage and associated requirements of the Housing Crisis Act of 2019 [Senate Bill 330 (SB 330)].

The information presented within the project description will both accurately describe the proposed Project and assist in further review and assessment of its potential environmental impacts.

3.2 PROJECT OVERVIEW

The City has prepared this Draft EIR (DEIR) to reflect an expanded scope of environmental review for the proposed Project. The proposed Warehouse site is located adjacent to easterly side of Sierra Avenue and Casa Grande Avenue. The proposed Warehouse site occupies approximately 15.21 acres and is located on land designated in the City of Fontana General Plan (CFGP) as of Medium-Density Residential (R-M) and Multi-Family High Residential (R-MFH). The areas have corresponding zoning of Medium Density (R-2) and Multi-Family High Residential (R-5). Approximately 0.89 acres would be dedicated for roadway right-of-way.

Two of the parcels included in the proposed Project (APNs: 0239-151-34 and 0239-151-40) have a General Plan Land Use (GPLU) designation of Medium-Density Residential (R-M). Those two parcels also have a zoning designation of Medium-Density Residential (R-2). The other included parcel (APN: 0239-151-22) has a GPLU designation of Multi-Family High Residential (R-MFH) and a Zoning land use designation of Multi-Family High-Density Residential Zone (R-5). The parcels along the northern border of the proposed

Project have GPLU designations of R-MFH and Zoning Code designations of R-5. The parcels along the southern border of the proposed Project have Light Industrial (I-L) GPLU designation and Light Industrial (M-1) Zoning land use designations. The parcels along the eastern border of the proposed Project are designated as Public Utility Corridor (P-UC) in the GP and designated as Public Utility Corridor (P-UC) in the Zoning Code. The parcels across Sierra Avenue, on the western border of the proposed Project have a Residential Planned Community (R-PC) GPLU designation and are located in the Arboretum Specific Plan.

The proposed Project also includes two residential unit replacement sites (RUR's) that also are referred to as the Malaga site and Palmetto sites in this DEIR. The RUR sites are required because of the recent provisions in Senate Bill (SB) 330. In summary, SB 330 requires replacement housing sites when land designated for housing development is changed to a non-housing use. This element of the proposed Project is discussed in additional detail, below.

Development of the proposed Warehouse site is the only construction that would occur under the proposed Project if the Project is approved. The change of the zoning would enable the Warehouse site to be developed with the proposed warehouse/logistics facility and associated amenities. The RUR sites would only undergo a change of zone or "upzoning" that would allow for a greater density of residential units to be constructed at some time in the future. Therefore, approval of the proposed Project would only authorize development of the warehouse on the Warehouse site. While the change of zone at the RUR sites would enable development at a future unknown date and time, as of now there are no plans for additional development on these sites. As part of this DEIR; however, the potential effects of development of the Malaga and Palmetto sites is provided should they be proposed for redevelopment in the future.

PROPOSED PROJECT

Warehouse Site

The proposed Project involves the development of a 322,996 square foot (sf) warehouse at the northeastern corner of Sierra Avenue and Casa Grande Avenue in the City. The warehouse would be built within three connected parcels Assessor Parcel Numbers (APNs): 0239-151-22 and 0239-151-34, and 0239-151-40. The warehouse component would include applications for a General Plan Amendment (GPA) No. 18-006, a Zone Change (ZCA) No. 18-006, and a Zoning Text Amendment (ZCA) No 18-007. The GPA proposed the conversion of one parcel (APN 0239-151-22) from Multi-Family High-Density Residential Zone (R-MFH) to Light Industrial (I-L) and two parcels (APNs: 0239-151-34 and 40) from Medium-Density Residential (R-M) to Light Industrial (I-L). The warehouse component proposes to rezone all three parcels to Light Industrial (M-1).

The RUR Malaga and Palmetto sites, are needed for consistency with the requirements of SB 330. Based on requirement of this law, the City is required to find "replacement site(s)" for any housing that area that was designated or zoned for housing but would not be built due to a General Plan Land Use Designation/Zone Change from one that allows residential uses to a designation or zone that excludes housing as a development option. This is applicable to the proposed Project would change the designation and zoning to allow an industrial use, the warehouse, to be constructed on a site currently designation and zoned for residential uses. Due to these land uses changes the Warehouse site would not be used for the development of up to 219 residential units and replacement sites must be proposed. Accordingly, and in conformance with these new laws, the City has identified two replacement sites. This includes a

5.69-acre site located north of Malaga Street and west of Mango Street (Malaga Site), and a 3.58-acre site located east of Palmetto Avenue and south of Arrow Boulevard (Palmetto Site). These sites are identified and evaluated in this DEIR for their potential use as RUR's.

Malaga and Palmetto Sites

Both the replacement sites currently have a GPLU of Single-Family Residential (R-SF) and zoning designations of Single-Family Residential (R-1). As part of the proposed Project, the Malaga Site's GPLU designation would be changed to Walkable Mixed-Use I (WMXU-1) and it would be upzoned to Form-Based Code (FBC) – Transitional District, which would allow between 2.1-39 du/ac. The Palmetto Site's GPLU designation would be changed to Medium-Density Residential (R-M) and it would be upzoned to Medium-Density Residential (R-2), which allows between 5.1-12 du/ac. The existing permitted uses are also allowed in the proposed zoning designations. The proposed Project would only upzone the Malaga and Palmetto sites, and there is no proposal or application for development, and there are no existing plans for development. As such, this EIR will evaluate the environmental impacts of the potential future development of these sites at a programmatic level. *Table 3-1 – Malaga and Palmetto Site Potential Residential Use*, shows the number of existing units, RURs needed to account for the Warehouse Site, and the total units that could be constructed should these sites eventually be redeveloped. Based on the proposed zoning and allowable densities, a total of 546 units could be constructed at the Malaga site and 43 units could be constructed at the Palmetto site. Considering the existing 14 units at the Malaga site, the existing 8 units at the Palmetto site, and needed 219 replacements units for the Project, a total of 241 units would be needed at the RURs. For the purposes of this analysis, it was assumed 195 replacements units would be constructed at the Malaga site, and 24 replacement units would be constructed at the Palmetto site. The total number of units would be 209 and 32, respectively. It should be noted this was done for the purpose of providing a context for analysis and should these sites be redeveloped at some point in the future, densities could change.

Table 3-1: Malaga and Palmetto Sites Potential for Residential Use

Malaga Site						
Existing Units	**Acres**	**Existing Density**	**Potential Total Units[1] Density Range**	**Maximum Allowable Units**	**Replacement Units**	**Total Units[2]**
14	5.69	Appx 2.5 du/ac	2.1-39 du/ac	546	195	209
Palmetto Site						
Existing Units	**Acres**	**Existing Density**	**Potential Total Units[1] Density Range**	**Maximum Allowable Units**	**Replacements Units**	
8	3.58	Appx 2.23 du/ac	5.1 – 12 du/ac	43	24	32
				TOTAL:	**219**	**241**

Notes:
[1] Density Range based on allowances in Zoning Code.
[2] Includes existing residential units lost due to redevelopment.

3.3 PROJECT LOCATION

PROJECT LOCATION

As discussed above, the proposed Project includes three sites generally located and generally described as follows. Additional detail on the sites and project elements is provided further, below.

Warehouse Site. The proposed Warehouse site is located in the northeastern portion of the City, approximately 330 feet west of the City border with the City of Rialto. See **Figure 3-1:** *Regional Vicinity.* The Warehouse site consists of three connected parcels on the northeast corner of the Sierra Avenue and Casa Grande Avenue intersection; refer to **Figure 3-2:** *Local Vicinity* and **Figure 3-3:** *Project Site.* Regional access to the Warehouse site is via major transportation routes including State Route 210 (SR-210 – Foothill Boulevard) and Interstate Highway I-15 (I-15). The SR-210 intersection with Sierra Avenue is located approximately 1.5 miles south of the proposed Warehouse site and the I-15 interchange is located approximately 1.6 miles north of the proposed Warehouse site.

Malaga Site. The Malaga RUR site is located approximately 0.5 miles north of the central Downtown area of the City. The Malaga site comprises approximately 5.69 acres and is located adjacent to the north side of Malaga Street and west side of Mango Street. Approximately two blocks north is Miller Avenue which provides two lanes in each direction for east/west travel across most of the City. Approximately 0.33 miles south is Foothill Boulevard which provides two lanes for in each direction for east/west travel across most of the City and has an existing bus route and stops proximate to the site.

Palmetto Site. The Palmetto RUR site is located approximately 0.5 miles east of the central Downtown area of the City. The Palmetto site comprises approximately 3.58-acres and is located adjacent to the eastern right-of-way of Palmetto Avenue and adjacent to the southern right-of-way of Valencia Avenue. Approximately ½ block north is Arrow Boulevard, which provides two lanes in each direction for east/west travel across most of the City and has an existing bus route and stops proximate to the site. Approximately 0.3 miles south is Merril Avenue, which provides two lanes in each direction for east-west travel across most of the City.

Regional access to both the Malaga and Palmetto sites is available via State Route 210. SR-210 is located approximately 2.5 and 3.0 miles north of the site via Sierra Avenue, respectively. SR-210 then provides access to I-15 approximately 3.5 miles west of the intersection with Sierra Avenue and easterly access to I-215 approximately 7 miles away. **Figure 3-4:** *Malaga and Palmetto Site Areas* show the locations of these sites and surrounding vicinity on an aerial view.

PROJECT AND ENVIRONMENTAL SETTING[1 & 2]

The following provides an overview of the existing physical and environmental conditions of the Warehouse Site and Palmetto and Malaga sites. Additional details are provided within the respective chapters of the DEIR. As discussed above, where applicable the sites may be discussed together or separate depending on the availability of information. Additionally, it should be noted again, due to the programmatic level of evaluation of the Malaga and Palmetto sites, and the uncertainty of their eventual development and availability of information, they are typically discussed in less detail than the Warehouse site.

All three sites, the Warehouse site and the Malaga and Palmetto sites, are located in the Upper Santa Ana Valley, which is a broad down-warped area encompassing approximately 500 square miles. The Valley is bounded on the north by Transverse Ranges, on the south by the Jurupa Mountains and other ranges of the Perris Block and on the east and west by the San Jacinto Fault and the Chino Fault, respectively.

[1] Partner Engineering and Science, Inc. 2015. Phase I Environmental Site Assessment (APN: 0239-151-34, -09).
[2] S & S Commercial Environmental Services, Inc. 2017. Phase I Environmental Site Assessment (APN: 0239-151-22).

Alluvium was deposited on the valley floor from the surrounding mountains. The alluvium in the Upper Santa Ana Valley consists of unconsolidated and semi-unconsolidated sediments that have been divided into Terrace Deposits and Older Alluvium of Late Pleistocene age and Younger Alluvium of Recent or Holocene age. The maximum thickness of the alluvium in the basin is approximately 1,400 feet. The Project sites occupy a position near the lower reaches of the alluvial fans that border the mountain front of the San Gabriel Range. Shallow underlying sediment has been deposited by stream issuing from the east Etiwanda, San Sevaine and Day Canyons, and by the smaller drainages that exist between them. These adjacent fans have coalesced and are referred to as an alluvial slope. The sediments, deeper in the subsurface, reflect deposition by fluvial processes, attributed to the ancestral Santa Ana River. Based on available data, the alluvium contains alternating sequences of coarse to fine-grained layers, which range in thickness from a few feet to tens of feet. Thick intervals of fine-grained sand occur in the unsaturated zone and are intermixed with thin, probably discontinuous layers of silt or gravel. The saturated zone sediments are similar in character size to those found in the unsaturated zone with no widespread clay layers.

Warehouse Site

The Warehouse site is a rectangular lot occupying a total of approximately 15.21 acres and consists of Assessor Parcel Numbers (APN's) 0239-151-22 (0.48- acre), 0239-151-34 (10.95 acres), and 0239-151-40 (5.33 acres). According to the contour lines on the United States Geological Survey (USGS) *Devore, California* Quadrangle 7.5-minute series topographic map, the Warehouse site is located at approximately 1,760 feet above mean sea level (AMSL). The site slopes gently toward the south and southeast.

The site is vacant and has no existing structures but contains a remnant concrete housing pad. The site is otherwise unimproved. According to available historical sources, the site was undeveloped as early as 1896 until the 1940's through at least the 1980's when the former residence on the westerly side of the Warehouse site was present. As of 1995; however, the site was vacant with the exception of the remnant concrete pad approximately 200 feet from Sierra Avenue. Vegetation on the Warehouse site consists of native coastal sage scrub (css) and other similar habitats, as well as upland ruderal vegetation and non-native grasses. There are two trees on the west side of the site near Sierra Avenue. The site also contains scattered debris consisting of mostly rocks, dirt, tires, and an old domestic sprinkler hose from previous uses. None of these areas; however, represent recognized environmental conditions (RECs). The property is zoned R-5 and R-5 for medium density and multi-family residential uses, respectively.

The Warehouse site does not contain any existing surface waters and the nearest channel is surface water is Lytle Creek, located approximately 2.0 miles to the northeast. No settling ponds, lagoons, surface impoundments, wetlands, or natural catch basins are located on the Warehouse site. Water basins within the area that are utilized by water suppliers, such as the Fontana Water Company includes the Chino Basin, Rialto-Colton Basin, the Lytle Basin, and No Man's Land Basin. Ground water underlying the Warehouse site is estimated to be at approximately 300-400 feet below ground surface (bgs). This is based on the Water Quality Monitoring Report for Mid Valley Sanitary Landfill, which is located approximately 0.5 miles to the southeast of the Warehouse site. Groundwater below that facility was present at approximately 300 to 400 feet below ground surface (bgs) and flow is toward the southeast.

According to the Flood Insurance Rate Map, published by the Federal Emergency Management Agency, Community Panel Number 06071C7920H, dated August 26, 2008, the Warehouse site is located in

Unshaded Zone X, an area located outside of the 100-year and 500-year flood plains.[3] (FEMA, 2008a, and b).

Malaga Site

The Malaga site is approximately 5.69 acres and is located at the north side of Malaga Avenue, immediately west of Mango Avenue, approximately 0.33 miles north of Foothill Boulevard. The USGS *Fontana*, California 7.5-minute series topographic map, shows the Malaga site is located approximately 1,360 and slopes gently to the south.

The site is bound by single family homes adjacent to Fairfax Street on the north, Mango Avenue to the east, Malaga Street to the south, and an undeveloped parcel to the west. The site is rectangular and contains 14 parcels including APNs 019-018-116 (1.11 acres), 019-018-128 (0.2 acres), 019-018-129 (.2 acres), 019-018-127(0.31 acres), 019-018-123 (0.21 acres), 019-018-124 (0.21 acres), 019-018-125 (.21 acres), 019-018-126 (.65 acres), 019-018-114 (.74 acres), 019-018-113 (.19 acres), 019-018-112 (.44 acres), 019-018-111 (.44 acres), 019-018-110 (.41 acres), 019-018-109 (.37 acres), which are developed with 14 single residential uses.

Palmetto Site

The Palmetto site is approximately 3.58 acres and is located at the northeast corner of Palmetto Avenue and Valencia Avenue just south of Arrow Boulevard. The USGS *Fontana*, California 7.5-minute series topographic map, shows the Palmetto site located at approximately 1,280 to 1,260 feet AMSL.

The Palmetto site is rectangular in shape and includes four APNs 019-222-132 (0.8 acres), 019-222-144 (0.8 acres), 019-222-106 (0.99 acres), and 019.222-107 (.99 acres). The site is primarily developed with single-family residential units. The northernmost residential lot is used for vehicle and boat storage and the southernmost lot is developed with a church and parking lot. Within the Palmetto site there are two areas that are undeveloped portions of the existing lots. The Palmetto site is bound by Valencia Avenue on the south, Palmetto Avenue to the west, a small strip mall with four business fronts along Arrow Boulevard to the north, and residential uses to the east.

Malaga and Palmetto Sites

Because the Malaga and Palmetto sites are so heavily disturbed, they do not contain any native vegetative environments and no surface waters are present. Similar to the Warehouse site, the nearest surface water is Lytle Creek, located approximately 4.5 miles to the northeast. No settling ponds, lagoons, surface impoundments, wetlands, or natural catch basins are located on any of the sites. Similar to the Warehouse site, regionally, the water that would be used to serve the sites is taken from the same four ground water basins including the Lytle Basin, Rialto Basin, Chino Basin, and No Man's Land Basin, all of which are sub-basins of the larger Upper Santa Ana Valley Basin. Both the Malaga Site and Palmetto sites overlay the Chino Basin.[4]

[3] Federal Emergency Management Agency (FEMA), 2008a and b. FEMA Flood Map Service Area – Available: https://msc.fema.gov/portal/search#searchresultsanchor. Accessed: March 2, 2020

[4] San Gabriel Valley Water Company and Fontana Water Company Division – 2015 Urban Water Management Plan. Available: https://www.fontanawater.com/wp-content/uploads/2018/10/San-Gabriel-Fontana_Amended-Final-December-2017-1.pdf. Accessed: March 2, 2020.

According to Panel Number 06071C8656H, dated August 26, 2008 the Malaga and Palmetto sites also are located in an Unshaded Zone X and outside the 100-year and 500-year flood plains.[5] (FEMA, 2008a, and b).

SURROUNDING LAND USES

Warehouse site

The Warehouse site is largely surrounded by existing development with some undeveloped areas. The Warehouse sites western boundary is the two-lane Sierra Avenue, across which is undeveloped land including detention basin(s) occupying approximately 15 acres, and residential development. The area beyond Sierra Avenue, is designated as a Residential Planned Community for the Arboretum Special Project. Directly to the north is a small occupied residential dwelling, and vacant land further to the north followed by a residential development approximately 0.5 miles. To the east there is a Southern California Edison (SCE) easement designated as designated as a Public Utility Corridor and single-family residential uses within the City of Rialto approximately 330 feet east. To the south is a triangular-shaped approximately 20 acres of undeveloped property with an access road used by SCE and an electrical substation. Further south light industrial properties approximately a quarter-mile from the site. These uses are consistent with the overall community character of Fontana and Rialto which generally consists of large residential communities, shopping centers, and warehousing and industrial uses. To the south there is undeveloped land and industrial uses. It should be noted approximately 1.0 miles to the southeast is the Mid-Valley landfill.

Malaga site

The land uses surrounding the Malaga site are similar to those within the Malaga site. Immediately north there are single-family residences along the entire boundary and Fairfax Street just beyond. Further north are single-family units bound by Miller Avenue. To the south is Malaga Street across which are single-family units as well as undeveloped lots. At the southeast corner of the site Malaga St. “T’s” with Mango Avenue, which bounds the site on the east. To the east of Mango Avenue there are single-family residential units and a section of Malaga St. that continues east. To the west, the Malaga site is bound by a parcel and single-family dwelling unit.

Palmetto Site

The uses surrounding the Palmetto site consist of Palmetto Avenue to the west beyond which is single-family residential units west to Mango Avenue approximately 0.5 miles west. To the south is Valencia Avenue and single-family residential units along Encinitas Avenue and Palo Verde Avenue, which “T” with Valencia Avenue. To the north is a single-family residential unit and in the rear yard is an area used to store vehicle and boats. To the north between this property and the east-west trending Arrow Boulevard is a strip commercial center with four stores. To the east is a rear yard of an existing residence also use for storage, and adjacent to the church to the east is a quad-plex residential unit.

[5] Federal Emergency Management Agency (FEMA), 2008a and b. FEMA Flood Map Service Area – Available: https://msc.fema.gov/portal/search#searchresultsanchor. Accessed: March 2, 2020

LAND USE AND ZONING DESIGNATIONS[6]

The City's General Plan Update 2015 – 2035 (General Plan) Land Use Map was updated and adopted on November 13, 2018.[7] The warehouse site's existing Land Use designation, as of the date previously stated, is Medium Density Residential (R-M) and Multi-Family High Residential (R-MFH); the zoning for the warehouse is (R-2) Medium Density Residential and (R-5) Multi-Family High Residential. The Project proposes to change the zoning of the site to (I-L) Light Industrial.

The RUR Malaga site is designated in the General Plan R-SF Single Family Residential (2.1-5 du/ac), and the Palmetto site is R-M Medium Density Residential (5.1-12 du/ac). Both sites are zoned as (R-1) Single Family Residential (2.1-5 du/ac). The GPLU for the Malaga Site would be changed to Walkable Mixed-Use I (WMXU-1) and upzoned to Form-Based Code (FBC) – Transitional District. The GPLU for the Palmetto site would be changed to Medium Density (R-M) General Plan and would be upzoned to Medium-Density Residential (R-2). Neither site is proposed for development and there are no conceptual project designs, applications. It is unknown if the sites will be redeveloped. Refer to **Figure 3-5(a)** *General Plan Land Use Designations* for the Warehouse Site and **Figure 3-5(b**) *General Plan Land Use Designations* for the Warehouse Site and **Figure 3-6(a)** - *Existing Zoning Designations for the Warehouse Site*, and **Figure 3-6 (b)** - *Existing Zoning Designations for the Malaga and Palmetto Sites*, that show the respective designations of the three Project sites. **Table 3-2 -** *Existing, Surrounding, anda proposed Land Use and Zoning Designations* which shows graphically the existing designations or the Project sites, surrounding areas, as well as the proposed changes applicable to the Warehouse, Malaga, and Palmetto sites. The changes are discussed in Section 3.5 – Discretionary Action and Approvals, below.

[6] City of Fontana. 2019. Plans and Zoning. Available at http://web1.fontana.org/zoningviewer/, accessed July 2019.
[7] City of Fontana. 2018. General Plan Land Use Map. Available at https://www.fontana.org/DocumentCenter/View/26777/Land-Use-Map---Exhibit-158, accessed March 2, 2020.

Table 3-2: Existing, Surrounding, and Proposed Land Use and Zoning Designations[8]

Location	General Plan Land Use Designation	Existing Zoning Designation	Proposed General Plan and Zoning Designation
Warehouse Site	(R-M) Medium Density Residential; (R-MFH) Multi-Family High Residential (Fire Hazard Overlay)	(R-2) Medium Density Residential (R-5) Multi-Family High Residential (Fire Hazard Overlay District)	(I-L) Light Industrial for both *General Plan* and *Zoning*
North	(R-MFH) Multi-Family High Residential (Fire Hazard Overlay)	(R-5) Multi-Family High Residential (Fire Hazard Overlay District)	No Change
South	(I-L) Light Industrial (Warehousing Distribution Logistics Overlay District) (Fire Hazard Overlay)	(R-MU) Regional Mixed-Use (Warehousing Distribution/Logistics Overlay District) (Fire Hazard Overlay District)	No Change
East	SCE utility easement, City of Rialto	(P-UC) Public Utility Corridor City of Rialto	No Change
West	(R-PC) Residential Planned Community (Fire Hazard Overlay)	Arboretum Specific Plan (Fire Hazard Overlay District)	No Change
Malaga Site	R-SF Single Family Residential (2.1-5 du/ac	(R-1) Single Family Residential (2.1-5 du/ac)	GPLU Walkable Mixed-Use I (WMXU-1) – *General Plan* Form-Based Code (FBC) – Transitional District - *Zoning*
North	R-SF Single Family Residential (2.1-5 du/ac)	(R-1) Single Family Residential (2.1-5 du/ac)	No Change
South	WMXU-1 Walkable Mixed-Use Corridor & Downtown (0.2-2 FAR, 3-39 du/ac).	(FBC) Form-Based Code (0.2-2 FAR, 2.1-39 du/ac)	No Change
East	WMXU-1 Walkable Mixed-Use Corridor & Downtown (0.2-2 FAR, 3-39 du/ac).	(FBC) Form-Based Code (0.2-2 FAR, 2.1-39 du/ac)	No Change
West	WMXU-1 Walkable Mixed-Use Corridor & Downtown (0.2-2 FAR, 3-39 du/ac).	(FBC) Form-Based Code (0.2-2 FAR, 2.1-39 du/ac)	No Change
Palmetto Site	R-M Medium Density Residential (5.1-12 du/ac)	(R-1) Single Family Residential (2.1-5 du/ac)	Medium Density (R-M) *General Plan* Medium-Density Residential (R-2) *Zoning*
North	C-C Community Commercial (0.1-1.0 FAR)	C-1 Community Commercial (0.1-1.0 FAR)	No Change
South	R-SF Single Family Residential (2.1-5 du/ac)	(R-1) Single Family Residential (2.1-5 du/ac)	No Change
East	R-M Medium Density Residential	R-PC (Residential Planned Community (3.0-6.4 du/ac)	No Change
West	R-SF Single Family Residential (2.1-5 du/ac)	(FBC) Form-Based Code (0.2-2 FAR, 2.1-39 du/ac) and Valley Business Park Overlay	No Change

Sources: City of Fontana, State of California General Plan Land Use Map (Adopted November 13, 2018), accessible at https://www.fontana.org/DocumentCenter/View/26777/Land-Use-Map---Exhibit-158 and City of Fontana, State of California Zoning District Map (Last revised April 18, 2017).

[8] City of Fontana. 2018. General Plan Land Use Map. Available at https://www.fontana.org/DocumentCenter/View/26777/Land-Use-Map---Exhibit-158, accessed March 2, 2020.

PROPOSED PROJECT

The proposed Project consists of the development of a warehouse on the undeveloped lots adjacent to the northeast corner of Sierra Avenue and Casa Grande Avenue. Project plans for development of the Warehouse site are known and are described in additional detail below. As discussed above, construction of the warehouse would require the upzoning of other sites to account for the loss of housing that would occur under the existing general plan and zoning of the Warehouse site. Accordingly, the Malaga and Palmetto sites would be upzoned to comply with this requirement as needed by SB 330. Because it is unknown if these sites would be developed in accordance with the upzoning and because there are no applications or proposals for development, there are no plans detailing potential development. Therefore, descriptions of the potential development of the Malaga and Palmetto sites define known elements such as existing conditions and surrounding uses and required densities; however, specific elements of the potential development are unknown and it would be speculative to include detailed descriptions. It should be noted that it is anticipated that future CEQA analysis would be needed prior to any approval of development on those sites. At that time, when complete plans are proposed they will be evaluated under CEQA as appropriate.

WAREHOUSE SITE

Development Overview

Development of the proposed Warehouse site involves the construction of a 332,996-square feet (sf) distribution warehouse building within the approximate 16.09-gross acre (15.21-net acre) Warehouse site. Approximately 0.86 acres would be dedicated for street right-of-way. **Figure 3-7** – *Warehouse Project Site Plan*.

The warehouse structure would consist of an approximate 332,996 sf structure with 10,000 sf of office space (5,000 sf for a first floor and 5,000 for a second-floor). No refrigeration units are proposed for the warehouse building. The warehouse use itself would be 322,996 sf of the overall structure and overall coverage of the site would be 49.9% and the floor area ratio would be 50.42%. To accommodate employees and visitors based on the proposed uses, the required parking would be 87 stalls. The Project would provide 134 parking spaces, which is a surplus of 47 spaces over the required number of spaces to account for anticipated demands of tenants seeking market-rate Class A (highest quality) industrial space. Tenants seeking Class A industrial space typically desire more parking to support the office space uses proposed in the building. The additional number of parking spaces also accommodates future options for tenants to expand the office space area within the warehouse. In addition, the site would include 67 parking spaces for trailers and 11 loading spaces, which meets City requirements. Provision of parking and other circulation elements including driveway, interior parking lot areas, and pedestrian elements would result in a total of 239,148 sf of paving and hardscape. Lastly, the Warehouse site includes landscaping totaling approximately 95,573 sf (2.21 acres) of which, 50,203 sf (1.15 acres) would be required.

Building Design

The warehouse structure would be approximately 42’5” at its maximum height, but the roofline would vary and be articulated to as low as 41’ in height. The exterior of the building also would be articulated and at varying depth with windows and a variable blue, grey, and white paint scheme to minimize the

bulk and scale of the building. **Figure 3-8** - *Building Design and Elevations*, shows the conceptual design, architecture, height and scale as seen from different directions.

Landscaping Plan

The Warehouse site would be surrounded by substantial landscaping and visual buffers that would soften the massing, as seen by off-site viewers. **Figure 3-9**, *Preliminary Landscape Plan* shows these elements and includes the sidewalk that would be constructed along Sierra Avenue and Casa Grande Avenue. In addition, the plan shows the entire site is encircled by landscaping and includes a pallet with both trees, shrubs, and ground covers. The landscaping plan includes a total of a 187 trees including Chinese flame tree (*Koelreuteria bipinnata*), Desert Museum Palo Verde (*Parkinsonia* x), Afghan Pine (*Pinus eldarica*), Fern pine (*podocarpus gracillior*), Southern live oak (*Quercus virginiana*), African Sumac (*Rhus lancea*), and Brisbane box (*Tristiana conferta*). Other shrubs and ground covers would be incorporated as foundation plantings and used as visual screens and accents along the perimeter and adjacent to the exterior walls of the proposed structure. The majority of the proposed plants would be rated for low-water use with some requiring medium volume of water. The majority of non-vegetative ground cover would consist of gravel, with some river-rock cobble, or shredded mulch over weed barrier.

Access and Roadway Improvements

Regional access to the Warehouse site would be from I-15 and SR-210 via the officially designated local truck route[9] Sierra Avenue; refer to **Figure 3-10**, *Local Truck Routes.* The truck route includes Sierra Avenue, which provides direct access to the site and would intersect with Casa Grande Avenue which would be paved as part of the proposed Project.

Ingress and egress from these two roadways to the warehouse site would be via two full-movement driveways on Sierra Avenue, one right-in/right-out driveway and one full-movement driveway on Casa Grande Avenue. All four project driveways would be unsignalized and access would be via four driveways; two approximately thirty-foot driveways on Sierra Avenue and two approximately forty-foot driveways on Casa Grande Avenue. Passenger vehicles would access the project site via the two driveways on the Sierra Avenue and trucks would access the project site via the two driveways on Casa Grande Avenue. Improvements would extend a portion of Casa Grande Avenue to approximately eighteen feet beyond the southerly property line and both Sierra Avenue and Casa Grande Avenue would be improved with approved curb, gutter, and lighting.

The warehouse would be encircled by an internal roadway connecting all of the interior parking stalls. The northerly side of the Project site would have 27 trailer stalls, the easterly site would have 49 regular parking stalls, 4 handicapped parking stalls. The southern site of the structure would have 35 dock positions and a total of 40 trailer stalls separated by a 40’ truck access off Casa Grande Avenue. On the easterly side of the dock positions, there would be an additional 16 parking stalls and on the westerly side there would be 22 parking spaces. These areas could be accessed via a 40’ truck entrance on the easternmost portion of the site from Casa Grande Avenue. On the westerly side of the site there would be a total of 42 parking spaces with 20 spaces including 5 handicapped spaces on the southerly side of the

[9] City of Fontana. 2017. Local Truck Route – Ordinance No. 1273. Available at https://www.fontana.org/DocumentCenter/View/3971/Local-Truck-Routes-2017-11x17?bidId=, accessed July 2019.

32’ central access driveway from Sierra Avenue and 40 regular spaces on the northerly side between there and the 35’ access driveway on Sierra Avenue.

Other Improvements

The warehouse would have other associated elements typical of similar projects. Within the structures there would be an approximate 5,000 sf mezzanine within the office area. This area would include guest seating and lobby. A small patio would be located outside the mezzanine and office area for use by associates and guests. Walkways accessing this area would be compliance with Americans with Disabilities Act (ADA) requirements. The interior roadway would be gated adjacent to this area to limit access to the adjacent docking and trailer stalls. Interior to this gated area would be the pump station needed to lift wastewater flows to the off-site sewer system. A trash enclosure for two bins would be located adjacent to the pump house. The central driveway from Casa Grande Avenue providing access to this area also would be gates as would the easterly portion of the interior driveway. A propose guard shack would be located adjacent to the easterly gate to help control access. A second employee ADA compliance access point would be located on the southeastern corner of the building. As discussed above, the easterly side of the site also would be accessed via the internal private drive and there would be four exit-only doors, that could be used for emergencies and evacuations on this side of the structure. Similarly, on the northerly side of the building adjacent to the 27 trailer stalls there would be three additional exit-only doors, and three more doors on the western portion of the northerly structure wall. Lastly, the western side of the building also would have four exit-only doors. Refer to Figure 3-7 which shows the project site plan.

Grading and Utilities

The Warehouse site is relatively flat but would require grading to achieve the needed slopes and contour to facilitate building design and connections to existing utilities. The Warehouse site generally slopes from approximately 1,765 feet on the north to approximately 1,730 on the south. The Warehouse site would maintain the same general drainage pattern and would be graded to conduct runoff to the new drainage facilities that would be constructed on the southern portion of the Project site. It is anticipated that the site would be graded to balance on-site and the finished floor would be 1,754 feet on the northerly side of the structure and 1,752.5 feet on the southerly side.

The Warehouse site would tie into existing utility lines within the existing roadways and right-of-way’s adjacent to the site. There are existing 12” and 6” water lines in Sierra Avenue and existing MWD 120” water line in a portion of Casa Grande Avenue. The applicant would work with the water supplier to access and tie into the line and extend services into the Project site. This would include conformance with the MWD Guidelines for Improvements and Construction Project Proposed in the Area of Metropolitan’s Facilities and Rights-of-Way. Similarly, there is an existing 12” gas line in Sierra Avenue and two 6” gas lines in Casa Grande Avenue. Existing power poles and utility lines that would be relocated as part of the Project are along both Sierra Avenue and Casa Grande Avenue. The applicant would work with Southern California Edison (SCE) to tie into, relocate, and extend services into the site as required. Lastly, the Project would utilize a lift station in the pump house on the southern project boundary transfer wastewater to the proposed and existing sewer lines that would be extended from the site to the existing lines. Similarly, stormwater runoff would be captured and controlled on-site and released to the existing stormwater drainage facilities.

PROJECT PHASING AND CONSTRUCTION

The warehouse Project is anticipated to be developed in one phase with construction anticipated to occur over a duration of approximately 12 months, commencing in the first half of 2021; the facility would be operational in the first half of 2022.

There are no current development plans for either the Malaga or Palmetto sites and therefore, project phasing and construction timelines are unknown.

Malaga and Palmetto site

As discussed above, there are no existing plans for development of the Malaga or Palmetto sites. It is anticipated, based on the upzoning of the site, that each would be redeveloped at a higher density than currently exists. Accounting for the proposed upzoned designations, and as shown in Table 3-1 in **Chapter 3.0**, the Malaga site would be redeveloped with approximately an additional 195 units. A total of approximately 209 units would be anticipated at the Malaga site, when taken in account with the 14 existing units on-site. The Palmetto site would be redeveloped with approximately 24 replacement units. A total of approximately 32 units would be anticipated at the Palmetto site, when taken in account with 8 existing units on-site.

Access to these sites is not anticipated to require major changes to the existing roadway alignments and primary access for the Malaga site would be from Malaga Street or Mango Avenue. Similarly, primary access to the Palmetto site would be anticipated to be via Palmetto Avenue and/or Valencia Avenue. Existing utilities exist within the vicinity and within existing rights-of-way and within the sites and it is anticipated existing lines would be tied into and extended as needed. Both projects, should they occur, would comply with all applicable zoning and general plan requirements related to hours of construction, sets backs, design theme, lighting requirements, landscaping, building height, etc. In addition, each Project would be required to conform with area plans that currently exist or subsequent planning documents applicable to either area should they be adopted and include either site in the future.

The Malaga Site would be upzoned to Form-Based Code (FBC) – Transitional District and the Palmetto site would be upzoned to Medium-Density Residential (R-2). Parking for both sites would be provided in accordance with the requirements of Article XI – On-Site Street Parking and Loading Regulations of the Fontana Zoning and Development Code for the respective zones.

Off-site Improvements

Off-site improvements to the Malaga site and Palmetto sites, if constructed, would conform to the requirements of the Fontana Zoning and Development Code. Because there are no development plans for the site, it is unknown what, if any off-site improvements would be required.

3.4 DISCRETIONARY ACTIONS AND APPROVALS

The City is the Lead Agency under CEQA and is responsible for reviewing and certifying the adequacy of the EIR for the proposed Project. Prior to development of the proposed Project, discretionary permits and approvals must be obtained from local, State and federal agencies, as listed below. It is expected that these agencies, at a minimum, would consider the data and analyses contained in this EIR when making their permit determinations. The proposed Project consists of applications for a General Plan Amendment

(GPA) No. 18-006, a Zone Change (ZCA) No. 18-006, and a Zoning Text Amendment (ZCA) No 18-007. Each are discussed in additional detail below.

GPA NO. 18-006, 20-005, 20-006- GENERAL PLAN AMENDMENT

The GPA would be applied for in accordance with the Fontana City Code (FCC) Section. 30-33 requiring an initial step and a pre-application meeting request to the Planning Division. Among the filing requirements for this step are the application form, an environmental information form, and a justification letter. Any changes in the General Plan must be approved by the Planning Commission and City Council and undergo a defined process of study, review, and public hearings.

A GPA for the warehouse site is proposed and would result in the site having a GPLU of (I-L) Light Industrial. The GPA for the Malaga Site would change the designation to GPLU Walkable Mixed-Use I (WMXU-1) and for the Palmetto Site to Medium Density (R-M).

ZCA N0. 18-006, 20-003, 20-004 - ZONE CHANGE

The ZCA has a similar process as described above and the initial step of a pre-application meeting request to the Planning Division in accordance with FCC Section No. 30-41, which requires the same materials be submitted as the GPA. Development standards or zoning designation of any zone can be made when deemed necessary to protect or promote the public's health, safety or general welfare or when modification is viewed as appropriate in the context of generally accepted planning principles, surrounding land uses, and the general plan. A ZCA also must be approved by the Planning Commission and City Council.

A ZCA for the warehouse site is proposed and would result in the site having zone of (I-L) Light Industrial. The Malaga Site would be upzoned to Form-Based Code (FBC) – Transitional District and the Palmetto site would be upzoned to Medium-Density Residential (R-2).

ZCA NO. 18-007 - ZONING TEXT AMENDMENT

The proposed Project also would require a ZTA. The ZTA would be used to change to the text in the Zoning Ordinance. The text would be modified, with approval of both the Planning Commission and City Council as part of the proposed Project. The ZTA would amend, as needed, the zoning code to enable construction of the warehouse site and eventual development of the Malaga Site and Palmetto Site should they be built. Examples of amended elements include permitted uses, setback requirements, or parking or even signage.

TENTATIVE PARCEL MAP NO. 19-021 (TENTATIVE PARCEL MAP NO. 20167)

The proposed Project would require a tentative parcel map to merge the existing three parcels into one parcel.

CONDITIONAL USE PERMIT NO. 19-044

Approval of a Conditional Use Permit is required to permit the proposed warehouse within the (M-1) Light Industrial Zone.

DESIGN REVIEW NO. 19-038

Approval of a design review is for the plan, site improvements, and building elevations (architecture) for the approximately 332,996 warehouse building.

3.5 PROJECT OBJECTIVES

Section 15124(b) of the State CEQA Guidelines requires that an EIR include "[a] statement of the objectives sought by the proposed Project. A clearly written statement of objectives will help the Lead Agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision-makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the proposed Project." The following objectives have been established for the proposed Project:

Objective 1: Increase employment and create a revenue-generating use consistent with market opportunities.

Objective 2: Develop a warehouse use in proximity to nearby transportation corridors and truck routes.

Objective 3: Provide new land uses consistent with the designed flexibility of the City's General Plan and Zoning Code.

Objective 4: Provide potential replacement housing sites in areas that are consistent with surrounding uses and community structure.

Objective 5: Provide potential replacement housing sites in proximity to public transit corridors.

Objective 6: Provide infrastructure and landscaping improvements to Sierra Avenue and Casa Grande Avenue vicinity to enhance aesthetics as well as improve safety and traffic flow.

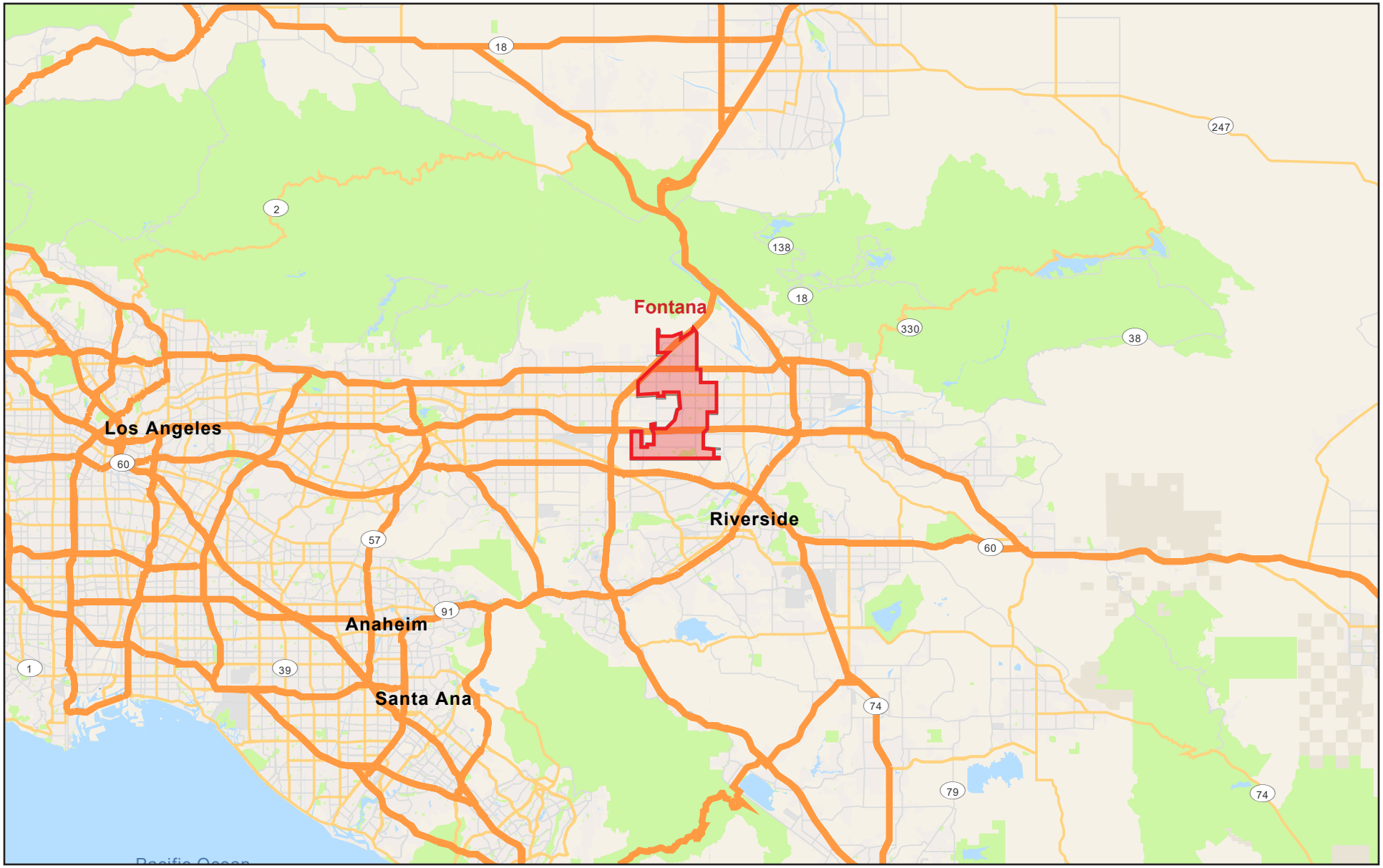
Objective 7: Develop a warehouse use in proximity to other similar uses.

Objective 8: Facilitate goods movement for the benefit of local and regional economic growth.

Objective 9: Provide new development that will generate a positive fiscal balance for the City moving forward.

Objective 10: Provide additional temporary and permanent employment opportunities while improving the local balance of housing and jobs.

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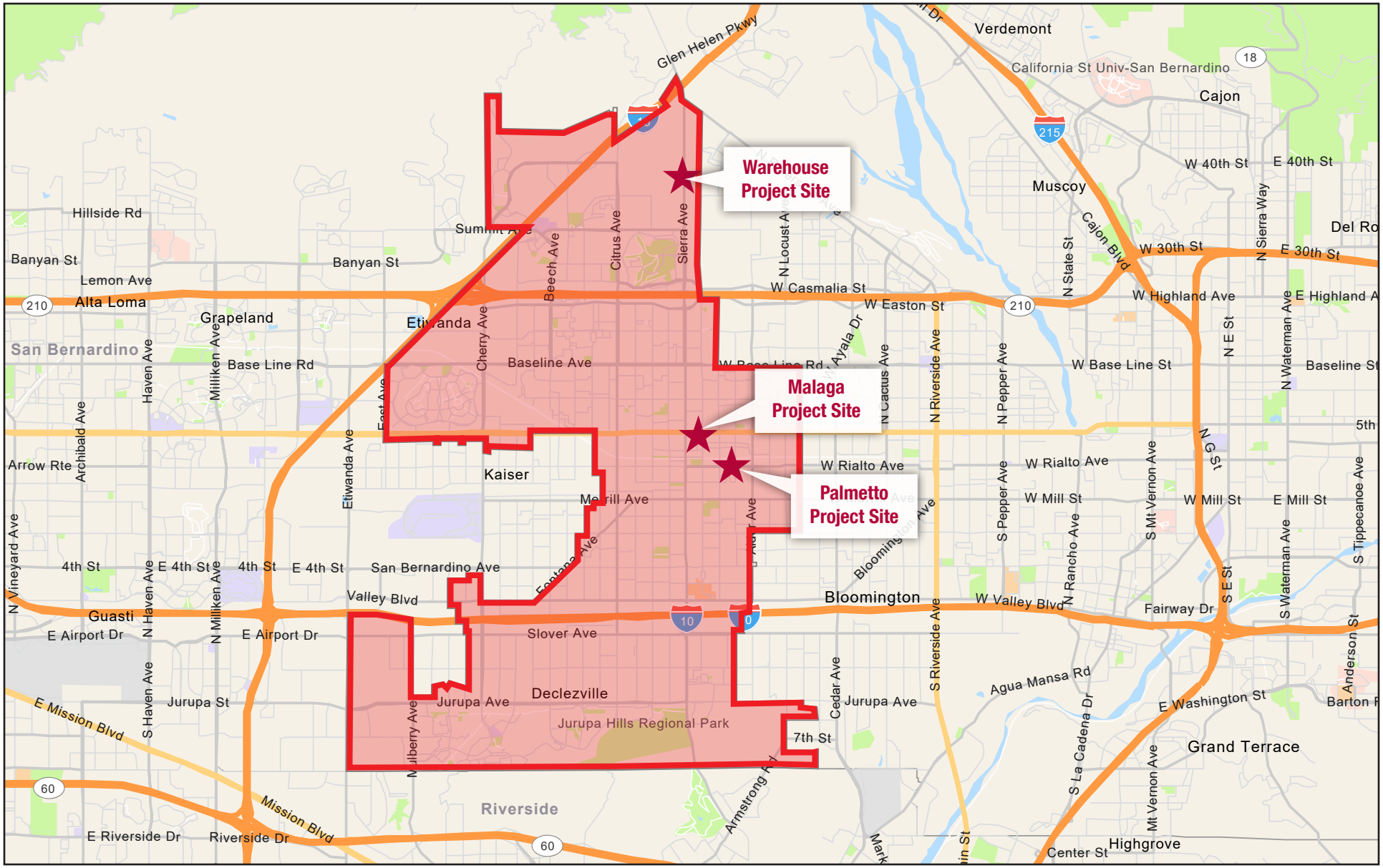
Source: Esri, 2020

FIGURE 3-1: Regional Vicinity Map
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

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Source: Esri, 2020

FIGURE 3-2: Local Vicinity Map

Sierra Avenue/Casa Grande Avenue Warehouse Project

City of Fontana

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Source: Googe Earth, 2020

FIGURE 3-3: Warehouse Project Site
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

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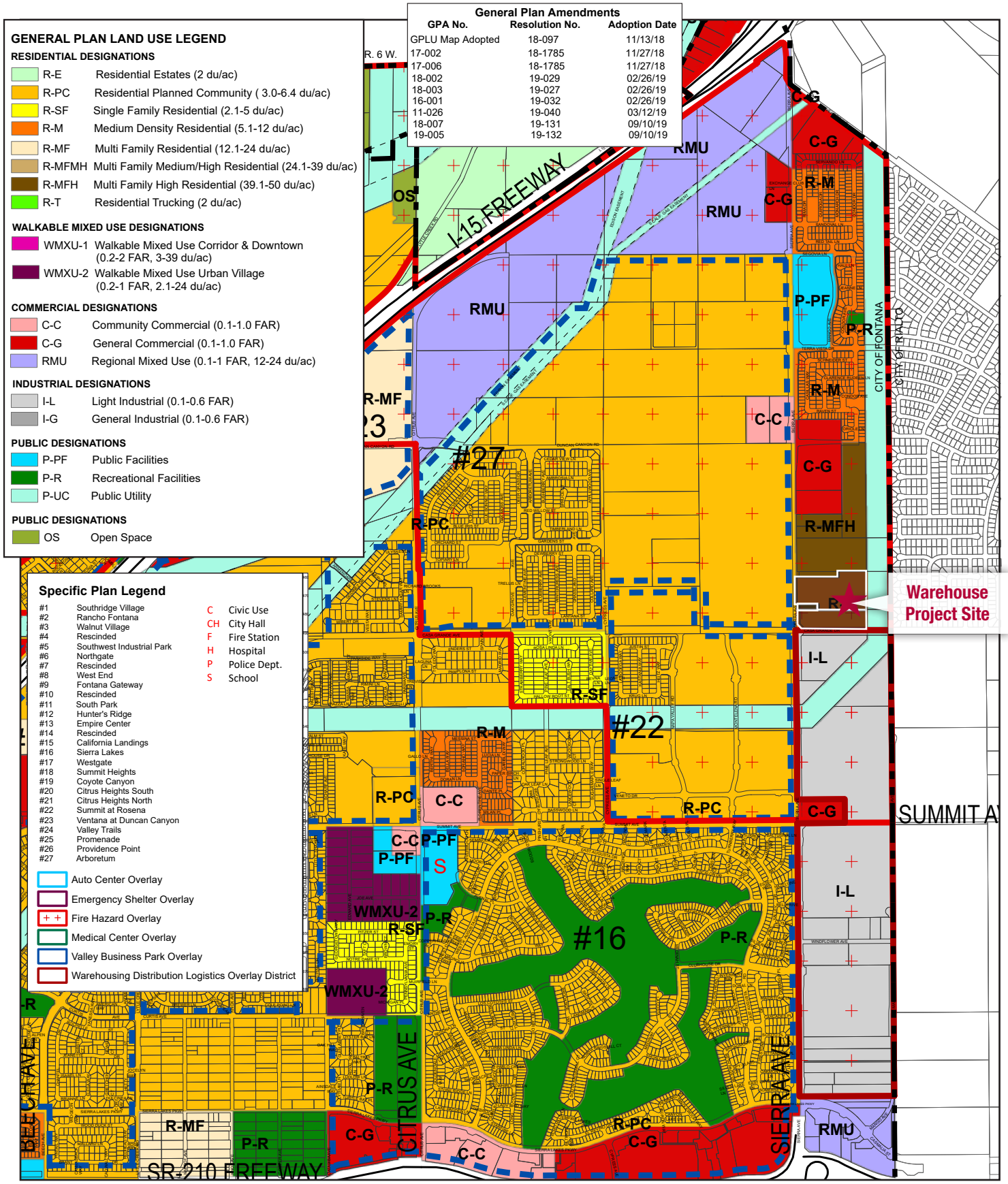
Source: Google Earth, 2020

FIGURE 3-4: Malaga and Palmetto Project Sites

Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

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Source: City of Fonatana, 2019

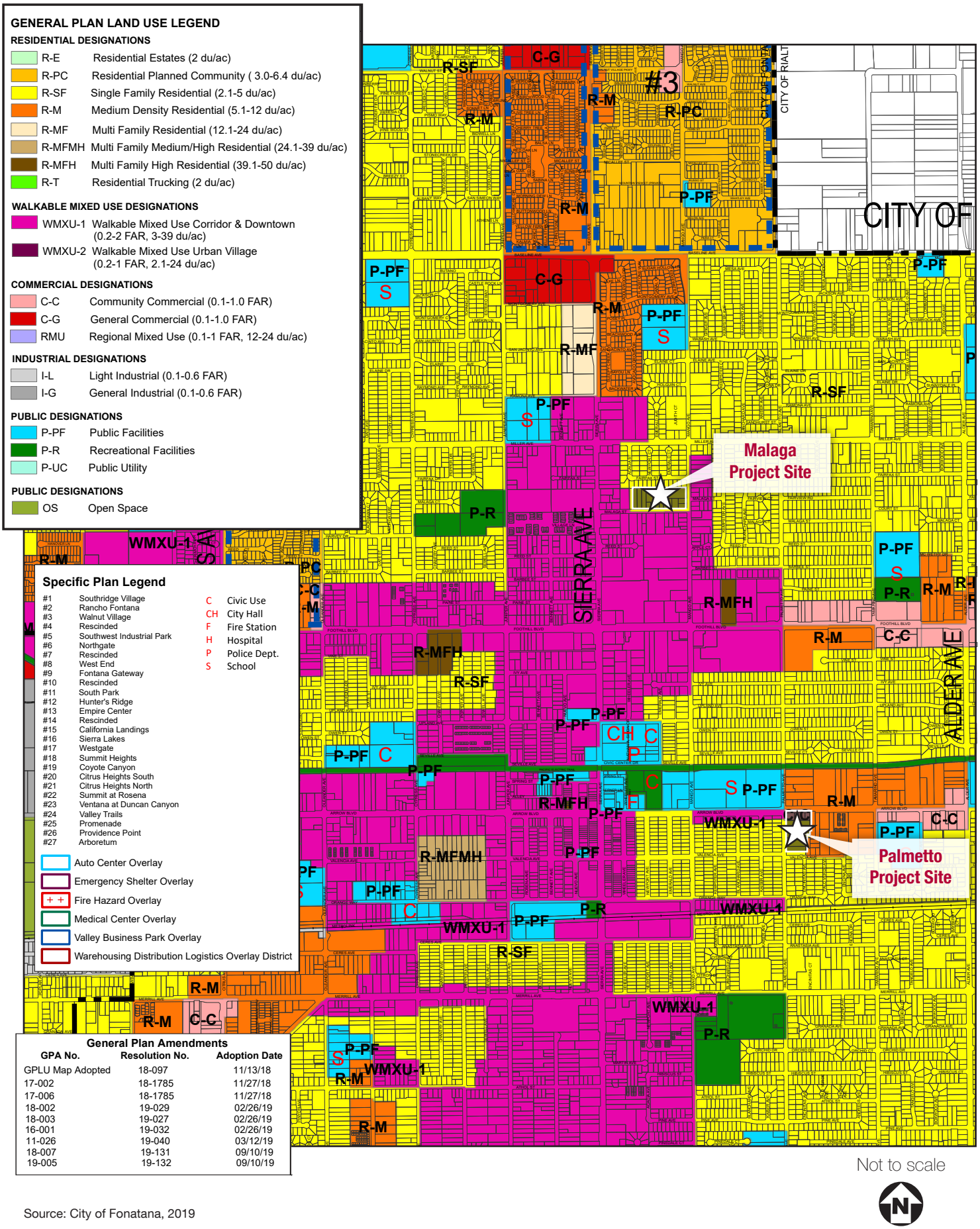
FIGURE 3-5(A): Warehouse Site General Plan Land Use Designations

Sierra Avenue/Casa Grande Avenue Warehouse Project

City of Fontana

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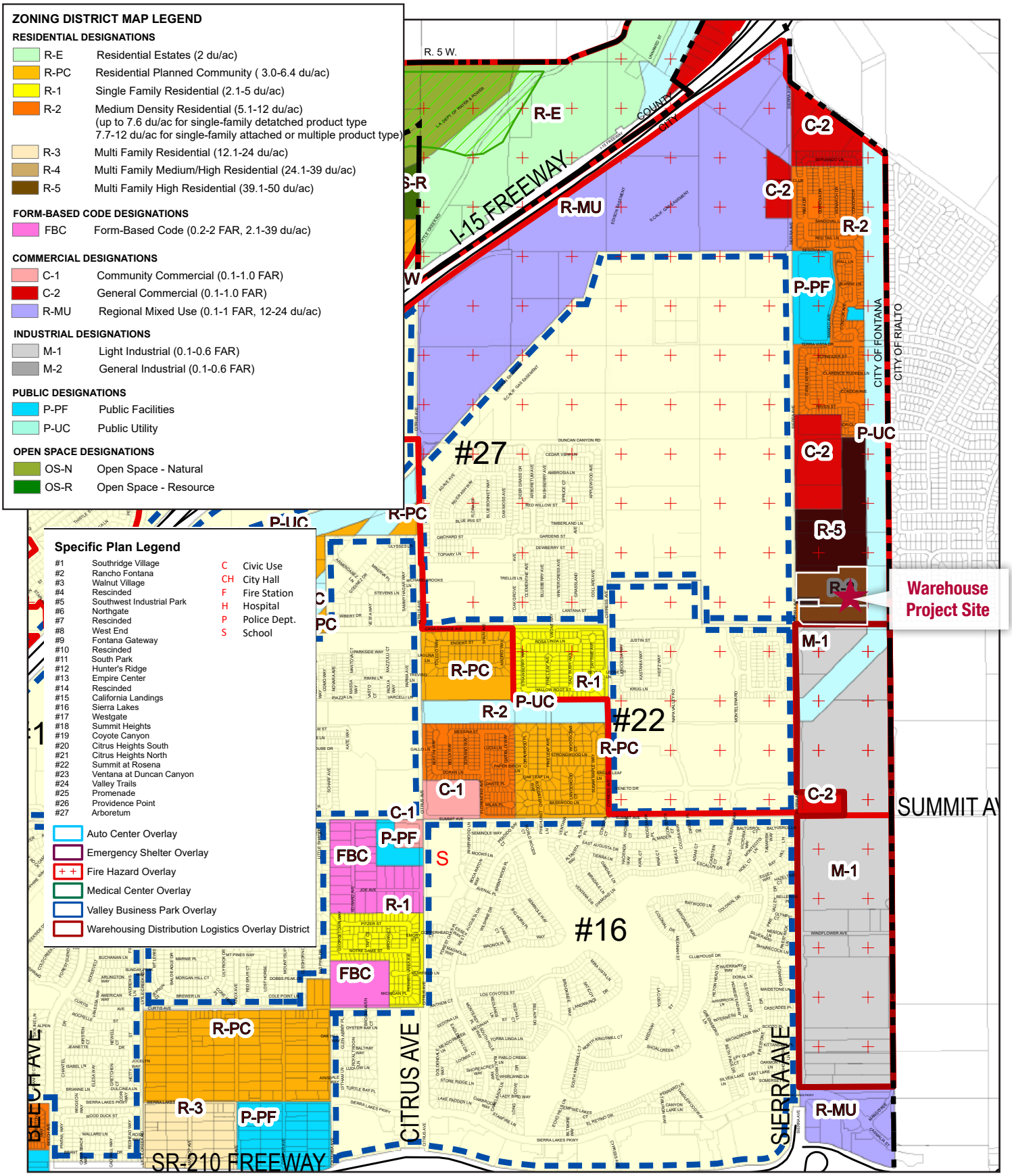
Source: City of Fontana, 2019

FIGURE 3-5(B): Malaga and Palmetto Sites General Plan Land Use Designations

Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

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Source: City of Fonatana, 2019

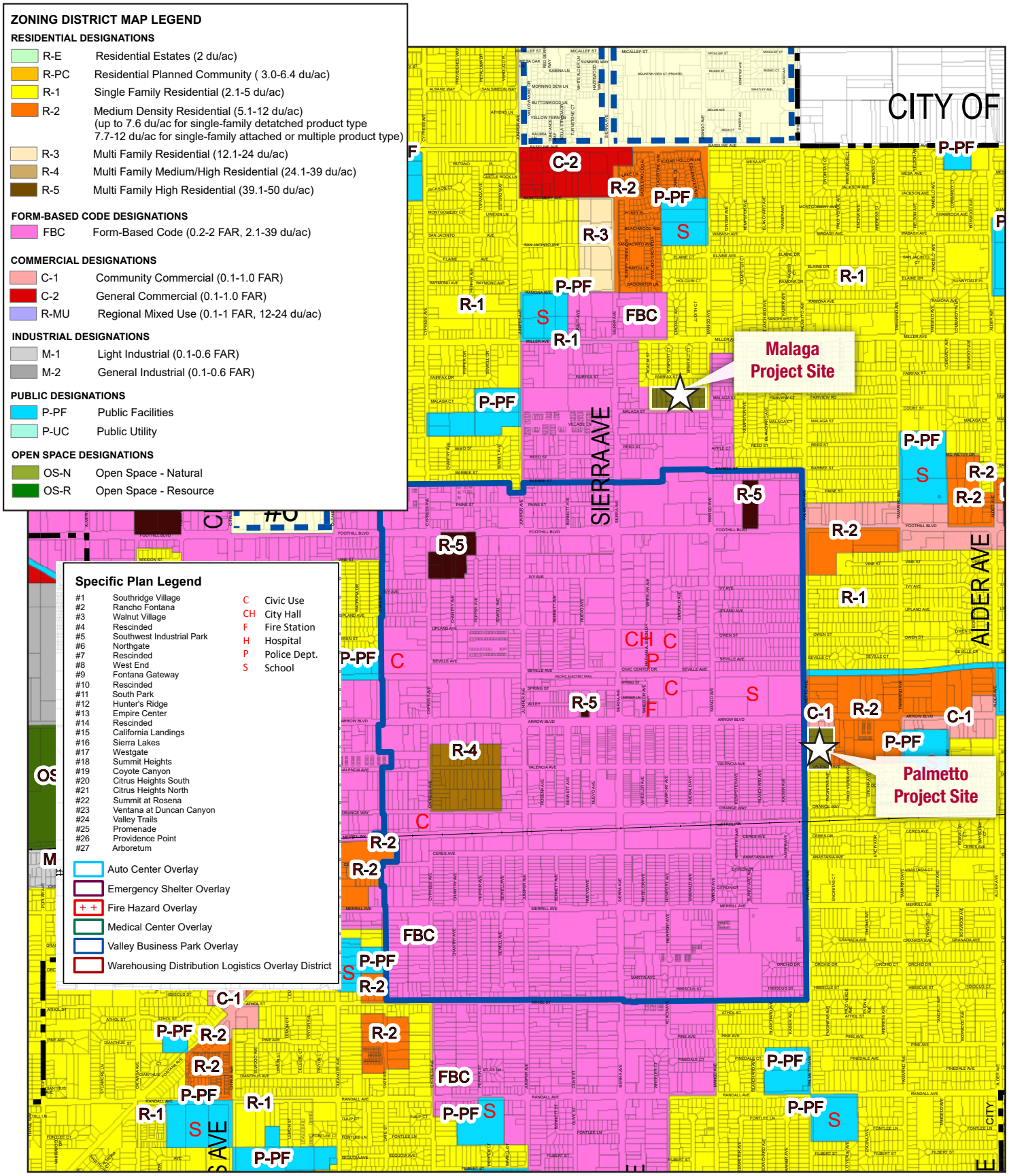
FIGURE 3-6(A): Warehouse Site Zoning Designations

Sierra Avenue/Casa Grande Avenue Warehouse Project

City of Fontana

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Not to scale

Source: City of Fontana, 2019

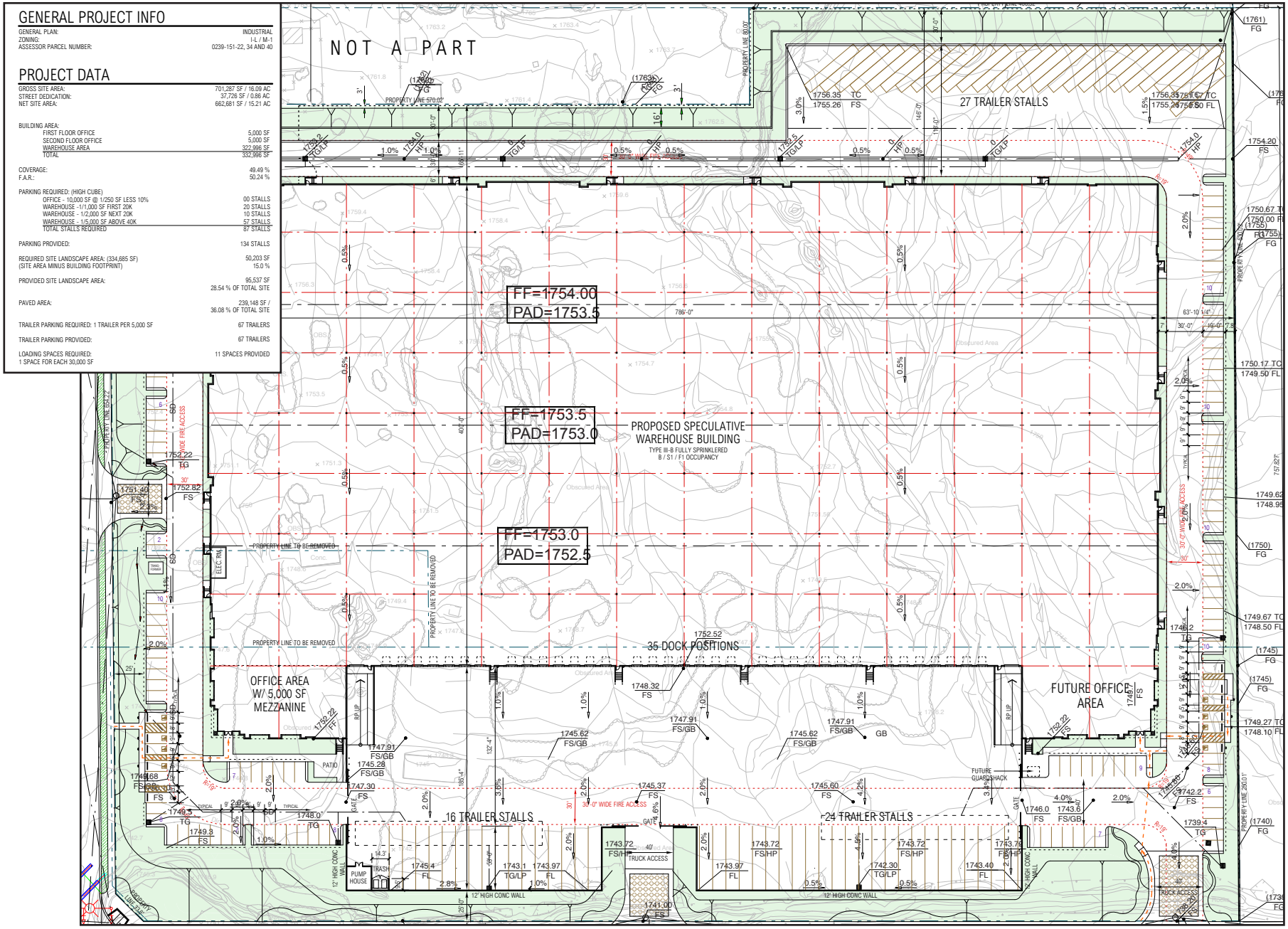
FIGURES 3-6(B): Malaga and Palmetto Sites Zoning Designations

Sierra Avenue/Casa Grande Avenue Warehouse Project

City of Fontana

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Source: RGA, 2020

FIGURE 3-7: Warehouse Project Site Plan

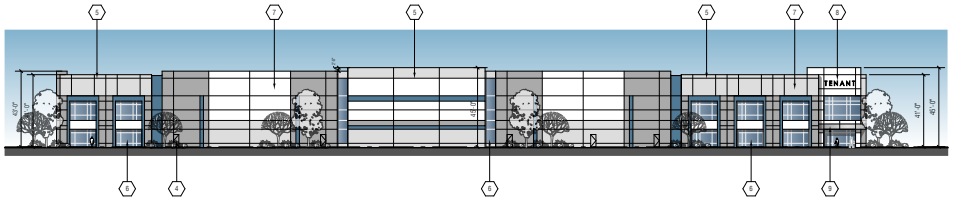
Sierra Avenue/Casa Grande Avenue Warehouse Project

City of Fontana

Not to scale

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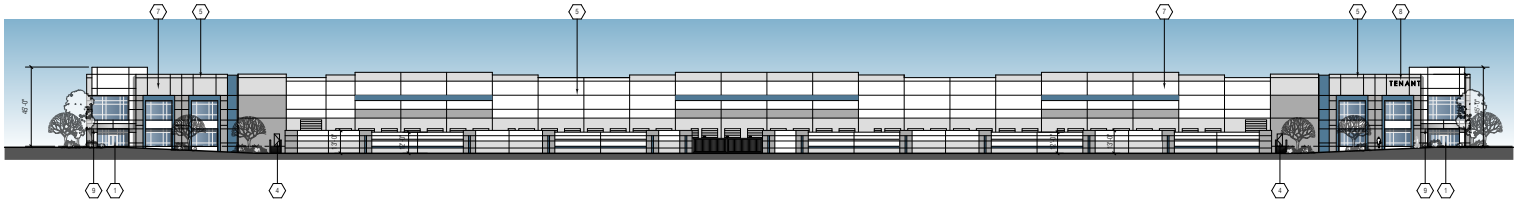


WEST ELEVATION
SCALE: 1" = 30'-0"

3. PAINTED 9' WIDE X 10' HIGH VERTICAL LIFT TRUCK DOOR, FACTORY PAINTED WHITE.
4. 3' X 7' PAINTED METAL MAN DOOR.
5. 2" WIDE X 3/4" DEEP HORIZONTAL / VERTICAL REVEAL.
6. BLUE GLASS IN ANODIZED ALUMINUM STOREFRONT FRAME SYSTEM.
7. PAINTED CONCRETE TILT-UP EXTERIOR WALL CONSTRUCTION.
8. PROPOSED FUTURE TENANT SIGNAGE LOCATION.
9. ALUM. ENTRY TRELLIS CANOPY

FINISH SCHEDULE:

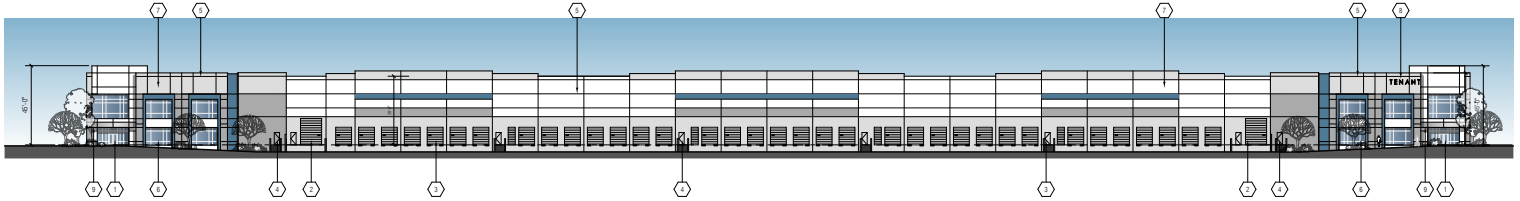
1. FIELD COLOR
SW-7063 NEBULOUS WHITE
2. MEDIUM ACCENT COLOR
SW-7072 ONLINE
3. DARK ACCENT COLOR
SW-7664 STEELY GRAY
4. BLUE ACCENT COLOR
SW-6515 LEISURE BLUE
5. TRELLISES -
BRUSHED STAINLESS
6. GLASS - PRIMARY WINDOW
PPG SOLARCOOL PACIFICA



SOUTH ELEVATION - WITH SCREENWALL
SCALE: 1" = 30'-0"



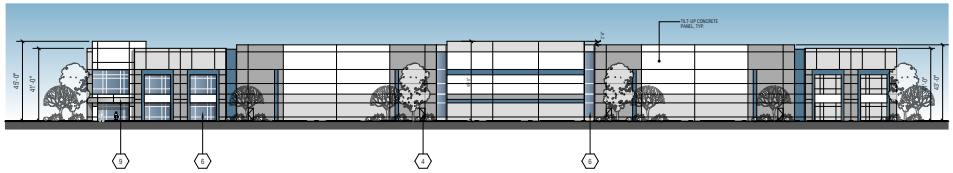
SIMILAR ENTRY LIGHTING STYLE 1
SCALE: N.T.S.



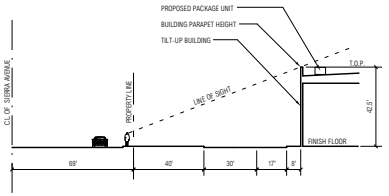
SOUTH ELEVATION - NO SCREENWALL
SCALE: 1" = 30'-0"



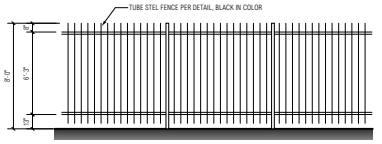
SIMILAR SITE LIGHTING STYLE 2
SCALE: N.T.S.



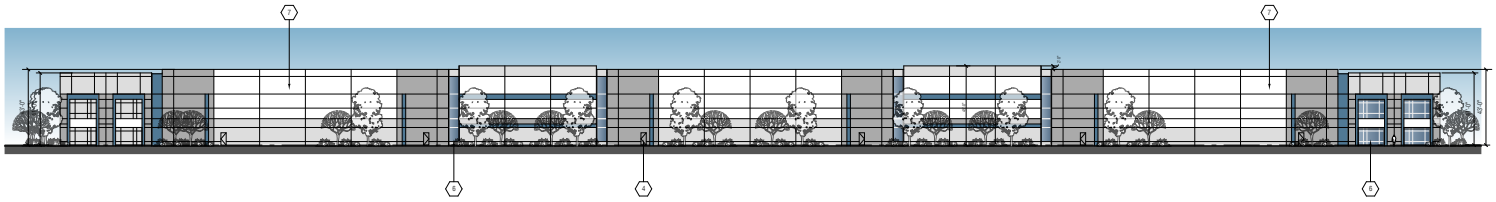
EAST ELEVATION
SCALE: 1" = 30'-0"



TYPICAL EQUIPMENT SCREEN LINE OF SIGHT 1
SCALE 1" = 30'-0"
NOTE: LINE OF SIGHT TAKEN FROM 6'-0" ABOVE FINISH GRADE



TYPICAL TUBE STEEL FENCE ELEVATION
SCALE: 1/4" = 1'-0"



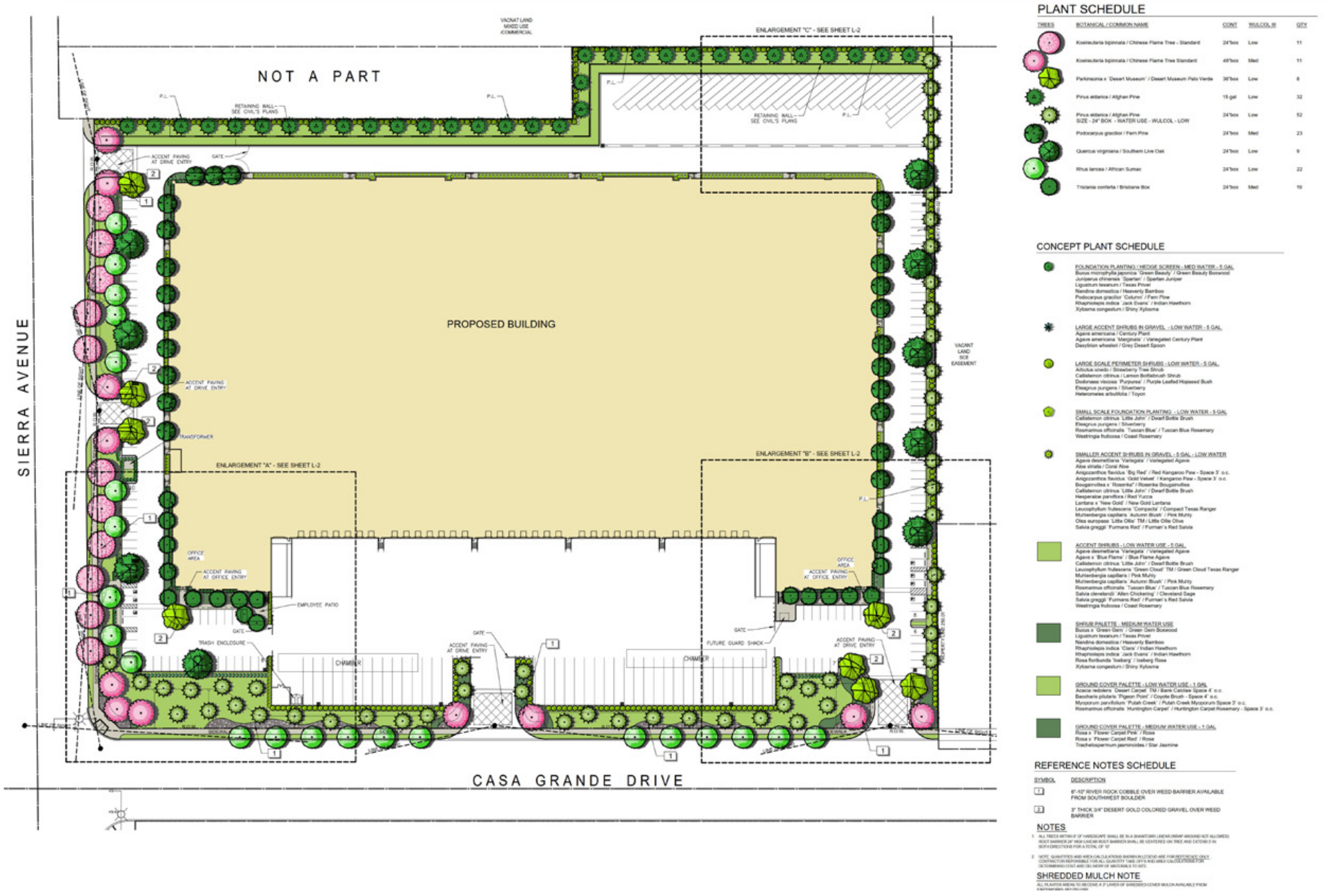
Source: RGA, 2020

FIGURE 3-8: Building Design and Elevations
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Not to scale

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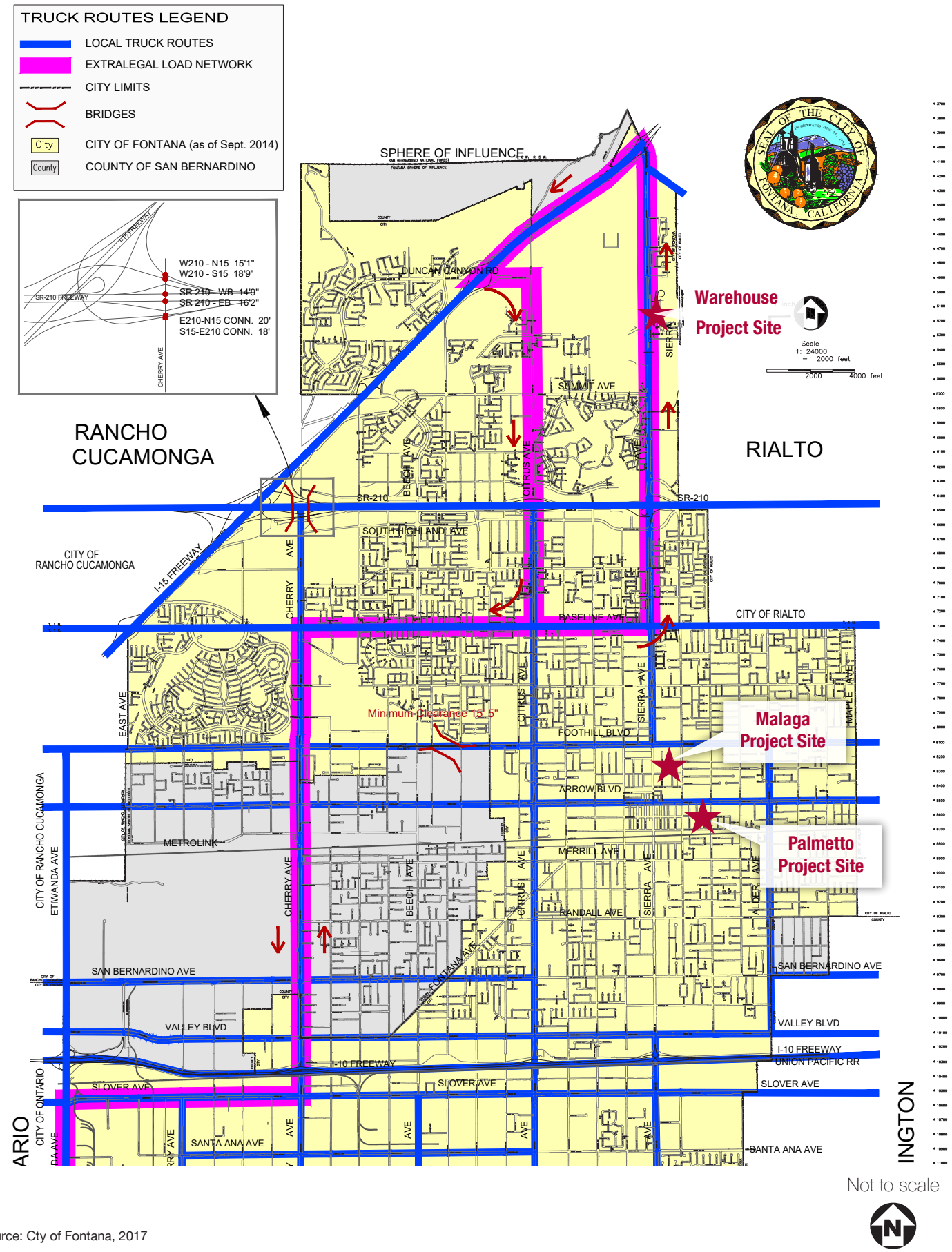
Source: Environs, 2020

FIGURE 3-9: Preliminary Landscape Plan
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Not to scale

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Source: Cty of Fontana, 2017

FIGURE 3-10: Local Truck Routes

Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

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4.0 ENVIRONMENTAL IMPACT ANALYSIS

4.0.1 APPROACH TO THE ENVIRONMENTAL ANALYSIS

Organized by environmental resource category, **Section 4.0**, *Environmental Impact Analysis*, provides an integrated discussion of the affected environment including regulatory and environmental settings and environmental impacts and mitigation measures to reduce or avoid potentially significant impacts associated with implementation of the Sierra Avenue and Casa Grande Avenue Warehouse Project (proposed Project).

The proposed Project involves the development of a 332,996 square foot (sf) warehouse at the northeastern corner of Sierra Avenue and Casa Grande Avenue in the City of Fontana (City). The warehouse would be built on parcels designated and zoned for use as residential development. Due to the recent passage of the Housing Crisis Act (HCA) of 2019 and the associated Senate Bill 330, the City is required to find "replacement site(s)" for any housing that area that was designated or zoned for housing but would not be built due to a General Plan Land Use Designation/Zone Change such as would occur under the proposed Project. Due to these land uses changes the Warehouse site would not be used for the development of up to 219 residential units and replacement sites must be proposed. The replacement sites (RUR) consist of the Malaga site and the Palmetto site and are needed for consistency with the requirements of SB 330, based on the requirement of this law, from one that allows residential uses to a designation or zone that excludes housing as a development option. The Malaga site is a 5.69-acre site located north of Malaga Street and west of Mango Street, and the Palmetto site is a 3.58-acre site located east of Palmetto Avenue and south of Arrow Boulevard (Palmetto Site).

Additional analysis and other required chapters under CEQA is provided in **Section 5.0**, *Alternatives* describes and discussion the impacts associated with four alternatives to the proposed Project, and **Section 6.0**, *Additional CEQA Considerations*, discusses mandatory findings of significance and other required CEQA topics, and **Section 7.0**, *Effects Found Not to Be Significant* discusses agricultural resources and mineral resources.

4.0.2 SECTION CONTENT AND DEFINITION OF TERMS

The environmental setting, impacts, and mitigation measures related to each environmental impact area are described in Sections 4.1 through 4.16. Section 4.0 is organized into the following environmental topic areas:

- Section 4.1, Aesthetics
- Section 4.2, Air Quality
- Section 4.3, Biological Resources
- Section 4.4, Cultural and Tribal Resources
- Section 4.5, Energy
- Section 4.6, Geology and Soils
- Section 4.7, Greenhouse Gas
- Section 4.8, Hazards
- Section 4.9, Hydrology and Water Quality
- Section 4.10, Land Use
- Section 4.11, Noise
- Section 4.12, Population and Housing
- Section 4.13, Public Services and Recreation
- Section 4.14, Transportation
- Section 4.15, Utilities
- Section 4.16, Wildfire

Each potentially significant environmental issue area is addressed in a separate EIR Section (4.1 through 4.16) and is organized into the following Subsections:

- **"Environmental Setting"** provides an overview of the existing physical environmental conditions in the study area that could be affected by implementation of the proposed Project (i.e., the "affected environment").
- **"Regulatory Setting"** identifies the plans, policies, laws, and regulations that are relevant to each resource area and describes permits and other approvals necessary to implement the Project. As noted above, the EIR needs to address possible conflicts between the proposed Project and the requirements of federal, State, regional, or local agencies, including consistency with adopted land use plans, policies, or other regulations for the area. Therefore, this subsection summarizes or lists the potentially relevant policies and objectives, such as from the applicable *City of Fontana General Plan and Municipal Code*.
- **"Standards of Significance"** provides the criteria used in this document to define the level at which an impact would be considered significant in accordance with CEQA. Significance criteria used in this EIR are based on the checklist presented in Appendix G of the State CEQA Guidelines, factual or scientific information and data, and regulatory standards of federal, State, regional, and local agencies.
- **"Project Impacts and Mitigation"** are listed numerically and sequentially throughout each section, for each Project component. A bold font impact statement precedes the discussion of each impact and provides a summary of each impact and its level of significance. The discussion that follows the impact statement includes the analysis on which a conclusion is based regarding the level of impact.
- **"Cumulative Impacts"** identifies potential environmental impacts of past, present and reasonably foreseeable future projects, in combination with the proposed Project.

The level of impact of the proposed Project is determined by comparing estimated effects with baseline conditions, in light of the thresholds of significance identified in the EIR. Under CEQA, the existing environmental setting normally represents baseline conditions against which impacts are compared to determine significance. The environmental baseline is typically set as the date of Notice of Preparation (NOP) distribution, unless more recent data is determined appropriate for utilization in the EIR. Project component-specific analyses are conducted to evaluate each potential impact on the existing environment. This assessment also specifies why impacts are found to be significant, potentially significant, or less than significant, or why there is no environmental impact.

"Mitigation Measures" are recommended where feasible to avoid, minimize, offset, or otherwise compensate for significant and potentially significant impacts of the proposed Project, in accordance with the State CEQA Guidelines (§15126.4). Each mitigation measure is identified by resource area, numerically, and sequentially. For example, mitigation measures in Section 4.3, Biological Resources, are numbered BIO-1, BIO-2, and so on. Pursuant to CEQA, the EIR provides a brief discussion of potential significant impacts of a given mitigation measure, if applicable.

A significant effect on the environment is defined for CEQA purposes as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the proposed Project. A potentially significant impact is one that, if it were to occur, would be considered a significant impact; however, the occurrence of the impact is uncertain. A "potentially significant" impact and "significant" impact are treated the same under CEQA in terms of procedural requirements and the need to identify feasible mitigation. A "less than significant" impact is one that would not result in a substantial adverse change in the physical environment (applicable significance thresholds would not be exceeded in consideration of Project Design Features and existing laws, ordinances, standards or regulations).

Both direct and indirect effects of the proposed Project are evaluated for each environmental resource area. Direct effects are those that are caused by the action and occur at the same time and place. Indirect effects are reasonably foreseeable consequences that may occur at a later time or at a distance that is removed from the Project area, such as growth-inducing effects and other effects related to changes in land use patterns, population density, or growth rate, and related effects on the physical environment.

Cumulative impacts are discussed below and throughout Section 4.0, at the end of each individual resource section.

There are no mitigation measures proposed when there is no impact or the impact is determined to be "less than significant" prior to mitigation. Where sufficient feasible mitigation is not available to reduce impacts to a less than significant level, the impacts are identified as remaining "significant and unavoidable."

4.0.3 CUMULATIVE IMPACTS ANALYSIS

CEQA REQUIREMENTS

Under the CEQA Guidelines, "a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts" (14 CCR §15130(a)(1)). According to CEQA, an EIR must discuss cumulative impacts if the incremental effect of a project, combined with the effects of other projects is "cumulatively considerable" (14 CCR §15130(a)). Together, these projects compose the cumulative scenario which forms the basis of the cumulative impact analysis.

Cumulative impacts analysis should highlight past actions that are closely related either in time or location to the project being considered, catalog past projects, and discuss how they have harmed the environment and discuss past actions even if they were undertaken by another agency or another person. Both the severity of impacts and the likelihood of their occurrence are to be reflected in the discussion, "but the discussion need not provide as great detail as is provided for the effects attributable to the Project alone. The discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact" (14 CCR §15130(b)).

For purposes of this EIR, the proposed Project would cause a cumulatively considerable and therefore significant cumulative impact if:

- The cumulative effects of other past, current, and probable future projects without the proposed Project are not significant and the Project's incremental impact is substantial enough, when added to the cumulative effects, to result in a significant impact.
- The cumulative effects of other past, current, and probable future projects without the proposed Project are already significant and the proposed Project would result in a cumulatively considerable contribution to the already significant effect. The standards used herein to determine whether the contribution is cumulatively considerable include the existing baseline environmental conditions, and whether the proposed Project would cause a substantial increase in impacts, or otherwise exceed an established threshold of significance.

The approach and geographic scope of the cumulative impact evaluation vary depending on the environmental topic area being analyzed. The individual "Cumulative Impacts" subsections within each environmental topic present impacts and mitigation measures for the proposed Project. Each section of the DEIR begins with a summary of the approach and the geographic area relevant to that environmental topic area. For most environmental topic areas, the list approach is used. The list of potentially relevant projects as well as methodology and relevant planning documents are discussed in each impact section's discussion of "Cumulative Impacts."

The cumulative analysis must be in sufficient detail to be useful to the decision-maker in deciding whether, or how, to alter the proposed Project to lessen cumulative impacts. **Table 4-1**, *Cumulative Projects List* provides a list of projects that were used in assessing the potential for cumulative impacts from the proposed Project. Most of the projects included in the cumulative analysis are undergoing, or will be required to undergo, their own independent environmental review under CEQA. Significant adverse impacts of the cumulative projects would be required to be reduced, avoided, or minimized through the application and implementation of mitigation measures. The net effect of these mitigation measures is assumed to be a general lessening of contribution to cumulative impacts. This discussion, found at the end of each impact section, provides an analysis of overall cumulative effects of the Project taken together with other past, present, and reasonably foreseeable probable future projects.

GEOGRAPHIC SCOPE

In respect to this EIR analysis, cumulative effects can generally be geographically classified as localized, site-specific resource issues, regional, watershed level resource issues and global resource issues. At the localized, site-specific resource scale, the Project's cumulative impacts have been analyzed for all 16 resource topics.

Each of the cumulative impact categories (EIR Section 4.0) is analyzed and regulated by different agencies and associated regulatory or policy documents, in order to best protect the resource in question. The analysis of cumulative effects considers a number of variables, including geographic (spatial) limits, time (temporal) limits, and the characteristics of the resource being evaluated. The geographic scope of each analysis is based on the topography surrounding the Project site and the natural boundaries of the resource affected, rather than jurisdictional boundaries. The geographic scope of cumulative effects will

often extend beyond the scope of the direct effects, but not beyond the scope of the direct and indirect effects of the proposed Project. The EIR addresses the Project's potentially significant impacts, recommends Project-specific mitigation measures, and then also identifies existing or recommended measures to address potential cumulative impacts.

4.0.4 PROJECT APPROACH

There are two commonly used approaches, or methodologies, for establishing the cumulative impact setting or scenario. One approach is to use a "list of past, present, and probable future projects producing related or cumulative impacts including, if necessary, those project outside the control of the agency, …" (14 CCR §15130(b)(1)(A)). The other is to use a "summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect" (14 CCR §15130(b)(1)(B)).

This EIR uses the list-based approach plus the "previously certified EIR" approach ("hybrid approach") to provide a tangible understanding and context for analyzing the cumulative effects of a project. **Table 4-1**, *Cumulative Projects List*, provides information pertaining to relevant projects within Fontana that are in the vicinity of the proposed Project site. The City of Fontana General Plan and other planning documents (such as recent City of Fontana CEQA documents, and SCAG's RTP/SCS EIR) were used as additional reference points in establishing the cumulative scenario for the analysis. Taken together, the projects identified in Table 4-1 provide context as to the nature of potential cumulative projects, and the previous CEQA documents provide further context as to cumulative impacts considered for prior projects. The intent of the cumulative impact discussions is to provide sufficient information to inform decision-makers and the public, rather than "tiering" off of prior CEQA documents for cumulative impacts.

4.0.5 TYPES OF PROJECTS CONSIDERED

Impacts associated with implementation of the cumulative project would be near- and long-term as the projects would include the components that could be ongoing, soon to be implemented, and likely future construction and operation. The following project summaries represent past, present and probable future projects that could result in cumulative impacts when combined with the proposed Project. Related projects and other possible development in the area of the proposed Project determined as having the potential to interact with the proposed Project to the extent that a significant cumulative effect may occur. **Figure 4-1**, *Cumulative Project Map*, shows these locations graphically. The cumulative projects generally include those on the southeast side of I-15, southwest side of Riverside Avenue, and northern side of SR-210. The freeways/roadways are distinct physical boundaries that are logical dividing lines between the proposed Project site and other cumulative projects. However, to provide a conservative estimate, eight projects on the opposite side of the freeway/roadways have been listed and were considered.

Table 4-1: Cumulative Projects List

Cumulative Projects				
Project No.	**Project Name**	**City**	**Description**	**Size**
1	Summit at Rosena Specific Plan	Fontana	Single-Family Residential;	504 DUs
			Multi-Family-Residential	338 DUs
			Retail	215,570 SF
			Office	362,930 SF
2	Arboretum Specific Plan	Fontana	Single-Family Residential	963 DUs
			Multi-Family Residential	2,569 DUs
			City Parks	31.1 Acre Park
			Recreation Center	26,830 SF
			Elementary School	400 Students
			K–8 School	800 Students
3	Sierra Lakes Commerce Center – 6101 Sierra Ave	Fontana	Warehouse	597,820 SF
4	Sierra Crest II – Tract 18944	Fontana	Single-Family Residential	179 DUs
5	Sierra Lakes Shopping Center ASP 16-000050	Fontana	Animal Hospital	4,140 SF
6	Summit Crest – Tract 18825-1	Fontana	Single-Family Residential	76 DUs
7	Tract 18915	Fontana	Single-Family Residential	96 DUs
8	Lytle Creek Ranch Specific Plan	Rialto	Single-Family Residential	500 DUs
9	Stratham Development – Tract 18825	Fontana	Single-Family-Residential	76 DUs
10	Citrus Heights North	Fontana	Single Family-Residential	167 DUs
			Multi-Family Residential	412 DUs
11	Ventana Specific Plan	Fontana	Single-Family Residential	504 DUs
			Multi-Family Residential	338 DUs
			Retail	215,570 SF
			Office	362,930 SF
12	Grand Specific Communities – Tract 18981	Fontana	Single-Family Residential	105 DUs
13	Sierra Lakes Shopping Center	Fontana	Retail	6,180 SF
14	Sierra Lakes Shopping Center ASP 14-000009	Fontana	Drive-Through Restaurant	6,110 SF
			Medical Office	10,690 SF
			Daycare Center	10,700 SF
15	Jiffy Lube – ASP 16-000014	Fontana	Tire Center	4,690 SF
16	Sierra Lakes Shopping Center ASP 14-000042	Fontana	Animal Hospital	4,440 SF
17	Highland Village	Fontana	Shopping Center	87,000 SF
			Restaurant	6,000 SF
			Medical Office	25,000 SF
18	Promenade Specific Plan	Fontana	Single-Family Residential	188 DUs
			Park/Rec Center	1.9 acres
			Walmart	193,000 SF
			Restaurant	12,000 SF

Cumulative Projects				
Project No.	**Project Name**	**City**	**Description**	**Size**
			Retail	11,600 SF
			Convenience Store & Gas Station w/Car Wash	12 Fuel Pumps
			Fast-food Drive-Through	9,400 SF
19	210 Sports Park	Fontana	Baseball/Softball Fields	14 fields
20	West Gate Specific Plan	Fontana	Single-Family Residential	826 DUs
			Multi-Family Residential	2,422 DUs
			Commercial/Retail	292.5 acres
			Industrial Warehouse	1,114,270 SF
			Public Parks	33.1 acres
			High School	2,711 Students
			Elementary School	715 Students
21	Journey Community Church – DRP 10 -002	Fontana	Church	35,500 SF
22	Monarch Hills	Fontana	Singe/Multi-Family	233 DUs
			Residential	256 DUS
23	Lytle Creek Village	Fontana	Apartments	650 DUs
			Commercial/Retail	70,000 SF
			Church	830 seats
24	Stone Haven – Tract 18881	Fontana	Single-Family Residential	18 DUs
25	Lytle Creek Ranch Specific Plan	Rialto	Single-Family Residential	500 DUs
26	Steven Walker – Tract 18987	Fontana	Single-Family Residential	102 DUs
27	Renaissance Specific Plan	Rialto	Residential (various)	1,26
			Retail	715,300 SF
			Commercial/Retail	386,700 SF
			General Commercial	28,300 SF
			Corporate Center	319,900 SF
			Business Center	6,900,000 SF
			Employment	7,100,100 SF
28	I-15 Logistics Center	Fontana	Industrial Warehouse	1,175720 SF

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Source: Google Maps, 2020

FIGURE 4-1: Cumulative Project Map
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Not to scale

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4.1 AESTHETICS

4.1.1 INTRODUCTION

The purpose of this section is to describe the existing regulatory and environmental conditions related to aesthetics and other visual resources in the vicinity of the proposed Project. This section identifies potential impacts that could result from the proposed Project including construction and operation of the Warehouse site and upzoning of the Malaga and Palmetto sites. This chapter discusses the visual changes that would occur upon implementation of the proposed Project, and as necessary, recommends mitigation measures to avoid and/or reduce the significance of impacts. Aesthetic and other visual resources include both natural and the built environments. Impacts are discussed in terms of the changes that would result from Project implementation and includes analysis of adverse effects on a scenic vista(s), changes to scenic resources (e.g., trees, rock outcroppings, or historic buildings) within a state scenic highway, and/or degradation of the sites or the surrounding visual character. Impacts could also result from the creation of a new source of substantial light or glare.

It should be noted that the proposed Project is unique in that it includes three different sites but only the Warehouse site is proposed to be developed. The Malaga site and Palmetto site would be upzoned but no development is proposed to occur. This creates a unique situation in that some of Project elements are discussed individually while some are applicable to all three sites individually. Therefore, the subsequent discussion of some of the Project components, the existing environment, and Project impacts, where applicable will be discussed as one Project or they may be discussed separately in terms of the Warehouse site, Malaga site, or Palmetto site when appropriate.

This Chapter and environmental discussion uses information from the following City documents:

- City of Fontana General Plan
- City of Fontana Municipal Code
- City of Fontana General Plan EIR

VISUAL RESOURCE TERMINOLOGY AND CONCEPTS

When viewing a landscape, people can have different responses to that landscape based on what is seen, their expectations of views, and because of proposed or current changes to the visual landscape. Viewer responses will vary based upon the viewer's values, familiarity, concern, or expectations of that landscape as well as the scenic quality. Because each person's attachment to and value for a landscape is unique, visual changes to that landscape inherently affect viewers differently. Nonetheless, generalizations can be made about viewer sensitivity to scenic quality and visual changes. Recreational users (e.g., hikers, equestrians, tourists, and people driving for pleasure) generally have high concern for scenery and landscape character. People commuting daily through the same landscape generally have a moderate concern for scenery, while people working at an industrial site would generally have a lower concern for scenic quality or changes to existing landscape character. Regarding travelers navigating through a landscape, the visual sensitivity of these types of viewers is affected by the travel speed at which they are moving, the landscape they are viewing, and area in which they are traveling, for example, an interstate

or scenic highway. Other considerations may include changes as seen by viewers from hiking trails or stationary viewers from a residence.

The visual sensitivity of a viewer also is affected by variables such as the viewing distances to the landscape. For example, a Project feature or natural environment can be perceived differently by people depending on the distance the observer is from the viewed object. At closer ranges greater detail of an object or landscape is visible. In these instances, changes to viewed object have a greater potential to influence the visual quality of the object because changes to form or scale (the object's relative size in relation to the viewer) are more noticeable. When the same object is viewed at background distances, details may be imperceptible while changes to the overall forms of terrain and vegetation maybe be evident. In the middle ground, some detail is evident (e.g., the foreground), and landscape elements are seen in context with landforms and vegetative patterns (e.g., the background). Nonetheless, changes in views from all distances can result in negative consideration from viewers.

Specific terms and concepts are used to assess the visual elements, aesthetic setting, and potential for a Project to have effects on visual resources. These terms are included in the discussions throughout this Chapter and are listed below.

Scenic Vista. An area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. This includes any such areas designated by a federal, state, or local agency.

Scenic Highway. Any stretch of public roadway that is designated as a scenic corridor by a federal, state, or local agency.

Sensitive Receptors. Viewer responses to visual settings are inferred from a variety of factors, including distance and viewing angle, types of viewers, number of viewers, duration of view, and viewer activities. The viewer type and associated viewer sensitivity are distinguished among Project viewers in recreational, residential, commercial, military, and industrial areas. Viewer activities can range from a circumstance that encourages a viewer to observe the surroundings more closely (such as recreational activities) to one that discourages close observation (such as commuting in heavy traffic). Viewers in recreational areas are considered to have high sensitivity to visual resources. Residential viewers generally have moderate sensitivity but extended viewing periods. Viewers in commercial, military, and industrial areas are generally considered to have low sensitivity.

Viewshed. A Project's viewshed is defined as the surrounding geographic area from which the Project is likely to be seen, based on topography, atmospheric conditions, land use patterns, and roadway orientations. "Project viewshed" is used to describe the area surrounding a Project site where a person standing on the ground or driving a vehicle can view the Project site.

Visual character typically consists of landforms, vegetation, water features, and cultural modifications that impart an overall visual impression of an area's landscape. Scenic areas typically include open space, landscaped corridors, and viewsheds. Visual character is influenced by many different landscape attributes including color contrasts, landform prominence, repetition of geometric forms, and uniqueness of textures among other characteristics.

4.1.2 ENVIRONMENTAL SETTING

WAREHOUSE SITE

The Warehouse site is approximate 15.21 acres in size and is comprised of three parcels which are vacant. There are the remnants of a foundation from a previous house located on the easterly side of the Warehouse site but there are no other built structures within the Warehouse site. The remainder of the site consists of disturbed areas with scattered brush, upland ruderal grasses and generally rocky soil. The elevation of the Warehouse site ranges from approximately 1,765 feet above mean sea level (amsl) on the north to approximately 1,740 feet amsl on the south. The vegetation is dominated by coastal sage scrub and chamise chaparral with a dense mix of non-native grasses and native annuals and perennials. There are no areas with substantial rock outcroppings. Where visible the soils appear rocky but no substantial rock outcrops are visible. None of the surrounding roadways are designated as scenic, nor is the site in proximity to any state scenic highway.

The property is accessible on the south and east via dirt roads used by Southern California Edison (SCE) for access to their High Voltage Towers, in addition to the existing two-lane Sierra Avenue to the west side of the property.

The immediately surrounding areas contain both vacant and developed land. Adjacent to the northern portion of the Warehouse site and Sierra Avenue, which parallels the westerly side of the property, is a single-family dwelling unit. North of this area is vacant land designated as Multi-Family High Residential. Immediately east of the Warehouse site is a north-south trending Southern California Edison (SCE) utility easement designated as a Public Utility Corridor by the City's General Plan (CFGP). East of the easement is a residential neighborhood within the boundary of the City of Rialto. To the south is an access road used by SCE, vacant land, and light industrial properties approximately a quarter-mile from the site. The area to the west, beyond Sierra Avenue, is designated as a Residential Planned Community for the Arboretum Special Project.

Views of the Warehouse site are primarily available to travelers on Sierra Avenue. On a clear day, views across the site and of the San Gabriel Mountains to the east would be visible. The paved portion of West Casa Grande Drive ends prior to adjoining the southerly Warehouse site boundary at its intersection with Mango Avenue. West of this point there is no paved roadway. The Warehouse site and San Gabriel Mountains to the west would be visible to northerly travelers on Mango Avenue as they approach this intersection. Others views across the site toward the mountains would be afforded from the westernmost homes in the neighborhood to the east. Most views of the site; however, would be obscured or blocked by a solid wall along the western property lines of the homes but the higher mountain elevations would remain visible. Southerly views of the site would be available to homes in the development along West Tierra Vista Drive north of the site. Other locations that would offer views of the site include residential and commercial uses to the southwest and southeast. Views from these sites; however, would be from oblique angles and affect a relatively small number of viewer.

MALAGA SITE

The Malaga site primarily consists of single-family residential development and is surrounded by existing residential uses, undeveloped lots, and some commercial businesses within a 0.25 miles. The site is bound by Mango Avenue on the east, single-family residential to the north, a vacant lot to the west, and Malaga

Street to the south. Views of the site would be afforded to travelers on both roadways, from the backyards of the residential units, from homes on the opposite sides of the listed streets, and across the vacant lot to the west from two single-family homes.

The Malaga site occupies approximately 5.6 acres and is at approximately 1,350 +/- 10 feet amsl. The visual character and elements of the Malaga site consist primarily of single-family residential uses with ornamental vegetation (shrubs, trees, and potted plants). The site contains landscaping and tree species mostly within the interior of the lots, but a few street trees are present. Some areas of the lots are not developed and not landscaped and appear to contain non-native grasses and ruderal vegetation. The site does not contain any native habitat, rock-outcrops, and is not in the vicinity of a state scenic highway.

Distant views of the San Gabriel mountains to the northeast are intermittently visible from the two Malaga Street and Mango Avenue but the views are largely blocked, screened, or obscured by the existing buildings, vegetation, and overhead utility lines.

PALMETTO SITE

The Palmetto site contains three single-family residences, two vacant lots on the northerly half of the site and a church and paved parking lot occupy the southerly half of the site. Immediately surrounded the Palmetto site are existing residential uses, and portions of lots used for storage. In the immediately surrounding area, there are three apartment buildings, a school, undeveloped lots, and a commercial strip center with approximately four businesses to the north. The site is bound by Palmetto Avenue on the east, Valencia Avenue on the south, a quad-plex and single-family units and storage yard to the east, a single-family unit, and a small strip commercial use and yard used for vehicle and boat storage to the north. Views of the site would be afforded to travelers on both roadways, from the backyards of the residential units, from homes across the streets and from vacant lots and the other uses.

The Palmetto site occupies approximately 3.58-acres and is at approximately 1,260 +/- 10 feet amsl. The visual character and elements of the Palmetto site are primarily single residential and contain ornamental vegetation (shrubs, trees, and potted plants), and a few open areas consisting of non-native grasses and ruderal vegetation. The site contains landscaping and tree species mostly within the interior of the lots, but a few street trees are present. The site does not contain any native habitat, rock-outcrops, and is not in the vicinity of a state scenic highway.

Distant views of the San Gabriel mountains to the northeast are very limited and intermittently visible from the two adjacent roadways but are largely blocked, screened, or obscured by the existing buildings, vegetation, and overhead utility lines. Only the very tops of the mountains are visible

SCENIC VISTAS

A scenic vista can be defined as a viewpoint that provides expansive views of a highly-valued landscape for the benefit of the public. Within the City, views of elevated features with such scenic quality include the San Gabriel Mountains to the northeast, east, and southwest, as well as the Jurupa Hills to the south. From some locations, panoramic scenic view corridors towards the mountains and views of the City from the mountains are dominant visual landscape features. Open space in Fontana generally consists of a mix

of the foothills, utility corridors, and parks. Open space in the foothills can be seen to the north at the base of the San Gabriel Mountains and to the south in the Jurupa Hills.[1]

The Fontana General Plan does not officially designate any scenic vistas near the Warehouse site, Malaga or Palmetto sites. The Draft EIR for the City General Plan update (GP DEIR) does note that the San Gabriel Mountains are the City's most prominent visual feature and that scenic views of the mountains are afforded especially from the Jurupa Hills. The Jurupa Hills are to the southwest of the Warehouse, Malaga, and Palmetto sites and are approximately 1,900 feet amsl. The GP DEIR also notes that Lytle Creek and other dry washes are significant natural landforms and visible from certain locations.

SCENIC HIGHWAYS

There are no scenic highways officially designated by Caltrans within or adjacent to the any of the Project sites. There are no roadways that are currently eligible for scenic highway designation in the City. The closest scenic highway is the segment of State Route (SR) 330 from SR 30 at North Highland to SR 18 in Running Springs. The closest point of this segment is approximately 13 miles to the east[2].

LIGHT AND GLARE

Light and glare in all of the Project areas including the Warehouse, Malaga, and Palmetto sites are typical of that found in urban environments. Sources of light and glare include adjacent residential, commercial, and area roadways both from street lights and vehicle headlights. Industrial uses in the vicinity of the Warehouse site also produce some light and glare generally from stationary light sources from exterior building lighting (i.e., building illumination, security lighting, parking lot lighting, and landscape lighting) as well as interior lighting visible through windows and exterior sources. The Project areas also are influenced by light and glare from vehicle headlights, streetlights, and other sources that are present throughout the City. Light and glare from the Warehouse site is absent because the site is undeveloped. The existing uses on the Malaga and Palmetto sites currently contribute to light and glare in their respective vicinities.

4.1.3 REGULATORY SETTING

FEDERAL

No Federal laws, regulations, or executive orders apply to scenic resources in the Project sites.

STATE

California Department of Transportation (Caltrans)

The California Scenic Highway Program was created in 1963 to preserve and protect highway corridors in areas of outstanding natural beauty from changes that would diminish the aesthetic value of the adjacent lands. The California Department of Transportation (Caltrans) designates highways based on how much of the landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which views are compromised by development.

[1] City of Fontana. 2019. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.*

[2] California Department of Transportation, 2014 – California Scenic Highways – GIS. Available: https://www.arcgis.com/home/item.html?id=f0259b1ad0fe4093a5604c9b838a486a#visualize Accessed: March 9, 2020.

Caltrans manages the California Scenic Highway Program (CSHP), which is intended to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. State laws governing State Scenic Highways are found in Streets and Highways Code (SHC) Sections 260 to 263. A highway may be designated as scenic based on certain criteria, including how much of the natural landscape can be seen by travelers, the landscape's scenic quality and the extent to which development intrudes on the traveler's enjoyment of the view. The CSHP's *Scenic Highway System List* identifies scenic highways that are either eligible for designation or have already been designated as such. Section 261 requires local government agencies to take the following actions to protect the scenic appearance of a scenic corridor:

- Regulate land use and density of development
- Provide detailed land and site planning
- Prohibit off-site outdoor advertising and control on-site outdoor advertising
- Pay careful attention to and control of earthmoving and landscaping
- Scrutinize the design and appearance of structures and equipment

Official designation requires a local jurisdiction to enact a scenic corridor protection program that protects and enhances scenic resources.

LOCAL

City of Fontana General Plan 2015-2035

The purpose of the City's General Plan Open Space and Conservation Element is to define and establish an open space and conservation system, together with conservation and management policies and action programs that will preserve the highest priority resources, while balancing the land needs of an ever-expanding population. The element's goals and policies applicable to the proposed Project are listed below.

Open Space and Conservation Element

This Element focuses on attributes that contribute to the form, character and quality of life in the communities and neighborhoods where people live. The applicable policies related to community and neighborhoods are listed below:

Goal 1	**Fontana continues to preserve sensitive natural open space in the foothills of the San Gabriel Mountains and Jurupa Hills.**
Policy 1.1	Consider permanent protection for sensitive foothills through potential partnerships with conservation organizations or acquisition and deed restrictions.
Action A	Evaluate the potential costs and benefits of permanent protection of sensitive foothill lands.
Action B	Work with regional conservation organization, such as the Inland Empire Resource Conservation District and regional conservation land trusts, to conserve sensitive foothill lands.

City of Fontana Municipal Code

The Project sites are within the limits of the City of Fontana and would be required to comply with the regulations set forth in the Fontana MC.

Section 30-260 of the Fontana Municipal Code (MC) addresses the performance standards for industrial structures. The MC directs that all lights should be either directed or shielded to prevent lights from affected adjacent commercial or residential properties.

All lighting must have the following characteristics, as is outlined in Fontana MC Section 30-266:

- All exterior lighting shall be adequately controlled and shielded to prevent glare and undesirable illumination to adjacent properties or streets.
- On-site lights shall provide a safe, functional and aesthetic design. Enough lighting should be provided to ensure a safe environment while at the same time not cause areas of intense light or glare.
- Light fixtures and poles shall be designed and placed in a manner consistent and compatible with the overall site and building design.
- High-intensity security lighting fixtures shall not be substituted for site or landscape lighting or general building exterior illumination, but shall be limited to loading and storage locations or other similar service areas only.

Section 3-112 places limitations on the signage that can be used for residential developments that would be related to the proposed upzone to R-2 Multiple-Family Residential zone and places limitations on lighting such that it should be directed away from public rights-of-way and adjacent properties.

Section 28-61 of Article III Preservation of Heritage and Significant Specimen Trees was adopted to establish regulations for the preservation and protection of heritage, significant, and/or specimen trees. The City notes that these trees are worthy of preservation in order to enhance the scenic beauty of the City as well as other benefits.

Section 30-664 of Article X – General Landscape Requirements discusses the design guidelines for landscape in developments within the City. This section encourages harmonious landscape design, is responsive to physical characteristics of the site, includes xeriscape design, and other elements to ensure it is a visually appealing element of design.

4.1.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the Warehouse site and upzoning of the Malaga and Palmetto sites would have a significant environmental impact if one or more of the following occurs:

- Have a substantial adverse effect on a scenic vista (see Impact 4.1-1);
- Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (see Impact 4.1-2);

- 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? (see Impact 4.1-3); or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (see Impact 4.1-4).

METHODOLOGY AND ASSUMPTIONS

The Project sites are evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning aesthetics. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts at the Warehouse, Malaga, and Palmetto sites. Because the Malaga Site and Palmetto Site are not proposed to be developed, but would result in upzoning, impacts are evaluated based on the potential development footprint if an application for development was proposed, approved, and the site was redeveloped at some point in the future.

APPROACH TO ANALYSIS

This analysis of impacts on aesthetic resources examines the temporary (i.e., construction) and permanent (i.e., operational) effects based on significance criteria/threshold's application outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary impacts and (2) permanent impacts. Each criterion is discussed in the context of Warehouse site, and Malaga and Palmetto sites and the surrounding characteristics and geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are from: field observations conducted by Kimley-Horn personnel on January 10, 2019; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on scenic resources or visual character considers the site's aesthetic resource value and the severity of the Project component's visual impact (e.g., the nature and duration of the impact). For example, a Project component resulting in a severe impact on a site with a low aesthetic resource value would result in a less than significant impact concerning scenic or visual character. In other words, new conspicuous structures or visual changes in areas with a low aesthetic resource value may not necessarily result in substantial adverse effects on visual resources.

IMPACTS FOUND TO HAVE NO IMPACT

- Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Warehouse, Malaga, and Palmetto Sites

No Impact - There are no state scenic highway that traverses the Warehouse, Malaga, or Palmetto sites. There are no state scenic highways in the vicinity of or viewing distance of any of the Project sites. The nearest State Scenic Highway is approximately 13 miles east of the Warehouse site and approximately 14 and 15 miles from the Malaga and Palmetto sites. Therefore, construction and operation of the Warehouse site, Malaga site, and Palmetto site would not damage a scenic resources (i.e., trees, rock outcroppings, or historic buildings) within a state scenic highway. No impact would occur.

4.1.5 IMPACTS AND MITIGATION MEASURES

Impact 4.1-1: Would the Project have a substantial adverse effect on a scenic vista?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction

A scenic vista can be defined as a viewpoint that provides expansive views of a highly-valued landscape for the public's benefit. The Warehouse site is located approximately 2.5 miles from the San Gabriel and San Bernardino Mountain's foothills. The Warehouse site is undeveloped with the exception of a remnant concrete pad and with the exception of the adjacent undeveloped areas. The Warehouse site is surrounded by areas with varying intensities of residential and industrial uses. Some other areas surrounding the site remain undeveloped but are substantially modified and contain detention basins and an area to the northwest used for stockpiling soils.

Construction of the Warehouse site would occur approximately 0.3 miles south of an existing residential development, across the intersection of Sierra Avenue and Casa Grande Drive from a newly developed residential use, and approximately 330 feet from an established residential development to the east in the City of Rialto. Construction would result in temporary changes to the visual characteristics of the site as viewed from these locations as well as from industrial uses to the south and from travelers on Sierra Avenue and Casa Grande Drive. Visual changes would include alterations in the appearance of the foreground to viewers looking across the site toward the San Gabriel Mountains and views from the residences looking across the site to the south and southwest away from the San Gabriel Mountains. Views of the mountains from Sierra Avenue to the southeast are already partially obscured by intervening development and existing power lines. Construction activities also would be visible to viewers looking east from other surrounding off-site locations including the industrial developments to the south.

While construction activities on the Warehouse site would modify foreground views as observed by some viewers, considering the existing nature of site, developed nature of surrounding areas, and the current partially obscured views from existing off-site development, the changes the construction activities would represent are not considered to be substantial. The proposed Warehouse, although different from some surrounding views, would be an existing and planned urban footprint. Additionally, because most views are already obscured, limited, and short-in duration, views as seen by the majority of viewers and would not be substantially adversely affected. Additionally, because the San Gabriel Mountains are not recognized as a scenic vista by the City or noted as such in the General Plan, changes in views would not affect such a vista. In addition, views of Lytle Creek are not visible from the Warehouse site. Therefore,

while construction of the Warehouse site would change the existing views toward the mountains, impacts associated with adversely affecting a scenic vista, these changes would be less than significant.

Operations

Upon completion of construction on the Warehouse site, the structure would be a new permanent visual element in the environment. The new warehouse structure and operations associated with the warehouse would change the foreground views of the San Gabriel Mountains as observed from viewers looking across the site. The new warehouse also would change views from viewers looking south across the Project site. As discussed above; however, the San Gabriel Mountains are not identified as a scenic vista and the area to the south of the Warehouse site is not considered a scenic vista. Therefore, while the warehouse structure and associated operations would change the existing views toward the mountains, impacts associated with adversely affecting a scenic vista would be less than significant. No mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction

The Malaga site is located approximately 9 miles from the San Gabriel and San Bernardino Mountain's foothills and approximately 16 miles from the San Savine lookout which is one of the highest points within the mountains. The Palmetto Site is approximately 10 miles from the foothills and approximately 17 miles from the lookout. Views of the mountains from surrounding roadways (Malaga Street, Mango Avenue, Palmetto Avenue, and Valencia Avenue) are intermittently available but largely blocked or obscured due to the existing structures, vegetation, and above-ground utility lines.

Both the Malaga and Palmetto sites are substantially developed and surrounded by existing urban development. Under the proposed Project neither the Malaga Site or Palmetto Site would be developed with any structures nor is any construction proposed. The Malaga Site would be upzoned to Medium-Density Residential (R-2) and the Palmetto Site would be upzoned to Form-Based Code (FBC) – Transitional District. If redevelopment of the sites does occur in the future, it would result in the removal of the existing structures, vegetation, and would require undergrounding of the existing above-ground utility lines. Because the existing structures and vegetation currently block most of the views of the mountain's construction of a new structure would not substantially alter or diminish the currently available views.

Therefore, considering the existing nature of site, limited existing views, and the fact the San Gabriel Mountains are not a recognized scenic vista by the City or noted as such in the General Plan, the changes of the views as a result of construction are not considered substantial. Thus, impacts associated with adversely affecting a scenic vista would be less than significant and mitigation is not required.

Operations

If redevelopment of the Malaga and Palmetto sites does occur, new permanent structural visual elements would change the visual characteristics of the site. Operations associated with the sites would be consistent with other residential uses, but the new buildings would be taller than what is existing and result in greater obstruction of views of the mountains. However, as discussed above, the San Gabriel Mountains are not identified as a scenic vista. Additionally, if built in accordance with the allowable density of the proposed upzoning, both the Malaga Site and Palmetto Site would be consistent with other development in the area. While built at a greater density, they would be considered an in-kind with existing land uses. The uses would not be out-of-place in context of the existing limited views of the mountains. Therefore, while the warehouse structure and associated operations would change the existing views toward the mountains, impacts associated with adversely affecting a scenic vista would be less than significant and no mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.1-3: 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?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction

The existing visual character of the Warehouse site is one of an undeveloped approximate 16.09-acre area consisting of rocky soils with native coastal sage scrub and other similar habitat as well as upland ruderal species and non-native grasses. Approximately 15.21 acres would be developed with the warehouse, parking, landscaping and circulation, and approximately 0.86 acres would be dedicated to the City as right-of-way. The project site is not considered, nor is it designated, as a visually sensitive area. The Warehouse site is largely surrounded by existing development including a single-family residence immediately adjacent to the north. The Warehouse site is bound by Sierra Avenue on the west, undeveloped land and industrial uses to the south, an SCE easement adjacent to the east, and single-family residential uses within the City of Rialto approximately two hundred feet to the east. These uses are consistent with the overall community character of Fontana and Rialto which generally consists of large residential communities, shopping centers, warehousing and industrial uses.

Construction of the warehouse would result in grading over approximately 16.09 acres to accommodate development of the approximately 332,996-square-foot warehouse building as well as associated parking, right-of-way dedications, driveways, sidewalks, and landscaping. Construction of the warehouse would result in temporary visual changes to the site. Construction activities would involve earthmoving and

grading activities and views from off-site areas of the work and construction equipment would be visible during this time. In addition, building of the proposed structures and interior site elements such as paving, installation of utilities, and installation of landscaping. However, because the site is relatively flat and does not contain substantial variation in landforms, these activities would not result in substantial alteration of existing grades or any slopes that represent areas of substantial scenic quality. Site grading would comply with City standards, ordinance, and codes, including City of Fontana codes related to grading and other construction work including but not limited to Article IV. Section 28-95 – which requires a Landscape Documentation Package, and Section 28-102, which requires a Grading Design Plan. Construction activities also would have to comply with all other applicable requirements. Conformance to these codes would help reduce the potential stark changes to the visual environment during construction.

Because of its temporary nature, views of the site's construction would be typical of other construction activities, and because construction would not substantially contrast with surrounding uses or other on-going construction in the vicinity, these impacts are less than significant. Therefore, as discussed above, although construction would change the sites appearance, overall, construction on the Warehouse site would not result in a substantial degradation to the existing visual character or quality of the site.

Operations

Upon completion of the warehouse, a permanent change to the existing views of the site from Sierra Avenue, single-family residence adjacent to the north, and other surrounding uses and existing development would occur. The warehouse would be a single story and would be a total of 332,996-square-feet. The building is anticipated to be a typical concrete tilt-up structure similar to other industrial warehouse uses in the vicinity. In accordance with design requirements, the structure would be set back from the roadway and landscaped. To help reduce visual impacts, the warehouse would be designed in accordance with all required design standards of the City. The Warehouse site would be of a high-quality development and would meet the proposed goals, policies, and actions in the General Plan. Additionally, the warehouse would be consistent with and is an in-kind use with other industrial development in the area.

More specifically, the warehouse building would be approximately 42'5" at its maximum height, but the roofline would vary and be articulated to as low as 41' in height. The exterior of the building also would be articulated and at varying depth with windows and a variable blue, grey, and white paint scheme. Although the building would differ in appearance from some surrounding uses, it would not substantially degrade the existing visual character of the site or public views. To further reduce changes in the visual environment, the Warehouse site would incorporate a landscaping to visually buffers the structure and would include includes a total of a 187 trees, shrubs and ground covers, and other visual accents along the perimeter of the site and adjacent to the exterior walls of the proposed structure.

Although development of the warehouse site would result in changes to the existing visual environment of the site as seen from surrounding areas including the single-family residence and surrounding public roadways, the changes would represent an extension of development consistent with surrounding areas within the Warehousing Distribution Logistics District Overlay. In addition, although the site is undeveloped and provides visual relief between the existing uses, the warehouse would not substantially degrade the visual characteristics that are already considered low. Impacts in this regard would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction

Neither the Malaga Site or Palmetto Site would be developed with any structures nor is any construction proposed. The Malaga Site would be upzoned to Medium-Density Residential (R-2) and the Palmetto Site would be upzoned to Form-Based Code (FBC) – Traditional District. If redevelopment of the Malaga and Palmetto sites, does occur, it would result in changes to the existing visual character of the existing urban environment. The sites are currently developed largely with single-family uses, but also contain vacant lots, lots used for storage, and a church specific to the Palmetto site. In addition, the Malaga and Palmetto sites are both surrounded on all sides by urban development and the visual character of the sites are not unique and visual quality is generally low. If construction occurs, it would temporarily alter the visual character of the sites as seen from adjacent uses and from adjacent roadways including Palmetto Avenue, Valencia Avenue for the Palmetto site; and Malaga Street and Mango Avenue for the Malaga site. Initially visual changes would occur from demolition and removal of the existing structures. Grading and excavation also would occur and would enable installation of utilities and foundation and eventual construction of the new structures.

All construction would be performed in accordance with zoning codes and guidance in the Fontana GP. Because neither of the sites possess significant visual quality or exhibits elements that are uniquely visually appealing in comparison to the surrounding neighborhoods, construction would not conflict with these areas and would not conflict with any rules or regulations governing scenic quality. Therefore, impacts would be less than significant in this regard.

Operations

There would be no direct impacts to either the Malaga or Palmetto sites and no direct conflicts associated with visual quality. If either site is developed all construction would be performed in conformance with the development standards of the Zoning Ordinance and guidance contained in the CFGP. If either Project is developed, the appearance of the new structures would be designed to blend with the existing fabric of the community while modernizing the look of the area. Although the upzoning would allow development at a higher density, the Malaga and Palmetto sites would be designed and built in accordance with all design and developments standards of the City. Therefore, operation of either the Malaga site or Palmetto site should they be developed, would not conflict with any rules or regulations governing scenic quality. Impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.1-4: Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

Level of Significance: Less than Significant Impact

WAREHOUSE SITE

Construction and Operations

Existing sources of light and glare do not exist on the Warehouse site and in the immediate vicinity of the Warehouse site, lighting sources include street lights, outdoor safety and security lighting from adjacent developments including the residential development to the north and east, and vehicle headlights from adjacent roadways. Construction of the Warehouse site would be limited to daytime hours (unless otherwise approved by the City), and nighttime lighting would not be required until the site is operational. Therefore, no short-term impacts associated with light and glare would occur.

The Warehouse site would include the use of on-site safety and security lighting. Consistent with Section No. 30-184 (Light and Glare) of the City's Zoning and Development Code[3], all lighting used on the Warehouse Project site is required to be directed and/or shielded to prevent the light from adversely affecting adjacent properties, and no structures or features that create adverse glare effects are permitted. Thus, all exterior lighting would be shielded/hooded to prevent light trespass onto nearby properties. Additionally, the warehouse component of the Project would use a variety of non-reflective building materials, and although some new reflective improvements (i.e., windows and building front treatments) would be introduced to the site, the warehouse would not be a source of glare in the area. Therefore, long-term impacts associated with light and glare would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

Existing sources of light and glare in the immediate vicinity of the Malaga and Palmetto sites include streetlights, interior lighting escaping through windows, and outdoor safety and security lighting on homes and businesses. These sites are surrounded by dense urban development and there is a substantial amount of existing nighttime light generated from the uses. Development on either site is not proposed, but the Project would result in an upzone of the sites that would enable future redevelopment. Although there are no existing plans for construction, should future development occur, all construction would be

[3] City of Fontana. 2019. *Chapter 30 – Zoning and Development Code.* Available at https://library.municode.com/ca/fontana/codes/code_of_ordinances?nodeId=CO_CH30ZODECO, accessed on March 5, 2020.

limited to daytime hours (unless otherwise approved by the City), and nighttime lighting of the sites would not occur until the sites are operational. Therefore, no short-term impacts associated with light and glare would occur.

As discussed above, the Project would result in the upzone of the sites but no development is currently proposed. If the sites are developed, they would increase the nighttime lighting sources due to increased densities and for anticipated structures, should they be built, to include the use of on-site safety and security lighting. Consistent with Section No. 30-184 (Light and Glare) of the City's Zoning and Development Code[4], all lighting used on either site would be required to be directed and/or shielded to prevent the light from adversely affecting adjacent properties. Thus, all exterior lighting would be shielded/hooded to prevent light trespass onto nearby properties. In addition, no structures or features that create adverse glare effects are permitted by the code. The structures, if they are built, are anticipated to use non-reflective building materials, and although some new reflective improvements (i.e., windows) would be introduced to the site, the potential uses would not be a substantial source of glare in the area. Therefore, long-term impacts associated with light and glare would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.1.6 CUMULATIVE IMPACTS

For purposes of aesthetic resource impact analysis, cumulative impacts are considered for cumulative development according to the related Projects; see **Table 4.0-1**, *Cumulative Projects List*.

When evaluating cumulative aesthetic impacts, several factors must be considered. The cumulative study area for aesthetic impacts is the viewshed that includes the MHSPA area and surrounding areas for the Warehouse site; and the area within and surrounding the Malaga and Palmetto sites. The context in which the Projects are being viewed also would also influence the potential significance of an aesthetic impact. None of the Projects would result in a substantial visual contrast with the surrounding uses, communities, or environment. The Project, taken in sum with other past, present and reasonably foreseeable Projects would substantially affect the already diminished and limited views of the San Gabriel Mountains. Although the City of Fontana is becoming more urbanized, the contrast of the potential development of the three sites, in comparison to the surrounding natural environment would be minimal. None of the Projects, either the Warehouse site or upzoning of the Malaga or Palmetto sites would result in construction substantially different from surrounding development and none would result in a substantial contrast to existing visual resources. In order for a cumulative aesthetic impact to occur, the cumulative nature of the three Project sites taken with other Project's, as seen together or in proximity to each other must be cumulatively considerable. In the case of the proposed Project the potential aesthetic impacts related to views, aesthetics, and light and glare are less than significant. Mitigation measures beyond the

[4] City of Fontana. 2019. *Chapter 30 – Zoning and Development Code.* Available at https://library.municode.com/ca/fontana/codes/code_of_ordinances?nodeId=CO_CH30ZODECO, accessed on March 5, 2020

required conformance to applicable policies and guidance in the Zoning Ordinance and Fontana General Plan, are not required. As discussed above, Project-related impacts would be less than significant.

4.1.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable aesthetic impacts have been identified.

4.2 AIR QUALITY

4.2.1 INTRODUCTION

This section describes the existing air quality setting and evaluates potential impacts on air quality as they relate to the proposed Sierra at Casa Grande Avenue Warehouse Project, including the Malaga site, and the Palmetto site (proposed Project). The analysis provided in this section is based on information obtained from available public resources including, but not limited to, the City of Fontana General Plan (FCGP), South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP), Southern California Association of Governments (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and County of San Bernardino GP. Detailed air quality calculations are provided in Appendix A of Appendix B of this DEIR and include:

- Air Quality Assessment Sierra Avenue and Casa Grande Warehouse Project;
- Greenhouse Gas Emission Assessment Sierra Avenue and Casa Grande Warehouse Project; and
- Health Risk Assessment Sierra Avenue and Casa Grande Warehouse Project.

4.2.2 ENVIRONMENTAL SETTING

SOUTH COAST AIR BASIN

The South Coast Air Basin (SCAB) is a 6,645-square mile area bounded by the San Gabriel, San Bernardino, and the San Jacinto Mountains to the north and east, and the Pacific Ocean to the west. The SCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, along with the San Gorgonio Pass area of Riverside County. The distinctive climate of the SCAB is attributable to its terrain, which is a coastal plain with connecting broad valleys and low hills, and its geographical location, which is bounded by the Pacific Ocean to the west and high mountains to the north, east, and south.

The extent and severity of air pollution in the SCAB is a function of the area's natural physical characteristics (weather and topography), as well as man-made influences (development patterns and lifestyle). Factors such as wind, sunlight, temperature, humidity, rainfall, and topography all affect the accumulation and/or dispersion of air pollutants throughout the SCAB, making it an area of high pollution potential.

CLIMATE & METEOROLOGY

The proposed Project sites, the Warehouse site, Malaga site, and Palmetto site, are in the City of Fontana. Both the western portion of San Bernardino County and the City of Fontana are located within the SCAB. The climate of the SCAB has been classified as "Mediterranean," implying cool, dry summers and mild winters with moderate rainfall. The region lies in the semi-permanent high-pressure zone of the eastern Pacific. As a result, the climate is mild, tempered by cool sea breezes. The usually mild climatological pattern is infrequently interrupted by periods of extremely hot weather, winter storms, or Santa Ana winds.

Wind patterns across the SCAB are characterized by westerly or southwesterly onshore winds during the day and easterly or northeasterly breezes at night. Wind speed is typically higher during the dry summer

months than during the rainy winter. Between periods of wind, air stagnation may occur in both the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on any given day. During winter and fall, surface high-pressure systems over the SCAB, combined with other meteorological conditions, result in very strong, downslope Santa Ana winds. These winds normally continue for a few days before predominant meteorological conditions are reestablished.

The mountain ranges to the east affect the diffusion of pollutants by inhibiting the eastward transport of pollutants. Air quality in the SCAB generally ranges from fair to poor and is similar to air quality in most of coastal Southern California. The entire region experiences heavy concentrations of air pollutants during prolonged periods of stable atmospheric conditions.

In addition to the characteristic wind patterns that affect the rate and orientation of horizontal pollutant transport, two distinct types of temperature inversions control the vertical depth through which air pollutants are mixed. These inversions are the marine inversion and the radiation inversion. The height of the base of the inversion at any given time is called the "mixing height." The combination of winds and inversions is a critical determinant leading to highly degraded air quality for the SCAB in the summer and generally good air quality in the winter.

The annual average temperature ranges from low 60 to high 80 degrees Fahrenheit with little variance. With more oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas. December and January are typically the coldest months at all locations while July through September are usually the hottest months of the year. Although the SCAB has a semi-arid climate, the air near the surface is moist because of the presence of a shallow marine layer. Except for infrequent periods when dry, continental air is brought into the SCAB by offshore winds, the ocean effect is dominant. Contrasting the steady pattern of temperature, rainfall is seasonally and annually highly variable. Almost all annual rainfall occurs between the months of November and April. Summer rainfall is reduced to widely scattered thundershowers near the coast, with slightly heavier activity in the east and over the mountains. Precipitation is typically nine to 14 inches annually in the SCAB and is rarely in the form of snow or hail due to typically warm weather. The frequency and amount of rainfall is greater in the coastal areas of the SCAB.

LOCAL AIR QUALITY

CARB monitors ambient air quality at approximately 250 air monitoring stations across the State. These stations usually measure pollutant concentrations ten feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. Existing levels of ambient air quality, historical trends, and projections near the Project are documented by measurements made by the South Coast Air Quality Management District (SCAQMD), the air pollution regulatory agency in the SCAB that maintains air quality monitoring stations which process ambient air quality measurements.

Pollutants of concern in the SCAB include O3, PM10, and PM2.5. The closest air monitoring station to the Project site that monitors ambient concentrations of these pollutants is the Fontana-Arrow Monitoring Station (located approximately 5.0 miles to the southwest). Local air quality data from 2016 to 2018 are provided in **Table 4.2-1**, *Ambient Air Quality Data*, which lists the monitored maximum concentrations and number of exceedances of state or federal air quality standards for each year.

Table 4.2-1: Ambient Air Quality Data

Criteria Pollutant	2016	2017	2018
Ozone (O_3) [1]			
1-hour Maximum Concentration (ppm)	0.139	0.137	0.141
8-hour Maximum Concentration (ppm)	0.105	0.118	0.111
Number of Days Standard Exceeded			
CAAQS 1-hour (>0.09 ppm)	34	33	38
NAAQS 8-hour (>0.070 ppm)	49	49	69
Carbon Monoxide (CO) [1]			
1-hour Maximum Concentration (ppm)	1.66	1.62	1.92
Number of Days Standard Exceeded			
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
Nitrogen Dioxide (NO_2) [1]			
1-hour Maximum Concentration (ppm)	71.7	69.2	63.0
Number of Days Standard Exceeded			
NAAQS 1-hour (>100 ppm)	0	0	0
CAAQS 1-hour (>0.18 ppm)	0	0	0
Particulate Matter Less Than 10 Microns (PM_{10}) [1]			
National 24-hour Maximum Concentration	94.0	75.3	64.1
State 24-hour Maximum Concentration	94.8	75.3	61.5
State Annual Average Concentration (CAAQS=20 µg/m^3)	—	—	—
Number of Days Standard Exceeded			
NAAQS 24-hour (>150 µg/m^3)	0	0	0
CAAQS 24-hour (>50 µg/m^3)	14	8	8
Particulate Matter Less Than 2.5 Microns ($PM_{2.5}$) [1]			
National 24-hour Maximum Concentration	58.8	39.2	29.2
State 24-hour Maximum Concentration	58.8	39.2	29.2
Number of Days Standard Exceeded			
NAAQS 24-hour (>35 µg/m^3)	1	1	0

Notes:
NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; µg/m^3 = micrograms per cubic meter; – = not measured
[1] Measurements taken at the Fontana-Arrow Monitoring Station at 14360 Arrow Boulevard, Fontana, California 92335 (CARB# 36197)

Source: All pollutant measurements are from the CARB Aerometric Data Analysis and Management system database (https://www.arb.ca.gov/adam) except for CO, which were retrieved from the CARB Air Quality and Meteorological Information System (https://www.arb.ca.gov/aqmis2/aqdselect.php).

AIR POLLUTANTS OF CONCERN

Criteria Air Pollutants

For the protection of public health and welfare, the Federal Clean Air Act (FCAA) required that the U.S. Environmental Protection Agency (U.S. EPA) establish National Ambient Air Quality Standards (NAAQS) for various pollutants. These standards are set for pollutants are referred to as "criteria" pollutants and are categorized into primary and secondary pollutants. The standards define the maximum amount of an air pollutant that can be present in ambient air. An ambient air quality standard (AAQS) is generally specified as a concentration averaged over a specific period of time, such as one hour, eight hours, 24 hours, or one year. The different averaging times and concentrations are meant to protect against different exposure effects. Standards established for the protection of human health are referred to as primary standards; whereas, standards established for the prevention of environmental and property damage are called secondary standards. The FCAA allows states to adopt additional or more health-protective standards, which are discussed in additional detail in Section 4.2.3. Regulatory Setting, further below.

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO_X), sulfur dioxide (SO_2), coarse particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), and lead are primary air pollutants. Of these, CO, NO_X, SO_2, PM_{10}, and $PM_{2.5}$ are criteria pollutants. ROG and NO_X are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant ozone (O_3) is formed by a chemical reaction between ROG and NO_X in the presence of sunlight. O_3 and nitrogen dioxide (NO_2) are the principal secondary pollutants. Sources and health effects commonly associated with criteria pollutants are summarized in **Table 4.-2-2**, *Air Contaminants and Associated Public Health Concerns*, below.

Table 4.2-2: Air Contaminants and Associated Public Health Concerns

Pollutant	Major Man-Made Sources	Human Health Effects
Particulate Matter (PM_{10} and $PM_{2.5}$)	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles and others.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; asthma; chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility.
Ozone (O_3)	Formed by a chemical reaction between reactive organic gases/volatile organic compounds (ROG or VOC)[1] and nitrogen oxides (NO_X) in the presence of sunlight. Motor vehicle exhaust industrial emissions, gasoline storage and transport, solvents, paints and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield.
Sulfur Dioxide (SO_2)	A colorless gas formed when fuel containing sulfur is burned and when gasoline is extracted from oil. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO_2)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to O_3. Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Lead (Pb)	Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Due to the phase out of leaded gasoline, metals processing is the major source of lead emissions to the air today. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.	Exposure to lead occurs mainly through inhalation of air and ingestion of lead in food, water, soil, or dust. It accumulates in the blood, bones, and soft tissues and can adversely affect the kidneys, liver, nervous system, and other organs. Excessive exposure to lead may cause neurological impairments such as seizures, mental retardation, and behavioral disorders. Even at low doses, lead exposure is associated with damage to the nervous systems of fetuses and young children, resulting in learning deficits and lowered IQ.

Table 4.2-2: Air Contaminants and Associated Public Health Concerns

Pollutant	Major Man-Made Sources	Human Health Effects
Notes: [1] Volatile Organic Compounds (VOCs or Reactive Organic Gases [ROG]) are hydrocarbons/organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including ROGs and VOCs. Both ROGs and VOCs are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. The major sources of hydrocarbons are combustion engine exhaust, oil refineries, and oil-fueled power plants; other common sources are petroleum fuels, solvents, dry cleaning solutions, and paint (via evaporation).		
Source: California Air Pollution Control Officers Association (CAPCOA), *Health Effects*, http://www.capcoa.org/health-effects/, accessed March 11, 2020.		

Odors

Typically, odors are regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from the psychological (i.e., irritation, anger, or anxiety) to the physiological, including circulatory and respiratory effects, nausea, vomiting, and headache.

The ability to detect odors varies considerably among the population and overall is quite subjective. Some individuals have the ability to smell very minute quantities of specific substances; others may not have the same sensitivity but may have sensitivities to odors of other substances. In addition, people may have different reactions to the same odor and in fact, an odor that is offensive to one person may be perfectly acceptable to another (e.g., fast food restaurant). It is important to also note that an unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. This is because of the phenomenon known as odor fatigue, in which a person can become desensitized to almost any odor and recognition only occurs with an alteration in the intensity.

Quality and intensity are two properties present in any odor. The quality of an odor indicates the nature of the smell experience. For instance, if a person describes an odor as flowery or sweet, then the person is describing the quality of the odor. Intensity refers to the strength of the odor. For example, a person may use the word strong to describe the intensity of an odor. Odor intensity depends on the odorant concentration in the air. When an odorous sample is progressively diluted, the odorant concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that the detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odorant reaches a detection threshold. An odorant concentration below the detection threshold means that the concentration in the air is not detectable by the average human.

Toxic Air Contaminants

Toxic air contaminants (TACs) are air pollutants that may cause or contribute to an increase in mortality or serious illness, or which may pose a hazard to human health. TACs are usually present in minute quantities in the ambient air, but due to their high toxicity, they may pose a threat to public health even at very low concentrations. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes approximately 200 compounds that, includes particulate emissions from diesel-fueled engines. TACs also include compounds that includes Hazardous Air Pollutants (HAP). A HAP is a term used by the Federal Clean Air Act (FCAA) that includes a variety of pollutants generated or emitted by industrial production activities. There are ten HAPs listed as TACs under the California Clean Air Act (CCAA) and that represent the most substantial health risk in California. Direct exposure to these pollutants has been shown to cause cancer, birth defects, damage to the brain and nervous system, and respiratory disorders.

TACs do not have ambient air quality standards because no safe levels of TACs can be determined. Instead, TAC impacts are evaluated by calculating the health risks associated with a given exposure. The requirements of the Air Toxic "Hot Spots" Information and Assessment Act (Assembly Bill [AB] 2588) apply to facilities that use, produce, or emit toxic chemicals. Facilities subject to the toxic emission inventory requirements of the act must prepare and submit toxic emission inventory plans and reports, and periodically update those reports.

In California, on-road diesel-fueled engines contribute approximately 24 percent of the statewide total, with an additional 71 percent attributed to other mobile sources such as construction and mining equipment, agricultural equipment, and transport refrigeration units. Stationary sources contribute about 5 percent of total DPM. It should be noted that CARB has developed several plans and programs to reduce diesel emissions such as the Diesel Risk Reduction Plan (DRRP), the Statewide Portable Equipment Registration Program (PERP), and the Diesel Off-Road Reporting System (DOORS). The PERP and DOORS programs allow owners or operators of portable engines and certain other types of equipment can register their units in order to operate their equipment throughout California without having to obtain individual permits from local air districts.

In its comprehensive assessment of diesel exhaust, OEHHA analyzed more than 30 studies of people who worked around diesel equipment, including truck drivers, railroad workers, and equipment operators. The studies showed these workers were more likely to develop lung cancer than workers not exposed to diesel emissions. These studies provide strong evidence that long-term occupational exposure to diesel exhaust increases the risk of lung cancer. Using information from OEHHA's assessment, CARB estimates that diesel particle levels measured in California's air in 2000 could cause 540 "excess" cancers in a population of 1 million people over a 70-year lifetime. Other researchers and scientific organizations, including the National Institute for Occupational Safety and Health, have calculated cancer risks from diesel exhaust similar to those developed by OEHHA and CARB.

Diesel engines are a major source of fine particulate pollution. The elderly and people with emphysema, asthma, and chronic heart and lung disease are especially sensitive to fine-particle pollution. Numerous studies have linked elevated particle levels in the air to increased hospital admissions, emergency room visits, asthma attacks, and premature deaths among those suffering from respiratory problems. Because children's lungs and respiratory systems are still developing, they are also more susceptible than healthy adults to fine particles. Exposure to fine particles is associated with increased frequency of childhood illnesses and can also reduce lung function in children. In California, diesel exhaust particles have been identified as a carcinogen.

Sensitive Receptors

The term "sensitive receptors" refers to specific population groups, as well as the land uses where individuals reside for long periods. Commonly identified sensitive population groups are children, the elderly, the acutely ill, and the chronically ill. Commonly identified sensitive land uses include facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Residential dwellings, schools, parks, playgrounds, childcare centers, convalescent homes, and hospitals are examples of sensitive land uses.

Sensitive land uses surrounding the Project consist mostly of single-family residential communities. Sensitive land uses near the Project include the single-family residential communities 330 feet to the east and a future residential community currently under construction 215 feet to the southwest.

4.2.3 REGULATORY SETTING

Air quality is in the region is regulated by several jurisdictions including the U.S. EPA, CARB, SCAQMD, San Bernardino County, and City of Fontana. Each of these jurisdictions develops rules, regulations, and policies to attain the goals or directives imposed upon them through legislation. Although U.S. EPA regulations may not be superseded, both state and local regulations may be more stringent.

FEDERAL

U.S. Environmental Protection Agency

At the federal level, the U.S. EPA has been charged with implementing national air quality programs. The U.S. EPA's air quality mandates are drawn primarily from the FCAA, which was signed into law in 1970. Congress substantially amended the FCAA in 1977 and again in 1990.

Federal Clean Air Act

The FCAA required the U.S. EPA to establish NAAQS and set deadlines for their attainment. Two types of NAAQS have been established: primary standards, which protect public health, and secondary standards, which protect public welfare from non-health-related adverse effects, such as visibility restrictions. NAAQS identify levels of air quality for "criteria" pollutants that are considered the maximum levels of ambient (background) air pollutants considered safe, with an adequate margin of safety, to protect the public health and welfare. The criteria pollutants are ozone (O3), carbon monoxide (CO), nitrogen dioxide (NO2 is a form of NOx), sulfur oxides (SO2 is a form of SOx), PM less than 10 and 2.5 microns in diameter (PM10 and PM2.5, respectively) and lead (Pb). NAAQS are summarized in **Table 4.2-3**, *State and Federal Ambient Air Quality Standards.*

The EPA can withhold certain transportation funds from states that fail to comply with the planning requirements of the FCAA. If a state fails to correct these planning deficiencies within two years of Federal notification, the EPA is required to develop a Federal implementation plan for the identified nonattainment area or areas. The provisions of 40 Code of Federal Regulations Parts 51 and 93 apply in all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan. The EPA has designated enforcement of air pollution control regulations to the individual states. Applicable federal standards are summarized in **Table 4.2-3**, *State and Federal Ambient Air Quality Standards*.

Table 4.2-3: State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	State Standards[1]	Federal Standards[2]
Ozone (O_3) [2, 5, 7]	8 Hour	0.070 ppm (137 µg/m^3)	0.070 ppm
	1 Hour	0.09 ppm (180 µg/m^3)	NA
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)
	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)
Nitrogen Dioxide (NO_2)	1 Hour	0.18 ppm (339 µg/m^3)	0.10 ppm[11]
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)
Sulfur Dioxide (SO_2) [8]	24 Hour	0.04 ppm (105 µg/m^3)	0.14 ppm (365 µg/m^3)
	1 Hour	0.25 ppm (655 µg/m^3)	0.075 ppm (196 µg/m^3)
	Annual Arithmetic Mean	NA	0.03 ppm (80 µg/m^3)
Particulate Matter (PM_{10}) [1, 3, 6]	24-Hour	50 µg/m^3	150 µg/m^3
	Annual Arithmetic Mean	20 µg/m^3	NA
Fine Particulate Matter ($PM_{2.5}$) [3, 4, 6, 9]	24-Hour	NA	35 µg/m^3
	Annual Arithmetic Mean	12 µg/m^3	12 µg/m^3
Sulfates (SO_{4-2})	24 Hour	25 µg/m^3	NA
Lead (Pb) [10, 11]	30-Day Average	1.5 µg/m^3	NA
	Calendar Quarter	NA	1.5 µg/m^3
	Rolling 3-Month Average	NA	0.15 µg/m^3
Hydrogen Sulfide (H_2S)	1 Hour	0.03 ppm (0.15 µg/m^3)	NA
Vinyl Chloride (C_2H_3Cl) [10]	24 Hour	0.01 ppm (26 µg/m^3)	NA

Notes:

ppm = parts per million; µg/m^3 = micrograms per cubic meter; mg/m^3 = milligrams per cubic meter; – = no information available.

1 California standards for O_3, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM_{10}, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e. all standards except for lead and the PM_{10} annual standard), then some measurements may be excluded. Measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe carbon monoxide standard is 6.0 ppm, a level one-half the national standard and two-thirds the State standard.

2 National standards shown are the "primary standards" designed to protect public health. National standards other than for O_3, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour O_3 standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour O_3 standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm or less. The 24-hour PM_{10} standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m$_3$. The 24-hour $PM_{2.5}$ standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m^3.

3 Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM_{10} is met if the 3-year average falls below the standard at every site. The annual $PM_{2.5}$ standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard. NAAQS are set by the EPA at levels determined to be protective of public health with an adequate margin of safety.

4 On October 1, 2015, the national 8-hour O_3 primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour O_3 concentration per year, averaged over three years, is equal to or less than 0.070 ppm. EPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the O_3 level in the area.

5 The national 1-hour O_3 standard was revoked by the EPA on June 15, 2005.

6 In June 2002, CARB established new annual standards for $PM_{2.5}$ and PM_{10}.

7 The 8-hour California O_3 standard was approved by the CARB on April 28, 2005 and became effective on May 17, 2006.

8 On June 2, 2010, the EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO_2 NAAQS however must continue to be used until one year following EPA initial designations of the new 1-hour SO_2 NAAQS.

9 In December 2012, EPA strengthened the annual $PM_{2.5}$ NAAQS from 15.0 to 12.0 µg/m^3. In December 2014, the EPA issued final area designations for the 2012 primary annual $PM_{2.5}$ NAAQS. Areas designated “unclassifiable/attainment” must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.

10 CARB has identified lead and vinyl chloride as ‘toxic air contaminants’ with no threshold level of exposure below which there are no adverse health effects determined.

11 National lead standard, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.

Source: South Coast Air Quality Management District, *Air Quality Management Plan*, 2016; California Air Resources Board, *Ambient Air Quality Standards*, May 6, 2016.

Toxic Substances Control Act

The Toxic Substances Control Act first authorized the U.S. EPA to regulate asbestos in schools and Public and Commercial buildings under Title II of the law, which is also known as the Asbestos Hazard Emergency Response Act (AHERA). AHERA requires Local Education Agencies to inspect their schools for asbestos-containing building materials (ACBM) and to prepare management plans to reduce the asbestos hazard. The Act also established a program for the training and accreditation of individuals performing certain types of asbestos work.

National Emission Standards for Hazardous Air Pollutants

Pursuant to the FCAA of 1970, the U.S. EPA established the National Emission Standards for Hazardous Air Pollutants (NESHAPs). These are technology-based source-specific regulations that limit allowable emissions of HAPs. Among these sources include ACBM. NESHAPs include requirements pertaining to the inspection, notification, handling, and disposal of ACBM associated with the demolition and renovation of structures.

STATE

California Air Resources Board

CARB administers the air quality policy in California. The California Ambient Air Quality Standards (CAAQS) were established in 1969 pursuant to the Mulford-Carrell Act. These standards, included with the NAAQS in Table 4.2-3, above, are generally more stringent and apply to more pollutants than the NAAQS. In addition to the criteria pollutants, CAAQS have been established for visibility reducing particulates, hydrogen sulfide, and sulfates.

California Clean Air Act

The California Clean Air Act (CCAA), which was approved in 1988, requires that each local air district prepare and maintain an Air Quality Management Plan (AQMP) to achieve compliance with CAAQS. These AQMPs also serve as the basis for the preparation of the State Implementation Plan for meeting federal clean air standards for the State of California. Like the EPA, CARB also designates areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as nonattainment for a pollutant if air quality data shows that a state standard for the pollutant was violated at least once during the previous three calendar years.

CARB is required to designate areas of the state as attainment, nonattainment, or unclassified with respect to applicable standards. An “attainment” designation for an area signifies that pollutant concentrations did not violate the applicable standard in that area. A “nonattainment” designation indicates that a pollutant concentration violated the applicable standard at least once, excluding those occasions when a violation was caused by an exceptional event, as defined in the criteria. Depending on the frequency and severity of pollutants exceeding applicable standards, the nonattainment designation can be further classified as serious nonattainment, severe nonattainment, or extreme nonattainment, with extreme nonattainment being the most severe of the classifications. An “unclassified” designation signifies that the data does not support either attainment or nonattainment designation. The CCAA divides districts into moderate, serious, and severe air pollution categories, with increasingly stringent control requirements mandated for each category.

Exceedances that are affected by highly irregular or infrequent events such as wildfires, volcanoes, etc. are not considered violations of a state standard, and are not used as a basis for designating areas as nonattainment.

Air Toxics Rules

CARB's also established the states comprehensive air toxics program in 1983 with AB 1807 the Toxic Air Contaminant Identification and Control Act (Tanner Air Toxics Act of 1983). AB 1807 created California's program to reduce exposure to air toxics and sets forth a formal procedure for CARB to designate substances as TACs. Once a TAC is identified, CARB adopts an airborne toxics control measure (ATCM) for sources that emit designated TACs. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure to below that threshold. If there is no safe threshold, the measure must incorporate toxics best available control technology (T-BACT) to minimize emissions. CARB also administers the state's mobile source emissions control program and oversees air quality programs established by state statute, such as AB 2588. Under AB 2588, TAC emissions from individual facilities are quantified and prioritized by the air quality management district or air pollution control district. High priority facilities are required to perform a health risk assessment and, if specific thresholds are exceeded, required to communicate the results to the public in the form of notices and public meetings. In September 1992, the AB 2588 was amended by Senate Bill (SB) 1731 which required facilities that pose a significant health risk to the community to reduce their risk through a risk management plan.

Diesel Risk Reduction Plan

The identification of DPM as a TAC in 1998 led CARB to adopt the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles (DRRP) in October 2000. The DRRP's goals include an 85 percent reduction in DPM by 2020 from the 2000 baseline.4 CARB estimates that emissions of DPM in 2035 will be less than half those in 2010, further reducing statewide cancer risk and non-cancer health effects.5 The DRRP includes regulations to establish cleaner new diesel engines, cleaner in-use diesel engines (retrofits), and cleaner diesel fuel.

Truck and Bus Regulation Reducing Emissions from Existing Diesel Vehicles

On December 12, 2008, CARB approved the Truck and Bus Regulation to significantly reduce particulate matter (PM) and oxides of nitrogen (NOX) emissions from existing diesel vehicles operating in California. The regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Heavier trucks were required to be retrofitted with PM filters beginning January 1, 2012, and older trucks were required to be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses would need to have 2010 model year engines or equivalent.

The regulation applies to most privately and federally owned diesel fueled trucks and buses and to privately and publicly owned school buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds. Small fleets with three or fewer diesel trucks can delay compliance for heavier trucks and there are several extensions for low-mileage construction trucks, early PM filter retrofits, adding cleaner vehicles, and other situations. Privately and publicly owned school buses have different requirements.

Heavy-Duty Vehicle Idling Emission Reduction Program

The purpose of the CARB ATCM to Limit Diesel-Fueled Commercial Motor Vehicle Idling is to reduce public exposure to diesel particulate matter and criteria pollutants by limiting the idling of diesel-fueled commercial vehicles. The driver of any vehicle subject to this ATCM is prohibited from idling the vehicle's primary diesel engine for greater than five minutes at any location and is prohibited from idling a diesel fueled auxiliary power system (APS) for more than five minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle if it has a sleeper berth and the truck is located within 100 feet of a restricted area (homes and schools).

CARB Final Regulation Order, Requirements to Reduce Idling Emissions from New and In-Use Trucks, beginning in 2008, would require that new 2008 and subsequent model-year heavy-duty diesel engines be equipped with an engine shutdown system that automatically shuts down the engine after 300 seconds of continuous idling operation once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking brake is engaged.

CalEnviroScreen

The California Office of Environmental Health Hazard Assessment (OEHHA) has developed CalEnviroScreen 3.0, which is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the State. The scores are mapped so that different communities can be compared. An area with a high score is one that experiences a much higher pollution burden than areas with low scores.

According to CalEnviroScreen, the Project site is located within Census Tract 6071002704, which is within the 85-90 percentile. The residences that are located east of the Project site are within the 70-75 percentile in Census Tract 6071002703. It should be noted that the CalEnviroScreen scores are not an expression of health risk, and do not provide quantitative information on increases in cumulative impacts for specific sites or projects. Further, as a comparative screening tool, the results do not provide a basis for determining when differences between scores are significant in relation to public health or the environment.

REGIONAL

South Coast Air Quality Management District

The SCAQMD is the air pollution control agency for Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino Counties. The agency's primary responsibility is ensuring that state and federal ambient air quality standards are attained and maintained in the SCAB. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The SCAQMD is also the lead agency in charge of developing the AQMP, with input from the Southern California Association of Governments (SCAG) and CARB. The AQMP is a comprehensive plan that includes control strategies for stationary and area sources, as well as for on-road and off-road mobile sources. SCAG has the primary responsibility for providing future growth projections and the development and implementation of transportation control measures. CARB, in coordination with federal agencies, provides the control element for mobile sources.

The 2016 AQMP was adopted by the SCAQMD Governing Board on March 3, 2017. The purpose of the AQMP is to set forth a comprehensive and integrated program that would lead the SCAB into compliance with the federal 24-hour $PM_{2.5}$ air quality standard, and to provide an update to the SCAQMD's commitments towards meeting the federal 8-hour O_3 standards. The AQMP incorporates the latest scientific and technological information and planning assumptions, including the *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS) and updated emission inventory methodologies for various source categories.

The SCAQMD has published the CEQA Air Quality Handbook (approved by the SCAQMD Governing Board in 1993 and augmented with guidance for Local Significance Thresholds [LST] in 2008). The SCAQMD guidance helps local government agencies and consultants to develop environmental documents required by California Environmental Quality Act (CEQA) and provides identification of suggested thresholds of significance for criteria pollutants for both construction and operation (see discussion of thresholds below). With the help of the CEQA Air Quality Handbook and associated guidance, local land use planners and consultants are able to analyze and document how proposed and existing projects affect air quality in order to meet the requirements of the CEQA review process. The SCAQMD periodically provides supplemental guidance and updates to the handbook on their website.

The SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. Under federal law, SCAG is designated as a Metropolitan Planning Organization and under State law as a Regional Transportation Planning Agency and a Council of Governments.

The state and federal attainment status designations for the SCAB are summarized in **Table 4.2-4**, *South Coast Air Basin Attainment Status*. The SCAB is currently designated as a nonattainment area with respect to the State O_3, PM_{10}, and $PM_{2.5}$ standards, as well as the national 8-hour O_3 and $PM_{2.5}$ standards. The SCAB is designated as attainment or unclassified for the remaining state and federal standards.

Table 4.2-4: South Coast Air Basin Attainment Status

Pollutant	State	Federal
Ozone (O_3) (1 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Ozone (O_3) (8 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Particulate Matter ($PM_{2.5}$) (24 Hour Standard)	–	Non-Attainment (Serious)
Particulate Matter ($PM_{2.5}$) (Annual Standard)	Non-Attainment	Non-Attainment (Moderate)
Particulate Matter (PM_{10}) (24 Hour Standard)	Non-Attainment	Attainment (Maintenance)
Particulate Matter (PM_{10}) (Annual Standard)	Non-Attainment	–
Carbon Monoxide (CO) (1 Hour Standard)	Attainment	Attainment (Maintenance)
Carbon Monoxide (CO) (8 Hour Standard)	Attainment	Attainment (Maintenance)
Nitrogen Dioxide (NO_2) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Nitrogen Dioxide (NO_2) (Annual Standard)	Attainment	Attainment (Maintenance)
Sulfur Dioxide (SO_2) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Sulfur Dioxide (SO_2) (24 Hour Standard)	Attainment	–
Lead (Pb) (30 Day Standard)	–	Unclassifiable/Attainment
Lead (Pb) (3 Month Standard)	Attainment	–
Sulfates (SO_{4-2}) (24 Hour Standard)	Attainment	–
Hydrogen Sulfide (H_2S) (1 Hour Standard)	Unclassified	–

Source: South Coast Air Quality Management District, *Air Quality Management Plan*, 2016; United States Environmental Protection Agency, *Nonattainment Areas for Criteria Pollutants (Green Book)*, 2018.

The following is a list of SCAQMD rules that are required of construction activities associated with the Project:

Rule 402 (Nuisance) – This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

Rule 403 (Fugitive Dust) – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM_{10} suppression techniques are summarized below.

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.

- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

Rule 1113 (Architectural Coatings) – This rule requires manufacturers, distributors, and end users of architectural and industrial maintenance coatings to reduce ROG emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories.

SCAQMD also is granted the authority by the CCAA with the authority to manage transportation activities at indirect sources and regulate stationary source emissions. Indirect sources of pollution are generated when minor sources collectively emit a substantial amount of pollution. An example of this would be the motor vehicles at an intersection, a mall, and on highways. As a State agency, CARB regulates motor vehicles and fuels for their emissions as they relate to air toxics

Air Toxics Control Plan

The Air Toxics Control Plan (March 2000, revised March 26, 2004) is a planning document designed to examine the overall direction of the SCAQMD's air toxics control program. It includes development and implementation of strategic initiatives to monitor and control air toxics emissions. Control strategies that are deemed viable and are within the SCAQMD's jurisdiction will each be brought to the SCAQMD Board for further consideration through the normal public review process. Strategies that are to be implemented by other agencies will be developed in a cooperative effort, and the progress will be reported back to the Board periodically.

Multiple Air Toxics Exposure Study

The SCAQMD conducted an in-depth analysis of the toxic air contaminants and their resulting health risks for all of Southern California. The Multiple Air Toxics Exposure Study in the SCAB (MATES IV) shows that cancer risk has decreased more than 50 percent between MATES III (2008) and MATES IV (2015). MATES IV is the most comprehensive dataset documenting the ambient air toxic levels and health risks associated with the SCAB emissions. Therefore, MATES IV study represents the baseline health risk for a cumulative analysis. MATES IV estimate the average excess cancer risk level from exposure to TACs is less than 400 in one million basin wide. These model estimates were based on monitoring data collected at ten fixed sites within the SCAB. None of the fixed monitoring sites are near the Project site. However, MATES IV has extrapolated the excess cancer risk levels throughout the SCAB by modeling the specific grids. MATES IV modeling predicted an excess cancer risk of 427 in one million for the Project area. DPM s included in this cancer risk along with all other TAC sources. DPM accounts for 68 percent of the total risk shown in MATES IV. The SCAQMD is currently preparing MATES V, which will be the latest comprehensive study of levels of toxic air pollutants the region, MATES V will include an advanced monitoring component with a focus on refinery emissions.

Assembly Bill 617 – Community Air Protection Program

Passed by the California legislature in 2017, AB 617 is a law that focuses on reducing air pollution in environmental justice communities throughout the State. AB 617 requires a statewide strategy with focused actions for communities heavily impacted by air pollution. These actions include developing

community air monitoring plans (CAMPs) and/or community emissions reduction plans (CERPs) to reduce emissions of toxic air contaminants (TACs) and criteria pollutants. The San Bernardino/Muscoy area was among three communities chosen for the program. The Projectsite is approximately four miles west of the CERP's boundary and approximately three miles west of the emissions study area boundary. The San Bernardino/Muscoy CERP outlines the actions and commitments to reduce air pollution for the San Bernardino/Muscoy community. Implementation of the CERP is estimated to reduce NOX emissions by 40 to 50 tons per year and PM emissions by 0.5 to 0.6 tons per year. The CERP's goal is to cut NOX and PM emissions 10 percent by 2024 and 21 percent and 15 percent, respectively, by 2029. CERP implementation is to take place over approximately five years. Once adopted, the CERP would allow the SCAQMD to provide incentive funds to accelerate the replacement of old trucks with technology that is cleaner than required, focus enforcement to ensure rule compliance, develop new rules to reduce emissions, work with land use agencies to develop emissions reducing policies, and implement school programs to reduce indoor levels of pollution. The CERP does not includes project-specific requirements but would allow the SCAQMD and CARB to implement emissions reducing measures. Therefore, no further analysis is warranted.

LOCAL

City of Fontana General Plan

Chapter 6, Building a Healthier Fontana of the City's General Plan identifies goals that will result in a healthier city. Goals and policies that relate to air quality impacts include the following:

Goal 1 The average lifespan in Fontana is consistently within the top ten of all southern California cities.

Policy 1.3 Support local and regional initiatives to improve air quality in order to reduce asthma while actively discouraging development that may exacerbate asthma.

4.2.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Based upon the criteria derived from Appendix G of the CEQA Guidelines, a Project normally would have a significant effect on the environment if it would:

- Conflict with or obstruct implementation of the applicable air quality plan.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment under an applicable state or federal ambient air quality standard.
- Expose sensitive receptors to substantial pollutant concentrations.
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

SCAQMD THRESHOLDS

The significance criteria established by SCAQMD may be relied upon to make the above determinations. According to the SCAQMD, an air quality impact is considered significant if the Project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during construction and operational activities of land use

development projects, as shown in **Table 4.2-5**, *South Coast Air Quality Management District Emissions Thresholds*.

Table 4.2-5: South Coast Air Quality Management District Emissions Thresholds (Maximum Pounds Per Day)

Criteria Air Pollutants and Precursors	Construction-Related	Operational-Related
Reactive Organic Gases (ROG)	75	55
Carbon Monoxide (CO)	550	550
Nitrogen Oxides (NO_X)	100	55
Sulfur Oxides (SO_X)	150	150
Coarse Particulates (PM_{10})	150	150
Fine Particulates ($PM_{2.5}$)	55	55
Source: South Coast Air Quality Management District, *CEQA Air Quality Significance Thresholds,* April 2019.		

Localized Carbon Monoxide

In addition to the daily thresholds listed above, development associated with the Project would also be subject to the ambient air quality standards. These are addressed though an analysis of localized CO impacts. The significance of localized impacts depends on whether ambient CO levels near the Project are above state and federal CO standards (the more stringent California standards are 20 ppm for 1-hour and 9 ppm for 8-hour). The SCAB has been designated as attainment under the 1-hour and 8-hour standards.

Localized Significance Thresholds

In addition to the CO hotspot analysis, the SCAQMD developed LSTs for emissions of NO2, CO, PM10, and PM2.5 generated at new development sites (off-site mobile source emissions are not included in the LST analysis). LSTs represent the maximum emissions that can be generated at a Project without expecting to cause or substantially contribute to an exceedance of the most stringent state or federal ambient air quality standards. LSTs are based on the ambient concentrations of that pollutant within the Project source receptor area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. LST analysis for construction is applicable for all projects that disturb 5 acres or less on a single day. The City of Fontana is located within SCAQMD SRA 34. **Table 4.2-6**, Local Significance Thresholds for Construction/Operations, shows the LSTs for a 1-acre, 2-acre, and 5-acre Project in SRA 34 with sensitive receptors located within 50 meters of the Project.

Table 4.2-6: Local Significance Thresholds for Construction/Operations (Maximum Pounds Per Day)

Project Size	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulates (PM_{10})	Fine Particulates ($PM_{2.5}$)
1 Acre	148/148	1,044/1,044	13/3	5/2
2 Acres	200/200	1,442/1,422	22/6	6/2
5 Acres	302/302	2,361/2,361	44/11	10/3
Source: South Coast Air Quality Management District, *Localized Significance Threshold Methodology,* July 2008.				

METHODOLOGY AND ASSUMPTIONS

The proposed Project, including the Warehouse site, Malaga site, and Palmettos site, are evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning land use and planning. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce a potentially

significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts.

APPROACH TO ANALYSIS

This analysis of impacts on air quality examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga site and Palmetto site and the surrounding characteristics in terms of air quality. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: review of available documentation related to geologic conditions, review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a component of any of the Project elements would or would not result in "substantial" adverse effects on air quality considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies by any of the proposed Project elements.

4.2.5 IMPACTS AND MITIGATION MEASURES

Impact 4.2-1: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Level of Significance: Significant and Unavoidable Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Construction and Operations

As part of its enforcement responsibilities, the EPA requires each state with nonattainment areas to prepare and submit a State Implementation Plan (SIP) that demonstrates the means to attain the federal standards. The SIP must integrate federal, state, and local plan components and regulations to identify specific measures to reduce pollution in nonattainment areas, using a combination of performance standards and market-based programs. Similarly, under State law, the CCAA requires an air quality attainment plan to be prepared for areas designated as nonattainment regarding the state and federal ambient air quality standards. Air quality attainment plans outline emissions limits and control measures to achieve and maintain these standards by the earliest practical date.

The proposed Project, including the Warehouse site, Malaga site, and Palmetto site, is located within the SCAB, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the FCAA, to reduce emissions of criteria pollutants for which the SCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 AQMP. The 2016 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state (California) and national air quality standards. The 2016 AQMP is a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the EPA. The plan's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's 2016 RTP/SCS, updated emission inventory methodologies for

various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans.

Criteria for determining consistency with the AQMP are defined by the following indicators:

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

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

The violations to which Consistency Criterion No. 1 refers are CAAQS and NAAQS and are discussed in detail in regard to air emissions from the Warehouse site, as shown in **Table 4.2-7**, Construction-Related Emissions (Maximum Pounds Per Day), **Table 4.2-8**, Long-Term Operational Emissions (Maximum Pounds Per Day), in Impact 4.2-2, below. None of the emission would exceed the thresholds for construction as shown in **Table 4.2-9**, Localized Significance of Construction Emissions (Maximum Pounds Per Day), in discussion under Impact 4.2-3, the Warehouse site would not exceed the construction standards and net emissions would not exceed operational standards. Therefore, the Project would not contribute to an existing air quality violation. Thus, the Project would be consistent with the first criterion.

Concerning Consistency Criterion No. 2, the AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. Although the proposed Project requires a General Plan Amendment (GPA) and a Zone Change, the proposed Project would not result in a direct increase in population since the proposed warehouse would not accommodate any new residents. While the Malaga and Palmetto sites, should they be redeveloped, would result in additional housing, the new units would replace the housing previously anticipated and planned to be developed on the Warehouse site.

As such, development of the Warehouse site, and potential redevelopment of the Malaga and Palmetto sites would not result in substantial unplanned growth or unaccounted for growth in the General Plan or job growth projections used by the SCAQMD to develop the AQMP. Thus, a less than significant impact would occur, as the proposed Project including the construction of the Warehouse site, and as potential future redevelopment of the Malaga site, and Palmetto site also are consistent with the second criterion.

However, as described below in Impact 4.2-2, construction and operational air quality emissions generated by the proposed Project when the air quality emissions from all three sites are combined, would exceed SCAQMD's emissions thresholds for NOx. These thresholds are established to identify projects that have the potential to generate a substantial amount of criteria air pollutants. Because the proposed Project would exceed these thresholds, the proposed Project would potentially conflict with SCAQMD's Air Quality Management Plan and impacts would be significant and unavoidable.

MITIGATION MEASURES

No feasible mitigation has been identified.

SIGNIFICANCE AFTER MITIGATION

Impacts would remain significant and unavoidable.

Impact 4.2-2: 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?

Level of Significance: Significant and Unavoidable Impact

WAREHOUSE SITE

Construction

Construction associated with the Warehouse site would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the area include O3-precursor pollutants (i.e. ROG and NOX) and PM10 and PM2.5. While Construction-generated emissions of these compounds would be short term and of temporary duration, lasting only as long as construction activities occur, a significant air quality impact would result if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Temporary construction emissions result from site grading, road paving, motor vehicle exhaust from equipment, worker vehicle trips to and from the job site, and the movement of construction equipment especially on unpaved surfaces that can create dust. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions, and application of water to unpaved surfaces.

The duration of construction activities associated with the Warehouse site is estimated to last approximately 9 months. Construction-generated emissions associated the with Warehouse site were calculated using the CARB-approved CalEEMod computer program. The program is designed to model emissions for land use development projects based on typical construction requirements. See Air Quality Modeling Data contained in Appendix A of Appendix B of this DEIR for more information regarding the construction assumptions used in this analysis. Predicted maximum daily construction-generated emissions for the Project are summarized in in **Table 4.2-7**, *Warehouse Site Construction-Related Emissions (Maximum Pounds Per Da*y).

Table 4.2-7: Warehouse Site Construction-Related Emissions (Maximum Pounds Per Day)

Construction Year	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
2020	4.56	50.27	32.86	0.08	8.38	4.58
2021	34.64	41.89	47.25	0.11	3.79	1.11
SCAQMD Threshold	*75*	*100*	*550*	*150*	*150*	*55*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Notes: SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stock piles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix B for Model Data Outputs.

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B of this DEIR for model outputs.

Fugitive dust emissions may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the vicinity of a Project site undergoing construction. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. SCAQMD Rules 402 and 403 (prohibition of nuisances, watering of inactive and perimeter areas, track out requirements, etc.), are applicable to the Warehouse site and were applied in CalEEMod to minimize fugitive dust emissions. Mitigation Measure (**MM AQ-1**) requires the implementation of Rule 402 and 403 dust control techniques to minimize PM10 and PM2.5 concentrations. The recommended mitigation would be required to ensure compliance with SCAQMD Rules and Regulations. Compliance would be verified and enforced through the City's development review process.

Rule 1113 provides specifications on painting practices and regulates the ROG content of paint. As required by law, all architectural coatings for the proposed structures would comply with SCAQMD Rule 1113. As shown in Table 4.2-7, construction of the Warehouse site would not exceed ROG thresholds and all criteria pollutant emissions would remain below their respective thresholds. While these impacts would be considered less than significant because thresholds would not be exceeded, construction of the warehouse would still be subject to SCAQMD Rules 402, 403, and 1113. The specific requirements of these rules are described in the Regulatory Framework subsection above, and conformance with verification by the City has been included as mitigation. Conformance to rules and implementation of the listed mitigation would reduce impacts to less than significant.

Operations

Operational impacts-generated by emissions from the Warehouse site would be primarily associated with motor vehicle use and area sources, such as from landscape maintenance equipment and architectural coatings. Long-term operational emissions attributable to the Warehouse site are summarized in Table 4.2-8: *Warehouse Site Long-Term Operational Emissions*. Note that emissions rates differ from summer to winter due to the California requirements related to fuel formulation for the different seasonal fuel blends. As shown in Table 4.2-8**,** the emissions from operation of the Warehouse site would not exceed SCAQMD thresholds for any criteria air pollutants. Therefore, regional operational emissions would result in a less than significant long-term regional air quality impact.

Area Source Emissions

Area source emissions would be generated due to on-site equipment, architectural coating, and landscaping that were previously not present on the site. As shown in Table 4.2-8, area source emissions from the Warehouse site would not exceed SCAQMD thresholds for either the winter or summer seasons. Therefore, mitigation measures are not required to reduce criteria pollutants and no significant impacts would occur.

Energy Source Emissions

Energy source emissions would be generated due to electricity and natural gas usage associated with the operation of the Warehouse site. Primary uses of electricity and natural gas by the warehouse would be for miscellaneous warehouse equipment, space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. As shown in Table 4.2-8, energy source emissions from the warehouse would not exceed SCAQMD thresholds for criteria pollutants. As such, operation of the warehouse would not violate any air quality standards or contribute substantially to an existing or projected air quality violation. Impacts associated with operational air quality would be less than significant.

Table 4.2-8: Warehouse Site Long-Term Operational Emissions (Maximum Pounds Per Day)

Source	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Summer Emissions						
Area Source Emissions	7.12	0.00	0.06	0.00	0.0	0.00
Energy Emissions	0.02	0.19	0.16	0.00	0.01	0.01
Mobile Emissions	4.17	26.33	37.09	0.13	8.31	2.43
Off-Road Emissions	0.26	2.36	2.34	0.00	0.17	0.15
Total Emissions	**11.58**	**28.87**	**39.63**	**0.13**	**8.49**	**2.60**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**
Winter Emissions						
Area Source Emissions	7.12	0.00	0.06	0.00	0.00	0.00
Energy Emissions	0.02	0.19	0.16	0.00	0.01	0.01
Mobile Emissions	3.50	27.62	34.17	0.13	8.31	2.43
Off-Road Emissions	0.26	2.36	2.34	0.00	0.17	0.15
Total Emissions	**10.90**	**30.17**	**36.72**	**0.13**	**8.49**	**2.60**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B of this DEIR for model outputs.

Mobile Source

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_X, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern. NO_X and ROG react with sunlight to form O_3, known as photochemical smog. Additionally, wind currents readily transport PM_{10} and $PM_{2.5}$. However, CO tends to be a localized pollutant, dispersing rapidly at the source.

As recommended by the SCAQMD, vehicle emissions that would be generated by operation of the warehouse were estimated using CalEEMod. Trip generation rates associated with the warehouse were based on the standard rates for warehousing. Based on these rates, the Warehouse site would generate 579 daily trips (20 percent trucks).[1] As shown in Table 4.2-8, the anticipated mobile source emissions do not exceed SCAQMD thresholds for criteria pollutants. Therefore, air quality impacts associated with mobile source emissions from the operation of the Warehouse site would be less than significant.

MITIGATION MEASURE

MM AQ-1 Prior to the issuance of grading permits, the City Engineer shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with South Coast Air Quality Management District's (SCAQMD's) Rules 402 and 403 to minimize construction emissions of dust and particulates. The measures include, but are not limited to, the following:

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the work day to remove soil tracked onto the paved surface.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

MALAGA SITE

Construction

Construction of the Malaga Site would result in the generation of short-term emissions of criteria air pollutants. **Table 4.2-9**, *SRA 26 Localized Significance Thresholds for Construction Emissions* would be generated during demolition of the eight existing structures and site preparation and construction of the new residences should these activities occur. These temporary construction emissions would occur from demolition, site grading, paving, worker trips, and movement of construction equipment. Should the Malaga site be redeveloped it is anticipated that the demolished 14 units would be replaced with a total of 126 multi-family units. **Table 4.2-10**, *Malaga Site Project Construction Emissions*, is based on the CalEEmod estimates and a 13-month construction period would and shows projected construction emissions associated with the potential redevelopment of the Malaga site. Table 4.2-10 shows that construction pollutant emissions would remain below their respective thresholds with implementation of

[1] Kimley-Horn and Associates, Inc., *Traffic Impact Study for the Proposed Sierra and Casa Grande Warehouse*, May 2020.

required SCAQMD Rule 403. In addition, any future Project on the Malaga site, including use of the site for replacement housing would be required to comply with SCAQMD Rule 402 and 1113, which prohibit nuisances and limit VOC content in paints, respectively. This would ensure emissions remain below thresholds.

Table 4.2-9: SRA 26 Localized Significance Thresholds for Construction

Source	Pollutant (pounds/day)[1]			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Localized Significance Threshold[1]	*371*	*1,965*	*13*	*8*

Source: The LST was determined using Appendix C of the SCAQMD Final Localized Significant Threshold Methodology guidance document for pollutants NO_X, CO, PM_{10}, and $PM_{2.5}$. The LST was based on the anticipated five acres of disturbance per day and a distance 25 meters or less to sensitive receptors, and the source receptor area (SRA 26). Accessible at http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/appendix-c-mass-rate-lst-look-up-tables.pdf?sfvrsn=2.

Table 4.2-10: Malaga Site Project Construction Emissions

Construction Year	Emissions (pounds per day)[1]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Year 1	11.94	40.56	40.13	0.08	8.93	5.61
Year 2	11.52	30.72	39.26	0.08	3.68	1.97
SCAQMD Threshold	75	100	550	150	150	55
SCAQMD Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; replace ground cover of area disturbed; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E)
were applied. No mitigation was applied to construction equipment. Refer to Appendix A of Appendix B for Model Data Outputs.

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B for model outputs.

Operations

Operational emissions from the Malaga site would typically be associated with mobile sources (i.e., motor vehicle use) and area sources (such as the use of landscape maintenance equipment, hearths, consumer products, and architectural coatings). **Table 4.2-11**, *Malaga Site Operational Emissions* summarizes the operational emissions attributable to the proposed project. As shown in 4.2-11, the Malaga project's emissions would not exceed SCAQMD thresholds. Therefore, regional operations emissions would result in a less than significant long-term regional air quality impact.

Table 4.2-11: Malaga Site Operational Emissions

Source	Emissions (pounds per day)[1]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Existing Emissions						
Area	4.25	0.30	8.28	0.02	1.08	1.08
Energy	0.01	0.11	0.05	<0.01	<0.01	<0.01
Mobile	0.80	2.53	5.21	0.01	1.03	0.29
Total	**5.06**	**2.94**	**13.54**	**0.03**	**2.11**	**1.37**
Proposed Emissions						
Area	5.36	3.15	18.52	0.02	0.33	0.33
Energy	0.10	0.82	0.35	0.01	0.07	0.07
Mobile	6.47	26.16	51.07	0.15	11.27	3.12

Table 4.2-11: Malaga Site Operational Emissions

Source	Emissions (pounds per day)[1]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Total	**11.93**	**30.13**	**69.94**	**0.17**	**11.67**	**3.52**
Net Emissions	***6.87***	***27.19***	***56.40***	***0.14***	***9.56***	***2.15***
SCAQMD Threshold	55	55	550	150	150	55
SCAQMD Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
1. Emissions were calculated using the California Emissions Estimator Model version 2016.3.2 (CalEEMod), as recommended by the SCAQMD. Worst-case seasonal maximum daily emissions are reported.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

PALMETTO SITE

Construction

Construction of the Palmetto site would result in the generation of short-term emissions of criteria air pollutants. Emissions would be generated during demolition of the eight existing structures and site preparation and construction of the new residences should these activities occur. These temporary construction emissions would occur from demolition, site grading, paving, worker trips, and movement of construction equipment. It should be noted that this site was originally estimated at 79 units. Since that time the number of units was refined to 24 units. However, the air quality modeling conservatively uses the original estimate. **Table 4.2-12**, *Palmetto Site Project Construction Emissions* is based on the CalEEmod estimates and a 13-month construction period would and shows projected construction emissions associated with the potential redevelopment of the Palmetto site. Table 4.2-9, above shows the thresholds, and Table 4.2-12, below shows that construction pollutant emissions would remain below their respective thresholds with implementation of required SCAQMD Rule 403. In addition, any future Project on the Palmetto site, including use of the site for replacement housing would be required to comply with SCAQMD Rule 402 and 1113, which prohibit nuisances and limit VOC content in paints, respectively. This would ensure emissions remain below thresholds.

Table 4.2-12: Palmetto Site Project Construction Emissions

Construction Year	Emissions (pounds per day)[1]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Year 1	8.00	40.55	37.90	0.07	8.93	5.61
Year 2	7.60	29.56	37.22	0.07	2.73	1.71
SCAQMD Threshold	75	100	550	150	150	55
SCAQMD Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
1. SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; replace ground cover of area disturbed; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix A of Appendix B for Model Data Outputs.

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B for model outputs.

Operations

Operational emissions from the Palmetto site would typically be associated with mobile sources (i.e., motor vehicle use) and area sources (such as the use of landscape maintenance equipment, hearths, consumer products, and architectural coatings). **Table 4.2-13**, *Palmetto Site Operational Emissions* summarizes the operational emissions attributable to the proposed project. It should be noted that this site was originally estimated at 79 units. Since that time the number of units was refined to 24 units. However, the air quality modeling conservatively uses the original estimate. As shown in Table 4.2-13, the project's emissions would not exceed SCAQMD thresholds. Therefore, regional operations emissions would result in a less than significant long-term regional air quality impact.

Table 4.2-13: Palmetto Site Operational Emissions

Source	Emissions (pounds per day)[1]					
	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Existing Emissions						
Area	2.43	0.17	4.73	0.01	0.61	0.61
Energy	<0.01	0.06	0.03	<0.01	<0.01	<0.01
Mobile	0.46	1.48	2.99	<0.01	0.59	0.17
Total	**2.89**	**1.68**	**7.74**	**0.02**	**1.21**	**0.79**
Proposed Emissions						
Area	1.95	0.08	6.52	<0.01	0.04	0.04
Energy	0.02	0.21	0.09	<0.01	0.02	0.02
Mobile	3.11	9.89	20.74	0.06	4.27	1.18
Total	**5.09**	**10.18**	**27.36**	**0.06**	**4.32**	**1.23**
Net Emissions	***2.20***	***8.50***	***19.62***	***0.04***	***3.11***	***0.44***
SCAQMD Threshold	55	55	550	150	150	55
SCAQMD Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes:
1. Emissions were calculated using the California Emissions Estimator Model version 2016.3.2 (CalEEMod), as recommended by the SCAQMD. Worst-case seasonal maximum daily emissions are reported.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

COMBINED ANALYSIS

As shown above, the Warehouse site, Malaga site, or Palmetto site would not exceed the SCAQMD thresholds for Criteria Pollutants for either construction or operational phases. Although it is unlikely buildout of the three sites would occur at the same time, and it is unknown when, if ever, the Malaga and Palmetto sites would be constructed, the air quality analysis of the three sites is combined to provide a complete disclosure of GHG emissions that could occur from the residential development components.

This is considered a conservative approach because there is no planned development of the Malaga and Palmetto sites and it is possible the future development on those sites would be less intensive than what has been evaluated in this document. Additionally, over time as buildings and automobiles emit fewer

emissions, the amount of air quality pollutants associated with the future development of the Warehouse site and multi-family housing could be less than what is evaluated in this document.

To account for the potential of the site being construction and operating at the same time, and ensure full disclosure of potential impacts, air emissions from all three proposed Project site were evaluated together should they be constructed over the same period of time. **Table 4.2-14**, *Warehouse, Malaga, and Palmetto Total Site Construction Related Emissions (Maximum Pounds Per Day)*, provides the sum of emissions for all Project sites, below.

Table 4.2-14: Warehouse, Malaga, and Palmetto Total Site Construction-Related Emissions (Maximum Pounds Per Day)

Construction Year	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Warehouse Site Emissions						
Year 1	4.56	50.27	32.86	0.08	8.38	4.58
Year 2	34.64	41.89	47.25	0.11	3.79	1.11
Malaga Site Emissions						
Year 1	11.94	40.56	40.13	0.08	8.93	5.61
Year 2	11.52	30.72	39.26	0.08	3.68	1.97
Palmetto Site l Emissions						
Year 1	8.00	40.55	37.90	0.07	8.93	5.61
Year 2	7.60	29.56	37.22	0.07	2.73	1.71
TOTALS:						
Year 1	**24.5**	**128.73**	**110.89**	**0.86**	**26.24**	**15.8**
Year 2	**53.76**	**102.17**	**123.73**	**0.26**	**10.2**	**4.79**
SCAQMD Threshold	*75*	*100*	*550*	*150*	*150*	*55*
Exceed SCAQMD Threshold?	**No**	**Yes**	**No**	**No**	**No**	**No**

Notes: SCAQMD Rule 403 Fugitive Dust applied. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; cover stockpiles with tarps; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix A of Appendix B of this DEIR for Model Data Outputs.

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B of this DEIR for model outputs.

Similarly, **Table 4.2-15**, *Warehouse, Malaga, and Palmetto Sites Total Long-Term Operational Emissions (Maximum Pounds Per Day)* shows the combined emissions from the three sites during operational phases.

Table 4.2-15: Warehouse, Malaga, and Palmetto Sites Total Long-Term Operational Emissions (Maximum Pounds Per Day)

Source	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Warehouse Site Total Emissions[1]						
Summer Emissions	11.58	28.87	39.63	0.13	8.49	2.60
Winter Emissions	10.90	30.17	36.72	0.13	8.49	2.60
Malaga Site Net Emissions	6.87	27.19	56.40	0.14	9.56	2.15
Palmetto Site Net Emissions	2.20	8.50	19.62	0.04	3.11	0.44
Total Emissions	**31.55**	**94.73**	**152.37**	**0.44**	**29.65**	**7.79**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Exceeds Threshold?	**No**	**Yes**	**No**	**No**	**No**	**No**

Notes: 1. Emissions from the Warehouse site consider emissions from the winter and summer fuel blends used for heavy trucks.
Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B of this DEIR for model outputs.

As shown in the tables above, NOx emissions would exceed the SCAQMD thresholds for both construction and operations of the Warehouse site, Malaga site, and Palmetto site if they were to be constructed and operate over the same period of time. None of the other SCAQMD emission thresholds would be exceeded under this combined analysis scenario. No feasible mitigation measures have been identified that would reduce NOx emissions from the Warehouse site. The majority of the NOx emissions from the Warehouse site are from mobile emissions (transportation). Given that a large percentage of the pollutant emissions associated with the Project, including approximately 95% percent of NOx emissions[2], are attributed to the tailpipe emissions of vehicles traveling to and from the Warehouse and RUR sites. The nature of the proposed Warehouse as well as the residential development sites is to have trucks and cars travel to and from the site, measures that would reduce trips, and thus reduced NOx emissions, are not practical or feasible. This is because the federal government and the State of California are the only entities capable of regulating tailpipe emissions. The EIR already includes Mitigation Measure AQ-1 and Mitigation Measure AQ-2 as Project-specific mitigation measures that address – and reduce – air pollutant emissions resulting from activities that occur on-site and for which the City is able to provide oversight. Nonetheless, mitigation that addresses activities beyond the City's purview is not feasible. "Feasible" means "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors." (See 14 Cal Code Regs §15364.) Because it is not feasible for the City to substantially reduce the air pollutant emissions from cars and trucks during Project operation, the City concludes that the mitigation not feasible. As a result, operational emissions associated with the proposed Project would result in a cumulatively considerable contribution to significant cumulative air quality impacts.

Because the only entitlement associated with the Malaga and Palmetto sites involves a zone reclassification, it is not possible to apply mitigation to this this component of the Project at this time that could be shown as effective and enforceable. If future multi-family development is proposed for the

[2] 89.64 pounds per day NOx from mobile sources/94.73 pounds per day total NOx = 94.6%.

Malaga and/or Palmetto sites, a Project specific CEQA analysis would be required to consider the site-specific impacts on GHG emissions. Therefore, the proposed Project is considered to have a significant and unavoidable impact on GHG Emissions in this regard.

MITIGATION MEASURES

No feasible mitigation measures have been identified.

SIGNIFICANCE AFTER MITIGATION

Impacts would be significant and avoidable.

Impact 4.2-3: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Level of Significance: Less than Significant with Mitigation Incorporated

WAREHOUSE SITE

Construction

The nearest sensitive receptors are the single-family residences located 230 feet (70 meters) to the northeast of the Warehouse site. To identify impacts to sensitive receptors, the SCAQMD recommends addressing Local Significance Thresholds (LSTs) for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the *Final Localized Significance Threshold Methodology* (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with project-specific emissions.

Since CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment, **Table 4.2-16**, *Equipment-Specific Grading Rates*, is used to determine the maximum daily disturbed acreage for comparison to LSTs. The appropriate source receptor area (SRA) for the localized significance thresholds is the Central San Bernardino Valley (SRA 34) since this area includes the proposed Project. LSTs apply to CO, NO_2, PM_{10}, and $PM_{2.5}$. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5 acres in size. Project construction is anticipated to disturb a maximum of 3.0 acres in a single day. As the LST guidance provides thresholds for projects disturbing 1-, 2-, and 5-acres in size and the thresholds increase with size of the site, the LSTs for a 3.0-acre threshold were interpolated and utilized for this analysis.

The SCAQMD's methodology states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs." Therefore, only emissions included in the CalEEMod "on-site" emissions outputs were considered. The nearest sensitive receptors are the single-family residences located 215 feet (66 meters) northeast of the Warehouse site. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, LSTs for receptors located at 50 meters were conservatively utilized in this analysis. **Table 4.2-17**, *Localized Significance of Construction Emissions*, presents the results of localized emissions during construction.

Table 4.2-16: Equipment-Specific Grading Rates

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Grading	Tractors	0	0.5	8	0
	Graders	1	0.5	8	0.5
	Dozers	1	0.5	8	0.5
	Scrapers	2	1	8	2
				Total Acres Graded per Day	**3.0**
Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B for model outputs.					

Table 4.2-17, *Localized Significance of Construction Emissions* shows that emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Significant impacts would not occur concerning LSTs during construction.

Table 4.2-17: Localized Significance of Construction Emissions (Maximum Pounds Per Day)

Construction Activity	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Site Preparation (2020)	42.42	21.51	10.33	6.49
Grading (2020)	50.20	31.96	6.08	3.62
Building Construction (2020)	19.19	16.85	1.12	1.05
Building Construction (2021)	17.43	16.58	0.96	0.90
Paving (2021)	12.92	14.65	0.68	0.62
Architectural Coating (2021)	1.53	1.82	0.09	0.09
SCAQMD Localized Screening Threshold (adjusted for 3 acres at 50 meters)	*234*	*1,748*	*29*	*7*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**
Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B for model outputs.				

In addition to the air quality assessment, a separate Health Risk Assessment (HRA) was prepared for the Warehouse site. Although construction emissions did not exceed air quality thresholds, the HRA determined that mitigation was required based on the health risk. The HRA identified construction mitigation which requires the use of Tier 4 construction equipment (refer to Health Risk Assessment: Sierra Avenue and Casa Grande Warehouse Project, 2020). **MM-AQ-2** has been included and is shown at the conclusion of this impact discussion.

Operations

Localized Operational Significance Analysis

According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a Project only if it includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). The operational phase LST protocol for the warehouse is conservatively applied to both the area source and all the mobile source emissions. As the nearest receptors are located approximately 215 feet (66 meters) from the Warehouse site, LSTs were interpolated for receptors located at 66 meters for SRA 34 in this analysis. Although the Warehouse site is 16.5 acres, the 5-acre LST threshold was conservatively used for the warehouse, as the LSTs increase with the size of the site.

The LST analysis only includes on-site sources. However, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. For a worst-case scenario assessment, the emissions shown in **Table 4.2-18**, *Localized Significance of Operational Emissions*, conservatively include all on-site warehouse-related stationary sources and 100 percent of the warehouse related new mobile sources to include trucks idling on-site. Table 4.2-16 shows that the maximum daily emissions of these pollutants during operations of the warehouse would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts would not occur concerning LSTs during operational activities.

Table 4.2-18: Localized Significance of Operational Emissions (Maximum Pounds Per Day)

Activity	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
On-Site and Mobile Source Emissions	30.17	36.72	8.49	2.60
SCAQMD Localized Screening Threshold (adjusted for 5 acres at 66 meters)	*386*	*1,100*	*17*	*4*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**
Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B for model outputs.				

Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* [Friant Ranch, L.P.] [2018] Cal.5th, Case No. S219783). In the Brief of Amicus Curiae provided by the SCAQMD in the case (April 6, 2015) (Brief), it was noted the SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes. The Brief discusses that it may be infeasible to quantify health risks caused by individual projects, due to various factors. It is necessary to have data regarding the sources and types of air toxic contaminants, location of emission points, velocity of emissions, the meteorology and topography of the area, and the location of receptors (worker and residence). The Brief also cites the author of the CARB methodology, which reported that a $PM_{2.5}$ methodology is not suited for small projects and may yield unreliable results. Similarly, SCAQMD staff does not currently know of a way to accurately quantify O_3-related health impacts caused by NO_X or ROG (VOC) emissions from relatively small projects, due to photochemistry and regional model limitations. The Brief concludes, with respect to the Friant Ranch EIR, that although it may have been technically possible to plug the data into a methodology, the results would not have been reliable or meaningful. In comparison, the proposed Project is not regionally significant and would be considered a relatively small project.

The Brief makes it clear that SCAQMD does not believe that there must be a quantification of a project's health risks in all CEQA documents prepared for individual projects. Any attempt to quantify the proposed project's health risks would be considered unreliable and misleading.

Although it may be misleading and unreliable to attempt to specifically and numerically quantify the project's health risks, this analysis provides extensive information concerning the project's potential health risks. While the Project is not expected to exceed the applicable numeric regional mass daily

thresholds for operational NO_X, simply exceeding these thresholds does not in itself constitute a significant health impact to the population adjacent to the any of the Project sites and within the Basin. The reason for this is that the mass daily thresholds are in pounds per day (or tons per year) emitted into the air whereas health effects are determined based on the concentration of emissions in the air at a particular receptor (e.g., parts per million by volume of air, or micrograms per cubic meter of air). State and federal AAQS were developed to protect the most susceptible population groups from adverse health effects and were established in terms of parts per million or micrograms per cubic meter for the applicable emissions. Furthermore, air quality trends for both emissions of NO_X, VOCs, and O_3 (which is a byproduct of NO_X and VOCs) have been trending downward within the air basin even as development has increased over the last several years.

As noted in the Brief, it would be extremely difficult, if not impossible to quantify health impacts of criteria pollutants for various reasons, including modeling limitations, as well as where in the atmosphere air pollutants interact and form for a development as small as the proposed project. Furthermore, as noted in the Brief of Amicus Curiae by the San Joaquin Valley Air Pollution Control District (April 13, 2015), San Joaquin Valley Air Pollution Control District has acknowledged that currently available modeling tools are not equipped to provide a meaningful analysis of the correlation between an individual development project's air emissions and specific human health impacts. The San Joaquin Valley Air Pollution Control District notes, "…the Air District is simply not equipped to analyze and to what extent the criteria pollutant emissions of an individual CEQA Project directly impact human health in a particular area…even for projects with relatively high levels of emissions of criteria pollutant precursor emissions."

Information on health impacts related to exposure to O_3 and particulate matter emissions published by the U.S. EPA and CARB have been summarized above and discussed in the Regulatory Framework section. Health studies are used by these agencies to set the Federal and State AAQS. None of the health-related information can be directly correlated to the pounds/day or tons/year of emissions estimated from a single project.

Ozone is not formed at the location of emission and the quantity of precursor emissions is not proportional to local ozone concentrations. The emission of NO_X and ROG do not directly cause health effects; it is the resulting concentration of criteria pollutants, which is influenced by sunlight, chemical reactions, and transport (i.e., regional impacts), that are not feasible to model at the Project level.[3] In addition, current SCAQMD and CARB regulations will reduce the emissions below what is shown in Table 4.2-15. Given the relatively small size of the proposed project, the health impacts associated with the proposed project's NOx emissions, which are already below SCAQMD operational thresholds, would be minuscule.

As discussed above, neither SCAQMD nor any other air district currently have methodologies or thresholds that would provide Lead Agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from this small proposed project's mass

[3] As noted in the San Joaquin Valley Air Pollution Control District (SJVAPCD) Amicus Curiae Brief for *Sierra Club v. County of Fresno, t*he computer models used to simulate and predict and attainment date for ozone or particulate matter NAAQS are based on regional inputs, such as regional inventories of precursor pollutants (NO_X, SO_X, and VOCs) and atmospheric chemistry and meteorology. The models simulate future ozone or PM levels based on predicted changes in precursor emissions region wide. The goal of these modeling exercises is not to determine whether the emissions generated by a particular factory or development Projectwill affect the NAAQS attainment date. Rather, the air district modeling and planning strategy is regional in nature and based on the extent to which all of emission-generating sources (current and future) must be controlled in order to reach attainment.

emissions. Information on health impacts related to exposure to ozone and particulate matter emissions published by the U.S. EPA and CARB have been summarized above and discussed in the Regulatory Framework section. For this reason, the discussion above explains in detail why a numerical analysis would not be reliable or meaningful and why health-based impacts are anticipated to be less than significant.

The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme ozone nonattainment areas such as the South Coast Air Basin) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQ MD Rule 1303 for new or modified sources. The NSR Program[4] was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based federal ambient air quality standards. The federal ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. Therefore, projects that do not exceed the SCAQMD's LSTs and mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts.

Precursor Chemical Process

NO_X and ROG are precursor emissions that form ozone in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources. Breathing ground-level ozone can result health effects that include: reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily ozone concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that ozone can make asthma symptoms worse and can increase sensitivity to asthma triggers.

According the SCAQMD's 2016 AQMP, ozone, NO_X, and ROG have been decreasing in the Basin since 1975 and are projected to continue to decrease in the future. Although vehicle miles traveled in the Basin continue to increase, NO_X and ROG levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_X emissions from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. The 2016 AQMP demonstrates how the SCAQMD's control strategy to meet the 8-hour ozone standard in 2023 would lead to sufficient NO_X emission reductions to attain the 1-hour ozone standard by 2022. In addition, since NO_X emissions also lead to the formation of $PM_{2.5}$, the NO_X reductions needed to meet the ozone standards will likewise lead to improvement of $PM_{2.5}$ levels and attainment of $PM_{2.5}$ standards.

The SCAQMD's air quality modeling demonstrates that NO_X reductions prove to be much more effective in reducing ozone levels and will also lead to significant improvement in $PM_{2.5}$ concentrations. NO_X-emitting stationary sources regulated by the SCAQMD include Regional Clean Air Incentives Market (RECLAIM) facilities (e.g., refineries, power plants, etc.), natural gas combustion equipment (e.g., boilers, heaters, engines, burners, flares) and other combustion sources that burn wood or propane. The 2016

4 Code of Federal Regulation (CFR) [i.e., PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)), Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S)

AQMP identifies robust NO_X reductions from new regulations on RECLAIM facilities, non-refinery flares, commercial cooking, and residential and commercial appliances. Such combustion sources are already heavily regulated with the lowest NO_X emissions levels achievable but there are opportunities to require and accelerate replacement with cleaner zero-emission alternatives, such as residential and commercial furnaces, pool heaters, and backup power equipment. The AQMD plans to achieve such replacements through a combination of regulations and incentives. Technology-forcing regulations can drive development and commercialization of clean technologies, with future year requirements for new or existing equipment. Incentives can then accelerate deployment and enhance public acceptability of new technologies.

The 2016 AQMD also emphasizes that beginning in 2012, continued implementation of previously adopted regulations will lead to NO_X emission reductions of 68 percent by 2023 and 80 percent by 2031. With the addition of 2016 AQMP proposed regulatory measures, a 30 percent reduction of NO_X from stationary sources is expected in the 15-year period between 2008 and 2023. This is in addition to significant NO_X reductions from stationary sources achieved in the decades prior to 2008.

As previously discussed, emission from the Warehouse site would be less than significant and would not exceed SCAQMD thresholds. Localized effects of on-site emissions from the operation of the Warehouse on nearby receptors were also found to be less than significant. The LSTs represent the maximum emissions from a Project that are not expected to cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standard. The LSTs were developed by the SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations.

Carbon Monoxide Hotspots

An analysis of CO "hot spots" is needed to determine whether the change in the level of service of an intersection resulting from the Project would have the potential to result in exceedances of the CAAQS or NAAQS. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities, CO concentrations have steadily declined. Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard.

The South Coast Air Basin (SCAB) was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD's AQMP. The 2003 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD *CO Hotspot Analysis*, the Wilshire Boulevard/Veteran Avenue intersection, one of the most congested intersections in Southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day, was modeled for CO concentrations. This modeling effort identified a CO concentration high of 4.6 ppm, which is well below the 35-ppm Federal standard. The Project considered herein would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's *CO Hotspot Analysis*. As the CO hotspots were not experienced at the Wilshire

Boulevard/Veteran Avenue intersection even as it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections resulting from 554 additional vehicle trips attributable to the Project. Therefore, impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA SITE

The nearest sensitive receptors to the Malaga site are the residences to the north located adjacent to the site boundary. The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with project-specific level proposed projects. **Table 4.2-19**, *Malaga Site Equipment Specific Grading Rates* shows the maximum daily disturbed acreage

Table 4.2-19: Malaga Site Equipment-Specific Grading Rates

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Site Preparation	Crawler Tractor	4	0.5	8	2.0
	Graders	0	0.5	8	0
	Rubber-Tired Dozers	3	0.5	8	1.5
	Scrapers	0	1.0	8	0
				Total Acres Graded per Day	**3.5**
Source: CalEEMod version 2016.3.2.					

Table 4.2-20, *Malaga Site Localized Significance of Construction Emissions,* presents the results of localized emissions during construction activity. Table 4.2-18 shows that the emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts would not occur concerning LSTs during construction activities.

Table 4.2-20: Malaga Localized Significance of Emissions – Maximum Pounds per Day

Source/Activity	Emissions (pounds per day)[1,2]			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Construction Emissions				
Demolition	31.44	21.57	2.01	1.51
Site Preparation	40.50	21.15	8.74	5.56
Grading	24.74	15.86	3.59	2.31
Building Construction, Paving, and Architectural Coating	31.88	33.05	1.73	1.61
Maximum Daily Emissions	*40.50*	*33.05*	*8.74*	*5.56*
SCAQMD Localized Screening Threshold (3.5 acres of disturbance at 25 meters)	220	1,339	11	6

Table 4.2-20: Malaga Localized Significance of Emissions – Maximum Pounds per Day				
Source/Activity	**Emissions (pounds per day)[1,2]**			
	NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
Maximum Daily Emissions Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**
Operational Emissions				
On-Site Emissions (Area and Energy Sources)	0.45	10.55	0.08	0.08
SCAQMD Localized Screening Threshold (5 acres at 25 meters)	270	1,720	4	2
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**

Notes:
1. Emissions were calculated using the California Emissions Estimator Model version 2016.3.2 (CalEEMod), as recommended by the SCAQMD. Worst-case seasonal maximum daily emissions are reported.
2. SCAQMD Rule 403 Fugitive Dust applied for construction emissions. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; replace ground cover of area disturbed; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix A of Appendix B for Model Data Outputs.

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B for model data outputs.

Carbon Monoxide Hotspots

The Malaga site, should it be redeveloped, would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's 2003 CO hot-spot analysis. As the CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection even as it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections from 922 daily vehicle trips attributable to the Project(820 net new daily trips). Therefore, impacts would be less than significant in this regard.

PALMETTO SITE

The nearest sensitive receptors to the Palmetto site are the residences to west on the opposite side of Palmetto Avenue. These residences are located approximately 46 feet (14 meters) from away. The SCAQMD provides the *Final Localized Significance Threshold Methodology* (dated June 2003 [revised 2008]) for guidance in determining impacts with Project specific level proposed projects. Construction emissions were based on the CalEEMod using equipment hours and maximum daily soil disturbance. **Table 4.2- 21,** *Palmetto Site Equipment Specific Grading Rates* shows the maximum daily disturbed acrege.

Table 4.2-21: Equipment-Specific Grading Rates

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Site Preparation	Crawler Tractor	4	0.5	8	2.0
	Graders	0	0.5	8	0
	Rubber-Tired Dozers	3	0.5	8	1.5
	Scrapers	0	1.0	8	0
				Total Acres Graded per Day	**3.5**

Source: CalEEMod version 2016.3.2.

Table 4.2-22, *Palmetto Site Localized Significance of Construction Emissions*, presents the results of localized emissions during construction activity. The emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts would not occur concerning LSTs during construction activities.

Table 4.2-22 -Palmetto Site Localized Significance of Emissions – Maximum Pounds per Day

Source/Activity	Emissions (pounds per day)[1,2]			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Construction Emissions				
Demolition	31.44	21.57	1.81	1.48
Site Preparation	40.50	21.15	8.74	5.56
Grading	24.74	15.86	3.59	2.31
Building Construction, Paving, and Architectural Coating	31.88	33.05	1.73	1.61
Maximum Daily Emissions	*40.50*	*33.05*	*8.74*	*5.56*
SCAQMD Localized Screening Threshold (3.5 acres of disturbance at 25 meters)	220	1,339	11	6
Maximum Daily Emissions Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**
Operational Emissions				
On-Site Emissions (Area and Energy Sources)	0.29	6.61	0.05	0.05
SCAQMD Localized Screening Threshold (3.6 acres at 25 meters)	223	1,364	3	2
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**

Notes:
1. Emissions were calculated using the California Emissions Estimator Model version 2016.3.2 (CalEEMod), as recommended by the SCAQMD. Worst-case seasonal maximum daily emissions are reported.
2. SCAQMD Rule 403 Fugitive Dust applied for construction emissions. The Rule 403 reduction/credits include the following: properly maintain mobile and other construction equipment; replace ground cover in disturbed areas quickly; water exposed surfaces three times daily; replace ground cover of area disturbed; water all haul roads twice daily; and limit speeds on unpaved roads to 15 miles per hour. Reductions percentages from the SCAQMD CEQA Handbook (Tables XI-A through XI-E) were applied. No mitigation was applied to construction equipment. Refer to Appendix A of Appendix B for Model Data Outputs.

Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B for model data outputs.

Carbon Monoxide Hotspots

The Palmetto site, should it be redeveloped, would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's 2003 CO hot-spot analysis. As the CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection even as it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections from 578 daily vehicle trips attributable to the Project (520 net new daily trips). Therefore, impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

HEALTH RISK ANALYSIS

Warehouse Site

A HRA was prepared for the Warehouse site using air dispersion modeling (EPA AERMOD). Health risks are determined by examining the types and levels of air toxics generated and the associated impacts to air quality. The risks evaluated in this Health Risk Assessment related to Cancer Risk and Non-Cancer Risk, which are explained below.

Cancer risk is expressed in terms of expected incremental incidence per million population. The SCAQMD has established an incidence rate of 10 persons per million as the maximum acceptable incremental cancer risk due to DPM exposure. This threshold serves to determine whether or not a given Project has a potentially significant development-specific and cumulative impact. The 10 in one million standard is a health-protective significance threshold. A risk level of 10 in one million implies a likelihood that up to 10 persons, out of one million equally exposed people would contract cancer if exposed continuously (24 hours per day) to the levels of toxic air contaminants over a specified duration of time.

Noncarcinogenic risks are quantified by calculating a "hazard index," (HI) expressed as the ratio between the ambient pollutant concentration and its toxicity or Reference Exposure Level (REL). An REL is a concentration at or below which health effects are not likely to occur. A hazard index of less than 1.0 means that adverse health effects are not expected. Within this analysis, non-carcinogenic exposures of less than 1.0 are considered less than significant.

Construction

Construction would generate DPM emissions from the use of diesel equipment from the exhaust of off-road, heavy-duty diesel equipment for site preparation (e.g., clearing, grading); paving; application of architectural coatings; on-road truck travel; and other miscellaneous construction related activities. The duration of construction activities for the Warehouse site is estimated to take approximately 15 months. For construction activity, diesel PM is the primary toxic air contaminant of concern. Diesel exhaust from construction equipment operating at the site poses a health risk to nearby sensitive receptors and could pose a health risk. The closest sensitive receptors to the Warehouse site are residences approximately 215 feet southwest of the site boundary. The nearest school to the Warehouse site is a private music school located approximately 0.3 miles (1,580 feet) north of the site.

Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. Maximum (worst case) PM_{10} exhaust construction emissions over the entire construction period were used in AERMOD to approximate construction DPM emissions and risk levels were calculated according to the California Office of Environmental Health Hazard Assessment (OEHHA) guidance document, *Air Toxics Hot Spots Program Risk Assessment Guidelines* (February 2015). This data was used to make the health risk computation using the CARB Risk Assessment Standalone Tool (RAST). The cancer risk calculations were based on applying age sensitivity weighting factors for each emissions period modeled. Age-sensitivity factors reflect the greater sensitivity of infants and small children to cancer causing TACs. The chronic and carcinogenic health risk calculations are based on the standardized equations contained in the OEHHA Guidance Manual. Only the risk associated with the worst-case location of the Warehouse site was assessed.

To calculate potential risk from PM_{10}, construction emissions rates were calculated in grams per second based on the total annual mitigated on-site exhaust emissions reported in CalEEMod (a maximum of 0.08 tons per year mitigated). It should be noted that although construction would span 15 months, the modeling conservatively uses the year with the highest emission for each phase. Annual emissions were converted to grams per second and these emissions rates were input into AERMOD.

As noted above, maximum (worst case) PM_{10} exhaust construction emissions over the entire construction period were used in AERMOD to approximate construction DPM emissions. Risk levels were calculated based on the California Office of Environmental Health Hazard Assessment (OEHHA) guidance document, Air Toxics Hot Spots Program Risk Assessment Guidelines (February 2015). Results of this assessment are summarized in **Table 4.2-23**, *Construction Risk*.

Table 4.2-23: Construction Risk

Exposure Scenario	Pollutant Concentration ($\mu g/m^3$)	Maximum Cancer Risk (Risk per Million)	Chronic Noncancer Hazard	Acute Noncancer Hazard
Unmitigated Construction				
Construction	0.089	15.7	0.018	0.181
Threshold	*N/A*	*10 in one million*	*1.0*	*1.0*
Threshold Exceeded	**No**	**Yes**	**No**	**No**
Mitigated Construction (Tier 4)				
Mitigated Construction[1]	0.056	8.89	0.010	0.112
Threshold	*N/A*	*10 in one million*	*1.0*	*1.0*
Threshold Exceeded	**No**	**No**	**No**	**No**

1. Heavy-duty off-road construction equipment would be required to meet CARB Tier 4 Final emissions standards per Mitigation Measure HRA-1.
Refer to Appendix A of Appendix B of this DEIR.

Results of this assessment indicate that the unmitigated maximum concentration of PM_{10} during construction would be 0.089 $\mu g/m^3$ and resultant cancer risk of 15.7 in one million, which would exceed the SCAQMD threshold of 10 in one million. Non-cancer hazards for diesel PM would be below SCAQMD threshold of 1.0, with a chronic hazard index computed at 0.018 and an acute hazard index of 0.181.

To help reduce emissions, construction activities would limit idling to no more than five minutes, which would reduce impacts to nearby sensitive receptors' and minimize exposure to temporary and variable DPM emissions. Emission concentration also would be dispersed throughout the site because emissions would be generated from different locations on the Warehouse site as construction would not occur in a single location because site preparation and building construction would be concurrent not anticipated to occur at the same place at the same time resulting in concentration emission points.

In addition, to further reduce the diesel PM cancer risk during construction activities, Mitigation Measure **MM- AQ-2**, would be implemented, which would require construction equipment to meet CARB Tier 4 Final emissions standards. This measure would reduce the maximum concentration of PM_{10} during construction to 0.056 $\mu g/m^3$. Maximum cancer risk from construction of the Warehouse site would decrease to 8.89 per million. Additionally, acute and chronic hazards would be lowered to 0.010 and 0.112 respectively. Therefore, with mitigation construction risk levels would be less than then aforementioned SCAQMD thresholds.

Operations

The operational emission sources include the loading dock idling areas, on-site truck circulation, and off-site truck routes. AERMOD was run to obtain the peak 1-hour and annual average concentration in micrograms per cubic meter ($\mu g/m^3$) of PM_{10} at the nearby sensitive receptors and to estimate annual average concentrations to calculate the Maximum Individual Cancer Risk (MICR), the maximum chronic HI, the zones of impact, and excess cancer burden, as well as peak hourly concentrations to calculate the health impact from substances with acute non-cancer health effects. The modeling and analysis was prepared in accordance with the SCAQMD Modeling Guidance for AERMOD.[5] From this information, a health risk computation was performed to determine the risk of developing an excess cancer risk calculated on these worst-case exposure duration scenarios. The chronic and carcinogenic health risk calculations are based on the standardized equations contained in the OEHHA Guidance Manual, and assessed the worst-case location of the Warehouse site.

Risk and Hazard Assessment

Cancer Risk

Cancer risk is based on the OEHHA methodology using benzene concentrations and calculated by multiplying the daily inhalation dose, cancer potency factor, age sensitivity factor (ASF), frequency of time spent at home, and exposure duration divided by averaging time, yielding the excess cancer risk. It is important to note that exposure duration is based on continual heavy truck operation along nearby roadways. OEHHA developed ASFs to consider the increased sensitivity to carcinogens during early-life exposure, which is presented in **Table 4.2-24**, *Default Age Sensitivity Factors and Fraction of Time at Home*, below as recommended by OEHHA.

Table 4.2-24: Default Age Sensitivity Factors and Fraction of Time at Home

Age	Default Age Sensitivity Factor[1] (ASF)	Fraction of Time at Home (FAH)
Third trimester to age 2 years	10	85%
Ages 2 through 15 years	3	72%
Ages 16 and greater	1	73%

[1] Accounts for potential increased sensitivity to carcinogens during childhood.
Source: California Office of Environmental Health Hazard Assessment, *Air Toxics Program Guidance Manual for the Preparation of Health Risk Assessments*, February 2015.

Chronic Non-Cancer Hazard

Non-cancer chronic impacts are calculated by dividing the annual average concentration by the REL for that substance. The REL is defined as the concentration at which no adverse non-cancer health effects are anticipated.

[5] South Coast Air Quality Management District, *SCAQMD Modeling Guidance for AERMOD*, http://www.aqmd.gov/home/air-quality/meteorological-data/modeling-guidance, accessed March 12, 2020.

Acute Non-Cancer Hazard

The potential for acute non-cancer hazards is evaluated by comparing the maximum short-term exposure level to an acute REL. RELs are designed to protect sensitive individuals within the population. The calculation of acute non-cancer impacts is similar to the procedure for chronic non-cancer impacts.

Carcinogenic Risk

Vehicle DPM emissions were estimated using emission factors for course particulate matter less than 10 microns in diameter (PM10) generated with the EMFAC developed by CARB. The model includes the emissions benefits of the truck and bus rule and the previously adopted rules for other on-road diesel equipment. For the Warehouse site, annual average PM_{10} emission factors were generated by running EMFAC for vehicles in the SCAQMD within the South Coast portion of San Bernardino County.

The highest expected hourly average diesel PM10 emission concentrations from diesel truck traffic near sensitive receptors would be 0.0144 µg/m3. The highest expected annual average diesel PM10 emission concentrations near sensitive receptors would be 0.0038 µg/m3. The calculations conservatively assume no cleaner technology with lower emissions in future years. As shown in **Table 4.2-25**, *Operational Risk*, the highest calculated carcinogenic risk resulting from the Project is 2.58 per million residents. Table 4.2-23 shows that impacts related to cancer risk would be less than significant at nearby residential communities. Therefore, the warehouse would not adversely impact neighboring disadvantaged communities (as defined by CalEnviroScreen).

Table 4.2-25: Operational Risk

Exposure Scenario	Maximum Cancer Risk (Risk per Million)[1, 2]	Significance Threshold (Risk per Million)	Exceeds Significance Threshold?
Residents	2.58	10	No

[1] Refer to Appendix A of Appendix B of this DEIR.

[2] The maximum cancer risk would be experienced at the residential uses located at the northwest corner of the Sierra Avenue and Sierra Lakes Parkway intersection based on worst-case exposure durations for the Project, 95th percentile breathing rates, and 30-year averaging time.

Non-Carcinogenic Hazards

The significance thresholds for TAC exposure also require an evaluation of non-cancer risk stated in terms of a hazard index. Non-cancer chronic impacts are calculated by dividing the annual average concentration by the REL for that substance. The calculation of acute non-cancer impacts is similar to the procedure for chronic non-cancer impacts. An acute or chronic hazard index of 1.0 is considered individually significant. The hazard index is calculated by dividing the acute or chronic exposure by the reference exposure level. The highest maximum chronic and acute hazard index associated with both DPM and acrolein emissions from the warehouse site would be 0.0007 and 0.0055, respectively. Therefore, non-carcinogenic hazards are calculated to be within acceptable limits and a less than significant impact would occur.

Based on the above information, impacts related to cancer risk would be less than significant with implementation of standard construction equipment operations including reductions to idling times, etc. In addition, the Mitigation Measure AQ 2, would be implemented. It should be noted that the impacts assess the Warehouse sites incremental contribution to health risk impacts is consistent with the SCAQMD guidance and methodology and impacts would be less than significant.

MITIGATION MEASURE

MM AQ-2 Off-Road Diesel-Powered Construction Equipment. Prior to issuance of grading permits, the applicant shall prepare and submit documentation to the City of Fontana that demonstrate that all off-road diesel-powered construction equipment greater than 50 horsepower meets California Air Resources Board Tier 4 Final off-road emissions standards.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

MALAGA SITE

An HRA for the Malaga site was not required and was not completed. There were no sources of TAC's within 1,000 feet of the Malaga site. The Malaga site is approximately 5,700 feet from the Metrolink Bernardino line railway which is outside the distance that would require evaluation. As discussed below, the Palmetto site is within approximately 785 feet for the railway and an HRA was prepared. The results of the HRA showed that impacts from TACs would be less than significant in this regard. Therefore, because the Malaga site is approximately seven times further away, impacts also would be less than significant.

PALMETTO SITE

The Palmetto site is located approximately 785 feet north of the Metrolink San Bernardino line railway. According to Metrolink's Q3 '18-19 Fact Sheet,2 38 Metrolink trains pass through the City of Fontana each day on this rail line. As such, locomotive diesel engine emissions during Metrolink pass-bys could result in pollutant concentrations at the Palmetto site. The air dispersion modeling for the HRA to determine potential impacts at the Palmetto site was performed using the EPA AERMOD dispersion model. AERMOD was run to obtain the peak 1-hour and annual average concentration in micrograms per cubic meter (µg/m3) of PM10 at the proposed Project's future sensitive receptors. Given the Palmetto site's size, on-site receptors were conservatively modeled with a 15-meter grid spacing. In addition, National Elevation Dataset (NED) terrain data was imported into AERMOD for the Palmetto site. The modeling and analysis was prepared in accordance with the SCAQMD Modeling Guidance for AERMOD.[6]

Carcinogenic Risk

DPM emissions from train Metrolink locomotives were estimated using line-haul emission factors for PM10 from the U.S. EPA Emissions Factors for Locomotives report, and information derived from the Metrolink Q3 '18-19 Fact Sheet for San Bernardino line railway operations.

The U.S. EPA has established emission standards for oxides of nitrogen (NOx), hydrocarbons (HC), carbon monoxide (CO), particulate matter (PM) and smoke for newly manufactured and remanufactured locomotives. These standards, which are codified at 40 CFR part 1033, include several sets of emission standards with applicability dependent on the date a locomotive is first manufactured. The first set of standards (Tier 0) applies to most locomotives originally manufactured before 2001. The most stringent

[6] South Coast Air Quality Management District, SCAQMD Modeling Guidance for AERMOD, https://www.aqmd.gov/home/air-quality/meteorological-data/modeling-guidance, October 2019.

set of standards (Tier 4) applies to locomotives originally manufactured in 2015 and later. For the Palmetto site, annual average PM10 emission factors were calculated based on the speed, horsepower, travel length and time, number of train pass-bys (38 daily), and a line-haul emissions factor of 0.02 g/bhp-hr for Tier 4 locomotive engines.[7]

Based on the AERMOD outputs, the highest expected hourly average diesel PM10 emission concentrations from Metrolink train pass-bys along the San Bernardino railway line near sensitive receptors would be 0.026 µg/m3. The highest expected annual average diesel PM10 emission concentrations near sensitive receptors would be 0.0095 µg/m3. The calculations conservatively assume no cleaner technology with lower emissions in future years. As shown in **Table 4.2-26**, *Palmetto Site Risk Assessment Results*, the highest calculated carcinogenic risk resulting from the Project is 8.25 per million residents. As shown, impacts related to cancer risk would be less than significant at on-site residential uses.

Table 4.2-26: Palmetto Site Risk Assessment Results

Exposure Scenario	Maximum Cancer Risk (Risk per Million)[1, 2]	Significance Threshold (Risk per Million)	Exceeds Significance Threshold?
Residents	8.25	10	No

1. Refer to Appendix A of Appendix B of this DEIR.
2. The maximum cancer risk would be experienced at the southeastern corner of the Palmetto Replacement site based on worst-case exposure durations for the Project, 95th percentile breathing rates, and 30-year averaging time.

Non-Carcinogenic Hazards

The significance thresholds for TAC exposure also require an evaluation of non-cancer risk stated in terms of a hazard index. Non-cancer chronic impacts are calculated by dividing the annual average concentration by the Reference Exposure Level (REL) for that substance. The REL is defined as the concentration at which no adverse non-cancer health effects are anticipated. The potential for acute non-cancer hazards is evaluated by comparing the maximum short-term exposure level to an acute EL. RELs are designed to protect sensitive individuals within the population. The calculation of acute non-cancer impacts is similar to the procedure for chronic non-cancer impacts.

An acute or chronic hazard index of 1.0 is considered individually significant. The hazard index is calculated by dividing the acute or chronic exposure by the reference exposure level. The highest maximum chronic and acute hazard index associated with both DPM and acrolein emissions from the Palmetto site would be 0.002 and 0.01, respectively. Therefore, non-carcinogenic hazards are calculated to be within acceptable limits and a less than significant impact would result.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

[7] Metrolink upgraded its locomotive fleet to Tier 4 engines in 2018: https://metrolinktrains.com/news/metrolink-news/metrolinks-new-tier-4-clean-locomotives-in-servicetoday/.

Impact 4.2-4: Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Construction and Operations

The SCAQMD *CEQA Air Quality Handbook* identifies certain land uses as sources of odors. These land uses include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources.

During construction-related activities, some odors (not substantial pollutant concentrations) that may be detected are those typical of construction vehicles (e.g., diesel exhaust from grading and construction equipment). These odors are a temporary short-term impact that is typical of construction projects and would disperse rapidly. The proposed Project would not include any of the land uses that have been identified by the SCAQMD as odor sources. The warehouse would not be a substantial source or odors and if the Malaga and Palmetto sites are redeveloped, they would operate as residential developments which are not inherently odor producing. Therefore, the proposed Project would not create objectionable odors.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.2.6 CUMULATIVE IMPACTS

WAREHOUSE, MALAGA, AND PALMETTO SITES

Cumulative Short-Term Emissions

The specific cumulative analysis for the criteria pollutants was evaluated in Impact 4.2-2. The SCAB is designated nonattainment for O3, PM10, and PM2.5 for State standards and nonattainment for O3 and PM2.5 for Federal standards. Appendix D of the SCAQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project-specific SCAQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. The mass-based regional significance thresholds published by the SCAQMD are designed to ensure compliance with both NAAQS and CAAQS and are based on an inventory of projected emissions in the SCAB. Therefore, if a Project is estimated to result in emissions that do not exceed the thresholds, that project's contribution to the cumulative impact on air quality in the SCAB would not be cumulatively considerable. The proposed Project, including the Warehouse site, and Malaga and Palmetto sites if they are constructed, would not by themselves exceed the SCAQMD significance thresholds for criteria pollutants. It also should be noted that only the Warehouse site is anticipated to be developed in the near term.

Neither the Malaga or Palmetto sites are proposed to be developed, there are no existing plans for development, and no development applications are in place. Therefore, the proposed Project would not generate a cumulatively considerable contribution to air pollutant emissions during construction.

The SCAQMD allows for growth within the region and has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the FCAA mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout the SCAB, which would include related projects. Compliance with SCAQMD rules and regulations would further reduce the Project construction-related impacts. Therefore, Project-related construction emissions, combined with those from other projects in the area, would not substantially deteriorate local air quality. Construction emissions associated with the proposed Project would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

Cumulative Long-Term Impacts

The SCAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single Project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, individual Project emissions contribute to existing cumulatively significant adverse air quality impacts. The SCAQMD developed the operational thresholds of significance based on the level above which individual Project emissions would result in a cumulatively considerable contribution to the SCAB's existing air quality conditions. Therefore, a Project that exceeds the SCAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact.

The proposed Projects individual operational emissions would not exceed SCAQMD thresholds. Additionally, as discussed above, only the Warehouse site is anticipated to be developed in the near term. Neither the Malaga or Palmetto sites are proposed to be developed, there are no existing plans for development, and no development applications are in place. When evaluated individually, the Project operations of each of the three sites would not contribute a cumulatively considerable net increase of any nonattainment criteria pollutant. However, as described below in Impact 4.2-2, construction and operational air quality emissions generated by the proposed Project when the air quality emissions from all three sites are combined, would exceed SCAQMD's emissions thresholds for NOx. Because the proposed Project would exceed these thresholds, the proposed Project would potentially conflict with SCAQMD's Air Quality Management Plan and impacts would be significant and unavoidable.

4.2.7 SIGNIFICANT UNAVOIDABLE IMPACTS

Significant unavoidable impacts from NOx air quality emissions have been identified as a result of the combined development of the Warehouse, Malaga, and Palmetto sites.

4.3 BIOLOGICAL RESOURCES

4.3.1 INTRODUCTION

This section describes effects on biological resources that may result from implementation of the proposed Project which includes upzoning of the Malaga and Palmetto Project sites. The following discussion addresses existing environmental conditions in the affected areas, identifies and analyzes environmental impacts of the proposed Project, and recommends measures to reduce or avoid significant impacts anticipated from implementation of the proposed Project. This includes construction and operation of the Warehouse site, and upzoning of the Malaga and Palmetto sites. In addition, existing laws and regulations relevant to biological resources are described. In some cases, compliance with these existing laws and regulations will serve to reduce or avoid certain impacts that might otherwise occur with the implementation of the proposed Project.

The setting, context, and impact analysis in this section are based primarily on the Biological Resource Studies conducted by Jericho Systems, Inc that are contained in Appendix C-1 and C-2, *Biological Resources Assessment (BRA)* and *Biological Screening Memo for Replacement Sites,* respectively. Field surveys were conducted on July 11 and July 13, 2019 for the Warehouse site and February 21, 2020 for the Malaga and Palmetto sites. These studies include biological and habitat surveys and research of existing data pertaining to the study area and evaluate the Project sites as well as the vicinity of the Project sites (study area).

All field surveys for all project sites were conducted in conformance with existing protocols for species of interest to identify any plant communities, listed plant species, listed wildlife species, and wildlife habitat present on the Project site. In addition to the field surveys, literature reviews were conducted to determine if any recent records of sensitive biological resources have been recorded on or in the vicinity of the Warehouse and Malaga and Palmetto sites. The natural inventories included resources identified in the U.S. Fish and Wildlife (USFWS) threatened and endangered species occurrence GIS overlay; USFWS Information for Planning and Consultation System (IPaC); USFWS Designated Critical Habitat Maps; the California Natural Diversity Database (CNDDB); CNDDB Biogeographic Information and Observation Inventory (CNPSEI) database; Calflora database, USFWS National Wetland Inventory; Environmental Protection Agency (EPA) Water Program; California Department of Fish and Wildlife (CDFW) Special Animals List; sensitive plant species habitats and blooming periods taken from Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP); soils classifications obtained from Knecht; the California Native Plant Society (CNPS) online database; and other *Fontana* and *Devore* USGS databases were searched to obtain a list of sensitive animal and plant species with potential to occur on the properties.

Information from the literature reviews and databases were used to generate a list of special-status plant and animal species that may have the potential to occur within the Project sites and adjacent areas that could be affected by construction or operation of the warehouse and potential construction and operation of the Malaga and Palmetto sites. For the purposes of this assessment, special-status species are defined as plants or animals that:

- Are designated as either rare, threatened, or endangered by CDFW or the U.S. Fish and Wildlife Service (USFWS), and are protected under either the California or Federal Endangered Species Act (ESA);
- Are candidate species being considered or proposed for listing under these same acts;
- Are considered Species of Special Concern by CDFW;
- Are fully protected by the California State Fish and Game Code (FGC), Sections 3511, 4700, 5050, or 5515; or
- Are classified as List 1, 2, 3, or 4 by CNPS.

4.3.2 ENVIRONMENTAL SETTING

BIOLOGICAL RESOURCES SURVEYS

The database searches within CNDDB, IPAC, and CNPS identified 32 sensitive species (12 plant, 19 animal, and 1 invertebrate) and 3 sensitive habitats that occur in the region and that could occur within the Warehouse site. The database search conducted for the Malaga and Palmetto sites showed 32 sensitive species listed within the Fontana quadrangle in which these sites are located. Of these species, 12 are State and/or federally listed as threatened, endangered, or candidate endangered. A site assessment to evaluate the potential for any of these species, including migratory or nesting birds to occur within the three Project sites was conducted. **Table 4.3-1** – *Table of Database Queries (CNDDB, IPAC, CNPSEI*), shows these results in tabular form below. **Figure 4.3-1** – *Three Mile Species Occurrences,* shows occurrences for listed species graphically.

Wildlife species were detected during field surveys by sight, calls, tracks, scat, or other signs. In addition, attempted observations of species were made, and expected wildlife usage of the site was determined based on known habitat preferences of regional wildlife and knowledge of their relative distributions in the area. The focus of the faunal species surveys was to identify potential habitat for special status wildlife within the Project sites. Disturbance characteristics and all animal sign encountered on the sites was recorded.

Based on the characteristics of each site, a determination regarding the potential for species presence was made. Due to their presence in the region, the federally endangered San Bernardino Kangaroo Rat (SBKR), State species of special concern Los Angeles Pocket mouse (LAPM), and federally threatened California gnatcatcher (CAGN) were given additional consideration.

VEGETATION MAPPING

Warehouse Site- Habitat on Warehouse site consists of coastal sage scrub and chamise chaparral mixed with dense non-native grasses and native annuals and perennials. Some of the native vegetative species on-site include California buckwheat (*Eriogonum fasciculatum)*, chamise (*Adenostoma fasciculatum*), deerweed (*Lotus scoparius*), *Lupinus bicolor*, *Phacelia distans, Heterotheca grandiflora, Cryptantha intermedia*, *Camissoniopsis bistorta,* and *Amsinckia menziesii*. The non-native vegetation present within the project area consists of red brome (*Bromus rubens),* ripgut brome (*Bromus diandrus*), wild oat (*Avena barbata*) with redstem filaree (*Erodium cicutarium*) and mustard (*Barssica incana*).

Malaga Site and Palmetto Sites –The Malaga Site and the Palmetto Site are both in existing urbanized communities and vegetation on the sites is ornamental consisting of shrubs, tree, and potted plants and

a few open areas consisting of non-native grasses and ruderal vegetation. Both areas are surrounded by existing residential and commercial development and adjacent to roadways. The sites are built with predominantly single-family residential uses, a church and parking lot on the Palmetto site, and a few undeveloped lots. There is no natural or native habitat on the sites or in the surrounding area and animals in the vicinity include domestic dogs and cats. Evaluations of the sites revealed no sensitive plant or animal species. There are no areas that could potentially support listed species, or any sensitive species known to occur locally. There are no waters, wetlands, or associated resources.

WILDLIFE SPECIES

Warehouse Site

Based on the records search and site visit, the Warehouse was found to contain some wildlife species and may include the potential to provide habitat for four special status species. Wildlife species observed or otherwise detected on-site during the surveys included: mourning dove, black phoebe (*Sayornis nigricans*), lesser goldfinch (*Spinus psaltria*), California towhee (*Melozone fusca*), spotted towhee (*Pipilo maculatus*), house finch (*Haemorhous mexicanus*), Say's phoebe (*Sayornis saya*), western kingbird (*Tyrannus melancholicus*), Cassin's kingbird (*Tyrannus vociferans*), northern mockingbird (*Mimus polyglottos*), and coyote (*Canis latrans*). Small mammal burrows were found throughout the site.

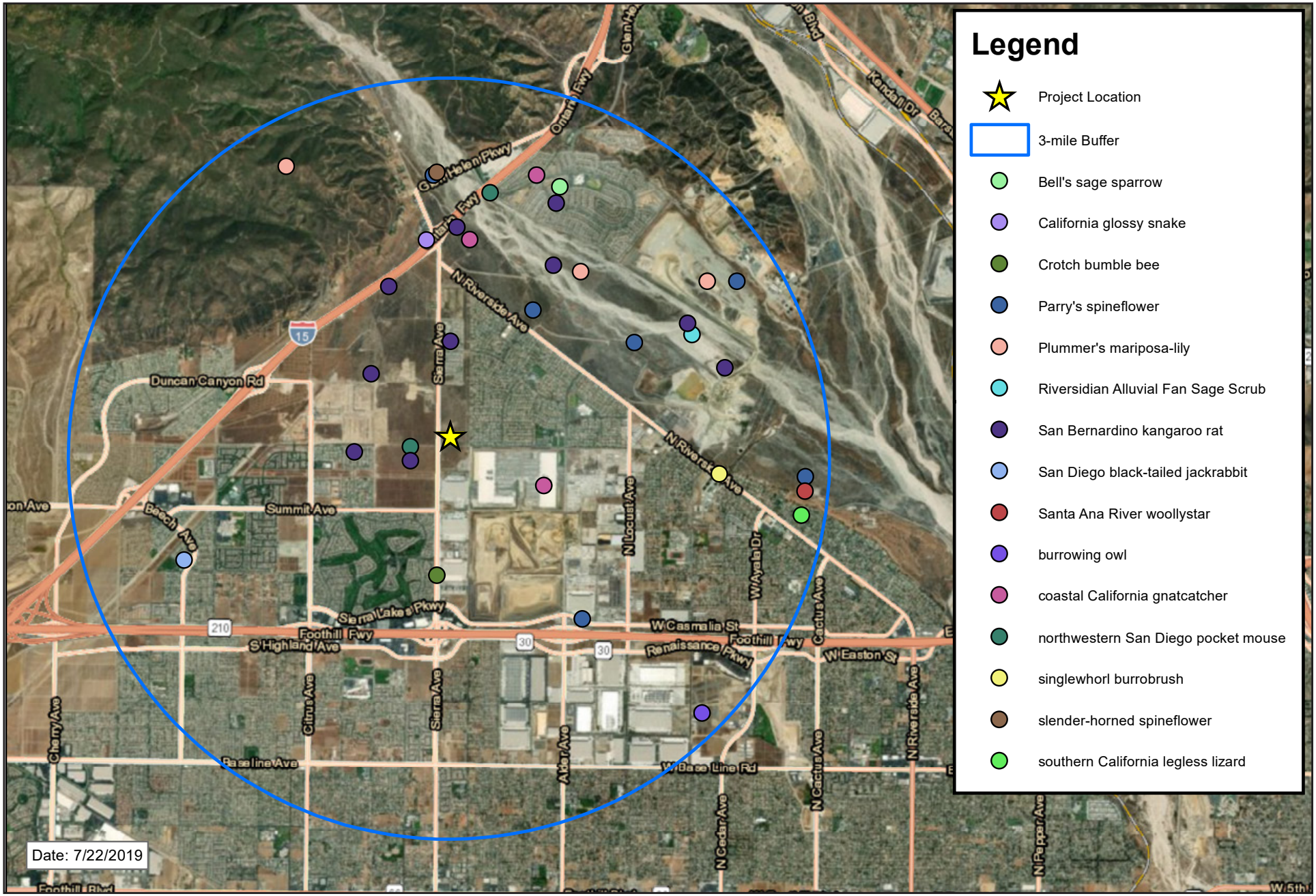
Due to the dense grass load on the Warehouse site, there is a low potential for occurrence of burrowing owl (BUOW). This species is not typically associated with dense habitat structures including dense grasses, such as the conditions found on site. The Warehouse site however, is potentially suitable for San Bernardino Kangaroo Rat (SBKR), Los Angeles Pocket Mouse (LAPM), and California Gnatcatcher (CAGN). These species are discussed in additional detail below.

San Bernardino Kangaroo Rat (SBKR)

The SBKR is one of several kangaroo rat species in this range. The Dulzura kangaroo rat (*Dipodomys simulans*), the Pacific kangaroo rat (*D. agilis*) and the Stephens kangaroo rat (*D. stephensi*) can occur in areas occupied by the SBKR, but these other species have a wider habitat range. The habitat of the SBKR is confined to primary and secondary alluvial fan scrub habitats, with sandy soils deposited by fluvial (water) rather than aeolian (wind) processes. Burrows are dug in loose soil, usually near or beneath shrubs. SBKR, are confined to inland valley scrub communities, and more particularly, to scrub communities occurring along rivers, streams and drainages. Many of these drainages in their historical range have been altered as a result of flood control efforts an increased use of river resources, as well as mining, off-road vehicle uses and development. This increased use of river resources has resulted in a reduction in both the amount and quality of habitat available for the SBKR. The past habitat losses and potential future losses prompted the emergency listing of the SBKR as an endangered species.

In general, the Warehouse site contains the habitat elements typically associated with SBKR. The on-site non-native grass component reduces habitat value for the SBKR, but the site is potentially suitable. There are several documented occurrences of SBKR in the immediate vicinity of the Warehouse site and the Warehouse site is mapped as containing critical habitat for SBKR, as shown in **Figure 4.3-2** – *SBKR USFWS Designated Critical Habitat*. For these reasons, absence cannot be determined without a focused presence/absence survey.

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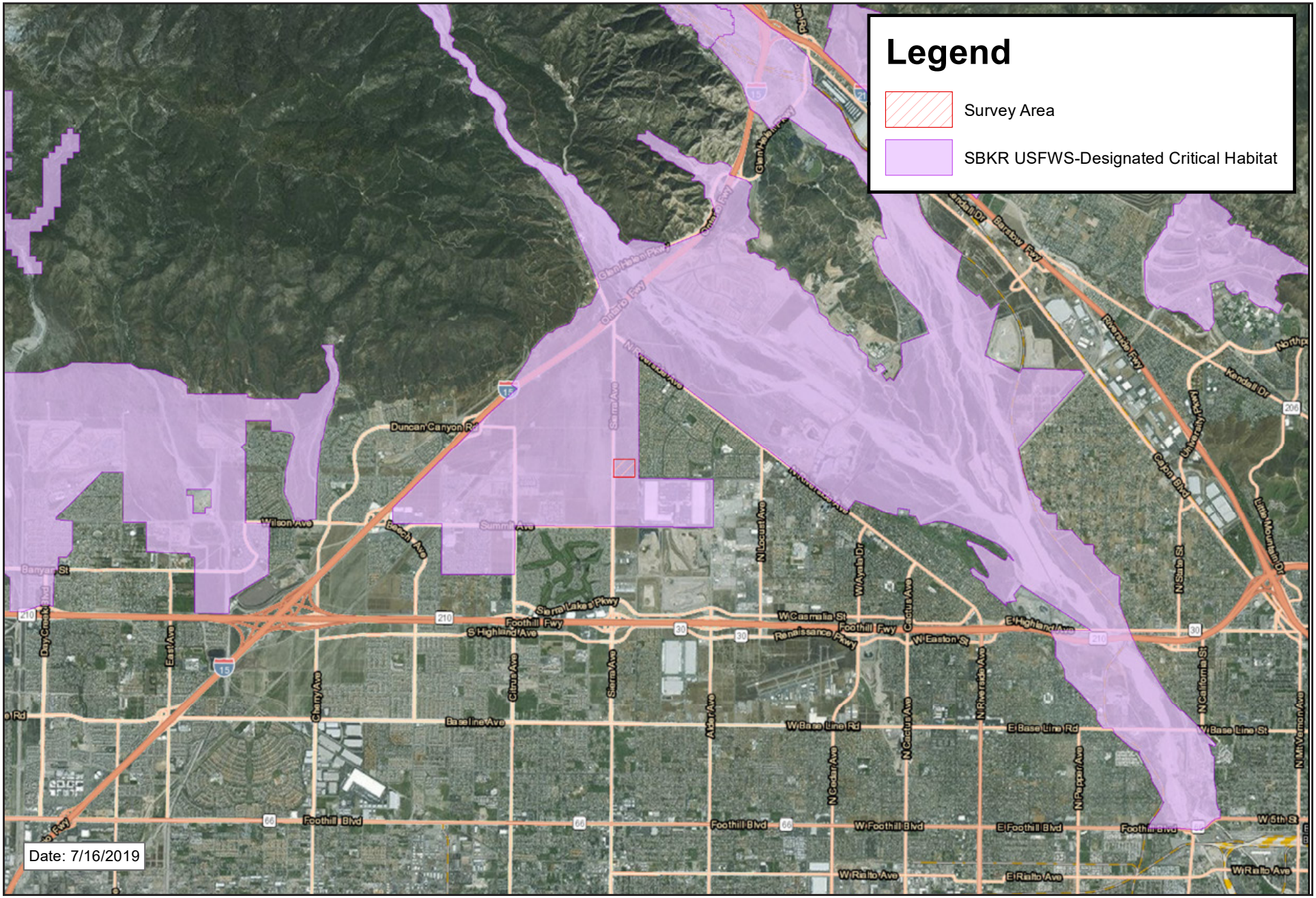
Source: Jericho Systems, 2019

FIGURE 4.3-1: 3-Miles Species Occurrences
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Not to scale

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Source: Jericho Systems, 2019

FIGURE 4.3-2: SBKR Critical Habitat
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Not to scale

Kimley»Horn

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Los Angeles Pocket Mouse (LAPM)

The LAPM is one of two pocket mice found in this area of San Bernardino County. Both the LAPM and the San Diego pocket mouse occupy similar habitats, but the San Diego pocket mouse has a wider range extending south into San Diego County. The habitat of the LAPM is confined to lower elevation grasslands and coast sage scrub habitats, in areas with soils composed of fine sands. The present known distribution of this species extends from Rancho Cucamonga east to Morongo and south to the San Diego County border. LAPM forages in open ground and underneath shrubs. Pocket mice in general dig burrows in loose soil, although this has not been completely documented for this subspecies. The LAPM is listed as a Species of Special Concern (SSC) by the CDFW.

The Warehouse site contains marginally suitable habitat for LAPM and there are several documented occurrences of LAPM to the north and south of the Warehouse site. No protocol surveys were conducted as part of this assessment, therefore presence or absence of LAPM was not determined, only their potential to occur. Potential of occurrence for LAPM is moderate. Presence or absence of LAPM cannot be presumed without a focused presence/absence survey.

California Gnatcatcher (CAGN)

CAGN is a federally listed Threatened Species and year-round residents of the coastal sage scrub vegetative community in southern California. It is a small thrush-like songbird approximately 4 to 5 inches in length with dark, blue-gray plumage above and gray-white plumage below. Nest building begins during the second or third week of March. The range and distribution of the CAGN is closely aligned with coastal scrub vegetation. This vegetation is typified by low 3 feet, shrub and sub-shrub species that are often drought-deciduous. The coastal scrub plant communities that overlap the range of the gnatcatcher include Venturan, Diegan, and Riversidean coastal sage scrub communities, and Martirian and Vizcainan coastal succulent scrub communities. The CAGN was listed as Threatened in 1992. According to the “Final Critical Habitat mapping Unit #12" for San Bernardino County, this site is not located within designated critical habitat for the CAGN. The site contains habitat potentially suitable for CAGN and absence cannot be determined without survey.

Burrowing Owl (BUOW)

BUOW are known to occur locally within suitable habitat areas. BUOW is a ground-dwelling owl typically found in arid prairies, fields, and open areas where vegetation is sparse and low to the ground. The BUOW depends on the presence of mammal burrows, i.e., ground squirrel burrows to provide shelter from predators, inclement weather and to provide a nesting place. They are also known to make use of human-created structures, such as cement culverts and pipes, for burrows. They feed primarily on insects but will also take small rodents, birds, and reptiles. The BUOW is not listed under the State or Federal Endangered Species Act but is considered both a State and federal SSC. The BUOW is protected by the international treaty under the Migratory Bird Treaty Act of 1918 and by State law under the California Fish and Game Code (CDFG Code #3513& #3503.5).

Per the definition provided in the *2012 CDFG Staff Report on Burrowing Owl Mitigation*, “Burrowing owl habitat generally includes, but is not limited to, short or sparse vegetation (at least at some time of year), presence of burrows, burrow surrogates or presence of fossorial mammal dens, well-drained soils, and abundant and available prey.”

Therefore, the Warehouse site and immediate vicinity does not contain suitable habitat for this species for the following reasons:

- Vegetation is not sparse or low to the ground;
- Burrows on-site are small mammal burrows that are not of the appropriate size shape or aspect for BUOW. No ground squirrel burrows were present; and
- Presence of predators (coyote).

No evidence of BUOW was found in the survey area and no individuals were observed. No burrows of appropriate shape, size or aspect for BUOW or BUOW pellets, feathers or whitewash were found on the Warehouse site. Therefore, BUOW were considered absent from the Warehouse site at the time of the surveys.

NESTING BIRDS AND RAPTORS

The Warehouse site is suitable for use by raptors for foraging purposes. The Warehouse site and immediate surrounding areas do contain habitat suitable for nesting birds in general, including the shrubs.

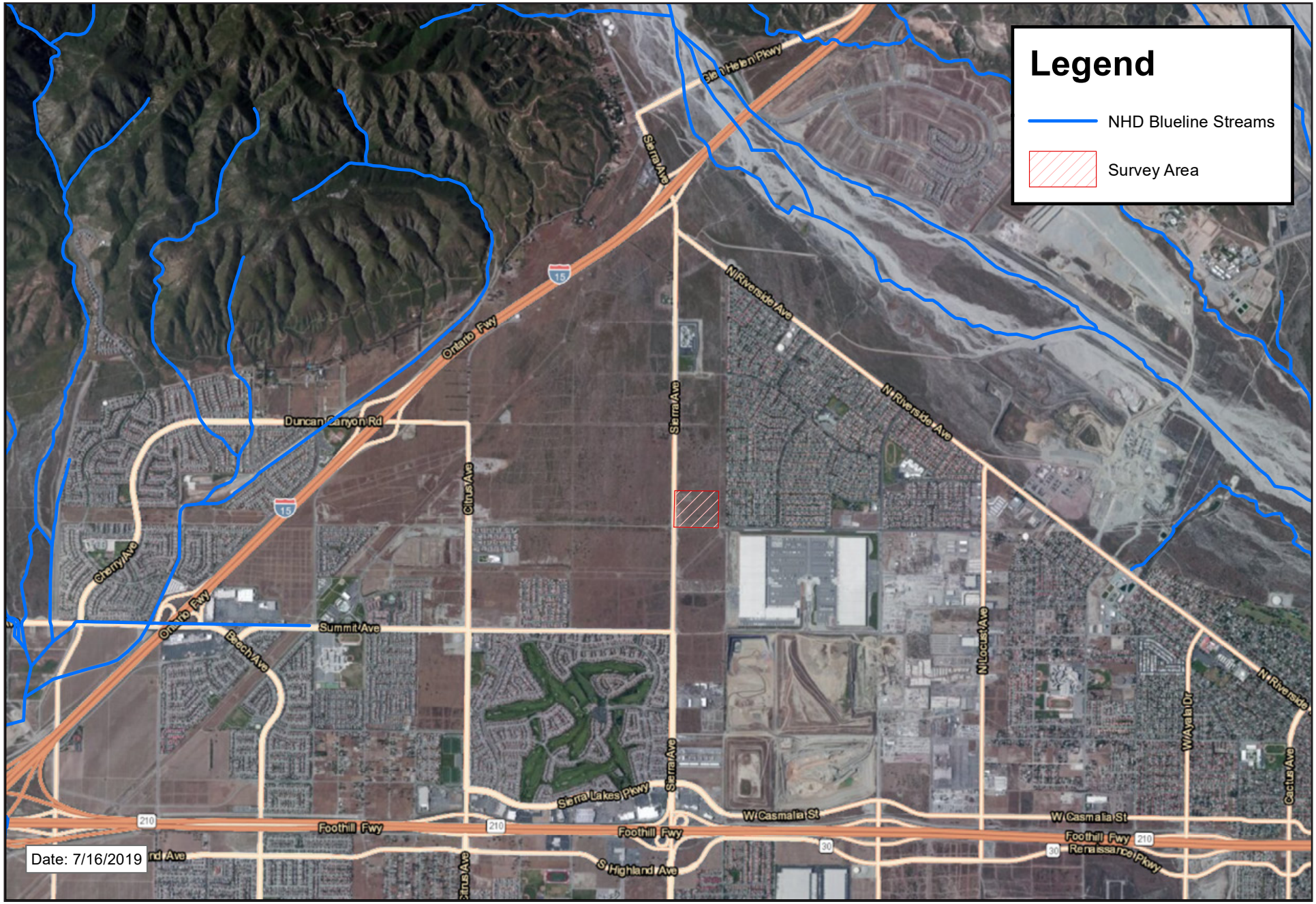
Nesting birds are protected under the MBTA for both residents and migrants whether or not they are considered sensitive by resource agencies. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered take under federal law. The USFWS, in coordination with the CDFW administer the MBTA. CDFW's authoritative nexus to MBTA is provided in FGC Sections 3503.5 which protects all birds of prey and their nests and FGC Section 3800 which protects all non-game birds that occur naturally in the State.

JURISDICTIONAL DELINEATION

The Warehouse site was evaluated for the presence of jurisdictional waters, i.e., waters of the U.S. as regulated by the USACE and RWQCB, and/or streambed and associated riparian habitat as regulated by the CDFW. Evaluation of potential federal jurisdiction followed the regulations set forth in 33CFR part 328 and the USACE guidance documents and evaluation of potential State jurisdiction followed guidance from the Fish and Game Code and *A Review of Stream Processes and Forms* in Dryland Watersheds. The Warehouse site does not contain any jurisdictional waters, as shown in **Figure 4.3-3** – *NHD Blue Line Streams*.

Malaga and Palmetto sites

The Malaga Site and Palmetto Site would have no potential to contain any of these aforementioned species. Both the Malaga and Palmetto sites are urban in nature and do not contain any jurisdictional waters. In addition, the Malaga and Palmetto sites contain ornamental trees and vegetation that could be used by common, as well as special status, nesting and migratory birds. Both the Malaga and Palmetto sites are urban in nature and do not contain any jurisdictional waters.



Source: Jericho Systems, 2019

FIGURE 4.3-3: NHD Blue Line Streams
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Not to scale

Kimley»Horn

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Table 4.3-1: Table of Database Queries (CNDDB, IPAC, CNPSEI)

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Ambrosia monogyra	Single whorl burrow brush	Endangered/ none	Chaparral, Sonoran desert scrub	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Anaxyrus californicus	arroyo toad	Endangered/ Endangered	Sandy washes with terraces, quiet pools free from predators	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Anniella stebbinsi	southern California legless lizard	none/none	Coastal sand dunes, sandy washes, alluvial fans	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Arizona elegans occidentalis	California glossy snake	none/none	Arid scrub, rocky washes, grasslands, chaparral	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Artemisiospiza belli	Bell's sage sparrow	none/none	Sagebrush flats, alkaline flats with saltbush, semi-arid shrublands in the lowlands	The shrub component on-site is potentially suitable for this species. Potential to occur is moderate.
Athene cunicularia	burrowing owl	none/none	Open areas with little vegetation and existing burrows	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Batrachoseps gabrieli	San Gabriel slender salamander	none/none	Rock piles/outcroppings near water	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Bombus crotchii	Crotch bumble bee	none/none	Grasslands and shrublands with abandoned small mammal burrows	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Calochortus plummerae	Plummer's mariposa lily	none/none	Chaparral, Cismontane woodland, Coastal scrub, Lower montane coniferous forest, Valley and foothill grassland in granite/rocky soils	The shrub component on-site is potentially suitable for this species. Potential to occur is moderate.

Table 4.3-1: Table of Database Queries (CNDDB, IPAC, CNPSEI)

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Chaetodipus fallax	northwestern San Diego pocket mouse	none/none	chaparral, grasslands, scrub forests and deserts; rarely found in cities. Requires low growing vegetation or rocky outcroppings and sandy soil for burrows.	The shrub component on-site is potentially suitable for this species. Potential to occur is moderate.
Chaetodipus fallax pallidus	pallid San Diego pocket mouse	none/none	Low-growing vegetation with rocky outcroppings and sandy soil	The shrub component on-site is potentially suitable for this species. Potential to occur is moderate.
Chorizanthe parryi var. *parryi*	Parry's spineflower	none/none	Chaparral, cismontane woodland, coastal scrub, valley foothill grassland	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Chorizanthe xanti var.*leucotheca*	white-bracted spineflower	none/none	Coastal scrub (alluvial fans), Mojavean desert scrub, Pinyon and juniper woodland	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Dipodomys merriami parvus	San Bernardino kangaroo rat	Endangered/ none	Alluvial fan chaparral and sage scrub with sandy loam substrates.	The shrub component on-site is potentially suitable for this species. Potential to occur is moderate.
Dodecahema leptoceras	slender-horned spineflower	Endangered/ Endangered	Chaparral, cismontane woodland, coastal scrub (alluvial fan)	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Empidonax traillii extimus	Southwestern Willow Flycatcher	Endangered/ Endangered	Riparian woodland with multiple canopy layers	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Eriastrum densifolium ssp*. sanctorum*	Santa Ana River woollystar	Endangered/ Endangered	Chaparral, Coastal scrub (alluvial fan)	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Gymnohyps californianus	California condor	Endangered/ Endangered	Arid, remote areas in mountains with large, old growth trees for nesting	This species does not occur in San Bernardino County. The Project site is outside of the species range. Occurrence potential is none.

Table 4.3-1: Table of Database Queries (CNDDB, IPAC, CNPSEI)

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Horkelia cuneata var.*puberula*	mesa horkelia	none/none	Sandy or gravelly soils in chaparral, coastal scrub, or cismontane woodland	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Lepus californicus bennettii	San Diego black tailed jackrabbit	none/none	Variety of habitats with mixed grasses and shrub	Habitat on site is suitable. Species has potential to occur is high.
lilium parryi	lemon lily	none/none	Lower montane coniferous forest, Meadows and seeps, Riparian forest, Upper montane coniferous forest	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Lycium parishii	Parish's desert-thorn	none/none	Creosote bush scrub	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Malacothamnus parishii	Parish's bush-mallow	none/none	Chaparral, coastal sage scrub	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Nyctinomops femorosaccus	pocketed free-tailed bat	none/none	Semi-arid habitats, roosting in mines, tunnels, caves, and rock crevices	Habitat on-site includes a very dense layer of non-native grasses which, renders the habitat unsuitable for this species. Potential to occur is low.
Opuntia basilaris var. *brachyclada*	short-joint beavertail	none/none	Chaparral, Joshua tree woodland, Mojavean desert scrub, Pinyon and juniper woodland	Habitat on site is primarily invasive grasses. Potential to occur is low.
Perognathus longimembris brevinasus	Los Angeles pocket mouse	none/SSC	Coastal sage scrub, chaparral	The shrub component and soils on site are potentially suitable for this species. Potential to occur is moderate.
Phrynosoma blainvillii	coast horned lizard	none/none	Open areas of sandy soil and low vegetation in valleys, foothills, and semiarid mountains	Habitat on site is primarily invasive grasses. Potential to occur is low.

Table 4.3-1: Table of Database Queries (CNDDB, IPAC, CNPSEI)

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Polioptila californica	coastal California gnatcatcher	Threatened/none	Sage scrub	The shrub component and on-site is potentially suitable for this species. Potential to occur is moderate.
Rana muscosa	southern mountain yellow-legged frog	Endangered/ Endangered	Rocky, high altitude streams	No habitat on-site for this species. Potential to occur is none.
Rhinichthys osculus ssp. *3*	Santa Ana speckled dace	none/none	Variety of aquatic habitats	No habitat on-site for this species. Potential to occur is none.
Riversidian Alluvial Fan Sage Scrub		none/none		Present
Southern Riparian Forest		none/none		Absent
Southern Sycamore Alder Riparian Woodland		none/none		Absent
Streptanthus bernardinus	Laguna Mountains jewelflower	none/none	Coniferous forest and chaparral	Habitat on site is primarily invasive grasses. Potential to occur is low.
Vireo bellii pusillus	least Bell's vireo	Endangered/ Endangered	Riparian scrub and riparian woodland	No habitat on-site for this species. Potential to occur is none.

4.3.3 REGULATORY SETTING

FEDERAL

Federal Endangered Species Act of 1973

The Federal Endangered Species Act (FESA) and subsequent amendments provide guidance for the conservation of endangered and threatened species and the ecosystems upon which they depend. The FESA defines species as "threatened" or "endangered" and provides regulatory protection for listed species. The FESA provides a program for conservation and recovery of threatened and endangered species, and conservation of designated critical habitat that the USFWS has determined is required for the survival and recovery of these listed species.

Section 4 requires Federal agencies to, among other things, prepare recovery plans for newly listed species unless USFWS determines such a plan would not promote the conservation of the species.

Section 7 requires Federal agencies, in consultation with, and with the assistance of the Secretary of the Interior or the Secretary of Commerce, as appropriate, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of critical habitat for these species. The USFWS and National Marine Fisheries Service (NMFS) share responsibilities for administering FESA. Regulations governing interagency cooperation under Section 7 are found at 50 CFR Part 402. The opinion issued at the conclusion of consultation would include a statement authorizing a take that may occur incidental to an otherwise legal activity.

Section 9 lists those actions that are prohibited under FESA. Take of a species listed in FESA is prohibited. Section 9 of FESA prohibits take (i.e., to harass, harm, pursue, hunt, wound, kill, etc.) of listed species of fish, wildlife, and plants without special exemption. "Harm" is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or shelter. "Harass" is further defined as actions that create the likelihood of injury to listed species, resulting in significantly disrupting normal behavior patterns which include, but are not limited to, breeding, feeding, and shelter.

Section 10 provides a means whereby a non-Federal action with a potential to result in the take of a listed species could be allowed under an incidental take permit. Application procedures are found at 50 CFR Parts 13 and 17 for species under the jurisdiction of USFWS and 50 CFR Parts 217, 220, and 222 for species under the jurisdiction of NMFS.

Clean Water Act/Rivers and Harbors Act

Section 401 requires that a project proponent for a Federal license or permit that allows activities resulting in a discharge to WUS must obtain a State certification that the discharge complies with other provisions of CWA. The Regional Water Quality Control Boards (RWQCBs) administer the certification program in California.

Section 402 establishes a permitting system for the discharge of any pollutant (except dredge or fill material) into WUS, commonly referred to as the National Pollutant Discharge Elimination System (NPDES) Permit process, described further below.

Section 404 establishes a permit program, administered by the USACE, regulating the discharge of dredged or fill material into WUS, including wetlands. The extent of WUS is generally defined as the portion that falls within the limits of the OHWM, which typically corresponds to the two-year flood event. Wetlands, including swamps, bogs, seasonal wetlands, seeps, marshes, and similar areas are defined by USACE as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3[c](4)[1]; 40 CFR 230.3[o](iv)).[2] Implementing regulations by USACE are found at 33 CFR Parts 320-330. Guidelines for implementation are referred to as the Section 404(b)(1) Guidelines and were developed by the U.S. Environmental Protection Agency (U.S. EPA) in conjunction with USACE (40 CFR Parts 230). The Guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

The Rivers and Harbors Act regulates placement of obstacles or structures within navigable waterways, including the area vertically beneath the ocean floor.

Migratory Bird Treaty Act (16 U.S.C. 701 through 719(c))

The Migratory Bird Treaty Act (MBTA) is the domestic law that affirms, or implements, the United States' commitment to four international conventions (with Canada, Mexico, Japan, and Russia) for the protection of a shared migratory bird resource. The MBTA makes it unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, or kill migratory birds. The law also applies to the removal of nests occupied by migratory birds during the breeding season. The MBTA makes it unlawful to take, pursue, molest, or disturb these species, their nests, or their eggs anywhere in the United States.

STATE

California Environmental Quality Act (CEQA) (Pub. Res. Code §21000 et seq.) (14 Cal.Code Regs. §15000 et seq. ["CEQA Guidelines"])

Section 15380. Although threatened and endangered species are protected by specific federal and State statutes, CEQA Guidelines §15380(b) provides that a species not listed on the federal or State list of protected species may be considered endangered, rare or threatened if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definition in the FESA and the section of the California FGC dealing with rare or endangered plants or animals. This section was included in CEQA primarily to deal with situations in which a public agency is reviewing a project that may have a significant effect on, for example, a candidate species that has not been listed by either USFWS or CDFW. Thus, CEQA provides an agency with the ability to protect a species from the potential impacts of a project until the respective government agencies have an opportunity to designate the species as protected, if warranted. CEQA also calls for the protection of other locally or regionally significant resources, including natural communities. Although natural communities have limited legal protection compared to plants and animals, CEQA calls for an assessment of whether any such resources would be affected, and requires findings of significance if there would be substantial losses. Natural communities listed by CNDDB as sensitive are considered by CDFW to be significant resources and fall under the CEQA Guidelines for

[1] Cornell Law School – 33-CFR §328.3 Definitions. Available: https://www.law.cornell.edu/cfr/text/33/328.3 Accessed: March 5, 2020.
[2] Cornel Law School – 40 CFR §230.3 – Definitions. Available: https://www.law.cornell.edu/cfr/text/40/230.3. Accessed March 5, 2020.

addressing impacts. Local planning documents such as general plans often identify these resources as well.

California Endangered Species Act (California State FGC §2050 et seq.)

The California Endangered Species Act (CESA) establishes the policy of the State to conserve, protect, restore, and enhance threatened or endangered species and their habitats. The CESA mandates that State agencies should not approve projects that would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. There are no State agency consultation procedures under the CESA. For projects that affect both a State and Federally listed species, compliance with FESA would satisfy the CESA if the CDFW determines that the Federal incidental take authorization is "consistent" with the CESA under California State FGC §2080.1. For projects that would result in a take of a State-only listed species, the Project proponent must apply for a take permit under §2081(b).

Section 2080. Section 2080 of the California State FGC states, "No person shall import into this state [California], export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission [State Fish and Game Commission] determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided in this chapter, the California Native Plant Protection Act (CNPPA) [citation omitted], or the California Desert Native Plants Act [citation omitted]." Pursuant to §2081 of the California State FGC, the CDFW may authorize individuals or public agencies to import, export, take, or possess, any State-listed endangered, threatened, or candidate species as long as they do not have state Fully Protected status. These otherwise prohibited acts may be authorized through permits or a memorandum of understanding (MOU) if: (1) the take is incidental to an otherwise lawful activity; (2) impacts of the authorized take are minimized and fully mitigated; (3) the permit is consistent with any regulations adopted pursuant to any recovery plan for the species; and, (4) the project proponent ensures adequate funding to implement the measures required by the CDFW. The CDFW makes this determination based on available scientific information and considers the ability of the species to survive and reproduce.

Fully Protected Species. The State of California first began to designate species as "Fully Protected" prior to the creation of the CESA. Lists of Fully Protected species were initially developed to provide protection to those animals that were rare or faced possible extinction, and included fish, mammals, amphibians and reptiles, birds, and mammals. Most Fully Protected species have since been listed as threatened or endangered under the CESA and/or FESA. The regulations that implement the Fully Protected species Statute (FGC §3511, 4700, 5050, 5515) provide that Fully Protected species may not be taken or possessed at any time. Furthermore, the statute prohibits any state agency from issuing incidental take permits for Fully Protected species, except for scientific research or relocation of the bird species for the protection of livestock pursuant to Section 670.7 of Title 14 of the CCR or Section 2835 of the FGC.

Sections 1600 through 1617. Under these sections of the California State FGC, a project proponent is required to notify CDFW prior to any project that would divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake. Pursuant to the California State FGC, a "stream" is defined as a body of water that flows at least periodically, or intermittently, through a bed or channel having banks and supporting fish or other aquatic life. Based on this definition, a watercourse with surface or subsurface flows that supports or has supported riparian vegetation is a stream and is subject to CDFW jurisdiction.

Altered or artificial watercourses valuable to fish and wildlife are subject to CDFW jurisdiction. The CDFW also has jurisdiction over dry washes that carry water ephemerally during storm events.

Preliminary notification and project review generally occur during the environmental review process. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resource. These modifications are formalized in a Streambed Alteration Agreement that becomes part of the plans, specifications, and bid documents for a project.

*Sections 3503 and 3503.5***.** Under these sections of the California State FGC, a project proponent is not allowed to conduct activities that would result in the taking, possessing, or destroying of any birds-of-prey, taking or possessing of any migratory non-game bird as designated in the MBTA or the taking, possessing, or needlessly destroying of the nest or eggs of any raptors or non-game birds protected by the MBTA, or the taking of any non-game bird pursuant to California State FGC Section 3800.

*Sections 3511, 4700, 5050, and 5515***.** Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish) of the California State FGC provide that designated fully protected species may not be taken or possessed without a permit. Incidental takes of these species are not authorized by law.

California Native Plant Protection Act (California State FGC 1900 through 1913)

CNPPA requires all State agencies to utilize their authority to carry out programs to conserve endangered and rare native plants. Provisions of the NPPA prohibit the taking of listed plants from the wild and require notification of the CDFW at least 10 days in advance of any change in land use. This allows CDFW to salvage listed plant species that would otherwise be destroyed. A project proponent is required to conduct botanical inventories and consult with CDFW during project planning to comply with the provisions of this Act and sections of CEQA that apply to rare or endangered plants.

Regional Water Quality Control Board

Under Section 401 of the CWA, the RWQCB must certify that actions receiving authorization under Section 404 of the CWA also meet State water quality standards. The RWQCB also regulates waters of the State under the Porter-Cologne Act Water Quality Control Act (Porter-Cologne Act) (see below). The RWQCB requires projects to avoid impacts to wetlands if feasible and requires that projects do not result in a net loss of wetland acreage or a net loss of wetland function and values. The RWQCB typically requires compensatory mitigation for impacts on wetlands and/or waters of the State. The RWQCB also has jurisdiction over waters deemed isolated or not subject to Section 404 jurisdiction under the *Solid Waste Agency of Northern Cook County v. Army Corps of Engineers* decision. Dredging, filling, or excavation of isolated waters constitutes a discharge of waste to waters of the State and prospective dischargers are required to obtain authorization through an Order of Waste Discharge or waiver thereof from the RWQCB and comply with other requirements of Porter-Cologne Act.

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, waters of the State fall under the jurisdiction of the appropriate RWQCB. Under the Act, the RWQCB must prepare and periodically update basin plans. Each basin plan sets forth water quality standards for surface water and groundwater as well as actions to control nonpoint and point sources of pollution, thereby achieving and maintaining these standards.

Projects that affect wetlands or waters must meet waste discharge requirements of the RWQCB, which may be issued in addition to water quality certification or a waiver under Section 401 of the CWA.

LOCAL

North Fontana Conservation Program

The North Fontana Conservation Program (NFCP) is a habitat conservation program developed for northern sections of the City, of which the Warehouse site is located. The NFCP is an effort by the City to foster and promote biological and ecological diversity in the region, while improving quality of life. There are distinct and State recognized rare plant communities found on the alluvial fans in the foothills of the San Gabriel and San Bernardino Mountains, including Riversidean Alluvial Fan Sage Scrub (RAFSS) habitat and Riversidean Sage Scrub (RSS). They are known to support several federally and state-listed species, including California gnatcatcher (CAGN), San Bernardino kangaroo rat (SBKR), slender-horned spineflower and Santa Ana River woolly star, as well as sensitive but unlisted species such as Los Angeles Pocket Mouse (LAPM). Both plant communities are found throughout the northern portions of the City of Fontana. This includes 2,310 acres of land that was approved for development.

The Warehouse site is between an approximate 50-acre area of Restorable Non-native grassland (NNG) Habitat adjacent to the north and an approximate 20-acre triangular-shaped undeveloped area to the south. These areas are bound by residential and commercial/industrial development. Across Sierra Avenue, there is additional potential habitat area, but this area is surrounded by ongoing residential development and an existing approximate 15-acre detention/retention basin(s).

City of Fontana 2015-2035 General Plan

Conservation, Open Space, Parks and Trails Element

The Conservation Element is required by California state law to address the conservation, development and utilization of natural resources including water and its hydraulic force; forests; soils; rivers and other waters; harbors and fisheries; wildlife; and minerals and other natural resources, such as energy. [California Government Code 65302(d)] Natural resources most relevant to the City of Fontana are hydrology; wildlife; and energy.

Goal 1 **Fontana continues to preserve sensitive natural open space in the foothills of the San Gabriel Mountains and Jurupa Hills.**

Policies:

- Consider permanent protection for all these lands through acquisition and deed restrictions.
- Consider permanent protection for sensitive foothill lands through potential partnerships with conservation organizations or acquisition and deed restrictions.

Goal 2 **Large city parks and open spaces include plantings and natural areas attractive to birds and other wildlife.**

Policies:

- Inform the public about the natural ecological character of Fontana.

- Use public open space to support wildlife habitat as appropriate.

Goal 3 **Fontana has a healthy, drought-resistant urban forest, 25% tree canopy, and an urban forestry program.**

Policies:

- Support tree conservation and planting that enhances shade and drought resistance.
- Expand Fontana's tree canopy.

4.3.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project would have a significant environmental impact if one or more of the following occurs:

- 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;
- 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;
- 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;
- 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;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

METHODOLOGY AND ASSUMPTIONS

The proposed Warehouse site and its associated design are evaluated against the aforementioned significance criteria as the basis for determining the level of impacts related to biological resources. In addition to PDFs, this analysis considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts. Because the Malaga Site and Palmetto Site are not proposed to be developed, but would result in upzoning, impacts are evaluated based on the potential development footprint if an application for development was proposed or approved for redevelopment of the site at some point in the future. Where significant impacts remain, feasible mitigation measures are recommended, when warranted, to avoid or lessen the project's significant adverse impacts.

APPROACH TO ANALYSIS

This analysis of impacts on Biological resources examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance

criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga Site and Palmetto sites and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on the aforementioned biological resources studies; review of maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on biological resources considers how the potential for development, upzoning, and operation of the sites would affect the resources.

IMPACTS FOUND TO HAVE NO IMPACT

- 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?

Warehouse, Malaga, and Palmetto Sites

Construction and Operations

No Impact - There are no riparian habitats or sensitive natural communities within the Warehouse, Malaga or Palmetto sites that were identified in local, regional, or federal plans, policies, or regulations. As a result, no impact would occur and mitigation is not required.

- 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?

Warehouse Site

Construction and Operations

No Impact - The *BRA*, attached to this DEIR as Appendix C-1, evaluated the Warehouse site for the presence of jurisdiction waters and determined that there are no drainages or evidence of jurisdictional waters located within the Warehouse site. No aspect of the Warehouse site presents any evidence of jurisdictional waters. None of the following indicators are present on-site: riparian vegetation, facultative, facultative wet or obligate wet vegetation, harrow marks, sand bars shaped by water, racking, rilling, destruction of vegetation, defined bed and bank, distinct line between vegetation types, clear natural scour line, meander bars, mud cracks, staining, silt deposits, or litter- organic debris. As a result, no impact would occur, and no mitigation is required.

Malaga and Palmetto Sites

Construction and Operations

No Impact - The *Biological Screening Memo*, attached to this DEIR as Appendix C-2, noted there are no drainages or evidence of jurisdictional waters located within the Malaga or Palmetto sites. This was determined based on database information and field investigation. Both sites are in existing urbanized communities. There is no natural, native habitat on this site or in the surrounding area. No aquatic

resources occur at these sites and as a result there are no fisheries issues to address. No drainages or indications of wetlands, hydric soils, naturally occurring indicator plant species were observed during the field investigation nor are any expected to occur. As a result, no impact would occur, and no mitigation is required.

- 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?

Warehouse, Malaga, and Palmetto Sites

No Impact - The Warehouse site, Malaga and Palmetto sites are not located within the boundary of an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP). Thus, no impacts would occur in this regard.

4.3.5 IMPACTS AND MITIGATION MEASURES

Impact 4.3-1: 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?

Level of Significance: Less Than Significant with Mitigation Incorporated

WAREHOUSE SITE

Construction

A substantial adverse effect to special-status species would occur if the Warehouse Project would: (1) reduce the population size or reduce the area of occupied habitat of a rare, threatened, or endangered species; or (2) reduce the population size or reduce the area of occupied habitat of a locally uncommon species; (3) increase predation of a species, leading to population reduction; (4) reduce habitat availability sufficiently to affect potential reproduction; or (5) reduce habitat availability sufficiently to constrain the distribution of a species and not allow for natural changes in distributional patterns over time.

Project construction would occur in three phases. The greatest disturbance would occur during vegetation clearance and excavation activities associated with the grading phase. This phase of construction has the potential to create the highest levels of disturbance due to its disruptive nature.

Habitat conditions on the Warehouse site are potentially suitable for three sensitive wildlife species: CAGN, SBKR, and LAPM and presence can only be determined using focused surveys. Burrowing owl was also evaluated for presence on the Warehouse site, but the habitat conditions onsite were determined to not be suitable for BUOW and potential impacts on this species are considered less than significant and no further investigation is required.

California Gnatcatcher

The site is not located within designated critical habitat for CAGN. However, habitat conditions on site are potentially suitable for CAGN. Potential impacts on CAGN are considered significant, and mitigation is required.

Los Angeles Pocket Mouse

The Warehouse site contains marginally suitable habitat for LAPM and there are several documented occurrences of LAPM to the north and south of the Project site. Potential impacts on LAPM are considered significant, and mitigation is required.

San Bernardino Kangaroo Rat

Habitat for SBKR at the Warehouse site was noted as marginal, given the predominance of dense non-native grasses at the site, the various disturbances that have occurred on-site over the years, and the ongoing residential commercial/industrial development surrounding the site. Nonetheless, the site is considered potentially suitable to support SBKR and the Warehouse site (approximately 15.21 acres) is mapped in Critical Habitat for SBKR. Additionally, there are several documented occurrences of SBKR in the immediate vicinity of the Warehouse Project area. Potential impacts on SBKR are considered significant and mitigation is required.

To minimize or avoid impacts to these sensitive wildlife species, focused protocol surveys for CAGN, SBKR, and LAPM would be conducted to determine the presence or absence of the species at the Warehouse site prior to construction. If any of the three species are present, development of the Warehouse site would result in impacts to the species.[3] To reduce impacts, mitigation is required that includes focused surveys and trapping for small mammals prior to ground-disturbing activities. If these species are found during surveys, a biological monitor would be required to be present on-site during all ground-disturbing activities to ensure wildlife species present or with the potential to occur on-site are not disturbed or harmed by construction activities. Implementation of **MM-BIO-1, BIO-2, BIO-3, and BIO-4** would reduce impacts to less than significant. Based on the project specific biological resources assessment prepared for the Warehouse site, all remaining special-status wildlife species identified in Table 4.3-1 have a low potential to occur or are presumed to be absent from the Project Area due to a lack of suitable habitat and the species' known distribution. (Jericho Systems, *BRA,* 2019.) Potential impacts on these species are considered to be less than significant.

Operations

Day to day operations of the warehouse would not have a significant effect on sensitive animals or their habitat. Some vehicle and truck traffic would occur within the footprint of the Warehouse site but no disturbances outside the project area would occur. Daily operations of the warehouse would be similar to other logistics facilities and developments in the region. There would be unloading and loading of trucks that would travel at low speeds near the facility. Equipment, such as fork lights, would be used on a minimal basis and utilized within the site's parking lot or within the building. The majority of the warehouse activities would occur within the warehouse building itself. Vehicles, trucks and equipment would remain within the footprint of the proposed site during warehouse operation hours and therefore, no additional direct impacts to habitat or 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 would occur.

[3] Jericho Systems, Inc. (2019). *Biological Resources Assessment and Jurisdictional Delineation Casa Grande EIR- Southeast corner of Sierra Avenue and Casa Grande Avenue City of Fontana, CA*.

The Warehouse site would contain interior and exterior lighting. The proposed project would introduce features typically found in warehouse facility developments: concrete tilt-up walls, office space, parking, landscaping, and outdoor security lighting. The Warehouse facility would require nighttime lighting for safety and security. All lighting would conform to the City's Zoning and Development Code for Industrial Zoning District standards (Article VII, Sections: 30-544, 30-549, and 30-551), and would be shielded and directed to minimize spill light into adjacent properties and undeveloped areas. Due to concrete construction and few windows, the amount of lighting escaping from the interior of the building would be negligible because all lighting used on site is required, by the City's Zoning and Development Code, to be directed and/or shielded to prevent the light from adversely affecting adjacent properties, and no structures or features that create adverse glare effects are permitted. All exterior lighting used on the site would be shielded/hooded to prevent light trespass onto nearby properties, including adjacent parcels, utility easement, and the road rights-of-way associated with Sierra Avenue and Casa Grande Avenue. These light sources would be similar to other sources of light in surrounding similar developments and areas outside of the property would not be affected by light spill. There would be no outside operations during nighttime hours and the warehouse would not ship or receive transports during nighttime hours. This would reduce the potential for noise disturbance as well as reduce human activity that could disturb animals in adjacent areas during nighttime. The Warehouse site would also be planted with 187 trees, many of which are near the margins of the site and the trees would aid in minimizing spill light that could potentially illuminate small portions of the undeveloped surrounding properties and fragmented undisturbed habitat to the north and east of the project site. The trees also would buffer any exterior noise and would serve as visual screens to any warehouse activity and the structure as seen from wildlife. There would be no lighting disturbance to habitat located on the southerly and westerly sides of the Warehouse site because these areas are occupied by the existing roadways: Sierra Avenue and Casa Grande Avenue. For these reasons, the proposed project's light sources would have no effect on any species or habitat.

Accordingly, once construction activities are completed, additional impacts related to sensitive species from Project operations would be negligible. Impacts in this regard would be less than significant, and mitigation would not be required.

MITIGATION MEASURES

MM-BIO-1 Prior to ground-disturbing activities, focused protocol surveys for California Gnatcatcher (CAGN) shall be conducted by a qualified biologist for presence/absence on the Warehouse site. Surveys for CAGN will follow United States Fish and Wildlife Service (USFWS) protocol by permitted biologists. The protocol should be followed for all surveys unless otherwise authorized by the USFWS writing. The permittee shall notify the USFWS in writing, at least ten (10) working days prior to the anticipated start date of survey work and receive approval prior to beginning work. The permittee shall provide a report to the USFWS within 45 days following the field surveys.

For breeding season:

From March 15 through June 30, a minimum of six (6) surveys shall be conducted at least one week apart. The protocol for the breeding season was designed to provide a 95% confidence level of detecting CAGN at a site when they are present.

For nonbreeding season:

From July 1 through March 14, a minimum of nine (9) surveys shall be conducted at least two weeks apart. Prevailing site conditions and professional judgment must be applied to determine appropriate survey rates and acreage covered per day. These factors may dictate that the maximum daily coverage specified below is not prudent under certain conditions.

If no CAGN are identified during surveys, no further action would be required. If CAGN are identified during surveys, then, occupied portions of the site would not be able to be developed until the Project Applicant can demonstrate that the appropriate authorization has been obtained from the USFWS.

MM-BIO-2 Prior to ground-disturbing activities, focused small mammal surveys shall be conducted by a qualified biologist on the Warehouse site. Surveys for San Bernardino Kangaroo Rat/Los Angeles Pocket Mouse (SBKR/LAPM) will follow United States Fish and Wildlife Service (USFWS) protocol for live mammal trapping by permitted biologists. Live trapping will be conducted over five (5) consecutive nights if no target species are captured. Trapping shall be terminated if a target species is trapped prior to the fifth night. Trapping will be conducted under mild weather conditions, with a minimum temperature greater than 50° Fahrenheit and atmospheric conditions relatively dry, and calm. Trapping shall not be conducted in extended periods of wind, rain or fog that may jeopardize the lives of the target species. Following the survey, the biologist shall submit all a report and associated information required by their USFWS federal Section 10(a) permit.

If no SBKR/LAPM are identified during surveys, no further action would be required. If SBKR are identified during surveys, then, occupied portions of the site would not be able to be developed until the Project Applicant can demonstrate that the appropriate authorization has been obtained from the United States Fish and Wildlife Service. If LAPM are identified then, occupied portions of the site would not be able to be developed until the Project Applicant can demonstrate that the appropriate coordination with the California Department of Fish and Wildlife (CDFW) has been completed to determine the appropriate mitigation ratio under the CDFW jurisdiction.

MM-BIO-3 To avoid direct mortality of special status wildlife species or other wildlife with low or limited mobility, during site clearing operations at the Warehouse Site, a qualified biologist (biological monitor) shall be present on-site during all ground-disturbing activities to monitor construction activities and limits to ensure that special-status wildlife species with the potential to occur on-site (i.e., CAGN, LAPM, and SBKR) and that are observed on-site are not adversely affected, at the discretion of the biological monitor, by construction activities. The biological monitor shall have the authority to halt construction activities should any special-status wildlife species be observed on-site until the species has left the active construction areas.

MM-BIO-4 Prior to the issuance of a grading permit, or any permit allowing ground disturbance, the Project Applicant shall provide to the satisfaction of the Planning Director, evidence habitat impacts have been mitigated pursuant to the City of Fontana's tiered mitigation program for the North Fontana Conservation Program (NFCP). The Project shall mitigate

impacts to Suitable Habitat, Restorable Riversidean Alluvial Fan Sage Scrub (RAFSS) Habitat, and Unsuitable Habitat through the following:

1. Conservation Easement/Mitigation Bank Credits. The Project Applicant shall either dedicate to a certified third-party land trust a permanent conservation easement for like habitat or purchase mitigation credits in a California Department of Fish and Wildlife (CDFW)-approved mitigation bank at a ratio of a minimum of 1:1. Proof of mitigation shall be provided to the City of Fontana Planning Division prior to the commencement of any ground disturbance activities.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

Implementation of Mitigation Measures BIO 1 and BIO-2 reduce potential impacts to less than significant because they provide focused surveys for sensitive wildlife species on the project site. If the target species are determined to be present on-site, then the project would be required to provide additional compensation with respect to the mitigation ratios for habitat preservation required in Mitigation Measure BIO-4.

Implementation of Mitigation Measure BIO-3 would reduce potential impacts on sensitive wildlife species during construction because a biological monitor with the authority to halt construction, would be on the Project site during clearing and grading activities. The monitor would be responsible for observing habitat clearing to ensure that sensitive wildlife species or nesting birds, if present, are not adversely affected during construction.

Implementation of Mitigation Measure BIO-4 would ensure Project impacts related to the loss of Suitable Habitat, Restorable RAFSS Habitat, and Unsuitable Habitat, as defined in the NFCP, are mitigated and the Project complies with the provisions of the NFCP. Mitigation at a minimum ratio of 1:1 ensures that the habitat of sensitive wildlife species is replaced in kind in a protected habitat conservation area. For habitat that is determined to be occupied by sensitive species as a result of focused surveys, an increased mitigation ratio is required per the City's tiered mitigation program outlined in the North Fontana Conservation Program (NFCP). Preservation of habitat in dedicated habitat conservation areas or within an approved mitigation bank ensures the long-term viability of habitat because the conservation easement and mitigation banks include long term management of the mitigation area. Additionally, these mitigation areas are in locations that have offsite connectively to other areas of similar habitat types that provide opportunity for species movement and genetic exchange. Impacts in this regard would be reduced to less than significant levels.

MALAGA AND PALMETTO SITES

Neither the Malaga Site or Palmetto Site would be developed with any structures nor is any construction proposed. The Malaga Site would be upzoned to Medium-Density Residential (R-2) and the Palmetto Site would be upzoned to Form-Based Code (FBC) – Transitional District. The *Biological Screening Memo*, attached to this DEIR as Appendix C-2, concluded that these sites do not contain any sensitive species or contain habitat that would be used by a species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the CDFW or USFWS. This was determined based on

database information and field investigation. Both sites are in existing urbanized communities and development activities have altered the environment such that native plants have been completely removed. There is no natural, native habitat on this site or in the surrounding area. There are no areas that could potentially support listed-species, or any sensitive species known to occur locally. No sensitive species or listed species were observed during the field investigation and none are expected to occur. Therefore, if redevelopment occurs in the future, impacts to listed species would be less than significant and no mitigation would apply to these sites.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.3-4: 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?

Level of Significance: Less than Significant with Mitigation Incorporated

WAREHOUSE SITE

Construction

The Warehouse site does not have any water resources that support fish species and the site would not be used as a migration corridor due to the presence of surrounding existing and planned urban development, such as the residential dwelling immediately to the north of the Warehouse site and planned residential and infrastructure developments along Casa Grande Avenue and Sierra Ave. The areas planned for development surrounding the site are disced, graded and roads have been partially paved. Adjacent areas to the site consist of previously disturbed, undeveloped land, including a Southern California Edison utility easement. Specifically, the site is adjacent to an approximate 330-foot utility easement to the east, immediately adjacent to a residential subdivision within the City of Rialto. The utility easement connects to a substation approximately 600 feet south and the easement continues in a westerly direction for approximately 1.5 miles. The easement is crossed by various roadways (Cypress Avenue, Citrus Avenue, and Knox Avenue) and contains numerous dirt roads for access and is surrounded by existing development to the north and south. On the western boundary, the easement connects to substantially fragmented and previously disturbed, undeveloped areas. There is an approximate 20-acre undeveloped parcel between the Project site and a Southern California Edison utility substation. The project would not result in any disturbances to the vacant parcel south of the site. The project also would not result in any direct disturbance to the easement on the easterly portion of the project site which runs northerly for approximately 1.25 miles, is crossed by West Terra Vista Drive and Riverside Avenue before connecting to the Lytle Creek area. As previously mentioned, to the west of the Warehouse site across Sierra Avenue there are currently undeveloped but disturbed parcels that are designated for use as a residential planned community in the General Plan. Because of the highly developed areas to the east of the site, consisting of the City of Rialto, and the existing and planned development along Casa Grande Ave west of the site, and the disturbed easement, there is little viable habitat within isolated fragmented areas in the adjacent vacant parcels for the site to serve as a migration corridor. Therefore, due to existing low

quality and fragmented connectivity, the highly disturbed nature of the utility easement and crossings by roadways, construction of the Warehouse site would not substantially interfere with wildlife movements.

According to the California Essential Connectivity Map (Caltrans and CDFW, 2010), the Warehouse site is within approximately 3.37 acres of an Essential Connectivity Area (ECA). The northern portion of the Warehouse site lies within a small fraction of the Sugarloaf Mountain/Keller Peak- San Gabriel/Cucamonga ECA. However, the site is not located within any of the Natural Landscape Blocks located approximately 1-mile north that extend into the San Gabriel Mountains. This map was created as part of the California Essential Connectivity Project as a statewide assessment tool of essential habitat connectivity for conservation and infrastructure planning. This map does not reflect the needs of particular species but is based on overall biological connectivity and ecological integrity. A more detailed analysis is required to assess local and regional needs for connectivity and develop linkage designs specific to individual species requirements. The California Essential Connectivity Project aims to prioritize preservation of connectivity where larger areas of quality habitat occur, such as within Natural Landscape Blocks, which is not the case for the Project site. There are other areas near the City that function as regional habitat corridors, such as the Lytle Creek Wash Area, located north of Interstate 210 and southwest of Interstate 215 in San Bernardino County. Additionally, based on the physical constraints associated with the project site and surrounding areas, viable habitat is low quality, fragmented and disturbed making it less usable for species movement. It is unlikely that the proposed Project would affect wildlife movement for these reasons. However, if during pre-construction surveys a special-status species would be identified on site, **MM-BIO-4** would be implemented and a permanent conservation easement for like habitat or purchase mitigation credits in a CDFW-approved mitigation bank would occur. Thus, potential impacts in this regard would be less than significant with mitigation incorporated. The *BRA* shows that the Warehouse site contains native coastal sage scrub and other native habitat such that the Project site may have a potential to support nesting birds, migratory birds, and foraging raptors such as red-tailed hawks. To avoid impacts to migratory and nesting birds, pre-construction surveys would be required to avoid impacts. Therefore, implementation of **MM-BIO-5** would require a preconstruction clearance survey for nesting birds, as well as BUOW, in the event that ground disturbance and vegetation removal associated with the Project cannot occur outside of the nesting season. If the survey finds an active avian nest, **MM-BIO-5** includes a species-specific protocol that requires the qualified biologist to delineate a buffer around the active nest to ensure nesting behavior is not adversely affected by the construction activities. Implementation of **MM-BIO-5,** would reduce potential impacts associated with migratory and nesting birds to a less than significant level.

Operations

Once constructed, and for the same reasons listed above, operation of the Warehouse site would not impact 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 a native wildlife nursery site. Therefore, impacts are less than significant, and mitigation is not required.

MITIGATION MEASURES

MM-BIO-5 Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but it can vary slightly from year to year based on seasonal weather conditions.

If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If no active nests are found, no further action will be required.

If an active nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur. This protocol is in accordance with the Migratory Bird Treaty Act and CDFW Fish and Game Code standards.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

Implementation of Mitigation Measure BIO-5 would reduce potential impacts on migratory or nesting birds to less than significant. MM BIO-5 requires a qualified biologist would survey the Project site prior to construction to identify any active bird nests. If active bird nests are identified, construction activities would be required to stay outside a 300-foot buffer for birds and 500 feet for a raptor nest. The construction activities would be required to stay outside the buffer area until the nests are empty.

MALAGA AND PALMETTO SITES

Construction

Neither the Malaga Site or Palmetto site would be developed with any structures nor is any construction proposed under the proposed Project. The Malaga Site would be upzoned to Medium-Density Residential (R-2) and the Palmetto Site would be upzoned to Form-Based Code (FBC) – Transitional District. If the sites are developed in the future, impacts; however, could occur. The sites do not have any undisturbed water resources that support native fish species and the sites would not be used as a migration corridor as they are completely surrounded by existing development and provide no connectivity to offsite habitat areas.

The Malaga and Palmetto sites contain some trees and other plants that could be used by avian species for nesting or during migratory movements. The direct injury or death of a migratory bird due to future construction activities or other disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered a take. To avoid potential future impacts to migratory and nesting birds, pre-construction surveys would be required if either or both of the sites are developed. Because no development is proposed on these sites as this time, it unknown if the development of these sites would result in adverse impacts on nesting or migratory birds. At the time development is proposed, the project will be required to complete a project specific CEQA analysis in which impacts on biological resources will be evaluated.

Operations

Once constructed, operation of the Malaga and Palmetto sites would not impact 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. Therefore, impacts would not occur, and mitigation in this regard is not required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

No impact.

Impact 4.3-5: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Level of Significance: No Impact

WAREHOUSE SITE

Construction

The Warehouse site would be constructed in compliance with the requirements of the City's General Plan. The City of Fontana GP provides goals, policies, and implementation measures for the conservation of biological resources. Goal 1 is focused on conserving open space, and Goal 2 is focused on conserving open space that is utilized by wildlife species, while Goal 3 is centered on conserving urban forests. Since the Warehouse site will be rezoned for use as a warehouse under the I-L zone, conflicts with requirements related to the preservation of open space and conservation would not occur. The biological resources report did not note any trees within the Warehouse site and the site does not contain any protected or heritage trees defined in Chapter 28, Article III- Preservation of Heritage, Significant and Specimen Trees. No impacts would occur in this regard.

Operations

Operation of the Warehouse site would not result in any impacts to the policies or ordinances in the GP. As a result, impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

No impact.

MALAGA AND PALMETTO SITES

Construction

There is no proposed development of either the Malaga or Palmetto sites and direct impacts would not occur. Both sites would be upzoned and redevelopment on the sites may occur in the future. If future

construction occurs, impacts to a heritage or significant tree could occur. If either Project is implemented, they would be constructed in compliance with the requirements of the City's General Plan. The City of Fontana GP provides goals, policies, and implementation measures for the conservation of biological resources. Goal 1 is focused on conserving open space, and Goal 2 is focused on conserving open space that is utilized by wildlife species, while Goal 3 is centered on conserving urban forests.

Both the Malaga and Palmetto sites include numerous ornamental trees and other trees common to residential development. The sites may contain heritage trees defined in Chapter 28, Article III-Preservation of Heritage, Significant and Specimen Trees. To avoid potential future impacts to heritage trees, pre-construction evaluations would be required if either or both of the sites are developed. Because no development is proposed on these sites as this time, it unknown if the development of these sites would result in adverse impacts on heritage trees. At the time development is proposed, the project will be required to complete a project-specific CEQA analysis in which conflicts could occur. Any future project would be required to comply with Fontana City Code Section 28-67 regarding replacement or relocation would result in less than significant impacts.

Operations

Operation of the Malaga and Palmetto sites would not result in any impacts to the policies or ordinances in the CFGP. As a result, impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

No impact.

4.3.6 CUMULATIVE IMPACTS

For purposes of cumulative biological resource impact analysis, cumulative impacts are considered for cumulative development according to the related projects; see **Table 3-1***, Cumulative Projects List*. The geographic context for cumulative analysis of the effects to biological resources is localized and would impact only species that are found within the Warehouse or Malaga and Palmetto sites. In relation to cumulative impacts, past, present, and future projects within an appropriate distance to the Project area are considered for the cumulative analysis. Cumulative development projects as well as operation of the warehouse has the potential, taken in sum with other projects to result in cumulative impacts to biological resources. Neither the Malaga or Palmetto site would result in development and direct impacts would not occur. Indirect impacts; however, as a result of the upzone and if either or both sites are developed, could contribute to cumulative impacts. Areas surrounding most of the Warehouse site and all of the Malaga and Palmetto sites are already developed. Only the Warehouse site contains habitat that may be potentially suitable for special-status wildlife species besides nesting or migratory birds and these impacts as well as impacts to other special-status species and those utilizing alluvial habitats would be mitigated through the implementation of **MM-BIO-1** through **MM-BIO-5**. It is noted that the Warehouse site does occur on an alluvial habitat, which is discussed throughout this chapter and a portion of the site is within a small fraction of an ECA. Similar to the above, and as noted under MM-BIO-1 through MM-BIO-4, Project impacts to special-status species if found during focused surveys at the Warehouse site, such as CAGN, SBKR, and LAPM, would be mitigated with the dedication of a permanent conservation easement on

habitat of similar quality or the purchase of mitigation credits in a CDFW-approved mitigation bank at a minimum ratio of 1:1. The proposed Project's contribution to the cumulative loss of native habitat would be fully mitigation through implementation of this mitigation, as needed.

Therefore, considering all project components, mitigation implemented to reduce impacts to biological resources the Warehouse site, and future studies and site evaluations of the Malaga and Palmetto sites, should they be developed, would reduce impacts to biological resources from the proposed Project. The proposed measures and studies also would ensure the proposed Project does not make a cumulatively considerable contribution to impacts to biological resources. Impacts would be less than significant and additional mitigation is not required.

4.3.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable biological resource impacts have been identified.

4.4 CULTURAL AND TRIBAL RESOURCES

4.4.1 INTRODUCTION

This section describes the environmental and regulatory settings of cultural and tribal resources. Cultural resources relate to archaeological remains, historic buildings, traditional customs, tangible artifacts, historical documents, and public records, which are unique, may be historically significant, or are more locally important significant resources that make Fontana unique. Tribal resources refer to either a site, feature, place, cultural landscape, that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe. The evaluation of the proposed Project including the Warehouse site, Malaga and Palmetto sites, and potential impacts to cultural resources is largely based on the following sources:

- *Cultural Resources Assessment*, BCR Consulting, 2019 (Attached as Appendix D-1)
- Cultural Resources Investigation for Replacement Sites, BCR Consulting, 2020 (Attached as Appendix D-2)
- *Protection of Tribal Cultural Resources (TCRs),* Gabrieleno Band of Mission Indians – Kizh Nation (Attached as Appendix D-3)
- City of Fontana General Plan Update EIR

Section 4.4.6, *Impacts and Mitigation Measures* below, discusses the potential impacts that would occur to cultural and tribal resources. It was found that impacts would be less than significant with mitigation incorporated, which is based on information contained in the listed sources. In addition, this analysis is informed by consultations and comments received from the Gabrieleño Band of Mission Indians – Kizh Nation.

The cultural evaluations were conducted in compliance with California Public Resources Code (PRC) §5024.1 to identify prehistoric archaeological and historic resources in the warehouse site area and evaluate potential impacts that could result from implementation of this part of the Project. Due to the confidential nature of the location of cultural resources, these reports do not include maps or location descriptions.

The Malaga and Palmetto sites are currently developed with existing residential, other urban uses, and some undeveloped lots. There is no development proposed as part of this Project on either of those sites. The Project would result in the upzoning of the parcels, which would allow future redevelopment at higher residential densities to conform to the requirements of SB 330. As such, cultural resource surveys of these sites was not completed, but would be required prior to initiation of any future projects on either site.

4.4.2 ENVIRONMENTAL SETTING

WAREHOUSE SITE

The Warehouse site is located on approximately 16.09 gross acres in San Bernardino County within the northeastern portion of the City of Fontana (City). The warehouse and associated roadways, landscaping, etc., would occupy approximately 15.21-net acres, and approximately 0.86 acres would be dedicated to the City for street right-of-way. **Figure 3-3**, *Warehouse Site*, in Section 3.0, Project Description, provides

an aerial view of the site and surrounding areas. As shown, the Warehouse site is surrounded by existing development including industrial, residential, as well as undeveloped, and undeveloped but heavily disturbed areas. Sierra Avenue is an undivided two-lane road adjacent to the western project boundary. The site is approximately 1.5 miles south of the Sierra Avenue intersection with Interstate 15 (I-15) and is approximately 1.5 miles north of the Sierra Avenue intersection with SR-210. The elevation of the central portion of the Warehouse site is approximately 1,750 feet above mean sea level (AMSL) and local rainfall ranges from 5 to 15 inches annually. The site is generally flat, but slopes slightly from northwest to southeast. The property has been subject to disturbances related to surface erosion, weed abatement, excavation for construction of a single-family residential unit and demolition of the previously existing unit. The site also has been used for disposal and contains minor amounts of materials and debris. The site is vacant and has no existing structures but contains a remnant concrete housing pad. The site is otherwise unimproved. According to available historical sources, the site was undeveloped as early as 1896 until the 1940's through at least the 1980's when the former residence on the westerly side of the Warehouse site was present. As of 1995, however, the site was vacant with the exception of the remnant concrete pad approximately 200 feet from Sierra Avenue.

THE MALAGA SITE

The Malaga site occupies approximately 5.6 acres, is at approximately 1,350 feet amsl, and is located in San Bernardino County within the central portion of the City of Fontana. The site has been heavily disturbed and is currently built with primarily single-family residential development. Development surrounds the Malaga site on all sides and consists of existing residential, a few undeveloped lots, and limited commercial development. The site is bound by Mango Avenue, which is an undivided but striped one-lane road on the east, and Malaga Street on the south. Malaga Street is an undivided unstriped neighborhood street. Other uses include single-family residential to the north and a vacant lot to the west.

PALMETTO SITE

The Palmetto site occupies approximately 3.5 acres, is at approximately 1,260 feet amsl, and is located in San Bernardino County within the central portion of the City of Fontana. The site contains three single-family residences, two duplexes, and a church and parking lot that occupying the southerly half of the site. A portion of the site, approximately 0.5 acres is undeveloped, half of which appears to have disturbed vegetation, and the other half appearing relatively undisturbed. The Palmetto site is surrounded by existing residential, lots used for storage, a few undeveloped lots, three apartment buildings, a school, and limited commercial development. The site is bound by Palmetto Avenue, which is an undivided by striped two-lane road on the east, and Valencia Avenue which is an unstriped undivided neighborhood street. There is quad-plex or five-plex structure and single-family units and storage yard to the east, and a single-family unit and a small strip commercial use and open storage area to the north. As shown in **Figure 3-4**, *Malaga and Palmetto Sites*, in Section 3.0, Project Description, an aerial view of the sites and surrounding areas is provided.

ETHNOGRAPHIC, ARCHAEOLOGICAL, AND HISTORIC CONTEXT

Prehistory and Ethnography

The local prehistoric cultural setting of the City and region has been organized into many chronological frameworks, although there is no definitive sequence for the region. Cultural chronologies are difficult to establish for western San Bernardino County because of its enormous size and the small amount of

archaeological excavations that have been conducted. Moreover, throughout prehistory many groups have occupied the area and their territories often overlap spatially and chronologically resulting in mixed artifact deposits. Due to dry climate and capricious geological processes, these artifacts rarely become integrated in-situ, meaning they are seldom found in their place of origin. Because of this, local chronologies have relied upon temporally diagnostic artifacts, such as projectile points, or upon the presence/absence of other temporal indicators, such as groundstone. Such methods are instructive, but can be limited by prehistoric occupants' concurrent use of different artifact styles, or by artifact re-use or resharpening, as well as researchers' mistaken diagnosis, and other factors.

Although no prehistoric sites have been locally recorded, in general the overall Project and areas within the City as a whole are situated at an ethnographic nexus that were peripherally occupied by the Gabrielino and Serrano groups. Each group consisted of semi-nomadic hunter-gatherers who spoke a variation of the Takic language subfamily. The overall area of Fontana and the three Project sites is within the historical range of the Gabrieleño Band of Mission Indians – Kizh Nation, which encompassed parts of Riverside, San Bernardino, and Los Angeles County.

Gabrielino

The first documented encounter with the Gabrielino occurred in 1769 when Gaspar de Portola's expedition crossed Gabrielino territory, with other encounters occurring after. The Gabrielino name has been attributed by association with the Spanish mission of San Gabriel, and refers to a subset of people sharing speech and customs with other Cupan speakers (such as the Juaneño/Luiseño/Ajachemem) from the greater Takic branch of the Uto-Aztecan language family (Bean and Smith 1978). Gabrielino villages typically occupied the watersheds of various rivers and intermittent streams. The Gabrielino society was somewhat stratified and is thought to have contained three hierarchically ordered social classes which dictated ownership rights and social status and obligations. Plants utilized for food were heavily relied upon and included acorn-producing oaks, as well as seed-producing grasses and sage. Animal protein was commonly derived from rabbits and deer in inland regions, while coastal populations supplemented their diets with fish, shellfish, and marine mammals.

Serrano

The Uto-Aztecan "Serrano" people occupied the western Mojave Desert periphery and is considered to include up to four groups, each with distinct territories: the Kitanemuk, Tataviam, Vanyume, and Serrano.

Only one group in the San Bernardino Mountains and West-Central Mojave Desert, however, ethnically claims the term Serrano. This includes those who resided in an area that extended east of the Cajon Pass, located in the San Bernardino Mountains, to Twenty-nine Palms, to the north foothills of the San Bernardino Mountains and south to include portions of the Yucaipa Valley. Similar to the Gabrielino, access to water determined the location of settlement and villages with villages occasionally being located in the desert, adjacent to permanent water sources.

Like many neighboring tribes, the Serrano and Cahuilla were Takic and actively traded with other tribes including the Gabrielino. Structures for families were usually circular domes, constructed of willow frames and tule thatching. Individual family homes were used primarily for sleeping and storage. Villages included thatched covered work areas, a ceremonial structure(s), granaries and sweathouses. Subsistence strategies focused on hunting and gathering, occasionally supplemented by fishing. Food preparation was done with baking in earth ovens to parching and preparation tools including scrapers, bowls, baskets,

mortars, and metates. Serrano people were organized into clans affiliated with one of two exogamous moieties. Clans were led by a hereditary chief who occupied the village "big house" where ceremonies took place and shamans were initiated.

Historical Context

Historic-era California is generally divided into three periods: the Spanish or Mission Period (1769 to 1821), the Mexican or Rancho Period (1821 1848), and the American Period (1848 to present).

Spanish Period

The first European to pass through the area is thought to be a Spaniard called Father Francisco Garces. Having become familiar with the area, Garces acted as a guide to Juan Bautista de Anza, who had been commissioned to lead a group across the desert from a Spanish outpost in Arizona to set up quarters at the Mission San Gabriel in 1771 near what today is Pasadena. Garces was followed by Alta California Governor Pedro Fages, who briefly explored the region in 1772. Searching for San Diego Presidio deserters, Fages had traveled through Riverside to San Bernardino, crossed over the mountains into the Mojave Desert, and then journeyed westward to the San Joaquin Valley.

Mexican Period

In 1821, Mexico overthrew Spanish rule and the missions began to decline. By 1833, the Mexican government passed the Secularization Act, and the missions, reorganized as parish churches, lost their vast land holdings, and released their neophytes.

American Period

The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranchos through foreclosure. A series of disastrous floods in 1861–1862, followed by a significant drought further diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19th century, set the stage for diversified economic pursuits that have continued to proliferate to this day.

Local History

During the early 19th century, Anglo trader Michael White befriended the Lugo family of Rancho San Bernardino, and in settled in 1840. In 1843 he was granted Rancho de Muscupiabe located northeast of the Warehouse site by California Governor Manuel Micheltoreno. After California became a state settlement of the area continued to increase and by the late 1850s Mormon pioneers from Salt Lake City had purchased Rancho San Bernardino and began to settle at Rancho de Muscupiabe. By the 1860s large tracts owned by the U.S. Government became available for homesteading. The Mormon pioneers began to recede to Salt Lake City in the 1870s and soon after Greenberry Ferdinand Rubidoux Benton (GFRB) Perdew and his family settled near the present-day intersection of Summit Avenue and Citrus. Perdew

was developed with a local school and post office, which attracted others and they formed the settlement of Grapeland, which was named for grape and raisin vines planted locally between the 1860s and 1890s. Grapeland owed its early viability to these enterprising individuals, and to the entry of the Southern Pacific and the Santa Fe Railroads, locally established in 1875 and 1887 respectively.

In spite of burgeoning agricultural developments, water was difficult to come by and D.G. Scofield began to develop a local reservoir and canal system. Water rights were eventually acquired for Lytle Creek and the Grapeland Irrigation District was formed in an attempt to eliminate the need for marginally productive dry farming. While the district did construct reservoirs, canals, and ditches during the 1890s, shortages could not be overcome to the satisfaction of potential recipients, and by 1901 the Grapeland Irrigation District lost its rights to Lytle Creek. Those rights were eventually sold to the Fontana Development Company, signifying the end of Grapeland as an independent entity. Significant development of the area did not resume until the Fontana Development Company surveyed and laid out a small community along the Santa Fe railroad. American rancher and entrepreneur Azariel Blanchard (A.B.) Miller purchased 17,000 acres locally and was largely responsible for transforming the area into a profitable center for citrus, poultry, and livestock. A.B. Miller is credited with founding the community of Fontana in 1913 (Fontana Unified School District 2008). Like much of southern California, the success of railroads and agriculture during the early 20th century set the stage for expansion of agricultural and real estate development in the teens and twenties. After the slowdown of the depression years, demands related to World War II punctuated an economic revival. Expansion was particularly spurred on by the entry of Kaiser Steel into the area. Kaiser's local steel mill was constructed to supply wartime shipyards (Center for Land Use Interpretation 2013), which helped form the municipal and residential developments that persist in Fontana to this day.

METHODOLOGY

Records Search

Warehouse Site

Prior to fieldwork on the Warehouse site, an archaeological records search was conducted at the South Central Coastal Information Center (SCCIC). The SCCIC is one of twelve regional Information Centers that comprise the California Historical Resources Information System (CHRIS). CHRIS works under the direction of the California Office of Historic Preservation (OHP) and the State Historic Resources Commission (SHRC).[1] This included a review of all recorded historic and prehistoric cultural resources, as well as a review of known cultural resources, and survey and excavation reports generated from projects completed within one mile of the Warehouse site. In addition, a review was conducted of the National Register of Historic Places (National Register), the California Register of Historical Resources (California Register), and documents and inventories from the California Office of Historic Preservation including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures.

Additional land use history research was conducted through the San Bernardino County Assessor-Recorder-County Clerk, records of the General Land Office managed by the Bureau of Land Management, and various internet resources.

[1] California State University, Fullerton. College of Humanities and Social Sciences Division of Anthropology – Couth Central Coastal Information Center. Available: http://anthro.fullerton.edu/sccic/ Accessed: April 13, 2020.

FIELD SURVEY

An archaeological pedestrian field survey of the Warehouse site was conducted on June 24, 2019. The survey was conducted by walking parallel transects spaced approximately 15 meters apart across 100 percent of the warehouse site. Soil exposures, including natural and artificial clearings were carefully inspected for evidence of cultural resources. Vegetation was cleared by hand at regular intervals to maximize surface visibility.

Malaga and Palmetto Sites

BCR Consulting conducted a cultural resources records search at the SCCIC at California State University, Fullerton. The records search included a review of all recorded historic and prehistoric archaeological sites, as well as built environment resources within one mile of the Malaga and Palmetto sites. The research also reviewed known cultural resource reports completed in the vicinity. The research revealed that 17 cultural resource studies have taken place resulting in 17 cultural resources recorded within one mile of the Malaga and Palmetto sites. The Malaga and Palmetto sites themselves have not been subject to previous cultural resource assessments.

FIELD SURVEY

BCR Consulting conducted a reconnaissance mixed windshield and pedestrian inventory of the Malaga and Palmetto sites on April 8, 2020. The windshield survey involved inspection of developed and landscaped portions of the project sites by vehicle. Where exposed soils were visible and access was permissible, the sites were inspected on foot at fifteen-meter transect intervals. All exposed soils were carefully inspected for cultural remains. 16982 Malaga Street, 17022 Malaga Street, 7808 Mango Avenue, and 8571 Palmetto Avenue were inaccessible and therefore not subject to pedestrian inventory.

EXISTING CULTURAL RESOURCES

Warehouse Site

Data from the SCCIC revealed that 34 cultural resource studies have taken place resulting in the recording of 15 cultural resources (all historic-period) within a one-mile radius of the warehouse site. None of the previous studies has assessed the warehouse site for cultural resources. Several historic-period roads are located near the warehouse site, although none have been identified within its boundaries. The Warehouse site does contain the remnants of a residential complex built between 1942 and 1959. One concrete building foundation, two concrete structure footings, and the foundation of a pumphouse also are located within the site boundaries. No diagnostic artifacts were identified on the surface and a lack of soil accumulation indicates negligible potential for significant buried resources.

One of the main historic periods within Fontana and relate to the Grapeland Homestead and Waterworks, which were discussed above. The inferred boundaries of the Grapeland Homestead and Waterworks (designated P-36-015376/California Point of Historical Interest [CPHI]-SBR-116) encompass a large portion of Fontana, an area that includes the Warehouse site. There are no cultural resources in the Warehouse site boundaries; however, have been associated with P-36-015376 by the current study. This was concluded through the records search, the results of which, is summarized in **Table 4.4-1***, Cultural Resources Located Within a Mile of Warehouse Site*, below.

Table 4.4-1: Cultural Resources Located Within a Mile of Warehouse Site

Devore, Calif. (1988)	P-36-6112: historic-period homestead	½ Mile NE
	P-36-6589: Grapeland Irrigation District Canal	½ Mile W
	P-36-8697: historic-period farm/ranch complex	¼ Mile E
	P-36-8698: historic-period dirt road	Adjacent E
	P-36-10878: historic-period stone trough	¾ Mile N
	P-36-11506: historic-period bldg. footing	½ Mile W
	P-36-11507: historic-period refuse	½ Mile SW
	P-36-11508: historic-period road	½ Mile W
	P-36-11509: historic-period road	¼ Mile SW
	P-36-11510: historic-period road	¼ Mile W
	P-36-11511: historic-period road	Adjacent SW
	P-36-11512: historic-period road	½ Mile S
	P-36-11513: historic-period road	Adjacent W
	P-36-15376: Grapeland Homestead	Encompasses Project Site
	P-36-21495: historic-period cobble debris	¼ Mile SE
Source: BCR Consulting, 2019 – Sierra and Casa Grande General Plan and Zone Change Project.		

Malaga and Palmetto Sites

Regarding the Malaga and Palmetto sites, and as discussed above, the proposed Project would result in upzoning of the sites but there are no existing development plans or applications. The sites contain a total of 21 parcels contain buildings. Fifteen (15) historic-period residences were identified within 14 of the parcels, and the remaining seven parcels contain buildings that are not historic-period. **Table 4.4-*2*** *Malaga and Palmetto site Building Assessment,* shows this data below.

Table 4.4-2 Malaga and Palmetto site Building Assessment

Assessor Parcel Number and Address	Status of Building(s) and Construction Date
APN: 019018109 – 16974 Malaga St	1 SFR, possibly 1 ancillary structure (shed) near north end of property; SB County build date: 1943
APN: 019018110 – 16982 Malaga St	1 SFR, 1 ancillary structure (not a garage) north of the SFR; SB County build date: 1927
APN: 019018111 – 16994 Malaga St	1 SFR, 1 detached garage structure; SB County build date: 1946
APN: 019018112 – 17002 Malaga St	1 SFR, 1 detached garage structure, possibly 1 additional ancillary structure immediately north of the garage; SB County build date: 1945
APN: 019018113 – 17012 Malaga St	1 SFR with attached (single) garage; SB County build date: 1925 (Effective year: 1946)
APN: 019018114 – 17022 Malaga St	1 SFR, 1 detached garage structure; SB County build date: 1989
APN: 019018126 – 17032 Malaga St	1 SFR; SB County build date: 1946 (Effective year: 1988)
APN: 019018125 – 17042 Malaga St	1 SFR; SB County build date: 1979 (Effective year: 1980)

Assessor Parcel Number and Address	Status of Building(s) and Construction Date
APN: 019018124 – 17052 Malaga St	1 SFR, 1 ancillary structure behind the SFR; SB County build date: 1988
APN: 019018123 – 17062 Malaga St	1 SFR; SB County build date: 1979 (Effective year: 1980)
APN: 019018127 – 17070 Malaga St	1 SFR, possibly 1 ancillary structure (shed) north of the SFR; SB County build date: 1978
APN: 019018129 – 17080 Malaga St	1 SFR; SB County build date: 1979 (Effective year: 1982*)
APN: 019018128 – 7830 Mango Ave	1 SFR; SB County build date: 1979

4.4.3 REGULATORY SETTING

FEDERAL

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains, associated funerary objects, and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

National Register Bulletin 38

The National Park Service (NPS) has prepared guidelines to assist in the documentation of TCPs by public entities. While it is federal guidance, it serves as the best and most recognized guidance for identifying TCPs. NRB 38 is intended to be an aid in determining whether properties have traditional cultural significance and if they are eligible for inclusion in the NRHP. It is also intended to assist federal agencies, State Historic Preservation Offices (SHPO), Certified Local Governments, tribes, and other historic preservation practitioners who need to evaluate such properties when considering their eligibility for the NRHP as part of the review process prescribed by the ACHP.

Section 106 of the National Historic Protection Act

It is possible, although unlikely, that the Project would be subject to the federal permitting processes under “Section 106 review”. Although at this time, it is not anticipated any federal action or approval would be required, under Section 106 of the NHPA, federal agencies are required to consider the effects of their actions on places that are listed in, or eligible for listing in, the NRHP.

Natural Register of Historic Places

The NRHP was established by the NHPA of 1966, as “an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation’s historic resources and to indicate what properties should be considered for protection from destruction or impairment” (CFR 36 §60.2). The NRHP recognizes both historical-period and prehistoric archaeological properties that are significant at the national, state, and local levels.

To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must meet one or more of the following four established criteria (U.S. Dept. of the Interior, 1995):

1. Are associated with events that have made a significant contribution to the broad patterns of our history;
2. Are associated with the lives of persons significant in our past;
3. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

Unless the property possesses exceptional significance, it must be at least 50 years old to be eligible for listing in the NRHP (U.S. Dept. of the Interior, 1995). In addition to meeting the criteria of significance, a property must have integrity. Integrity is defined as "the ability of a property to convey its significance" (U.S. Dept. of the Interior, 1995). The NRHP recognizes seven qualities that, in various combinations, define integrity: location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity a property must possess several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property to convey its significance.

STATE

California Environmental Quality Act

California public agencies must consider the effects of their actions on both "historical resources" and "unique archaeological resources." Pursuant to PRC §21084.1, a "project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment." PRC §21083.2 additionally requires agencies to determine whether proposed projects would have effects on "unique archaeological resources."

"Historical resource" is a term with a defined statutory meaning. Under California Code of Regulations (CCR), Title 14, Chapter 3 (California Environmental Quality Act [CEQA] Guidelines), §15064.5 (a) "historical resource" includes the following:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission (SHRC), for listing in the CRHR (PRC §5024.1 and Title 14 CCR, §4850 et seq.).
- A resource included in a local register of historical resources, as defined in §5020.1(k) of the PRC or identified as significant in a historical resource survey meeting the requirements of §5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may

be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR (PRC §5024.1 and Title 14 CCR §4852) including the following:

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

CEQA addresses significant impacts to historical resources. "A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." (CEQA Guidelines §15064.5(b)(1)).

CEQA also requires agencies to consider whether projects will affect "unique archaeological resources." PRC §21083.2, subdivision (g), states that "'unique archaeological resources' means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3) Is directly associated with a scientifically recognized, important prehistoric or historic event or person."

California Public Records Act

Sections 6254(r) and 6254.10 of the California Public Records Act (Government Code §6250 et seq.) were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects… maintained by, …, the Native American Heritage Commission….". Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the [NAHC], another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency."

California Senate Bill 18

California Senate Bill (SB) 18, effective September 2004, requires a local government to notify and consult with California Native American tribes when the local government is considering adoption or amendment of a general plan or a specific plan. SB 18 provides California Native American tribes an opportunity to participate in local land use decisions at an early stage of planning, for the purpose of protecting or mitigating impacts to cultural places. Prior to adoption or amendment of a general plan or a specific plan, a local government must refer the proposed action to those tribes that are on the Native American Heritage Commission contact list and have traditional lands located within the city's or county's jurisdiction. The referral must allow a 45-day comment period pursuant to Government Code Section 65453.

SB 18 (Chapter 905 of the 2004 statutes) says, in pertinent parts:

> *Section 1(b): In recognition of California Native American tribal sovereignty and the unique relationship between California local governments and California tribal governments, it is the intent of the Legislature, in enacting this act, to accomplish all of the following:*
>
> *1) Recognize that California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places are essential elements in tribal cultural traditions, heritages, and identities.*
>
> *2) Establish meaningful consultations between California Native American tribal governments and California local governments at the earliest possible point in the local government land use planning process so that these places can be identified and considered.*
>
> *3) Establish government-to-government consultations regarding potential means to preserve those places, determine the level of necessary confidentiality of their specific location, and develop proper treatment and management plans.*
>
> *4) Ensure that local and tribal governments have information available early in the land use planning process to avoid potential conflicts over the preservation of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places.*
>
> *5) Enable California Native American tribes to manage and act as caretakers of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places.*
>
> *6) Encourage local governments to consider preservation of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places in their land use planning processes by placing them in open space.*
>
> *7) Encourage local governments to consider the cultural aspects of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places early in land use planning processes."*

And:

Section 65352.3 of the Government Code is as follows:

a) *(1) Prior to the adoption or any amendment of a city or county's general plan, proposed on or after March 1, 2005, the city or county shall conduct consultations with California Native American tribes that are on the contact list maintained by the Native American Heritage Commission (NAHC) for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.995 of the PRC that are located within the city or county's jurisdiction.*

   (2) From the date on which a California Native American tribe is contacted by a city or county pursuant to this subdivision, the tribe has 90 days in which to request a consultation, unless a shorter timeframe has been agreed to by that tribe.

b) *Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Section 65040.2, the city or county shall protect the confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects."*

The City sent consultation letters to the tribes listed below. The letters informed the respective tribes of the proposed Project and provided the opportunity for the tribe to consult with the City pursuant to SB 18 requirements. The City contacted the following tribes via written correspondence on *DATE in compliance with SB-18*:

California Assembly Bill 52

On July 1, 2015, California AB 52 of 2014 was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (PRC §21084.2). It further states that the lead agency shall avoid damaging effects to a tribal cultural resource, when feasible (PRC §21084.3). PRC §21074 (a)(1) and (2) defines tribal cultural resources as "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and meets either of the following criteria:

a) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC §5020.1(k), or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC §5024.1. In applying the criteria set forth in subdivision (c) of PRC §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also established a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. AB 52 requires that lead agencies "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project" if requested (PRC §21080.3.1(b)). Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is "an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC §5024.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks (CHL) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest (PHI) program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the SHRC determines that it meets one or more of the following criteria, which are modeled on NRHP criteria:

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

Under PRC §5024.1 and 14 CCR §4852(c), a cultural resource must retain integrity to be considered eligible for the CRHR. Specifically, it must retain sufficient character or appearance to be recognizable as a historical resource and convey reasons of significance. Integrity is evaluated with regard to retention of such factors as location, design, setting, materials, workmanship, feeling, and association. Cultural sites that have been affected by ground-disturbing activities, such as agricultural activities and off-road vehicle use (both of which occur within the Project site), often lack integrity because they have been directly damaged or removed from their original location, among other changes.

Typically, a prehistoric archaeological site in California is recommended eligible for listing in the CRHR based on its potential to yield information important in prehistory or history (Criterion 4). Important information includes chronological markers such as projectile point styles or obsidian artifacts that can be subjected to dating methods or undisturbed deposits that retain their stratigraphic integrity. Sites such as these have the ability to address research questions.

California Historical Landmarks

CHLs are buildings, structures, sites, or places that have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value and that have been determined to have statewide historical significance by meeting at least one of the criteria listed below. The resource also must have written consent of the property owner; be recommended by the SHRC; and be officially designated by the Director of California State Parks. The specific standards now in use were first applied in the designation of CHL No. 770. CHLs numbered 770 and above are automatically listed in the CRHR.

To be eligible for designation as a CHL, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type in the state or within a large geographic region (northern, central, or southern California);
- It is associated with an individual or group having a profound influence on the history of California; or,
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer, or master builder.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is "an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC §5024.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks (CHL) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest (PHI) program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the SHRC determines that it meets one or more of the following criteria, which are modeled on NRHP criteria:

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

Under PRC §5024.1 and 14 CCR §4852(c), a cultural resource must retain integrity to be considered eligible for the CRHR. Specifically, it must retain sufficient character or appearance to be recognizable as a historical resource and convey reasons of significance. Integrity is evaluated with regard to retention of such factors as location, design, setting, materials, workmanship, feeling, and association. Cultural sites that have been affected by ground-disturbing activities, such as agricultural activities and off-road vehicle use (both of which occur within the warehouse site), often lack integrity because they have been directly damaged or removed from their original location, among other changes.

Typically, a prehistoric archaeological site in California is recommended eligible for listing in the CRHR based on its potential to yield information important in prehistory or history (Criterion 4). Important information includes chronological markers such as projectile point styles or obsidian artifacts that can be subjected to dating methods or undisturbed deposits that retain their stratigraphic integrity. Sites such as these have the ability to address research questions.

California Points of Historical Interest

California Points of Historical Interest (PHIs) are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. PHIs designated after December 1997 and recommended by the SHRC are also listed in the CRHR. No historic resource may be designated as both a landmark and a point. If a point is later granted status as a landmark, the point designation is retired. In practice, the point designation program is most often used in localities that do not have a locally enacted cultural heritage or preservation ordinance.

To be eligible for designation as a California PHI, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type within the local geographic region (city or county);
- It is associated with an individual or group having a profound influence on the history of the local area; or,
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in the local region of a pioneer architect, designer, or master builder.

California Historical Resource Status Codes

In order to be considered as significant, a resource must meet at least one of the above-listed NRHP or CRHR criteria and retain enough integrity to support its period of significance and association within a historical context. A resource is assigned a California Historical Resource (CHR) status code following evaluation, which identifies its significance level. The status codes and descriptions are:

1. Properties listed in the NRHP or the CRHR.
2. Properties determined eligible for listing in the NRHP or CRHR.
3. Appears eligible for NRHP or CRHR through survey evaluation.
4. Appears eligible for NRHP or CRHR through other evaluation.
5. Properties recognized as historically significant by local government.
6. Not eligible for listing or designation as specified.
7. Not evaluated for NRHP or CRHR or needs re-evaluation

Typically, resources designated as CHR Status Code 6 are determined ineligible for designation under any criteria and are not considered historical resources under CEQA or the Murrieta Cultural Resource Preservation Ordinance. However, there are several subcategories that exist within each of the status codes that allow for various exemptions, such as whether a resource contributes to a Historic District.

California Historic Building Code

The California Historic Building Code (CHBC) provides guidelines for the preservation, restoration, rehabilitation, relocation, and reconstruction of buildings or structures designated as qualified historical

buildings or properties by a local, state, or federal jurisdiction, as defined by CHBC Section 8-218. The CHBC provides guidelines for long-term preservation efforts of qualified historical buildings or properties to allow owners to make improvements for access for persons with disabilities; to provide a cost-effective approach to preservation; and, to ensure overall safety of affected occupants or users.

As defined by the CHBC, a "qualified historical building" is "any building, site, structure, object, district, or collection of structures, and their associated sites, deemed of importance to the history, architecture, or culture of an area by an appropriate local, state, or federal governmental jurisdiction. This includes designated buildings or properties on, or determined eligible for, official national, state, or local historical registers or official inventories, such as the NRHP, CRHR, CHLs, California PHI, and officially adopted city or county registers, inventories, or surveys of historical or architecturally significant sites, places, or landmarks."[2]

California Health and Safety Code, Sections 7050 and 7052

Health and Safety Code, Section 7050.5, declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

California Penal Code, Section 622.5

California Penal Code, Section 622.5, provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands but specifically excludes the landowner.

LOCAL

Fontana General Plan 2015-2035

Community and Neighborhoods Element

This Element is focused on attributes of the City that contribute to the protection of cultural historic resources that link Fontana to its past.

Goal **The integrity and character of historic structures, cultural resources sites and overall historic character of the city of Fontana is maintained and enhanced.**

Policies

- Coordinate City programs and policies to support preservation goals.
- Support and promote community-based historic preservation initiatives.
- Designate local historic landmarks.
- Provide appropriate tools to review changes that may detract from historic integrity and character.

[2] California Historic Building Code (Sections 18950 to 18962 of Division 13, Part 2.7 of California Health and Safety Code).

Goal 2 **Residents' and visitors' experiences of Fontana are enhanced by a sense of the city's history.**

Policies

- Enhance public awareness of Fontana's unique historical and cultural legacy and the economic benefits of historic preservation in Fontana.
- Support creation of the Fontana Historical Museum.

Goal 3 **Cultural and archaeological resources are protected and preserved.**

Policy

- Collaborate with state agencies to protect cultural and archaeological resources.

City of Fontana Municipal Code

Fontana Municipal Code (MC) Chapter 5.351 – 5.365, *Preservation of Historic Resources* establishes a mechanism by which the City can implement the goals and policies of the general plan, which recognize the presence of archeological sites and buildings that have historic importance for the City. This portion of the code recognizes that the City Council finds and declares that historic, archeological and cultural resources symbolize the city and its people, reveal how the City's character was shaped, and instill pride in the community. The creation and functions of the planning commission and the identification, preservation and protection of historic, archeological and cultural resources within the City and that the use of these resources shall be governed by the provisions of the article. The subsections of this article related to the naming, protection, and preservation of resources include the following: Section 5-354 Violations; penalties; Section 5-355 Historical Resources designation criteria; Section 5-356 Historical resources designation procedures; and Section 5-357 Certificate of appropriateness. The article also includes Section 5-360 Design criteria and development standards pertaining to historical resources; 5-361 standards for work, 5-362 maintenance; as well as 5-363 Preservation easements.

Of note is Section 5-365 Designated Local historic resources which names 22 local historic resources. None of these sites are within the Warehouse site, Malaga site, or Palmetto site.

4.4.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

State CEQA Guidelines Appendix G has been used as significance criteria in this section. Accordingly, the Project may have a significant environmental impact if one or more of the following occurs:

- Causes a substantial adverse change in the significance of a historical resource pursuant to §15064.5 (see Impact 4.4-1);
- Causes a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 (see Impact 4.4-2);
- Disturbs any human remains, including those interred outside of formal cemeteries (see Impact 4.4-3).

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would cause a substantial adverse change in the significance of a tribal cultural resource if it would do any of the following:

1. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

    a. Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC §5020.1(k), or

    b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC §5024.1. In applying the criteria set forth in subdivision (c) of PRC 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (See Impact 4.14-1).

METHODOLOGY AND ASSUMPTIONS

The proposed Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning cultural and tribal resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce the potentially significant environmental impacts. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts.

APPROACH TO ANALYSIS

This analysis of impacts on cultural and tribal resources examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga and Palmetto sites and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field reconnaissance conducted by BCR Consulting, LLC; review of project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that any components of the Project may result in "substantial" adverse effects on historical and archaeological resources and human remains considers the existing site's historical resource value and the severity of the Project implementation on resources that may be considered historical.

4.4.5 IMPACTS AND MITIGATION MEASURES

Impact 4.4-1: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Level of Significance: Less than Significant Impact with Mitigation Incorporated

WAREHOUSE SITE

Construction

During the cultural resources survey of the site, the remnants of a post-World War II residential complex, consisting of concrete foundations and footings was located. The site of the resource is temporarily designated as KIM1908-H-1 and has been documented on Department of Park and Recreation (DPR) 523 forms. This site; however, is not recommended eligible for listing in the California Register of Historical Resources because it does not meet one or more of the eligibility criteria, and as such is not recommended a "historical resource" under CEQA. Therefore, removal of this site associated with construction of the warehouse would not result in a significant impact to this resource. Impacts are less than significant in this regard and mitigation is not required.

It is possible that additional resources may be uncovered during excavation and grading. This could result in impacts to these unidentified resources resulting in potentially significant impacts. A potentially significant impact could result if any of the following occurs:

- The proposed Project is changed to include areas not subject to this study
- The proposed Project is changed to include the construction of additional facilities
- Cultural materials are encountered during project activities

Although the current study has not indicated sensitivity for cultural resources within the Warehouse site boundaries, ground-disturbing activities always have the potential to reveal buried deposits not observed on the surface during previous surveys. To reduce the potential for impacts to occur, mitigation would be required. Implementation of **MM-CUL-1** through **MM-CUL-3**, below requires archaeological construction monitoring, awareness training, and implementation of the inadvertent discovery protocol, which would reduce this impact to less than significant.

Operations

Following completion of construction of the warehouse and disturbances of the site, this phase of the proposed Project would include use for industrial warehousing. These land use operations would not impact any known or unknown historical resources. Therefore, operation of the warehouse would have no impact on cultural resources.

MITIGATION MEASURES

The mitigation measures listed below are applicable to both Impact 4.4-1, and Impact 4.4-2 relating to historical resource pursuant to §15064.5, and significance of an archaeological resource pursuant to §21083.2, respectively.

MM CUL-1 During initial ground disturbance of either the Warehouse site a qualified archaeologist shall be present on-site to observe disturbance areas. The qualified archaeologist shall be able to halt work in the immediate vicinity should artifacts, exotic rock, shell or bone are uncovered during construction. In the event such cultural resources are unearthed during ground-disturbing activities by anyone other than the archaeologist, the project operator shall cease any ground-disturbing activities within 50 feet of the find and immediately contact the qualified archaeologist. Work shall not resume until the potential resource

can be evaluated by the qualified archaeologist. The qualified archaeologist shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find until the find has been evaluated, determined whether the find is culturally sensitive, and an appropriate short-term and long-term treatment plan has been designed.

MM CUL-2 Prior to the issuance of any grading permits for the Warehouse site a Cultural Awareness Training Program shall be provided to all construction managers and construction personnel prior to commencing any ground disturbance work at any of the project sites. The training shall be prepared and conducted by a qualified archaeologist to the satisfaction of the City Planning Department. The training may be discontinued when ground disturbance is completed. Construction personnel shall not be permitted to operate equipment within the construction area unless they have attended the training. A copy of the training transcript and/or training video, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgement forms shall be submitted to the City Planning Department for their review and approval.

MM CUL-3 In the event that unanticipated cultural or tribal cultural resources are encountered during the course of grading or construction at the Warehouse site the project operator/contractor shall cease any ground-disturbing activities within 50 feet of the find. Cultural and/or tribal cultural resources may include prehistoric archaeological materials such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock, as well as historic materials such as glass, metal, wood, brick, or structural remnants. A qualified archaeologist shall evaluate the resource and recommend appropriate treatment measures, as appropriate.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

MALAGA AND PALMETTO SITES

Construction

Both Malaga and Palmetto sites are characterized by suburban and urban development consisting of single-family residential units, vacant lots, some commercial uses, and a church. The proposed Project does not include construction of any new structures on these sites, but would upzone the properties to enable construction at an unknown later date. There are no existing plans for development and the upzone is proposed to comply with SB 330 and enable higher density housing. If subsequent construction does occur, it would require demolition and ground disturbance to build the new structures.

As discussed above, the Malaga and Palmetto sites had not been previously subject to cultural resource assessment or inventory. The surveys conducted for the proposed Project found that there are a total of 21 parcels that contain buildings. Fifteen (15) historic-period residences were identified within 14 of the parcels, and the remaining seven parcels contain buildings that are not historic-period. Of these 15 historic-period architectural resources, because it is unknown if they could be classified as historic or have potential eligibility for listing on the CRHR would be required. But because no development the existing

structures have not been formally evaluated and it is unknown if the potential future development of these sites would result in adverse impacts. To avoid potential future impacts to cultural resources, including unknown buried archaeological resources, any future project would be required to complete a Project specific CEQA analysis in which impacts on cultural resources will be evaluated.

Operations

If the Malaga or Palmetto sites are developed, once ground disturbance and construction of the new buildings is complete, the likely use would be for housing. If they occur, these land use operations would not impact any known or unknown historical resources. Therefore, operation of the future uses on either the Malaga or Palmetto sites would have no impact on cultural resources.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

No impact.

Impact 4.4-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Level of Significance: Less than Significant with Mitigation Incorporated

WAREHOUSE SITE

Construction

A significant impact would occur if grading and construction activities result in a substantial adverse change in the significance of a unique archaeological resource as defined in PRC §21083.2, or state CEQA Guideline 15064.5. The potential for Impacts to significant archaeological resources would be similar or the same as discussed in Impact 4.4-1 above. The potential for discovery and damage or destruction of unknown resources would be potentially significant, and mitigation would be required. **MM CUL-1** through **MM-CUL-3** would reduce these impacts to less than significant.

Operations

Impacts associated with operation of the warehouse would be the same as discussed in Impact 4.4-1, above. Following completion of construction of the warehouse and disturbances of the site, this phase of the proposed Project would include use for industrial warehousing. These land use operations would not impact any known or unknown historical resources. Therefore, operation of the warehouse would have no impact on cultural resources.

MITIGATION MEASURES

Refer to **MM CUL-1** through **MM CUL-3** above.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

MALAGA AND PALMETTO SITES

Construction

A significant impact would occur if demolition, grading, and construction activities result in a substantial adverse change in the significance of a unique archaeological resource as defined in PRC §21083.2, or state CEQA Guideline 15064.5. The potential for impacts to significant archaeological resources would be similar or the same as discussed in Impact 4.4-1 above. Because no development is proposed on these sites as this time; however, it is unknown if the development of these sites would result in adverse impacts on these resources. At the time development is proposed, the Project will be required to complete a Project specific CEQA analysis in which impacts on cultural resources will be evaluated. Potential impacts are considered less than significant because no development is currently proposed.

Operations

Impacts associated with operation of the Malaga and Palmetto sites would be the same as discussed in Impact 4.4-1, above. Following completion of the new construction of either Project, the operational phases likely include uses involving medium or high-density residential. These land use operations would not impact any known or unknown historical resources. Therefore, if the existing uses are removed and new uses are built, operationally there would be no impact on archaeological resources.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.4-3: Would the Project disturb any human remains, including those interred outsides of dedicated *cemeteries*?

Level of Significance: Less than Significant with Mitigation Incorporated

WAREHOUSE SITE

Construction

The archaeological records search and field survey did not reveal any resources known to contain human remains within or near the Warehouse site. While the Warehouse site is not known to contain any sensitive archeological or cultural resources, ground-disturbing activities have the potential to reveal unknown human remains. Therefore, construction of the warehouse could disturb human remains should any be discovered during ground-disturbing activities. If human remains are found, those remains would require proper treatment in accordance with applicable laws, including Health and Safety Code (HSC) §7050.5-7055 and Public Resources Code (PRC) §5097.98 and §5097.99. HSC §7050.5-7055 describe the general provisions for treatment of human remains. Specifically, HSC §7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during excavation of a site. HSC §7050.5 also requires that all activities cease immediately, and a qualified archaeologist and Native American monitor be contacted immediately.

As required by state law, the procedures set forth in PRC §5087.98 would be implemented, including evaluation by the County Coroner and notifications to the Native American Heritage Commission (NAHC). The NAHC would then designate the "Most Likely Descendent" of the unearthed human remains. If human remains are found during excavation, excavation would be halted in the vicinity of the find and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for the treatment and disposition of the remains. Compliance with the established regulatory framework (i.e., HSC §7050.5-7055 and PRC §5097.98 and 5097.99) would ensure potential Project impacts concerning human remains are reduced to less than significant. Compliance with Mitigation Measure **MM-CUL-4** would ensure potential impacts to human remains remain less than significant.

Operations

Occupation of the warehouse would not further impact human remains and would not cause a substantial adverse effect to undiscovered human remains. No impacts would occur.

MITIGATION MEASURE

MM CUL-4 If human remains are encountered during the undertaking, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

MALAGA AND PALMETTO SITES

Construction

Both the Malaga and Palmetto sites are characterized by suburban and urban development consisting of single-family residential units, vacant lots, some commercial uses, and a church. As such, the potential for the sites to contain unknown human remains is considered low. As part of the Project, both the Malaga site and Palmetto site would be upzoned to enable future construction of higher density residential uses to conform to the requirements of SB 330. Neither the Malaga site or Palmetto site area proposed for construction of any new structures. If construction does occur, it would occur at a yet unknown later date as there are no plans for development at this time.

Because no development plans existing at this time, and due to the nature of the Malaga and Palmetto sites, a cultural resources report was not conducted and would not have uncovered buried human remain should they exist. While neither site is known to contain any such remains, ground-disturbing activities have the potential to reveal unknown human remains and future construction on the sites, should it occur, could disturb human remains if they are on-site. If human remains are found, those remains would require proper treatment in accordance with applicable laws, that are discussed immediately above and include

Health and Safety Code (HSC) §7050.5-7055, Public Resources Code (PRC) §5097.98 and §5097.99, HSC §7050.5-7055. At the time development is proposed, the Project will be required to complete a Project specific CEQA analysis in which impacts on cultural resources will be evaluated. Potential impacts are considered less than significant because no development is currently proposed.

Operations

Operation of the Malaga site and Palmetto site, should eventual redevelopment occur, would not further impact human remains and would not cause a substantial adverse effect to undiscovered human remains. No impacts would occur.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.4-4: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC §5020.1(k), or

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC §5024.1. In applying the criteria set forth in subdivision (c) of PRC 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (See Impact 4.14-1).

Level of Significance: Less than Significant with Mitigation Incorporated

WAREHOUSE SITE

Construction and Operations

The NAHC was contacted for a check of their Sacred Lands file for properties near the project site*; they indicated there were no known sacred sites in the immediate vicinity of the project site*. Native American representatives were contacted from Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government. Formal letters inviting consultation for the Project pursuant to PRC §21080.3.1(b) were sent. *One response to the letters was received in August 2019* and indicated that the Warehouse project site was within the ancestral tribal territory of the Kizh Nation and that the proposed Project could impact known archaeological/cultural sites. The correspondence included the Gabrieleño Band of Mission Indians – Kizh Nation Protection of Tribal Cultural Resources (TCRs) which provided details related to AB-52, associated tribal consultation, and requests from the tribe for mitigation aimed at reducing potential impacts to tribal cultural resources. More specifically, the request includes that the proposed Project include cultural

monitors during development and ground disturbance. It should be noted that the cultural resources report did not locate any archaeological or tribal cultural resources on the project site. **MM CUL-1** through **MM CUL-7** requires the project archaeologist to consult with local experts and Native American Representatives for the preparation of a treatment plan, respectively, if significant unknown cultural resources are discovered during construction mass grading and trenching activities.

As discussed above, implementation of the proposed Project could result in disturbance or destruction of unknown buried tribal cultural resources that were not located during previous study and site evaluation. Mitigation Measures **MM CUL-1** through **MM CUL-7** include measures that will ensure the protection of any unknown or inadvertently discovered archaeological resources and human remains, or other cultural significant resources. All such finds would be required to be treated in accordance with all CEQA requirements and all other applicable laws and regulations. With implementation of these measures, impacts in this regard would be less than significant.

MITIGATION MEASURES

Refer to **MM CUL-1** through **MM CUL-4** above and **MM CUL-5** through **MM CUL-7** below.

MM CUL-5 **Retain a Native American Monitor/Consultant:** The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.

Professional Standards: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

MM CUL-6 **Unanticipated Discovery of Tribal Cultural and Archaeological Resources:** Upon discovery of any archaeological resources, cease construction activities in the immediate

vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the Project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources.

Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or historical society in the area for educational purposes.

MM CUL-7 **Unanticipated Discovery of Human Remains and Associated Funerary Objects:** 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 PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.

Resource Assessment & Continuation of Work Protocol: Upon discovery, the tribal and/or archaeological monitor/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native

American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).

Kizh-Gabrieleño Procedures for burials and funerary remains: If the Gabrieleño Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.

Treatment Measures: Prior to the continuation of ground-disturbing activities, the land owner shall arrange a designated site location within the footprint of the Project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the Project and keeping the remains in situ and protected. If the Project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on-site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

MALAGA AND PALMETTO SITES

Construction and Operations

The Malaga and Palmetto sites contain existing structures but do not contain any known tribal cultural resources. If these resources do exist on site, construction and operation of either Project should they be developed could result in direct damage or loss of the resource. To avoid potential future impacts to cultural and tribal resources, a cultural resources report would be required to include tribal consultation. However, because no development is proposed on these sites as this time, it unknown if the development of these sites would result in adverse impacts on unknown if the development of these sites would result in adverse impacts on these resources. At the time development is proposed, the Project will be required to complete a project-specific CEQA analysis in which impacts on cultural and tribal resources will be evaluated. Potential impacts are considered less than significant because no development is currently proposed.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.4.6 CUMULATIVE IMPACTS

For purposes of cumulative impact analysis to cultural and tribal resources, the geographic context for cumulative analysis of the is regional and considers both direct and indirect impacts over a wide area. However; the discussion is focused on the proposed Projects potential for resulting in site-specific impact but that could contribute to a cumulative loss. Accordingly, impacts are site-specific and not generally subject to cumulative impacts unless multiple projects impact a common resource, or an affected resource extends off-site, such as a historic townsite or district. With this consideration, the cumulative analyses for historical, archaeological, and tribal cultural resources considers whether the proposed Project, in combination with the past, present, and reasonably foreseeable projects, could cumulatively affect any common cultural or paleontological resources.

The proposed Project could result in potential site-specific impacts to currently unknown archaeological, cultural, and tribal cultural resources discovered during grading and trenching activities during construction. Other projects within the cumulative study area also have the potential to result in damage and/or loss to these resources. The combination of the proposed Project as well as past, present, and reasonably foreseeable projects in the City and San Bernardino County would be required to comply with all applicable State, federal, and County and local regulations concerning preservation, salvage, or handling of cultural and paleontological resources, including compliance with required mitigation. Similar to the proposed Project, these projects also would be required to implement and conform to mitigation measures, which would be likely to reduce impacts to less than significant. Although in the process of development, some known or unknown resources may be lost, it is not anticipated that these impacts

would be cumulatively considerable. In addition, implementation of Mitigation Measures CUL-1 through CUL-7 would reduce project-specific impacts to a less than significant level. Therefore, the Project's contribution to cumulative impacts would be less than significant.

4.4.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable cultural resource impacts have been identified.

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4.5 ENERGY

4.5.1 INTRODUCTION

According to State CEQA Guidelines Section 15126.2(b), Section 15126.4 (a)(1)(C), and Appendix F, the goal of conserving energy implies the wise and efficient use of energy including decreasing reliance on natural gas and oil and increasing reliance on renewable energy sources (renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat). The Project would be constructed to Title 24 standards, which are designed to reduce energy demand in all new construction.

This section describes the existing setting of the proposed as they relate to the proposed Project, including the Warehouse site and the RURs (Malaga and Palmetto sites) as it relates to energy conservation, identifies associated regulatory conditions and requirements, presents the criteria used to evaluate potential impacts related to use of fuel and energy upon implementation of the Project, and identifies mitigation measures to reduce or avoid potential significant impacts. The significance of each impact is included at the end of this section.

4.5.2 ENVIRONMENTAL SETTING

Pursuant to Section 15126.2(b), Section 15126.4 (a)(1)(C), and Appendix F of the State CEQA Guidelines, the environmental setting may include "existing energy supplies and energy use patterns in the region and locality." Energy use is analyzed in this document by evaluating the potential direct and indirect environmental impacts associated with the Project. Such impacts include, without limitation, the depletion of nonrenewable resources (e.g., oil, natural gas, coal, etc.) and emissions of pollutants during both Project construction and operations.

Refer to **Section 4.2,** *Air Quality* and **Section 4.7,** *Greenhouse Gas Emissions* for additional regulatory background and details on the environmental setting regarding the Project's energy use.

EXISTING ELECTRICITY AND NATURAL GAS SUPPLIES

Electricity as a utility is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves several system components including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Energy capacity, or electrical power, is generally measured in watts (W) while energy use is measured in watt-hours (Wh). For example, if a light bulb has a capacity rating of 100 W, the energy required to keep the bulb on for 1 hour would be 100 Wh. If ten 100 W bulbs were on for 1 hour, the energy required would be 1,000 Wh or 1 kilowatt-hour (kWh). On a utility scale, a generator's capacity is typically rated in megawatts (MW), which is one million watts, while energy use is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion watt-hours.

Electrical services are provided to the Project sites by Southern California Edison (SCE). SCE provides electricity to approximately 15 million people, 180 incorporated cities, 15 counties, 5,000 large businesses, and 280,000 small businesses throughout its 50,000-square-mile service area[1]. SCE produces and purchases their energy from a mix of conventional and renewable generating sources. **Table 4.5-1,** *Electric Power Mix Delivered to SCE Retail Customers in 2018* shows the SCE electric power mix in 2018 compared to the statewide 2018 power mix.

Table 4.5-1: Electric Power Mix Delivered to SCE Retail Customers in 2018

Energy Resources	2018 SCE Power Mix[1]	2018 CA Power Mix[1]
Eligible Renewable	36%	31%
Biomass and Biowaste	1%	2%
Geothermal	8%	5%
Eligible Hydroelectric	1%	2%
Solar	13%	11%
Wind	13%	11%
Coal	0%	3%
Large Hydroelectric	4%	11%
Natural Gas	17%	35%
Nuclear	6%	9%
Other	0%	<1%
Unspecified Sources of Power[2]	37%	11%
Total	**100%**	**100%**

[1] California Energy Commission, Annual Power Content Labels for 2018, 2018 Power Content Table, Southern California Edison, updated July 2019, https://www.energy.ca.gov/sites/default/files/2020-01/2018_PCL_Southern_California_Edison.pdf, accessed June 3, 2020.
[2] Electricity from transactions that are not traceable to specific generation sources.
Source: California Energy Commission, 2018 Power Content Label, July 2019.

ENERGY USE

Energy use is typically quantified using the British Thermal Unit (BTU). Total energy use in California was 7,829 trillion BTU in 2016 (the most recent year for which this specific data is available), which equates to an average of approximately 198 million BTU per capita. Of California's total energy use, the breakdown by sector is 39.8 percent transportation, 23.7 percent industrial, 18.9 percent commercial, and 17.7 percent residential. Electricity and natural gas in California are generally used by stationary sources such as residences, commercial sites, and industrial facilities, whereas petroleum use is generally accounted for by transportation-related energy use[2]. In 2018, taxable gasoline sales (including aviation gasoline) in California accounted for 15,589,042,965 gallons of gasoline[3].

The electricity consumption in the San Bernardino County from 2007 to 2018 is shown in **Table 4.5-2,** *Electricity Consumption in San Bernardino County 2007-2018*. As indicated, the demand has remained relatively constant, with no substantial increase, even as the population has increased.

[1] California Energy Commission. (July 2019). *Annual Power Content Labels for 2018, 2018 Power Content Table, Southern California Edison*. Retrieved from https://www.energy.ca.gov/sites/default/files/2020-01/2018_PCL_Southern_California_Edison.pdf, accessed June 3, 2020.
[2] United States Energy Information Administration. (November 15, 2019). *California State Profile and Energy Estimates*. Retrieved from www.eia.gov/state/?sid=CA, accessed February 7, 2019.
[3] California Department of Tax and Fee Administration. (August 2019). *Net Taxable Gasoline Sales*. Retrieved from www.cdtfa.ca.gov/taxes-and-fees/MVF-10-Year-Report.pdf, accessed February 7, 2019.

Table 4.5-2: Electricity Consumption in San Bernardino County 2007-2018

Year	Electricity Consumption (in millions of kilowatt- hours)
2007	14,821
2008	14,826
2009	13,800
2010	13,495
2011	13,744
2012	14,365
2013	14,386
2014	14,765
2015	14,780
2016	14,970
2017	15,488
2018	15,634

Source: CEC, *Electricity Consumption by County*, 2020.
Website: http://www.ecdms.energy.ca.gov/, accessed June 3, 2020.

NATURAL GAS

The Southern California Gas Company (SoCal Gas), the service provider for the Project areas and services approximately 21 million people in a 20,000-square mile service territory. SoCal Gas has four storage fields; Aliso Canyon, Honor Rancho, La Goleta, and Playa del Rey, as well as a combined storage capacity of 134.1 billion cubic feet. According to the California Energy Commission (CEC), natural gas demand in the SoCal Gas service area was 7,431 million therms (or 743,100 million cubic feet) in 2010. The CEC prepared three scenarios for forecasting future growth in natural gas demand between 2012 and 2022: a high-energy demand case, a low-energy demand case, and a mid-energy demand case. The low-demand scenario, which incorporates relatively high economic/demographic growth, relatively low electricity and natural gas rates, and relatively low-efficiency program and self-generation impacts, estimates that natural gas demand in the SoCal Gas service area would be 7,951 million therms in 2022 (the latest year in the demand forecast).

SoCal Gas provides natural gas services to the entire County of San Bernardino. Natural gas is a hydrocarbon fuel found in reservoirs beneath the earth's surface and is composed primarily of methane (CH_4). It is used for space and water heating, process heating and electricity generation, and as transportation fuel. The County's General Plan Renewable Energy and Conservation Element reported the natural gas output to be approximately 73 to 74 percent countywide[4]. Use of natural gas to generate electricity is expected to increase in coming years because it is a relatively clean alternative to other fossil fuels like oil and coal. In California and throughout the western United States, many new electrical generation plants that are fired by natural gas are being brought online.

Natural gas provides almost a third of California's total energy requirements and will continue to be a major fuel in California's energy supply. Only 13.5 percent of the natural gas California used came from in-State production in 2006; the rest was delivered by pipelines from several production areas in the

[4] County of San Bernardino. (April 2017). General Plan Renewable Energy and Conservation Element. Retrieved from http://www.sbcounty.gov/uploads/LUS/Renewable/RECElementFinalPublicHearingDraftApril2017WEB2.pdf, accessed June 3, 2020.

western United States and western Canada. Once the gas arrives in California, it is distributed by the State's three major gas utilities that provide a collective of 98 percent of the State's natural gas.

The natural gas consumption in the San Bernardino County from 2007 to 2018 is shown in **Table 4.5-3*,*** *Natural Gas Consumption in San Bernardino County 2007-2018.* Similar to electricity consumption, the demand has remained relatively constant, with no substantial increase, even with an increase in population.

Table 4.5-3: Natural Gas Consumption in San Bernardino County 2007-2018

Year	Natural Gas Consumption (in millions of kilowatt hours)
2007	507
2008	500
2009	461
2010	493
2011	504
2012	486
2013	503
2014	452
2015	469
2016	494
2017	493
2018	500
Source: CEC, *Natural Gas Consumption by County,* 2020. Website: http://www.ecdms.energy.ca.gov/, accessed June 3, 2020.	

TRANSPORTATION FUEL

California's transportation sector uses roughly half of the energy consumed in the State. In 2018, Californians consumed approximately 15.6 billion gallons of gasoline and 3.1 billion gallons of diesel fuel.[5] As shown in **Table 4.5-4,** *Automotive Fuel Consumption in San Bernardino County 2011-2021*, on-road automotive fuel consumption has increased from 2014 to 2019, but is projected to decrease to less than the consumption amounts of 2011 this year. Heavy-duty diesel fuel consumption in San Bernardino County has increased since 2011.

Table 4.5-4: Automobile Fuel Consumption in San Bernardino County 2011-2021

Year	Gasoline Fuel Consumption (Gallons)	Heavy-Duty Vehicle/Diesel Fuel Consumption (Gallons)
2011	864,861,188	227,318,398
2012	859,515,074	223,825,641
2013	860,606,465	234,456,258
2014	871,905,921	242,405,997
2015	901,735,090	247,401,760
2016	930,141,897	264,307,288
2017	911,650,569	267,598,561
2018	892,921,306	271,487,104

[5] California State Board of Equalization (BOE), *Net Taxable Gasoline Gallons*, 2018 and California State Board of Equalization (BOE), *Taxable Diesel Gallons 10-year Report,* 2018.

Table 4.5-4: Automobile Fuel Consumption in San Bernardino County 2011-2021

Year	Gasoline Fuel Consumption (Gallons)	Heavy-Duty Vehicle/Diesel Fuel Consumption (Gallons)
2019	872,693,814	274,058,188
2020 (projected)	855,858,219	275,882,711
2021 (projected)	840,123,907	277,427,995
Source: California Air Resources Board, EMFAC2017.		

4.5.3 REGULATORY SETTING

The following is a description of State and local environmental laws and policies that are relevant to energy conservation. See also Section 4.2, Air Quality, Section 4.7, Greenhouse Gas Emissions, and Section 4.14, Transportation, for other policies related to energy use. See Chapter 4.15, Utilities and Service Systems for policies related to water consumption.

FEDERAL

National Energy Conservation Policy Act

The National Energy Conservation Policy Act serves as the underlying authority for federal energy management goals and requirements. Signed into law in 1978, it has been regularly updated and amended by subsequent laws and regulations. This act is the foundation of most federal energy requirements.

Energy Policy Act of 2005

On August 8, 2005, President George W. Bush signed the National Energy Policy Act of 2005 (Public Law 109-58) into law. This comprehensive energy legislation contains several electricity-related provisions that aim to:

- Help ensure that consumers receive electricity over a dependable, modern infrastructure;
- Remove outdated obstacles to investment in electricity transmission lines;
- Make electric reliability standards mandatory instead of optional; and
- Give Federal officials the authority to site new power lines in Department of Energy-designated national corridors in certain limited circumstances.

The Renewable Fuel Standard (RFS) program was created under the Energy Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. The program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders. As required under Energy Policy Act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act (EISA; Public Law 110-140) was signed into law by President George W. Bush on December 19, 2007. The Act's goal is to achieve energy security in the United States by increasing renewable fuel production, improving energy efficiency and performance, protecting consumers, improving vehicle fuel economy, and promoting research on greenhouse gas (GHG) capture and storage.

Under the EISA, the RFS program (RFS2) was expanded in several key ways:

- Expanded the RFS program to include diesel, in addition to gasoline;
- Increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022;
- Established new categories of renewable fuel and set separate volume requirements for each; and
- Required U.S. Environmental Protection Agency (U.S. EPA) to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

RFS2 lays the foundation for achieving significant reductions of GHG emissions from the use of renewable fuels, for reducing imported petroleum, and encouraging the development and expansion of our nation's renewable fuels sector.

The EISA also includes a variety of new standards for lighting and for residential and commercial appliance equipment. The equipment includes residential refrigerators, freezers, refrigerator-freezers, metal halide lamps, and commercial walk-in coolers and freezers.

STATE

Assembly Bill 32 and Senate Bill 32

California's major initiative for reducing GHG emissions is outlined in AB 32, the "California Global Warming Solutions Act of 2006." AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05) and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Reductions in overall energy consumption have been implemented to reduce emissions. See **Section 4.7**, *Greenhouse Gas* for a further discussion of AB 32.

In September 2016, the Governor signed into legislation SB 32, which builds on AB 32 and requires the state to cut GHG emissions to 40 percent below 1990 levels by 2030. With SB 32, the Legislature also passed AB 197, which provides additional direction for updating the Scoping Plan to meet the 2030 GHG reduction target codified in SB 32. CARB has published a draft update to the Scoping Plan and has received public comments on this draft but has not released the final version.

Additional energy efficiency measures beyond the current regulations are needed to meet these goals as well as the AB 32 greenhouse gas (GHG) reduction goal of reducing statewide GHG emissions to 1990 levels by 2020 and the SB 32 goal of 40 percent below 1990 levels by 2030 (see Section 4.7, Greenhouse Gas, for a discussion of AB 32 and SB 32). Part of the effort in meeting California's long-term reduction goals include reducing petroleum use in cars and trucks by 50 percent, increasing from one-third to more than one-half of California's electricity derived from renewable sources, doubling the efficiency savings achieved at existing buildings and making heating fuels cleaner; reducing the release of methane, black

carbon, and other short-lived climate pollutants, and managing farm and rangelands, forests, and wetlands so they can store carbon.[6]

California Building Energy Efficiency Standards: Title 24, Part 6 (California Energy Code)

Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24", California's energy efficiency standards for residential and non-residential buildings, was established by the California Energy Commission (CEC) in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption, and provide energy efficiency standards for residential and non-residential buildings. The 2016 Title 24 standards became effective on January 1, 2017. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2016 Title 24 standards are 28 percent more efficient than previous standards for residential development. The standards offer developers better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses. The 2019 Building Energy Efficiency Standards, which take effect on January 1, 2020, would promote photovoltaic systems in newly constructed residential buildings and additional lighting standards. With rooftop solar electricity generation, homes built under the 2019 standards will use about 53 percent less energy than those under the 2016 standards. With the new lighting standards, nonresidential buildings would use 30% less energy than buildings built under the 2016 standards. The CBEES updates focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings, and include requirements that will enable both demand reductions during critical peak periods and future solar electric and thermal system installations.

The Title 24, Part 6 was created as part of the California Building Standards Code by the California Building Standards Commission in 1978 to establish statewide building energy efficiency standards to reduce California's energy use. These standards include provisions applicable to all buildings, residential and non-residential, which describe requirements for documentation and certificates that the building meets the standards[7]. These provisions include mandatory requirements for efficiency and design of the following types of systems, equipment, and appliances:

- Air Conditioning Systems
- Heat Pumps
- Water Chillers
- Gas- and Oil-Fired Boilers
- Cooling Equipment
- Water Heaters and Equipment
- Pool and Spa Heaters and Equipment

[6] California Energy Commission (CEC), *Final Integrated Energy Policy Report Update,* 2016.
[7] California Energy Commission. (May 2012). *2013 Building Energy Efficiency Standards for Residential and Nonresidential Buildings*. Retrieved from www.energy.ca.gov/2012publications/CEC-400-2012-004/CEC-400-2012-004-CMF-REV2.pdf, accessed February 7, 2019.

- Gas-Fired Equipment Including Furnaces and Stoves/Ovens
- Windows and Exterior Doors
- Joints and Other Building Structure Openings (Envelope)
- Insulation and Cool Roofs
- Lighting Control Devices

The standards include additional mandatory requirements for space conditioning (cooling and heating), water heating, indoor and outdoor lighting systems, as well as equipment in non-residential, high-rise residential, and hotel or motel buildings. Mandatory requirements for low-rise residential buildings cover indoor and outdoor lighting, fireplaces, space cooling and heating equipment (including ducts and fans), and insulation of the structure, foundation, and water piping. In addition to the mandatory requirements, the standards call for further energy efficiency that can be provided through a choice between performance and prescriptive compliance approaches. Separate sections apply to low-rise residential and to non-residential, high-rise residential, and hotel or motel buildings. In buildings designed for mixed use (e.g., commercial and residential), each section must meet the standards applicable to that type of occupancy.

The performance approach set forth under these standards provides for the calculation of an energy budget for each building and allows flexibility in building systems and features to meet the budget. The energy budget addresses space-conditioning (cooling and heating), lighting, and water heating. Compliance with the budget is determined using a CEC-approved computer software energy model. The alternative prescriptive standards require demonstrating compliance with specific minimum efficiency for components of the building such as building envelope insulation R-values, fenestration (areas, U-factor and solar heat gain coefficients of windows and doors) and heating and cooling, water heating and lighting system design requirements. These requirements vary depending on the building's location in the State's 16 climate zones.

California Green Building Standards

The California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new residential and commercial buildings to comply with mandatory measures under five topical areas: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt which encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code was adopted in 2016 and went into effect January 1, 2017.[8]

[8] California Building Standards Commission. (2019). *California Green Building Standards.* Retrieved from www.bsc.ca.gov/Home/CALGreen.aspx, accessed February 7, 2019.

2008 California Energy Action Plan Update

The *2008 Energy Action Plan Update* provides a status update to the *2005 Energy Action Plan II,* which is the State of California's principal energy planning and policy document (CPUC and CEC, 2008). The plan continues the goals of the original *Energy Action Plan*, describes a coordinated implementation plan for State energy policies, and identifies specific action areas to ensure that California's energy is adequate, affordable, technologically advanced, and environmentally sound. First-priority actions to address California's increasing energy demands are energy efficiency, demand response (i.e., reduction of customer energy usage during peak periods in order to address system reliability and support the best use of energy infrastructure), and the use of renewable sources of power. If these actions are unable to satisfy the increasing energy and capacity needs, the plan supports clean and efficient fossil-fired generation.

2006 Appliance Efficiency Regulations

The California Energy Commission adopted Appliance Efficiency Regulations (Title 20, California Code of Regulations §§1601 through 1608) on October 11, 2006. The regulations were approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non-federally regulated appliances. While these regulations are now often viewed as "business-as-usual," they exceed the standards imposed by all other states and they reduce GHG emissions by reducing energy demand.

Senate Bill 1078 and 107; Executive Order S-14-08, S-21-09, and SB 2X

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, which expands the State's Renewable Portfolio Standard to 33 percent renewable power by 2020. In September 2009, then-Governor Schwarzenegger continued California's commitment to the Renewable Portfolio Standard by signing Executive Order S-21-09, which directs the CARB under its AB 32 authority to enact regulations to help the State meet its Renewable Portfolio Standard goal of 33 percent renewable energy by 2020. In April 2011, Governor Brown signed SB 2X, which legislated the prior Executive Order S-14-08 renewable standard.

Executive Order B-30-15, Senate Bill 350, and Senate Bill 100

In April 2015, the Governor issued Executive Order B-30-15, which established a GHG reduction target of 40 percent below 1990 levels by 2030. SB 350 (Chapter 547, Statutes of 2015) advanced these goals through two measures. First, the law increases the renewable power goal from 33 percent renewables by 2020 to 50 percent by 2030. Second, the law requires the CEC to establish annual targets to double energy efficiency in buildings by 2030. The law also requires the California Public Utilities Commission (CPUC) to direct electric utilities to establish annual efficiency targets and implement demand-reduction measures to achieve this goal. In 2018, SB 100 revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31,

2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Appendix F to CEQA Guidelines

Public Resources Code §21100(b)(3) and CEQA Guidelines §15126.4 require EIRs to describe, where relevant, the wasteful, inefficient, and unnecessary use of energy caused by a project. In 1975, largely in response to the oil crisis of the 1970s, the California State Legislature adopted AB 1575, which created the CEC. The CEC's statutory mission is to forecast future energy needs, license thermal power plants of 50 megawatts or larger, develop energy technologies and renewable energy resources, plan for and direct State responses to energy emergencies, and promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended Public Resources Code §21100(b)(3) to require EIRs to consider the wasteful, inefficient, and unnecessary use of energy caused by a project. In addition, CEQA Guidelines §15126.4 was adopted in 1998 which requires that an EIR describe feasible mitigation measures which would minimize the inefficient and unnecessary use of energy. Thereafter, the State Resources Agency created CEQA Guidelines Appendix F.

Pursuant to Appendix F, an EIR must include a "discussion of the potential energy impacts of proposed projects…[9]." However, because lead agencies have not consistently included such analysis in their EIRs, California's Natural Resources Agency amended Appendix F to the CEQA Guidelines in 2009 "to ensure that lead agencies comply with the substantive directive in §21100(b)(3)." CEQA Guidelines Appendix F lists environmental impacts and mitigation measures that an EIR may include. What is required is a "discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy." Potential impacts that may be discussed include:

- The Project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the Project including construction, operation, maintenance, or removal. If appropriate, the energy intensiveness of materials may be discussed.
- The effects of the Project on local and regional energy supplies and on requirements for additional capacity.
- The effects of the Project on peak and base period demands for electricity and other forms of energy.
- The degree to which the Project complies with existing energy standards.
- The effects of the Project on energy resources.
- The Project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

State CEQA Guidelines Appendix F assists EIR preparers in determining whether a Project will result in the inefficient, wasteful, and unnecessary use of energy. The discussion below analyzes the Project's effect on energy resources.

[9] California Natural Resources Agency. (2019). *California Environmental Quality Act, Appendix F Energy Conservation.* Retrieved from www.resources.ca.gov/ceqa/guidelines/Appendix_F.html, accessed February 7, 2019.

LOCAL

City of Fontana General Plan 2015-2035

The City of Fontana's 2018 General Plan *Sustainability and Resilience Element* (Sustainability and Resilience Element) contains goals, and policies that are designed to help the City improve its resource efficiency and planning for climate change. These goals and policies help the City pursue sustainability and resilience by making resource-efficient choices to conserve water, energy, materials, improve air quality, and adaptability to changing conditions. The following goals and policies would be applicable to the Project:

Sustainability and Resilience Element

Goal 5 **Green building techniques are used in new development and retrofits.**

Policy

- Promote green building through guidelines, awards and nonfinancial incentives.

Goal 6 **Fontana is an Inland Empire leader in energy-efficient development and retrofits.**

Policies

- Promote energy-efficient development in Fontana.
- Meet state energy-efficiency goals for new construction.

4.5.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project will create a significant environmental impact if it causes one or more of the following to occur:

- The Project results in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.
- The Project conflicts with or obstructs a State or Local plan for renewable energy or energy efficiency.

Based on these standards and thresholds, the effects of the Project have been categorized as either a "less than significant impact" or a "potentially significant impact."

METHODOLOGY AND ASSUMPTIONS

The proposed Warehouse site and its associated design are evaluated against the aforementioned significance criteria as the basis for determining the level of impacts related to energy conservation and consumption. In addition to PDFs, this analysis considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts. Because the Malaga Site and Palmetto Site are not proposed to be developed, but would result in upzoning, impacts are evaluated based on the potential development footprint if an application for development was proposed or approved for redevelopment of the site at some point in the future.

APPROACH TO ANALYSIS

In determining whether implementation of the Project will result in the inefficient, wasteful or unnecessary use of fuel or energy, this analysis considers the recommendations of Appendix F as described above.

This section analyzes energy use on three sources of energy that are relevant to the Project, including electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for Project construction. The analysis of Project electricity and natural gas use is based on the California Emissions Estimator Model (CalEEMod), which quantifies energy use for occupancy. The results of CalEEMod are included in Appendix A of Appendix B of this DEIR. Modeling related to Project energy use was based primarily on the default settings in CalEEMod for San Bernardino County. The amount of operational fuel use was estimated using CalEEMod outputs for the Project and the California Air Resources Board (CARB) Emissions Factor (EMFAC) 2017 computer program for typical daily fuel use in San Bernardino County. Construction fuel was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.

4.5.5 IMPACTS AND MITIGATION MEASURES

Impact 4.5-1: Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?

Level of Significance: Less then Significant Impact

WAREHOUSE SITE

Construction

Construction activities associated with the proposed warehouse will involve the development of a 322,996 square-foot warehouse facility along with landscape and limited roadway improvements. These construction activities will require the usage of energy in the form of fossil fuels, and electricity. The energy consumed in the construction of the proposed Project will be temporary in nature and would not create a significant demand to energy resources.

The energy consumption associated with buildout of the Project includes electricity usage associated with water usage for dust control, diesel fuel consumption from on-road hauling trips and off-road construction diesel equipment, and gasoline consumption from on-road worker commute and vendor trips. The methodology for each category is discussed below. The analysis of the energy demands associated with construction actives relies on the construction equipment list and operational characteristics, as stated in **Section 4.2,** *Air Quality* and **Section 4.7,** *Greenhouse Gas Emissions*, as well as technical reports, memos and data included in Appendix B of this DEIR. Quantifications of construction energy consumption are provided for the Project.

Electricity Usage

SCE provides electricity to the proposed Project areas. Currently, the existing Warehouse site does not use any electricity due to its vacant state. Therefore, construction of the warehouse would result in a

temporary increase in electricity demand compared to existing conditions. However, the temporarily increased demand for construction is expected to be adequately served by the existing SCE electrical capacity. Total electricity demand in SCE's service area is forecast to increase by approximately 12,000 GWh—or 12 billion kWh—between 2015 and 2026. Because of the temporary nature of the increased demand, and the adequate capacity of the existing electrical facilities, the projected electrical demand of the proposed warehouse construction would not significantly impact SCE's level of service.

It should also be noted that the proposed Project design features (PDFs) and materials would comply with the State's Title 24 2019 Building Energy Efficiency Standards. Prior to issuance of a building permit, the City of Fontana Building & Safety Department would review and verify that the proposed Project plans demonstrate compliance with the current version of the Building and Energy Efficiency Standards. The Project would also be required to adhere to the provisions of CALGreen, which establishes planning and design standards for sustainable site development, energy efficiency (in excess of the CEC requirements), water conservation, material conservation, and internal air contaminants.

Electricity usage associated with water consumption for construction dust control is calculated based on total water consumption and the energy intensity for supply, distribution, and treatment of water. The total number of gallons of water usage is calculated based on acreage disturbed during grading and site preparation, as well as the daily water consumption rate per acre disturbed.

- The total acres disturbed are calculated using the methodology described in Chapter 4.2 of Appendix A of the CalEEMod User's Guide (Grading Equipment Passes).
- The water application rate of 3,020 gallons per acre per day is from Air & Waste Management Association's Air Pollution Engineering Manual.

The energy intensity value is based on the CalEEMod default energy intensity per gallon of water for San Bernardino County. As summarized in **Table 4.5-5,** *Warehouse Site Project Energy Consumption During Construction*, the total electricity consumption associated with water consumption for construction dust control would be approximately 31,710 kWh (31.71 megawatt hours [MWh]) during site preparation and grading of the Warehouse site.

Table 4.5-5: Warehouse Site Project Energy Consumption During Construction

Source	Project Construction Usage	San Bernardino County Annual Energy Consumption	Statewide Annual Energy Consumption	Percentage Increase Countywide	Percentage Increase Statewide
Electricity Use	**Megawatt Hours (MWh)**				
Water Consumption	31.71 [a]	15,633,655	284,436,260	0.0002%	0.00001%
Diesel Use	**Gallons**				
On-Road Construction	35,407 [b]	271,487,104	3,073,917,504	0.0130%	0.0012%
Off-Road Construction	50,261 [c]			0.0185%	0.0016%
Construction Diesel	**85,668**			**0.0316%**	**0.0028%**
Gasoline	**Gallons**				
On-Road Construction	39,671 [b]	892,921,306	15,517,383,271	0.0044%	0.0003%

Notes:

a. Construction water use estimated based on acres disturbed per day per construction sequencing and estimated water use per acre (AWMA 1992).

b. On-road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod and fleet-average fuel consumption in gallons per mile from EMFAC2017 in San Bernardino County.

c. Construction fuel consumption was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.
Abbreviations:
CalEEMod: California Emission Estimation Model; EMFAC: Emission Factor Model 2017; kWh: kilowatt-hour; MWh: megawatt-hour.
Sources: AWMA, 1992; DOE 2016; USEPA 1996.

Diesel Usage: On-Road Construction Trips

The diesel usage associated with on-road construction mobile trips is calculated based on vehicle miles traveled (VMT) from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default diesel fleet percentage, and vehicle fuel efficiency in miles per gallon. VMT for the entire construction period is calculated based on the total daily trips (refer to Section 4.7, Greenhouse Gas). Construction fuel consumption was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. As summarized in Table 4.5-5, the total diesel consumption associated with on-road construction trips would be approximately 35,407 gallons over the duration of buildout of the Warehouse site.

Diesel Usage: Off-Road Construction Equipment

The construction diesel usage associated with the off-road construction equipment is calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. As summarized in Table 4.5-5, the total diesel consumption associated with off-road construction equipment is approximately 50,261 gallons for duration of buildout of the Warehouse site.

Gasoline Usage

Gasoline use associated with on-road construction mobile trips is calculated based on VMT from vehicle trips (i.e., worker, vendor, and hauling); the CalEEMod default gasoline fleet percentage; and vehicle fuel efficiency in miles per gallon using the same methodology as the construction on-road trip diesel usage calculation discussed above. The total gasoline consumption associated with on-road construction trips would be approximately 39,671 gallons over the duration of buildout of the Warehouse site (Table 4.5-5).

In total, construction of the warehouse is estimated to consume approximately 31,710 kWh (31.71 MWh) of electricity, 85,668 gallons of diesel, and 39,671 gallons of gasoline. As indicated in the environmental setting above, Californians consumed 284,436 GWh of electricity in 2018, of which San Bernardino County consumed 15,634 GWh. Therefore, construction electricity consumption would represent approximately 0.00001 percent of the electricity consumption in the State, and 0.0002 percent of the electricity consumption in San Bernardino County.

In 2018, Californians consumed approximately 15.5 billion gallons of gasoline and 3 billion gallons of diesel fuel. San Bernardino County annual diesel consumption in 2018 was 271,487,104 gallons and gasoline consumption was 892,921,306 gallons. Project construction gasoline consumption would represent 0.0044 percent of annual gasoline consumption in the County, and construction diesel consumption would represent 0.0316 percent of annual diesel consumption in the County. Therefore, based on the Project's relatively low construction fuel use proportional to State and County consumption, the Project would not substantially affect existing energy or fuel supplies or resources. New capacity/additional sources of construction fuel are not anticipated to be required.

Furthermore, there are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or

State. In addition, some incidental energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off. Project construction equipment would also be required to comply with the latest U.S. EPA and CARB engine emissions standards. These engines use highly efficient combustion engines to minimize unnecessary fuel consumption.

The proposed Project has construction activities that would consume energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity (e.g., power tools). Construction activities would be required to monitor air quality emissions using applicable regulatory guidance such as the BAAQMD Rules and CEQA Guidelines. This requirement indirectly relates to construction energy conservation because when air pollutant emissions are reduced as a result of monitoring and the efficient use of equipment and materials, this results in reduced energy consumption. There are no aspects of the proposed Project that would foreseeably result in the inefficient, wasteful, or unnecessary consumption of energy during construction activities.

Due to increasing transportation costs and fuel prices, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials. Substantial reductions in energy inputs for construction materials can be achieved by selecting building materials composed of recycled materials that require substantially less energy to produce than non-recycled materials. The project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. It is reasonable to assume that production of building materials such as concrete, steel, etc., would employ all reasonable energy conservation practices in the interest in minimizing the cost of doing business.

As described above, the Project's fuel from the entire construction period would increase fuel use in the County by less than one percent. It should be noted that the CEQA Guideline Appendix G and Appendix F criteria requires the Project's effects on local and regional energy supplies and on the requirements for additional capacity to be addressed. A less than one percent increase in construction fuel demand is not anticipated to trigger the need for additional capacity. Additionally, use of construction fuel would be temporary and would cease once the Project is fully developed. As such, Project construction would have a nominal effect on local and regional energy supplies.

There are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. Therefore, it is expected that construction fuel consumption associated with the proposed Warehouse site would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. Therefore, potential impacts are considered less than significant.

Operations

The energy consumption associated with Project operations would occur from building energy (electricity and natural gas) use, water consumption, and transportation-related fuel consumption. These uses are

not expected to exceed average energy use for a similar Project of the same size and scope. A California Commercial End-Use Survey (CEUS) analyzed the energy usage in the SCE service area by specific building types. Unrefrigerated warehouses, like the proposed Project, make up 17% of the total floor stock of the SCE service area at the time the survey was conducted; approximately 353,765 square kilofeet (kft^2). The CEUS also provides summaries for the average electricity usage and natural gas usage for the unrefrigerated warehouse building type. The methodology for each category is discussed below. Note that this energy resources analysis is consistent with the analysis presented in Section 4.2, Air Quality, and Section 4.7, Greenhouse Gas. Quantifications of operational energy consumption are provided for the proposed Warehouse site.

Transportation Energy Demand

Gasoline and diesel usage associated with on-road vehicular trips were calculated based on total VMT calculated for the analyses within Section 4.2, Air Quality, and Section 4.7, Greenhouse Gas, and average fuel efficiency from EMFAC2017 model. The EMFAC2017 fuel efficiency data incorporate the Pavley Clean Car Standards and the Advanced Clean Cars Program.[10] As summarized in **Table 4.5-6,** *Warehouse Site Project Annual Energy Consumption During Operations*, the total gasoline and diesel consumption associated with on-road trips would be approximately 151,310 gallons per year and 47,251 gallons per year, respectively.

Table 4.5-6: Warehouse Site Project Annual Energy Consumption During Operations

Source	Project Operational Usage	San Bernardino County Annual Energy Consumption	Statewide Annual Energy Consumption	Percentage Increase Countywide	Percentage Increase Statewide
Electricity Use	**Megawatt Hour/Year (MWh/year)**				
Building	896.110 [a]	15,633,655	284,436,260	0.0057%	0.0003%
Water	334.608 [a]			0.0021%	0.0001%
Total Electricity	**1,230.718**			0.0079%	0.0004%
Natural Gas Use	**Therms/year**				
Building	4,861.74 [a]	500,082,474	12,666,398,562	0.0010%	0.00004%
Diesel Use	**Gallons/Year**				
Mobile	47,251 [b]	271,487,104	3,073,917,504	0.0174%	0.0015%
Gasoline Use	**Gallons/Year**				
Mobile	151,310 [b]	892,921,306	15,517,383,271	0.0169%	0.0010%

Notes:

a. The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults.

b. Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2017.

Abbreviations: CalEEMod: California Emission Estimation Model; EMFAC2017: California Air Resources Board Emission Factor Model; kBTU: thousand British Thermal Units; kWh: kilowatt-hour; MWh: Megawatt-hour.

[10] The California Air Resources Board EMFAC 2017 Technical Documentation (March 2018) notes that emissions are estimated with all current controls active, except Low Carbon Fuel Standards (LCFS). The reason for excluding LCFS is that most of the emissions benefits due to the LCFS come from the production cycle (upstream emissions) of the fuel rather than the combustion cycle (tailpipe). As a result, LCFS is assumed to not have a significant impact on CO_2 emissions from EMFAC's tailpipe emission estimates.

Electricity Usage

The electricity usage associated with Project operations is based on CalEEMod defaults. As summarized in Table 4.5-6, the warehouse building is forecasted to use approximately 896 MWh (approximately 0.90 GWh) of electricity per year.

The electricity usage associated with operational water consumption is estimated based on the annual water consumption, and the energy intensity factor is the CalEEMod default energy intensity per gallon of water for San Bernardino County. Project area water use is based on the water demand per square foot factors in CalEEMod. Proposed Project land uses would use water for indoor and outdoor uses of which would require 334,608 kWh per year for conveyance and treatment.

Natural Gas Usage

The natural gas demand from the proposed Warehouse site would represent a nominal percentage of overall demand in SCE's service area. The proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

The methodology used to calculate the natural gas usage associated with the building envelopes constructed pursuant to the Project is based on CalEEMod default usage rates. As summarized in Table 4.5-6, the building envelope would require approximately 486,174,000 thousand British Thermal Units (kBTU) (4,861.74 therms) of natural gas per year.

Operation of uses implemented pursuant to the proposed warehouse building would annually consume approximately 1.23 GWh of electricity, 486.17 million BTU of natural gas, 47,251 gallons of diesel, and 151,310 gallons of gasoline.

Californians consumed 284,436 GWh of electricity in 2018, of which San Bernardino County consumed 15,634 GWh. The Project's operational electricity consumption would represent 0.0004 percent of the electricity consumption in the State, and 0.0079 percent of the energy consumption in San Bernardino County. Regarding natural gas, Californians consumed 12,666 million therms (or 1,266.6 billion kBTUs) of natural gas and 500 million therms of natural gas in San Bernardino County in 2018. Therefore, the Project's operational natural gas consumption would represent 0.00004 percent of the natural gas consumption in the State and 0.0010 percent of the natural gas consumption in the County.

In 2018, Californians consumed approximately 15.5 billion gallons of gasoline and 3 billion gallons of diesel fuel. Project operational consumption of gasoline and diesel would represent 0.0010 percent of gasoline and 0.0015 percent of diesel consumption statewide. Project operational consumption of gasoline and diesel would represent 0.0169 percent of gasoline and 0.0174 percent of diesel consumption in the County.

Therefore, Project operations would not substantially affect existing energy or fuel supplies or resources. The Project would comply with applicable energy standards and new capacity would not be required. Impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction

There are no current development plans or development applications for either the Malaga or Palmetto sites. It is anticipated, based on the upzoning of the sites, that each would be redeveloped at a higher density than currently exists. However, if development would be proposed in the future, the energy consumption associated with future buildout of the RURs would include electricity usage associated with water usage for dust control, diesel fuel consumption from on-road hauling trips and off-road construction diesel equipment, and gasoline consumption from on-road worker commute and vendor trips.

The analysis of the energy demands associated with potential future construction activities for the RURs relies on the construction equipment list and operational characteristics, as stated in **Section 4.2,** *Air Quality* and **Section 4.7,** *Greenhouse Gas Emissions*, as well as technical reports, memos and data included in Appendix B of this DEIR. Quantifications of construction energy consumption are provided below. The methodology and base values for energy intensity, water consumption, gasoline and diesel usage are based on default sources listed above, such as CalEEMod, Air & Waste Management Association's Air Pollution Engineering Manual, and Climate Registry, as well as San Bernardino and California energy usages.

Electricity Usage

As summarized in **Table 4.5-7,** *Malaga Site Project Energy Consumption During Construction*, the total electricity consumption associated with water consumption for construction dust control would be approximately 3,170 kWh (3.17 megawatt hours [MWh]) during site preparation and grading of the Malaga site.

Table 4.5-7: Malaga Site Project Energy Consumption During Construction

Source	Project Construction Usage	San Bernardino County Annual Energy Consumption	Statewide Annual Energy Consumption	Percentage Increase Countywide	Percentage Increase Statewide
Electricity Use	**Megawatt Hours (MWh)**				
Water Consumption	3.17 [a]	15,633,655	284,436,260	0.00002%	0.000001%
Diesel Use	**Gallons**				
On-Road Construction	3,876 [b]	271,487,104	3,073,917,504	0.0014%	0.0001%
Off-Road Construction	53,519 [c]			0.0197%	0.0017%
Construction Diesel	**57,395**			**0.0211%**	**0.0019%**
Gasoline	**Gallons**				
On-Road Construction	12,776 [b]	892,921,306	15,517,383,271	0.0014%	0.0001%

Notes:
a. Construction water use estimated based on acres disturbed per day per construction sequencing and estimated water use per acre (AWMA 1992).
b. On-road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod and fleet-average fuel consumption in gallons per mile from EMFAC2017 in San Bernardino County.
c. Construction fuel consumption was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.
Abbreviations:
CalEEMod: California Emission Estimation Model; EMFAC: Emission Factor Model 2017; kWh: kilowatt-hour; MWh: megawatt-hour.
Sources: AWMA, 1992; DOE 2016; USEPA 1996.

As summarized in **Table 4.5-8***, Palmetto Site Project Energy Consumption During Construction*, the total electricity consumption associated with water consumption for construction dust control would be approximately 3,170 kWh (3.17 megawatt hours [MWh]) during site preparation and grading of the Palmetto site.

Table 4.5-8: Palmetto Site Project Energy Consumption During Construction

Source	Project Construction Usage	San Bernardino County Annual Energy Consumption	Statewide Annual Energy Consumption	Percentage Increase Countywide	Percentage Increase Statewide
Electricity Use	**Megawatt Hours (MWh)**				
Water Consumption	3.17 [a]	15,633,655	284,436,260	0.00002%	0.000001%
Diesel Use	**Gallons**				
On-Road Construction	3,876 [b]	271,487,104	3,073,917,504	0.0014%	0.0001%
Off-Road Construction	53,519 [c]			0.0197%	0.0017%
Construction Diesel	**57,395**			**0.0211%**	**0.0019%**
Gasoline	**Gallons**				
On-Road Construction	12,776 [b]	892,921,306	15,517,383,271	0.0014%	0.0001%

Notes:
a. Construction water use estimated based on acres disturbed per day per construction sequencing and estimated water use per acre (AWMA 1992).
b. On-road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod and fleet-average fuel consumption in gallons per mile from EMFAC2017 in San Bernardino County.
c. Construction fuel consumption was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.
Abbreviations:
CalEEMod: California Emission Estimation Model; EMFAC: Emission Factor Model 2017; kWh: kilowatt-hour; MWh: megawatt-hour.
Sources: AWMA, 1992; DOE 2016; USEPA 1996.

Diesel and Gasoline Usage

During construction, transportation energy use depends on the type and number of trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Transportation energy use during construction would come from the transport and use of construction equipment, delivery vehicles and haul trucks, and

construction employee vehicles that would use diesel fuel and/or gasoline. The use of energy resources by these vehicles would fluctuate according to the phase of construction and would be temporary. Most construction equipment during grading and grading would be gas-powered or diesel-powered, and the later construction phases would require electricity-powered equipment. Impacts related to transportation energy use during construction would be temporary and would not require expanded energy supplies or the construction of new infrastructure; impacts would not be significant.

Malaga Site. As summarized in Table 4.5-7, the total diesel consumption associated with on-road construction trips would be approximately 3,876 gallons over the duration of buildout of the Malaga site. As summarized in Table 4.5-7, the total diesel consumption associated with off-road construction equipment is approximately 53,519 gallons for duration of buildout of the Malaga site. The total gasoline consumption associated with on-road construction trips would be approximately 12,776 gallons over the duration of buildout of the Malaga site (Table 4.5-7). In total, construction of the Malaga site is estimated to consume approximately 3,170 kWh (3.17 MWh) of electricity, 57,395 gallons of diesel, and 12,776 gallons of gasoline. As indicated in the environmental setting above, Californians consumed 284,436 GWh of electricity in 2018, of which San Bernardino County consumed 15,634 GWh. Therefore, construction electricity consumption would represent approximately 0.000001 percent of the electricity consumption in the State, and 0.00002 percent of the electricity consumption in San Bernardino County.

Project construction gasoline consumption would represent 0.0014 percent of annual gasoline consumption in the County, and construction diesel consumption would represent 0.0211 percent of annual diesel consumption in the County. Therefore, based on the Malaga site's relatively low construction fuel use proportional to State and County consumption, the Project would not substantially affect existing energy or fuel supplies or resources. New capacity/additional sources of construction fuel are not anticipated to be required.

Palmetto Site. The energy consumption during construction for the Palmetto site is projected to be the same as for the Malaga site. As summarized in Table 4.5-8, the total diesel consumption associated with on-road construction trips would be approximately 3,876 gallons over the duration of buildout of the Palmetto site. As summarized in Table 4.5-8, the total diesel consumption associated with off-road construction equipment is approximately 53,519 gallons for duration of buildout of the Palmetto site. The total gasoline consumption associated with on-road construction trips would be approximately 12,776 gallons over the duration of buildout of the Palmetto site (Table 4.5-8). In total, construction of the Palmetto site is estimated to consume approximately 3,170 kWh (3.17 MWh) of electricity, 57,395 gallons of diesel, and 12,776 gallons of gasoline. As indicated in the environmental setting above, Californians consumed 284,436 GWh of electricity in 2018, of which San Bernardino County consumed 15,634 GWh. Therefore, construction electricity consumption would represent approximately 0.000001 percent of the electricity consumption in the State, and 0.00002 percent of the electricity consumption in San Bernardino County.

Project construction gasoline consumption would represent 0.0014 percent of annual gasoline consumption in the County, and construction diesel consumption would represent 0.0211 percent of annual diesel consumption in the County. Therefore, based on the Palmetto site's relatively low construction fuel use proportional to State and County consumption, the Project would not substantially

affect existing energy or fuel supplies or resources. New capacity/additional sources of construction fuel are not anticipated to be required.

Operations

There are no current development plans or development applications for either the Malaga or Palmetto sites. However, if development would be proposed in the future, the energy consumption associated with Project operations would occur from building energy (electricity and natural gas) use, water consumption, and transportation-related fuel consumption. The methodology for each category is discussed below. Note that the energy resources analysis is consistent with the analysis presented in Section 4.2, Air Quality, and Section 4.7, Greenhouse Gas. Quantifications of operational energy consumption are provided below for the RURs.

Transportation Energy Demand

As summarized in **Table 4.5-9,** *Malaga Site Project Annual Energy Consumption During Operations*, the total gasoline and diesel consumption associated with on-road trips would be approximately 130,377 gallons per year and 41,122 gallons per year, respectively.

Table 4.5-9: Malaga Site Project Annual Energy Consumption During Operations

Source	Project Operational Usage	San Bernardino County Annual Energy Consumption	Statewide Annual Energy Consumption	Percentage Increase Countywide	Percentage Increase Statewide
Electricity Use	**Megawatt Hour/Year (MWh/year)**				
Building	612.393 [a]	15,633,655	284,436,260	0.0039%	0.0002%
Water	46.708 [a]			0.0003%	0.00002%
Total Electricity	**659.101**			0.0042%	0.0002%
Natural Gas Use	**Therms/year**				
Building	13,250.10 [a]	500,082,474	12,666,398,562	0.0026%	0.0001%
Diesel Use	**Gallons/Year**				
Mobile	41,122 [b]	271,487,104	3,073,917,504	0.0151%	0.0013%
Gasoline Use	**Gallons/Year**				
Mobile	130,377 [b]	892,921,306	15,517,383,271	0.0146%	0.0008%

Notes:

a. The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults.

b. Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2017.

Abbreviations: CalEEMod: California Emission Estimation Model; EMFAC2017: California Air Resources Board Emission Factor Model; kBTU: thousand British Thermal Units; kWh: kilowatt-hour; MWh: Megawatt-hour.

As summarized in **Table 4.5-10,** *Palmetto Site Project Annual Energy Consumption During Operations*, the total gasoline and diesel consumption associated with on-road trips would be approximately 81,744 gallons per year and 25,783 gallons per year, respectively.

Table 4.5-10: Palmetto Site Project Annual Energy Consumption During Operations

Source	Project Operational Usage	San Bernardino County Annual Energy Consumption	Statewide Annual Energy Consumption	Percentage Increase Countywide	Percentage Increase Statewide
Electricity Use	**Megawatt Hour/Year (MWh/year)**				
Building	347.235 [a]	15,633,655	284,436,260	0.0022%	0.0001%
Water	46.708 [a]			0.0021%	0.00002%
Total Electricity	**393.943**			0.0025%	0.0001%
Natural Gas Use	**Therms/year**				
Building	8,307.57 [a]	500,082,474	12,666,398,562	0.0017%	0.0001%
Diesel Use	**Gallons/Year**				
Mobile	25,783 [b]	271,487,104	3,073,917,504	0.0095%	0.0008%
Gasoline Use	**Gallons/Year**				
Mobile	81,744 [b]	892,921,306	15,517,383,271	0.0092%	0.0005%

Notes:
a. The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults.
b. Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2017.

Abbreviations: CalEEMod: California Emission Estimation Model; EMFAC2017: California Air Resources Board Emission Factor Model; kBTU: thousand British Thermal Units; kWh: kilowatt-hour; MWh: Megawatt-hour.

Electricity and Natural Gas Usage

Malaga Site. As summarized in Table 4.5-9, the Malaga site is forecasted to use approximately 612 MWh (approximately 0.61 GWh) of electricity per year. Proposed Project land uses would use water for indoor and outdoor uses of which would require 46,708 kWh per year for conveyance and treatment.

The natural gas demand from the Malaga site would represent a nominal percentage of overall demand in SCE's service area. The Malaga site would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. As summarized in Table 4.5-9, the building envelope would require approximately 1,325,010,000 thousand British Thermal Units (kBTU) (13,250.10 therms) of natural gas per year. Operation of uses implemented pursuant to the future development at the Malaga site would annually consume approximately 0.66 GWh of electricity, 132.50 million BTU of natural gas, 41,122 gallons of diesel, and 130,377 gallons of gasoline.

The Malaga site's operational electricity consumption would represent 0.0002 percent of the electricity consumption in the State, and 0.0042 percent of the energy consumption in San Bernardino County. The Malaga site's operational natural gas consumption would represent 0.0001 percent of the natural gas consumption in the State and 0.0026 percent of the natural gas consumption in the County. Future development of the Malaga site's operational consumption of gasoline and diesel would represent 0.0008 percent of gasoline and 0.0013 percent of diesel consumption statewide. Project operational consumption of gasoline and diesel would represent 0.0146 percent of gasoline and 0.0151 percent of diesel consumption in the County. Therefore, Project operations associated with future development of the Malaga site would not substantially affect existing energy or fuel supplies or resources. Proposed future development would be required to comply with applicable energy standards and new capacity would not be required. Impacts would be less than significant in this regard.

Palmetto Site. As summarized in Table 4.5-10, the Palmetto site is forecasted to use approximately 347 MWh (approximately 0.34 GWh) of electricity per year. Proposed Project land uses would use water for indoor and outdoor uses of which would require 46,708 kWh per year for conveyance and treatment.

The natural gas demand from the Palmetto site would represent a nominal percentage of overall demand in SCE's service area. The Palmetto site would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation. As summarized in Table 4.5-10, the building envelope would require approximately 830,757,000 thousand British Thermal Units (kBTU) (8,307.57 therms) of natural gas per year. Operation of uses implemented pursuant to the future development at the Palmetto site would annually consume approximately 0.39 GWh of electricity, 83.07 million BTU of natural gas, 25,783 gallons of diesel, and 88,744 gallons of gasoline.

The Palmetto site's operational electricity consumption would represent 0.0001 percent of the electricity consumption in the State, and 0.0025 percent of the energy consumption in San Bernardino County. The Palmetto site's operational natural gas consumption would represent 0.0001 percent of the natural gas consumption in the State and 0.0017 percent of the natural gas consumption in the County. Future development of the Palmetto site's operational consumption of gasoline and diesel would represent 0.0005 percent of gasoline and 0.0008 percent of diesel consumption statewide. Project operational consumption of gasoline and diesel would represent 0.0092 percent of gasoline and 0.0095 percent of diesel consumption in the County. Therefore, Project operations associated with future development of the Palmetto site would not substantially affect existing energy or fuel supplies or resources. Proposed future development would be required to comply with applicable energy standards and new capacity would not be required. Impacts would be less than significant in this regard.

Energy Efficiency Measures

As discussed above, California's Energy Efficiency Standards for Residential and Non-residential Buildings create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and non-residential buildings. These standards are incorporated within the California Building Code and are expected to substantially reduce the growth in electricity and natural gas use. For example, requirements for energy-efficient lighting, heating and cooling systems, and green building materials are expected to save additional electricity and natural gas. These savings are cumulative, doubling as years go by.

Furthermore, the electricity provider, SCE, is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 50 percent of total procurement by 2030. SB 100 revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat.

The proposed Project, including potential future development of the RURs, would be required to comply with all federal, State, and local requirements for energy efficiency, including the latest Title 24 standards. The Project would not result in the inefficient, wasteful, or unnecessary consumption of building energy. Therefore, potential impacts are considered less than significant.

The proposed Project, including potential future development of the RURs, would be required to comply with the latest State Building Code (Title 24, Part 6 of the California Code of Regulations), which further minimize energy consumption towards the California Long-Term Energy Efficiency Strategic Plan's (CEESP) goal to have 100 percent of new homes achieve zero net energy. Under the 2019 standards, homes are expected to use about 53 percent less energy and nonresidential buildings about 30 percent less energy than buildings under the 2016 standards. These efficiency standards are included in the CalEEMod calculations for the Project.

Considering these requirements in addition to the Project design features described above, the proposed Project, including potential future development of the RURs, would not result in the inefficient, wasteful, or unnecessary consumption of energy. Therefore, potential impacts are considered less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.5-2: Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?

Level of Significance: Less than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Construction and Operations

Project design and operation of the Warehouse site, and potential future development at the RURs, will comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. As discussed above in Impact 4.5-1, Project development of the Warehouse site, or potential future development of the RURs, will not cause inefficient, wasteful and unnecessary energy use, and impacts will be less than significant. Additionally, the Project will be subject to compliance with all Federal, State, and Local requirements for energy efficiency.

California's Energy Efficiency Standards for Residential and Non-Residential Buildings create uniform building codes to reduce California's energy use and provide energy efficiency standards for residential and non-residential buildings. These standards are incorporated within the California Building Code and are expected to substantially reduce the growth in electricity and natural gas use.

The Southern California Association of Government's (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), adopted in April 2016, integrates transportation, land use, and housing to meet GHG reduction targets set by CARB. The most recent plan was adopted in April 2016. The

document establishes GHG emissions goals for automobiles and light-duty trucks, as well as an overall GHG target for the Project areas consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of SB 375. Increasing residential land uses near major employment centers is a key strategy to reducing regional VMT. Therefore, in addition to generating a net reduction in GHG emissions, the proposed Project will be consistent with regional goals to reduce potential future trips and VMT. The proposed Project will not conflict with the stated goals of the RTP/SCS. Therefore, the proposed Project will not result in wasteful, inefficient, or unnecessary use of transportation fuel. Potential impacts are considered less than significant without mitigation.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.5.6 CUMULATIVE IMPACTS

Construction and operations activities associated with implementation of the proposed Project would result in the consumption of fuel and energy, but it would not do so in a wasteful manner. The proposed Project, including development of the warehouse, or potential future development of the RURs, will not require the expansion of energy capacity or supplies and will therefore not lead to any significant impacts. As well the proposed Project would not consume energy in a wasteful, inefficient, or unnecessary manner. The use of energy will not be substantial in comparison to the existing SCE service area demands; refer to Tables 4.5-5 through 4.5-10 in the discussion under Impact 4.5-1 above. New capacity or supplies of energy resources will not be required.

The anticipated impacts of the proposed Project, potential future development of the RURs, and in conjunction with cumulative development in the vicinity, will increase urbanization and result in increased energy use in the City. However, potential land use impacts are site-specific and require evaluation on a case-by-case basis. As noted above, the proposed Project will not result in significant impacts to State or Local plans for renewable energy or energy efficiency. Additionally, any development of the Warehouse, Malaga and Palmetto sites would be subject to compliance with all Federal, State, and Local requirements for energy efficiency. Thus, the proposed Project and identified cumulative projects are not anticipated to result in a significant cumulative impact. Therefore, potential impacts are considered less than significant.

4.5.7 SIGNIFICANT AND UNAVOIDABLE IMPACTS

No significant and unavoidable impacts have been identified.

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4.6 GEOLOGY AND SOILS

4.6.1 INTRODUCTION

The purpose of this section is to describe the existing regulatory and environmental conditions related to the geologic, soil, and seismic characteristics within the warehouse site, and the Malaga and Palmetto sites. This section identifies potential impacts that could result from implementation of the warehouse Project, and upzoning of the Malaga and Palmetto sites, and as necessary, recommends mitigation measures to reduce potentially significance of impacts. The issues addressed in this section are risks associated with faults, strong seismic ground shaking, seismic-related ground failure such as liquefaction, landslides, substantial erosion or the loss of topsoil, and unstable geological units and/or soils.

The environmental setting discussion is based largely on review of aerial photographs and maps of the Warehouse site, and Malaga and Palmetto sites and their surroundings. Other information in this section, such as regulatory framework, is derived from the various planning documents including the City of Fontana General Plan (GP), Federal Occupational Safety and Health Administration (OSHA) Regulations, Seismic Hazards Mapping Act (SHMA) of 1990, the Natural Resources Conservation Agency, the California Geological Survey, and pertinent State of California building codes.

4.6.2 ENVIRONMENTAL SETTING

WAREHOUSE SITE

The following provides a basic description of the overall environmental setting of the Warehouse site. Additional details related to site geology is provided in the local geologic setting further below. The Warehouse site is comprised of several vacant parcels and consists of approximately 16.09 gross acres with 15.21 for the warehouse site and approximately 0.86 acres dedicated to the City for right-if-way. There are the remnants of the foundation of a previous residence located in the eastern portion of the Warehouse site. There are no built structures on the site, and it is otherwise void of development. The remainder of the site consists of disturbed areas with scattered brush, upland ruderal grasses and generally rocky soil. Where visible the soil is rocky but no substantial rock outcrops or other significant topographic features exist. The elevation of the Warehouse site ranges from approximately 1,765 feet above mean sea level (amsl) on the north to approximately 1,750 feet amsl on the south.

The Warehouse site is accessible from the west via Sierra Avenue, which is the only existing paved road that provides direct access. To the south and east the site is accessible via dirt roads used by Southern California Edison (SCE) for access to their High Voltage Towers. From the City of Rialto to the east, the southeast corner of the site would be accessible at the existing terminus of Casa Grande Avenue.

The area surrounding the Warehouse site contain both vacant and developed land. Adjacent to the northern boundary of the Warehouse site is a single-family dwelling unit. This residence is accessed by Sierra Avenue, which parallels the westerly side of the property. Other property to the north is vacant land while east of the Warehouse site is a north-south trending SCE utility easement designated as a Public Utility Corridor by the City of Fontana General Plan (CFGP). East of the easement is a residential subdivision within the City of Rialto. To the south is a triangular-shaped approximately 20 acres of undeveloped property with an access road used by SCE and an electrical substation. Further south light

industrial properties approximately a quarter-mile from the site. The area to the west, beyond Sierra Avenue, is designated as a Residential Planned Community for the Arboretum Special Project.

REGIONAL GEOLOGIC SETTING[1]

The City of Fontana generally lies within the northern and northwestern portion of the Peninsular Ranges Geomorphic Province of southern California. This range is characterized by northwest-southeast trending faults, folds, and mountain ranges. During the time from the Pliocene period to the Pleistocene period (the past 2 to 3 million years), activities on the Newport-Inglewood Fault, combined with regional tectonic effects (such as uplift), climatic forces, and changes in sea level. This has resulted in the formation of the underlying basement materials and structures that underlay and support the Project area (the Warehouse site, and Malaga and Palmetto sites). It should be noted, the tectonic forces that helped create the geomorphology of the proposed Project area and vicinity are still active today.

Much of the region is underlain by terrace deposits, which are unconsolidated sediments (i.e., loose soil materials, such as sand, silt, etc.) left by streams and onshore benches cut by the prehistoric ocean. These deposits were laid in a shallow marine to near-shore terrestrial environment in the Pleistocene timeframe (about two million to about ten thousand years ago). The source of these sediments was erosion of the rocky highlands of the San Bernardino, Santa Ana, and other mountain belts from higher elevations. Tectonic forces associated with regional faulting from the Newport-Inglewood, Cucamonga, Chino, San Andreas, San Joaquin, and additional off-shore zones uplifted these deposits, exposing the terrace materials to erosion. Erosion removed much of the softer and finer-grained cover materials carrying it downstream and depositing in the valleys. In late Pleistocene time, the action of coastal plain rivers and streams dissected the terrace materials and subsequently formed "gaps." As sea levels subsequently rose with the melting of continental ice sheets, sediments filled these gaps.

FAULTING AND SEISMICITY

The faulting and seismicity of southern California is dominated by the San Andreas Fault zone. The zone separates two of the major tectonic plates that comprise the earth's crust. The Pacific Plate lies west of the fault zone. This plate is moving in a northwesterly direction relative to the North American Plate, which lies east of the fault zone. This relative movement between the two plates is the driving force of fault ruptures in western California.

There are numerous faults in Southern California that are categorized as active, potentially active, and inactive. A fault is classified as active by the state if it has either moved during the Holocene epoch (during the last 11,000 years) or is included in an Alquist-Priolo Earthquake Fault Zone (as established by the California Geological Survey). A fault is classified as potentially active if it has experienced movement within the Quaternary period (during the last 1.6 million years). Faults that have not moved in the last 1.6 million years generally are considered inactive.

The severity of an earthquake generally is expressed in two ways: magnitude and intensity. The energy released, as measured on the Moment Magnitude (MW) scale, represents the magnitude of an earthquake. The intensity of an earthquake is measured by the Modified Mercalli Intensity (MMI) scale, which emphasizes the seismic response at a subject site and measures ground shaking severity according

[1] City of Fontana. 2019. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.*

to damage done to structures, changes in the earth surface, and personal accounts; refer to **Table 4.6-1**, *Modified Mercalli Intensity (MMI) Scale*.

Table 4.6-1: Modified Mercalli Intensity (MMI) Scale

MMI	Description
I	Detected by only sensitive instruments
II	II Felt by a few people at rest
III	Felt noticeably indoors, but not always recognized as a quake; vibration like a passing truck
IV	Felt indoors by many and outdoors by few
V	Felt by most people. Some breakage of windows, dishes, and plaster
VI	Felt by all; falling plaster and chimneys; damage small
VII	Damage to buildings varies; depends on quality of construction
VIII	Walls, monuments, chimneys fall; panel walls thrown out of frames
IX	Buildings shift off foundations; foundations crack; ground cracks; underground pipes break
X	Most masonry and frame structures destroyed; ground cracks; landslides
XI	Ground fissures; pipes break; landslides; rails bent; new structures remain standing
XII	Damage total; waves seen on ground surface; objects thrown into the air

Source: United States Atomic Energy Commission 1963

LOCAL GEOLOGIC SETTING

As discussed above, the faulting and seismicity of southern California including the Project area is dominated by the San Andreas Fault zone. The zone separates two of the major tectonic plates that comprise the earth's crust. The Pacific Plate lies west of the fault zone. This plate is moving in a northwesterly direction relative to the North American Plate, which lies east of the fault zone. This relative movement between the two plates is the driving force of fault ruptures in western California, which includes the Project area.

The subsurface materials within the Warehouse site area are sedimentary deposits as discussed above, and consist of Soboba gravelly loamy sand and Soboba stony loamy sand.[2] The Soboba series consists of deep, excessively drained soils that formed in alluvium from predominantly granitic rock sources. The northerly and easterly portions the Warehouse site consist of Soboba stony loamy sand that general have 2 to 9 percent slopes, and the southwestern corner of the Warehouse site consist of Soboba gravelly loamy sand with 0 to 9 percent slopes.[3] **Figure 4.6-1**, *Warehouse Site Soils* shows these areas graphically.

The subsurface materials underlaying the Malaga and Palmetto sites also are sedimentary deposits and consist of Tujunga gravelly loamy sand with 0 to 9 percent slopes. This soil is found within alluvial fans and from 0 – 36 inches generally consists of gravelly loamy sand and from 36 to 60 inches generally consists of gravelly sand. Generally, depth to any restrictive feature is greater than 60 inches, it is somewhat excessively drained, flooding is rare and the runoff class is low.[4]

[2] Natural Resources Conservation Service (NRCS). 2020. *Web Soil Survey*. Available at https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx , Accessed: March 5, 2020.
[3] United States Department of Agriculture (USDA). Soboba Series. Available at https://soilseries.sc.egov.usda.gov/OSD_Docs/S/SOBOBA.html, accessed on March 5, 2020.
[4] NRCS, 2020, Available: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx Accessed: March 5, 2020

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Source: Jericho Systems, 2019

FIGURE 4.6-1: Warehouse Site Soils
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Not to scale

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LOCAL FAULTING

Major active faults in the City and its vicinity are listed in **Table 4.6-2**, *Major Fault Zones near Fontana* and shown in **Figure 4.6-2**, *Major Fault Zones*. Although there are no major active faults within the City boundaries, there are a number of faults that border the Lytle Creek alluvial basin, including the Chino, Cucamonga, San Andreas, and San Jacinto faults, as described below. All structures associated with the development covered by the proposed General Plan Amendment would be required by state law and regulation to comply with all adopted geotechnical design criteria.

Table 4.6-2: Major Fault Zones near Fontana[5]

Fault Zone	M_w Magnitude
San Jacinto	7.2
Chino	--
Whittier-Elsinore	6.8-7.1
San Andreas (southern)	7.8
Cucamonga	--
Source: California Geological Survey.[6]	

The most common method for measuring earthquakes is magnitude. The majority of scientists currently use either the Mw Scale or Modified Mercalli Intensity (MMI) Scale. The effects of an earthquake in a particular location are measured by intensity. Earthquake intensity decreases with increasing distance from the epicenter of the earthquake.

The magnitude of an earthquake is related to the total area of the fault that ruptured, as well as the amount of offset (displacement) across the fault. As shown in **Table 4.6-3**, *Earthquake Magnitude Classes*, there are seven earthquake magnitude classes, ranging from great to micro. A magnitude class of great can cause tremendous damage to infrastructure in the City compared to a micro class, which results in minor damage to infrastructure.

Table 4.6-3: Earthquake Magnitude Classes

Magnitude Class	Magnitude Range (M = Magnitude)	Description
Great	M > 8	Tremendous damage
Major	7 <= M < 7.9	Widespread heavy damage
Strong	6 <= M < 6.9	Severe damage
Moderate	5 <= M < 5.9	Considerable damage
Light	4 <= M < 4.9	Moderate damage
Minor	3 <= M < 3.9	Rarely causes damage.
Micro	M < 3	Minor damage
Source: City of Fontana, 2017 – LHMP.		

The MMI Scale measures earthquake intensity as shown in **Table 4.6-4**, *Earthquake Magnitude and Intensity*, describes how various magnitudes of earthquakes may be felt. The MMI Scale has 12 intensity levels. Each level is defined by a group of observable earthquake effects, such as ground shaking and/or damage to infrastructure. Levels I through VI describe what people see and feel during a small to moderate

[5] California Geological Survey (CGS). 2019. *Data Viewer*. Available at https://maps.conservation.ca.gov/cgs/DataViewer/, accessed March 5, 2020.
[6] City of Fontana – General Plan EIR. 2018. Available: https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update Accessed: March 5, 2020.

earthquake. Levels VII through XII describe damage to infrastructure during a moderate to catastrophic earthquake.

Table 4.6-4: Earthquake Magnitude and Intensity

Magnitude (Mw)	Intensity (Modified Mercalli Scale)	Description
1.0 – 3.0	I	I. Not felt except by very few people under especially favorable conditions.
3.0 – 3.9	II – III	II. Felt by a few people, especially those on upper floors of buildings. Suspended objects may swing.
		III. Felt quite noticeably indoors. Many do not recognize it as an earthquake. Standing motorcars may rock slightly.
4.0 – 4.9	IV – V	IV. Felt by many who are indoors; felt by a few outdoors. At night, some awakened. Dishes, windows and doors rattle.

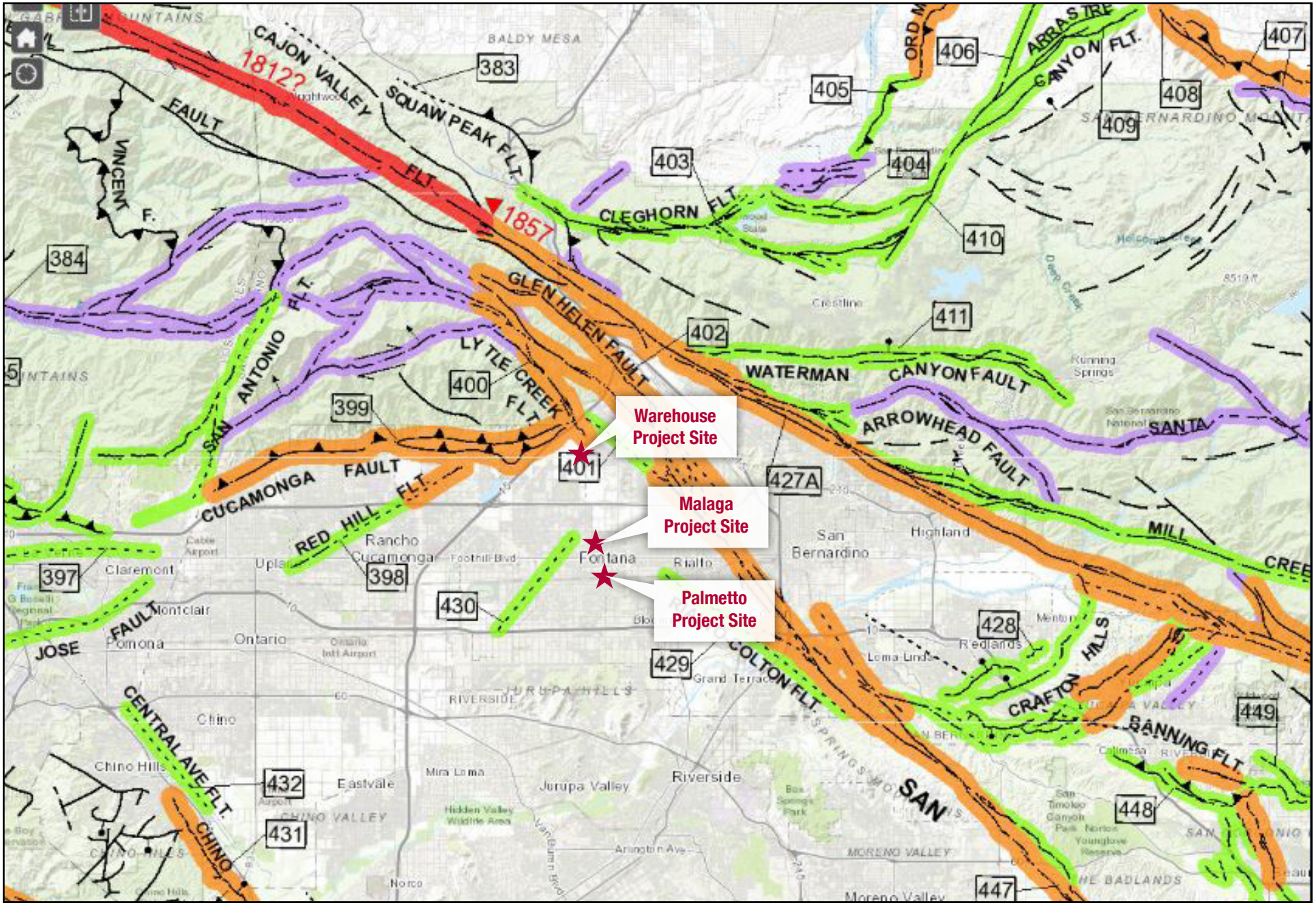
Source: City of Fontana, 2017 – LHMP

Cucamonga Fault/ Sierra Madre Fault Zone. This fault system is northwest-trending and generally right lateral and is located approximately 2.0 miles northwest of the Warehouse site, approximately 4.5 miles northwest of the Malaga Site and approximately 5.5 miles northwest of the Palmetto site. The fault consists of several near-vertical breaks marking the southern boundary of the San Gabriel Mountains. The Cucamonga fault is part of the Sierra Madre Fault Zone. Based on historic earthquakes and evidence of Holocene activity, the fault zone is considered active.

Whittier-Elsinore Fault System. The Whittier-Elsinore Fault system consists of several steep to near-vertical faults along a zone as much as one-half mile wide. The closest portion of the fault is located approximately 25 miles southwest of the Warehouse site, approximately 22 miles southwest of the Malaga site, and approximately 21 miles southwest of the Palmetto site. The inferred sense of movement along these faults is predominately reverse slip west of the Chino area, and right lateral strike-slip to the east. Historic seismicity indicate that the fault system is active.

The San Jacinto Fault Zone. The San Jacinto Fault is a young, right lateral zone of seismic strain that has dominated fault movement in southern California for a least a century. The closest portion of the fault zone is located approximately 3.0 miles northeast of the Warehouse Site, approximately 4.5 miles northeast of the Malaga Site, and approximately 5.5 miles northeast of the Palmetto site Notwithstanding the notoriety of the San Andreas Fault, since 1857 there have been thirty-six major earthquakes identified to faults in the San Jacinto system.

San Andreas Fault. Extending more than 700 miles, the San Andreas Fault is the longest and most significant system in California. The closest portion of the fault zone is located approximately 5.0 miles northeast of the Warehouse site, approximately 8.0 miles northeast of the Malaga site, and approximately 9.0 miles northwest of the Palmetto site. Within and south of the Transverse Ranges, the strike of the fault trends west-northwest within a nearly vertical dip. Motion along the fault is right lateral with post-Oligocene (i.e., less than 22 million years) offset of more than 150 miles. Historic seismicity, sag ponds, offset channels, and linear geomorphic features indicate that this fault system is active.



Source: Esri, 2020

FIGURE 4.6-2: Major Fault Zones
Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Not to scale

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GROUND SHAKING[7]

Ground shaking is a general term referring to all aspects of motion of the earth's surface resulting from an earthquake, and is normally the major cause of damage in seismic events. The extent of ground shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. Magnitude is a measure of the energy released by an earthquake; it is assessed by seismographs. Intensity is a subjective measure of the perceptible effects of seismic energy at a given point and varies with distance from the epicenter and local geologic conditions.

Ground shaking is the primary cause of damage and injury during earthquakes and can result in surface rupture, liquefaction, landslides, lateral spreading, differential settlement, tsunamis, building failure, and broken gas and other utility lines, leading to fire and other collateral damage. The intensity and severity of ground motion is dependent on the earthquake's magnitude, distance from the epicenter and underlying soil and rock properties. Areas underlain by thick, saturated, unconsolidated soils will experience greater shaking motion than areas underlain by firm bedrock.

According to the 2016 California Building Code (CBC), the City of Fontana is in Seismic Zone 4. Seismic Zone 4 includes those areas that lie in a zone of major historic earthquakes (i.e., MW magnitude greater than 7.0) and recent high levels of seismicity. Major damage corresponding to intensities VIII or higher on the MMI Scale should be expected within this zone. Thus, strong earthquake groundshaking is a potentially significant seismic hazard throughout the area.

SECONDARY SEISMIC HAZARDS

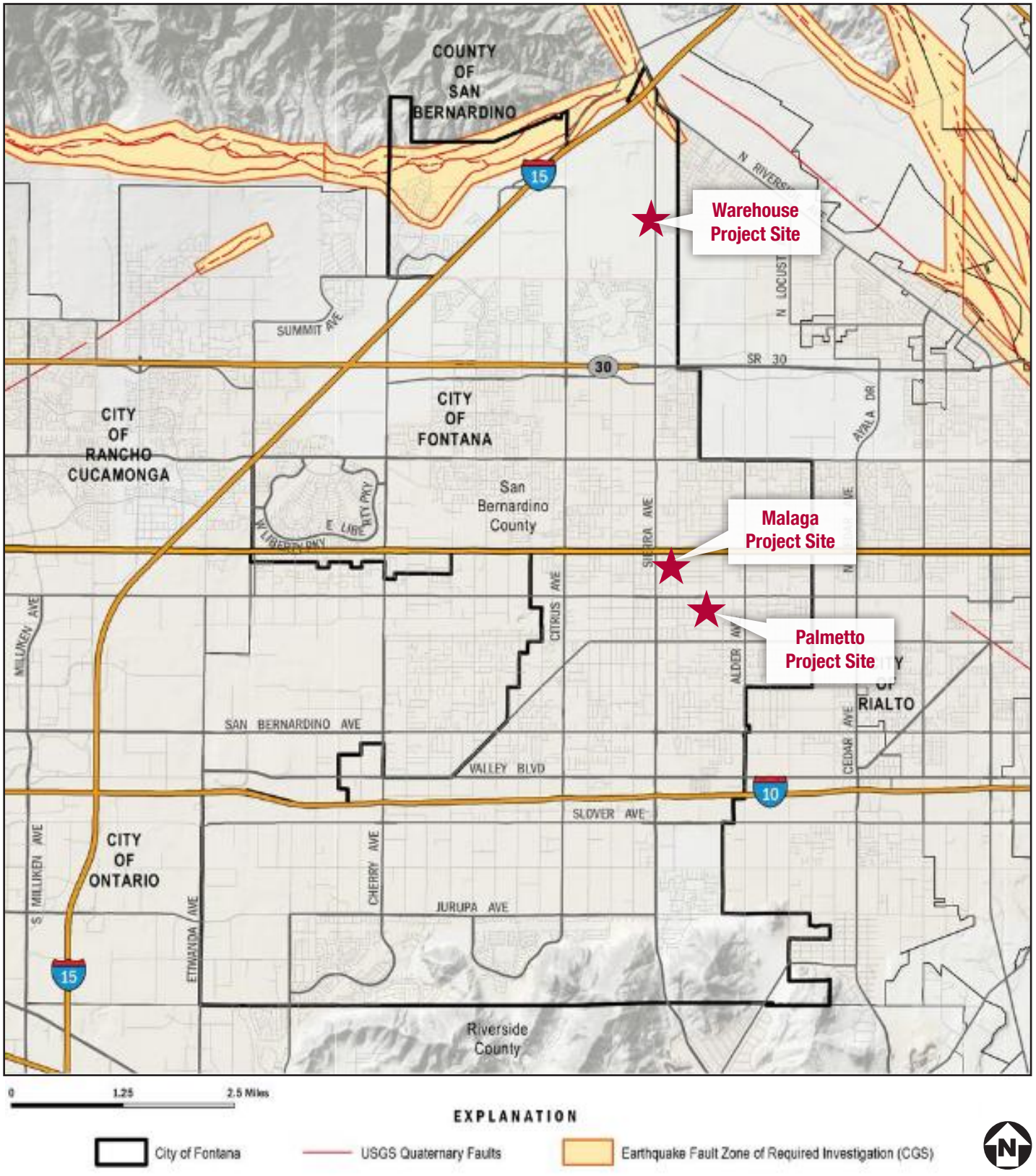
Secondary seismic hazards generally associated with severe ground shaking during an earthquake include ground rupture, lurching, ridgetop shatter, landslides and rockfall, and liquefaction and dynamic settlement.

Surface Fault Rupture

Rupture of the ground surface during an earthquake generally is limited to the narrow strip of land immediately adjacent to/above the fault on which the earthquake is occurring. Surface fault rupture may occur suddenly during an earthquake or slowly in the form of fault creep and almost always follows pre-existing faults. The faults are zones of weakness that cause the separation. Secondary surface faulting can be triggered by aquifer compaction and subsidence or by the effects of strong groundshaking triggering a slip-on neighboring faults. Not all earthquakes will result in surface rupture. The Alquist-Priolo Earthquake Fault Zone Act, which is discussed in additional detail below and requires specific evaluation per the requirements of CEQA, initiated a statewide program to identify and disclose in environmental documents. None of the Project sites are in proximity to a Alquist-Priolo Fault zone or zone of required investigation. **Figure 4.6-3**, *Zones of Required Investigation*, show the Project sites in relation to earthquake fault zones requiring additional investigation.

[7] City of Fontana. 2019. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.*

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Source:

FIGURE 4.6-3: Zones of Required Investigation

Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

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Lurching

Lurching is a phenomenon in which loose to poorly consolidated deposits move laterally as a response to strong ground shaking during an earthquake. Lurching is typically associated with soil deposits on or adjacent to steep slopes. The Project site is located in a relatively flat area. The nearest steep slopes to the Warehouse site is the San Bernardino National Forest mountains located approximately 1.5 miles northwest. This area is approximately 4.5 and 5.5 miles from the Malaga and Palmetto sites, respectively.

Ridgetop Shatter

Ridgetop fissuring and shattering is thought to be the result of intense amplification or focusing of seismic energy due to local topographic features. Linear fault-like fissures and shattering of surface soils on the crests of steep, narrow ridgelines occurred during the 1989 Loma Prieta and 1994 Northridge earthquakes. This phenomenon can result in severe structural damage, particularly if it occurs on relatively high (greater than 100 feet), narrow (typically less than 300 feet wide) ridges flanked by slopes steeper than about 2.5:1 (horizontal:vertical). The Project sites are flat and none are located on or near a ridge.

Landslides and Rockfall[8]

Landslides, rock falls, and debris flows are all forms of mass wasting, the movement of soils and rock under the influence of gravity. A landslide may occur if source material on a slope is triggered by some mechanism. Source materials include fractured and weathered bedrock and loose soils. Triggering mechanisms include earthquakes, saturation from rainfall, and erosion. Post-fire erosion rates may be more than 50 to 100 times greater than on a well-vegetated watershed. The Project sites are flat and none are located on or near a ridge.

Shaking during an earthquake can lead to seismically induced landslides, especially in areas that have previously experienced landslides or slumps, in areas of steep slopes, or in saturated hillsides. The City of Fontana is generally flat and not at risk from the threat of landslides. Potential areas where seismically-induced landslides could occur are in the foothill portions of the basin. The nearest moderate to high landslide susceptibility zone near the Warehouse, Malaga, or Palmetto sites are the San Bernardino mountains located approximately 1.5-miles to the northwest, .4.5 miles to the northwest, and 5.5 miles to the northeast, respectively.[9] **Figure 4.6-4**, *Liquefaction and Landslide Hazard Map*, shows this information graphically.

Liquefaction and Dynamic Settlement

Liquefaction of free-running type soils, such as sand and gravel, can be caused by strong ground shaking motion due to earthquakes. Liquefaction is characterized by a loss of shear strength in the affected soil layers, causing the soil to behave like a syrupy liquid. When insufficient confining pressure is present, liquefaction may be manifested at the ground surface by settlement or sand volcanoes. For the potential effects of liquefaction to be demonstrated at the ground surface, the soils generally have to be granular, loose to medium dense, saturated relatively near the ground surface and must be subjected to a sufficient magnitude and duration of ground shaking. Ground accelerations generated from a seismic event can

[8] City of Fontana. 2019. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.*
[9] San Bernardino County. 1994. Geologic Hazard Overlays – FH21 C Devore Map. Available at http://www.sbcounty.gov/Uploads/lus/GeoHazMaps/FH21C_20100309.pdf, accessed on March 4, 2020

produce settlements in sands or granular earth materials both above and below the water table, posing a potential hazard to land uses on the surface. The nearest liquefaction susceptibility zones are located approximately 1.0 mile northeast of the Warehouse site, approximately 4.5 miles northeast of the Malaga site and approximately 5.5 miles northeast of the Palmetto site.[10]

Soil Erosion

Erosion refers to the removal of soil from exposed bedrock surfaces by water or wind. The effects of erosion are intensified with an increase in slope (as water moves faster, it gains momentum to carry more debris), the narrowing of runoff channels (which increases the velocity of water), and by the removal of groundcover (which leaves the soil exposed to erosive forces). Surface improvements, such as paved roads and buildings, decrease the potential for erosion on-site, but can increase the rate and volume of runoff, potentially causing off-site erosion.

Subsidence

Soil subsidence at the land surface can result from both natural and man-made phenomena. Natural phenomena that may induce subsidence include tectonic deformation and seismically induced settlements (liquefaction); soil consolidation; oxidation or dewatering of organic-rich soils; and collapse of subsurface cavities. Human activities that may help induce subsidence include decreases in pore pressure caused by the excessive withdrawal of subsurface fluids (pumping), including water and hydrocarbons.

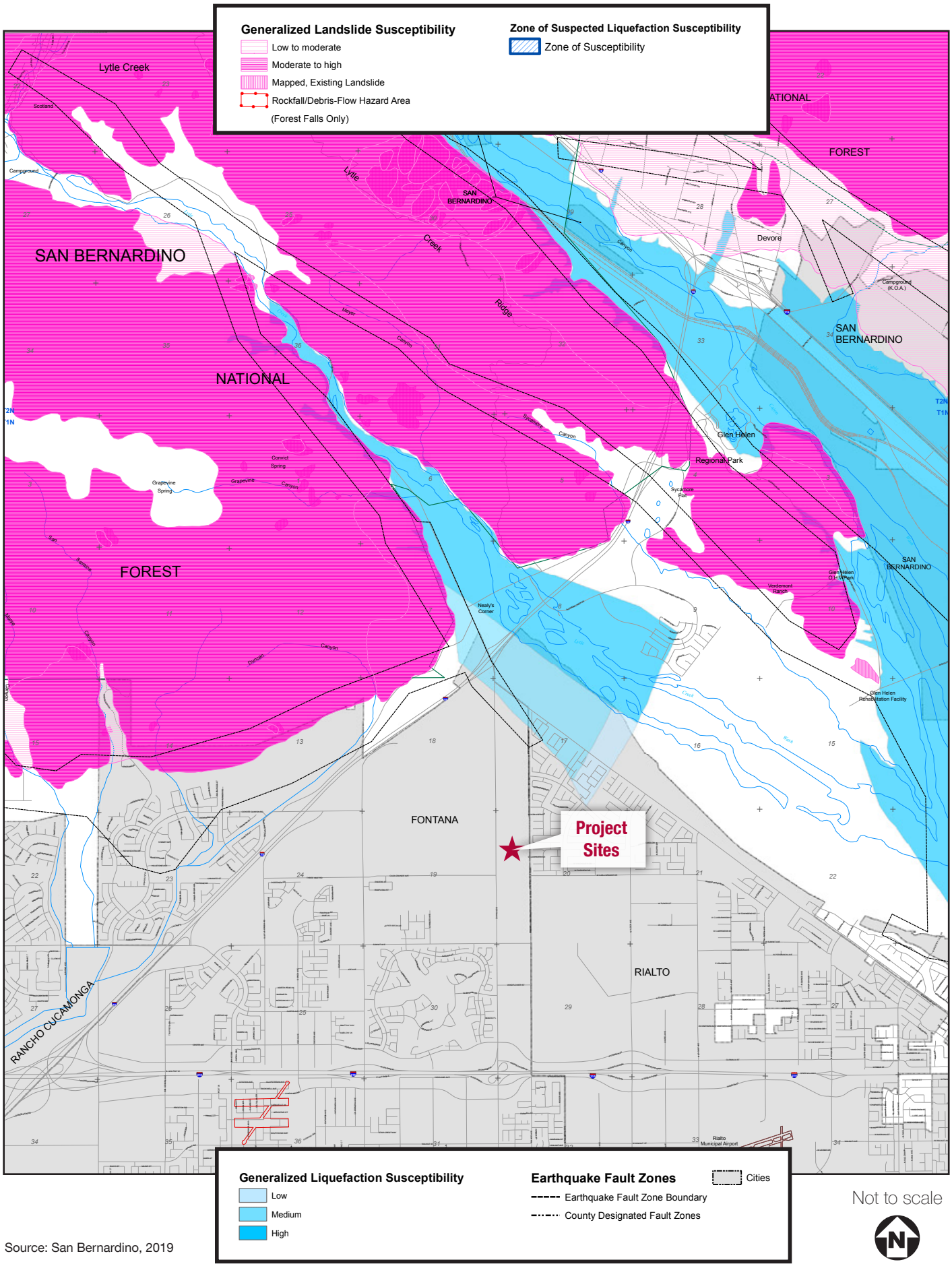
Soil Settlement

Soil settlement is the condition where soils deform in a vertical direction when a vertical load is placed on top of it. The compression of the soil bed by the vertical load results from the characteristics of the soil particles that are contained in the soil bed, as the spaces that are filled with either air or water between the soil particles are squeezed out. Site-specific geotechnical investigation would, on a case-by-case basis, determine the potential for soil settlement in a given area to ensure that final project design incorporates all necessary and appropriate engineering features to reduce the potential geologic hazards. [11]

Expansive Soils

Expansive soils are common throughout California and can cause damage to foundations and slabs, separation of masonry, or failure of paved surfaces unless properly treated during construction. Expansive soil conditions could cause damage to facility components if they are not designed with proper engineering and grading practices. The hazard for expansive behavior is considered a low risk for alluvial fan locations because soils in these areas are frequently saturated and generally do not contain clay-sized particles.

[10] San Bernardino County. 1994. Geologic Hazard Overlays – FH21 C Devore Map. Available at http://www.sbcounty.gov/Uploads/lus/GeoHazMaps/FH21C_20100309.pdf, accessed on March 5, 2020.
[11] City of Fontana. 2019. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.*



Not to scale

Source: San Bernardino, 2019

FIGURE 4.6-4: Liquefaction and Landslide Hazard Map

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City of Fontana

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PALEONTOLOGICAL SETTING

Although younger fan deposits do not have the potential to contain significant paleontological resources the City also contains areas of Pleistocene older fan deposits exposed at surface levels that have been mapped along the western area of the City near the intersection of I-15 and I-210 and also in the southwestern areas of the City. The Pleistocene Epoch is considered to include the time between 2.6 million years ago until approximately 11,700 years ago. The Holocene Epoch began about 11,700 years ago and consists of younger sedimentary deposits. Accordingly, subsurface Pleistocene deposits overlain with more recent alluvial deposits are present within the City. Due to their age, within the older Pleistocene deposits, the potential for paleontological resources is considered to be high. However, the Warehouse site, Malaga site, and Palmetto site do not contain Pleistocene older deposit. Almost the entire city is classified as having late Holocene surficial deposits by the California Department of Conservation[12] (CDOC, 2020). Approximately 92 percent of the site is composed of Soboba stony loamy sand. The balance of the site is composed of Soboba gravelly loamy sand.[13]

4.6.3 REGULATORY SETTING

FEDERAL

Occupational Safety and Health Administration Regulations

Excavation and trenching are among the most hazardous construction activities. OSHA's Excavation and Trenching standard, Title 29 of the Code of Federal Regulations, Part 1926.650, covers requirements for excavation and trenching operations. OSHA requires that all excavations in which employees could potentially be exposed to cave-ins be protected by sloping or benching the sides of the excavation, supporting the sides of the excavation, or placing a shield between the side of the excavation and the work area.

Soil and Water Resources Conservation Act

The purpose of the Soil and Water Resources Conservation Act of 1977 is to protect or restore soil functions on a permanent sustainable basis. Protection and restoration activities include prevention of harmful soil changes, rehabilitation of the soil of contaminated sites and of water contaminated by such sites, and precautions against negative soil impacts. Disruptions of natural soil functions and function as an archive of natural and cultural history should be avoided, as far as practicable. In addition, the Federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]) requirements, through the National Pollution Discharge Elimination System (NPDES) permitting process, provide guidance for protection of geologic and soil resources.

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program (Program) which is coordinated through the Federal Emergency Management Agency (FEMA), the U.S. Geological Survey (USGS), the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the Program is to establish measures for

[12] CDOC, 2020. Compilation of Quaternary Surficial Deposits. https://maps.conservation.ca.gov/cgs/QSD/. Accessed: March 5, 2020.
[13] Natural Resources Conservation Service (NRCS). 2019. *Web Soil Survey*. Available at https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx, accessed on March 5, 2020.

earthquake hazards reduction and promote the adoption of earthquake hazards reduction measures by federal, state, and local governments; national standards and model code organizations; architects and engineers; building owners; and others with a role in planning and constructing buildings, structures, and lifelines through (1) grants, contracts, cooperative agreements, and technical assistance; (2) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and (3) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction. The Program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decisions sciences.

U.S. Geological Survey Landslide Hazard Program

The USGS Landslide Hazard Program provides information on landslide hazards including information on current landslides, landslide reporting, real-time monitoring of landslide areas, mapping of landslides through the National Landslide Hazards Map, local landslide information, landslide education, and research.

Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act (PRPA) is part of the Omnibus Public Land Management Act of 2009 (Public Law 111-011 Subtitle D). The PRPA directs the Secretary of the Interior or the Secretary of Agriculture to manage and protect paleontological resources on federal land, and develop plans for inventorying, monitoring, and deriving the scientific and educational use of such resources. It prohibits the removal of paleontological resources from federal land without a permit issued under the PRPA, establishes penalties for violation of the PRPA and establishes a program to increase public awareness about such resources. As of May 18, 2015, the U.S. Department of Agriculture has implemented a new rule that "provides for the preservation, management, and protection of paleontological resources on National Forest System (NFS) lands and ensures that these resources are available for current and future generations to enjoy as part of America's national heritage. The rule addresses the management, collection, and curation of paleontological resources from NFS lands including management using scientific principles and expertise, collecting of resources with and without a permit, curation in an approved repository, maintaining confidentiality of specific locality data, and authorizing penalties for illegal collecting, sale, damaging, or otherwise altering or defacing paleontological resources".

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code [PRC] 2621-2624, Division 2 Chapter 7.5) was passed in 1972 following the destructive February 9, 1971 moment magnitude (Mw) 6.6 San Fernando earthquake to mitigate the hazard of surface faulting to structures intended for human occupancy. The Act's main purpose is to prohibit siting buildings used for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep. The Act requires the State Geologist to establish regulatory zones, known as "Earthquake Fault Zones," delineating appropriately wide earthquake fault zones to encompass potentially active and recently active traces of faults. Local agencies must regulate most development projects within these zones. Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed human occupancy structures would not be constructed across active faults. An evaluation and

written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically at least 50-foot setbacks are required).[14]

Effective June 1, 1998, the Natural Hazards Disclosure Act requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including Earthquake Fault Zones.

Seismic Hazards Mapping Act of 1990

The SHMA of 1990 (PRC, Section 2690 et seq.) directs the Department of Conservation's California Geological Survey, to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards.

The SHMA provides a statewide seismic hazard mapping and technical advisory program to assist cities and counties in fulfilling their responsibilities for protecting the public health and safety from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and other seismic hazards caused by earthquakes. Mapping and other information generated pursuant to the SHMA is to be made available to local governments for planning and development purposes. The state requires (1) local governments to incorporate site-specific geotechnical hazard investigations and associated hazard mitigation as part of the local construction permit approval process, and (2) the agent for a property seller, or the seller if acting without an agent, to disclose to any prospective buyer if the property is located within a seismic hazard zone. The State Geologist is responsible for compiling seismic hazard zone maps. The SHMA specifies that the lead agency for a project may withhold development permits until geologic or soils investigations are conducted for specific sites and mitigation measures are incorporated into plans to reduce hazards associated with seismicity and unstable soils.

STATE

2016 California Building Code

California building standards are published in the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code (CBSC). The CBSC, which applies to all applications for building permits, consists of 11 parts that contain administrative regulations for the California Building Standards Commission and for all state agencies that implement or enforce building standards. Local agencies must ensure development complies with the CBSC guidelines. Cities and counties can adopt additional building standards beyond the CBSC. CBSC Part 2, named the California Building Code (CBC), is based upon the 2016 International Building Code (IBC). The 2016 CBSC (CCR, Title 24) went into effect on January 1, 2017. In addition, more recent building code have been adopted and include Part 1, California Administrative Code, of the 2019 CBSC that went into effect January 8, 2019. The final approval of the remaining standards went into effect of January 1, 2020. Significant changes to Part 1 include 1) clarifying when an addition is required to have a dedicated egress system and 2) revising project inspector certification examinee eligibility criteria to better recognize appropriate qualifying experience and/or education. Project construction will comply with the 2016, 2019, and 2020 CBSC.

[14] California Department of Conservation. (2020b). The Alquist-Priolo Earthquake Fault Zoning Act. Accessible at https://www.conservation.ca.gov/cgs/alquist-priolo. Accessed: March 5, 2020.

Given the state's susceptibility to seismic events, the CBC's seismic standards are among the strictest in the world. The CBC applies to all development in the state, except where stricter standards have been adopted by local agencies. CBC Chapter 16 addresses structural design requirements governing seismically resistant construction (CBC §1604), including (but not limited to) factors and coefficients used to establish seismic site class and seismic occupancy category for the soil/rock at the building location and the proposed building design (CBC §1613.5 through 1613.7). CBC Chapter 18 includes (but is not limited to) the requirements for foundation and soil investigations (CBC §1803); excavation, grading, and fill (CBC §1804); allowable load-bearing values of soils (CBC §1806); and the design of footings, foundations, and slope clearances (CBC § 1808 and 1809), retaining walls (CBC §1807), and pier, pile, driven, and cat-in-place foundation support systems (CBC §1810). CBC Chapter 33 includes, but is not limited to, requirements for safeguards at worksites to ensure stable excavations and cut or fill slopes (CBC §3304).

Construction activities are subject to occupational safety standards for excavation and trenching as specified in the California OHSA regulations (Title 8 of the CCR) and in Chapter 33 of the CBC. These regulations specify the measures to be used for excavation and trench work where workers could be exposed to unstable soil conditions. All aspects of construction of the warehouse and future construction of the Malaga site and Palmetto site, if they are constructed after the upzoning, would be required to employ these safety measures during excavation and trenching.

State Earthquake Protection Law

The State Earthquake Protection Law (California Health and Safety Code [HSC] 19100 et seq.) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC. The CBC requires a site-specific geotechnical study to address seismic issues and identifies seismic factors that must be considered in structural design. Because the proposed Project area is not located within an Alquist–Priolo Earthquake Fault Zone, no special provisions would be required for project development related to fault rupture.

LOCAL

City of Fontana General Plan Update 2015-2035

Noise and Safety Element

The area around City is seismically active since it is situated on the boundary between two tectonic plates. Earthquakes can cause serious structural damage to buildings, overlying aqueducts, transportation facilities, utilities, and can lead to loss of life. In addition, earthquakes can cause collateral emergencies including dam and levee failures, fires, and landslides. Seismic shaking is by far the single greatest cause of damage from an earthquake in City followed by liquefaction.

Protecting Fontana from the threat of geological hazards is achieved through the identification of hazards, mitigation of structures at risk, enforcement of building codes and development standards, and public education and emergency preparedness.

Goal 4 **Seismic injury and loss of life, property damage, and other impacts caused by seismic shaking, fault rupture, ground failure, earthquake-induced landslides, and other earthquake-induced ground deformation are minimized in Fontana.**

Policies:

- The City shall monitor development or redevelopment in areas where faults have been mapped through the city.
- The City shall continue to ensure that current geologic knowledge and peer (third party) review are incorporated into the design, planning, and construction stages of a project and that site-specific data are applied to each project.
- The City shall continue to ensure to the fullest extent possible that, in the event of a major disaster, essential structures and facilities remain safe and functional, as required by current law. Essential facilities include hospitals, police stations, fire stations, emergency operation centers, communication centers, generators and substations, and reservoirs.

Goal 5 **Risk to life or limb and property damage resulting from geologic hazards are minimized in Fontana.**

Policy

- The City shall continue to participate in regional programs designed to protect the groundwater resources and to protect the area from the hazard of regional ground subsidence through careful management of the regional groundwater basin that underlies the area.

City of Fontana Local Hazard Mitigation Plan, 2017

The City of Fontana Local Hazard Mitigation Plan (LHMP) The purpose of the Hazard Mitigation Plan (LHMP) is to demonstrate the plan for reducing and/or eliminating risk in City of Fontana. The LHMP process encourages communities to develop goals and projects that will reduce risk and build a more disaster resilient community by analyzing potential hazards. The LHMP notes that Earthquakes are a significant concern to the City. Within the LHMP, there is the intent to provide the City with a Guidebook to mitigate potential hazards and the strategy is intended to reduce associated vulnerabilities. Related to the mitigation planning for seismic events the efforts are on-going. The plan does include mitigation actions related to reducing potential effects from earthquakes. These measures include evaluation and seismic review of projects and performance of structural reviews, reinforcement of existing buildings, providing automatic shutoffs, reducing development in landslide-prone areas, and increasing public awareness of vegetation management, erosion control, and preventing slope failure.[15]

4.6.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the development of the Warehouse site and upzoning of the Malaga and Palmetto sites would have a significant environmental impact if one or more of the following occurs:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

[15] City of Fontana, 2017 – Local Hazard Mitigation Plan (LHMP). Available: https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan. Accessed: April 13, 2020.

- 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.
- Strong seismic ground shaking?
- Seismic-related ground failure, including liquefaction?

- Landslides?
- Result in substantial soil erosion or loss of topsoil?
- 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?
- 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?
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of waste water?

METHODOLOGY AND ASSUMPTIONS

The proposed Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning geology and soils. In addition to PDFs, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts.

APPROACH TO ANALYSIS

This analysis of impacts on geology and soils examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga site and Palmetto site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: review of available documentation related to geologic conditions, review of project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component will or will not result in "substantial" adverse effects on geology and soils considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

IMPACTS FOUND TO HAVE NO IMPACT

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - Landslides?

Warehouse, Malaga, and Palmetto Sites

No Impact – None of the areas being evaluated, the Warehouse site, Malaga site, or Palmetto site are located in areas subject to landslides. All the areas are on relatively flat ground and are not adjacent to any areas with steep slopes such that if ground shaking occurred they would experience damage from a landslide. Therefore, impacts related to landslides for all Project sites would not occur.

- Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of waste water?

Warehouse, Malaga, and Palmetto Sites

No Impact – The proposed warehouse would not use an alternative wastewater disposal system and is proposed to tie into the existing sewer line. Similarly, if constructed after the upzone, development on the Malaga site and Palmetto site would not use an alternative wastewater system. Potential future uses on these sites would tie into the existing sewer line(s). Impacts in this regard for all Project-related sites would not occur.

4.6.5 IMPACTS AND MITIGATION MEASURES

Impact 4.6-1: 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.

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

None of the areas being evaluated, the Warehouse site, Malaga site, or Palmetto site are located within an Alquist Priolo Fault Zone or in earthquake zones of required investigation according to the CDOC mapping functions. Impacts for all Project sites would be less than significant.[16]

Impact 4.6-2: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

ii) Strong seismic ground shaking?

Level of Significance: Less Than Significant with Mitigation Incorporated

[16] California Department of Conservation, 2020c. Earthquake Zones of Required Investigation. Available https://maps.conservation.ca.gov/cgs/EQZApp/ Accessed: March 5, 2020.

WAREHOUSE SITE

The Warehouse site is located in the southern California region, which is prone to seismically induced ground shaking. The Warehouse site would be developed with an approximate 332,996 sf warehouse facility. Development of the Warehouse site would be constructed to the current 2016 California Building Code (CBC) and IBC standards. All structures would be designed in conformance with all applicable standards to resist the effects of seismic ground shaking.

Construction and Operations

Due to the strong natural seismic activity of southern California, all structures, including the proposed Warehouse site, is likely to be exposed to potential strong seismic ground shaking. The potential for damage resulting from seismic-related events include ground shaking, ground failure, and ground displacement. Strong levels of seismic ground shaking can cause damage, particularly to older and/or poorly constructed buildings. As discussed above, all structures and components of the proposed Warehouse site would be constructed to the current CBC standards. Construction and conformance of all development activities to the seismic design parameters of the 2016 CBC and IBC or most current standards at the time of construction, as adopted by the City. Structure design and construction in conformance would minimize the potential of strong seismic ground shaking impacts. The CBC was adopted by all municipalities within southern California on January 1, 2017. The CBC provides procedures for earthquake-resistant structural design that include considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. With conformance to the CBC, it is anticipated that a less than significant impact from ground shaking would occur. To ensure impacts remain less than significant, mitigation measure(s) would be required. **MM-GEO-1** requiring a geotechnical investigation related to construction of the Warehouse site would be required. Implementation of **MM-GEO-1** would ensure impacts are reduced to less than significant.

MITIGATION MEASURE

MM GEO-1 Prior to approval of the proposed Warehouse site, a geotechnical evaluation shall be required. Geotechnical report shall be a design-level geotechnical investigation and a final geotechnical report with site-specific recommendations for each site prior to initiation of any construction activities. The geotechnical investigation shall be reviewed and approved by the City of Fontana, and shall comply with requirements of Local Hazard Mitigation Plan and all other applicable City codes and policies, as well as the California Building Code and International Building Code as required. The geotechnical evaluation shall be reviewed and approved by the engineering department prior to issuance of any grading permit. All requirements of the report shall be developed and verified by a certified geotechnical engineer or engineering geologist.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

MALAGA AND PALMETTO SITES

The southern California region, in which the Malaga and Palmetto sites would be developed are prone to seismically induced ground shaking. Both the Malaga site and Palmetto site do not include any construction but the sites would be upzoned enabling development of higher density residential uses. There are no development plans for these sites, but they could be redeveloped in the future. All future potential development that could occur on the Malaga and Palmetto sites would be constructed to the current 2016 California Building Code (CBC) and IBC standards. All structures would be designed in conformance with all applicable standards to resist the effects of seismic ground shaking.

Construction and Operations

Due to the strong natural seismic activity of southern California, all structures, including potential future projects on the Malaga and Palmetto sites, are likely to be exposed to potential strong seismic ground shaking. The potential for damage resulting from seismic-related events include ground shaking, ground failure, and ground displacement. Strong levels of seismic ground shaking can cause damage, particularly to older and/or poorly constructed buildings. As discussed above, all structures and components of the any redevelopment of the Malaga and Palmetto sites would be constructed to the current CBC standards. Construction and conformance of all development activities would be made to the seismic design parameters of the 2016 CBC and IBC or most current standards at the time of construction, as adopted by the City. Structure design and construction in conformance with these requirements would minimize the potential of strong seismic ground shaking impacts. The CBC was adopted by all municipalities within southern California on January 1, 2017. The CBC provides procedures for earthquake-resistant structural designs that include considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. Because no development is proposed on these sites as this time, at the time development is proposed, the Project will be required to complete a project specific CEQA analysis in which impacts related to geology and soils will be evaluated. With the inclusion of this analysis and conformance to the CBC, it is anticipated that a less than significant impact from ground shaking would occur.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.6-3: Seismic-related ground failure, including liquefaction?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

None of the areas being evaluated, the Warehouse site, Malaga site, or Palmetto site are located within areas subject to liquefaction or collapse. None of the areas are mapped by the CDOC as being in

liquefaction zones or subject to other related ground failures besides potential effects from ground shaking. Impacts in relation to these hazards for all Project sites would be less than significant.

Impact 4.6-4: Result in substantial soil erosion or the loss of topsoil?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction

Construction activities such as excavation and grading would be minimal given that the Warehouse site is relatively flat. No major grading or excavation would be needed to substantially alter the slope of the site, create or remove steep slopes, create retaining walls, or make other landform modifications. Nevertheless, grading and earthwork activities during construction would expose soils to potential short-term erosion by wind and water. During construction, the Warehouse site would be required to comply with erosion and siltation control measures. This would include measures such as sand-bagging, placement of silt fencing, erosion control blankets, straw wattles, mulching, etc., to reduce runoff from the site and to hold topsoil in place during all grading activities. As mass grading proceeds, finish grading commence, and construction begins the erosion measures would be removed or relocated as necessary. Additionally, the construction on the Warehouse site would be required to comply with the National Pollutant Discharge Elimination System (NPDES); refer to Section 4.9, *Hydrology and Water Quality* for discussion of the anticipated NPDES permitting process. Construction impacts on the Warehouse site would be minimized through compliance with the Construction General Permit (CGP). The NPDES permit requires development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and monitoring plan, which must include erosion-control and sediment-control Best Management Practices (BMPs). The BMPs would be required to meet or exceed measures required by the CGP to control potential construction-related pollutants and would comply with the Fontana Municipal Code Section 28.11 – Stormwater management and rainwater retention. Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. All required permits and the erosion control plan would be verified by the City prior to initiation of any construction and prior to the issuance of any grading permit. Conformance to these requirements and verification by the City as part of the development approval process would ensure that potential impacts from construction of the warehouse are less than significant.

Operations

Operation of the warehouse would not involve procedures which would result in substantial soil erosion. Following construction of the warehouse the Project site would be covered with hardscape and which would not contribute to erosion. The Warehouse site also would contain some landscaping, but these areas would include ground covers to reduce erosion or and loss of on-site soils post-construction. This would ensure that operation of the Warehouse site would not result in the loss of topsoil or sedimentation into local drainage facilities and water bodies; refer to Section 4.9, *Hydrology and Water Quality*. In addition, a network of storm drains and gutters would be installed, upgraded if needed, and maintained as necessary throughout the developed site. Therefore, the potential for substantial soil erosion or the loss of topsoil is considered less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITE

Construction

As discussed above, neither the Malaga or Palmetto sites are proposed for development and there are no existing plans for construction. The proposed Project includes an upzoning of the properties that would enable redevelopment of the sites with a greater density of residential development to conform to SB 330. As such, no direct construction impacts would occur.

Adoption of the proposed Project could result in indirect impacts to the Malaga and Palmetto sites if the sites are redeveloped in the future. Both sites are relatively flat, do not contain any significant landforms, and are currently developed with existing structures with a few undeveloped lots. If the sites are redeveloped, the existing structures would be removed, and some minor excavation and grading would be needed to prepare the site for construction. Due to the existing acreage of each site, the same requirements for conformance with the NPDES permits, implementation of a SWPPP and use of BMPs as discussed for the Warehouse site would be required. Similarly, all plans would be submitted to the City for review and approval prior to the issuance of and grading or construction permits as part of the development review process. This would ensure, should either the Malaga or Palmetto sites be developed, potential impacts from construction-related erosion would be less than significant.

Operations

Operation of the potential future development of the Malaga and Palmetto sites would not involve uses that would result in substantial soil erosion or loss. If developed according to the densities allowed by the upzoning, the sites would largely be occupied by structures and hardscape that are not susceptible to erosion resulting in soil loss. If the sites are development, it is anticipated that some of the area would contain some landscaping. These areas would include ground covers over any bare soils to reduce erosion or loss of on-site soils post-construction. This would ensure that operation of any future project at either the Malaga or Palmetto sites would not could cause significant property damage or result in the loss of topsoil/sedimentation into local drainage facilities and water bodies; refer to Section 4.9, *Hydrology and Water Quality*. In addition, a network of storm drains and gutters would be maintained and upgraded as necessary and provided throughout the sites. Therefore, the potential for substantial soil erosion or the loss of topsoil is considered less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.6-5: 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.

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Construction and Operations

As discussed above, neither the Warehouse site, Malaga Site, or Palmetto Site, are located above unstable geologic units or unstable soils. In addition, construction and operation of the warehouse, and potential future redevelopment of the Malaga and Palmetto sites, would not exacerbate any existing geologic conditions or result in development on unstable soils. To ensure that all applicable design elements needed to ensure geotechnically sound buildings are developed, MM-GEO-1 requires a geotechnical evaluation of each site and preparation of a geotechnical report with detail to enable a design-level report with site-specific recommendations, as needed, for each site prior to initiation of any construction activities.

Regarding, lateral spreading and subsidence, these process are similar and result from a loss of strength in underlying soils due to the make up of soils, presence of spaces between particles, or creation of underground voids. Lateral spreading is a process of liquefaction and commonly occurs on gentle slopes during earth shaking events in saturated soils. Lateral spreading is more likely to occur in areas adjacent to depressions or streams and rivers in which soils can slump toward low lying area. Subsidence is the slow sinking of land due to movement of underground layers. Subsidence is often cause by removal of underground resources such as water, natural gas, or other minerals that leaves a void at depth. None of the site are in a liquefaction zone and none are adjacent to lower lying areas that may be subject to lateral spreading. Similarly, none of the sites are over any area with a history of natural resource withdrawal and the potential for subsidence is low.

Collapse occurs as a result of general soils with a loose structure and large void ratios and are subject to weakness upon wetting of the soil. Due to the location of the Project site and the alluvial nature of the soils, if the underground soils layers are not properly excavated, mixed, and recompacted, there is a potential for collapse to occur. Implementation of **MM-GEO-1**, as discussed above, would ensure a complete geotechnical evaluation of warehouse site is completed. This would evaluate the potential for collapse and further ensure that any potential for lateral spreading and subsidence are accounted for. Because no development is proposed on the Malaga and Palmetto sites as this time, it unknown if the development of these sites would result in adverse impacts associated with geotechnical conditions. As discussed above, at the time development is proposed, any project on either the Malaga or Palmetto site will be required to complete a project-specific CEQA analysis. With the inclusion of this analysis and conformance to the CBC, it is anticipated that a less than significant impact from in this regard would occur. Therefore, impacts in this regard would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.6-6: 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?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

According to the USDA Websoil survey the Warehouse site is underlain by Soboba gravelly loamy sand and Soboba stony loamy sand, and the Malaga site and Palmetto sites are underlain by Tujunga gravelly loamy sand. Expansive soils are typically soils with high poor volume and very small particles typically including clayey and silty soils. None of the Projects sites are underlain by these types of soils and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.6-7: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

The Warehouse, Malaga, and Palmetto sites occur on alluvial soils deposited during the Holocene Epoch (within the last 11,700 years). This reduces the potential for the disturbance of any unknown buried paleontological resources and makes the likelihood of damage or destruction to such resources remote. These impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.6.6 CUMULATIVE IMPACTS

Geology and soil-related impacts are generally site-specific and are determined by a particular site's soil characteristics, topography, and proposed land uses. Development projects are analyzed on an individual basis and must comply with established requirements of the applicable jurisdiction's development requirements and the California Building Standards Code as they pertain to protection against known geologic hazards and potential geologic and soil-related impacts.

Cumulative effects related to geology resulting from the implementation of future development of the warehouse site, potential development of the Malaga site and Palmetto site, as well as surrounding areas could expose more persons and property to potential impacts due to seismic activity. Long-term impacts related to geology include the exposure of people to the potential for seismically induced ground shaking. Implementation of other cumulative projects would incrementally increase the number of people and structures subject to a seismic event. Seismic and geologic significance is considered on a project-by-project basis through the preparation of design-level geotechnical studies. The potential for any project to be affected by or any project to exacerbate and existing geotechnical hazard would be minimized or not occur through strict engineering guidelines as they pertain to protection against known geologic hazards and potential geologic and soil-related impacts.

Development of the warehouse Project and potential development of the Malaga site and Palmetto sites, as well as all past, present, and future projects would be required to be constructed in accordance with the latest edition of the CBC and to adhere to all current earthquake construction standards, including those relating to soil characteristics. Therefore, no elements of this Project would contribute to any cumulatively considerable geologic and/or soils impacts. Therefore, cumulative effects of increased seismic risk would be less than significant.

4.6.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable cultural resource impacts have been identified.

4.7 GREENHOUSE GAS

4.7.1 INTRODUCTION

This section describes the existing air quality and greenhouse gas (GHG) setting and evaluates potential impacts related to GHG from the proposed Sierra at Casa Grande Avenue Warehouse Project (proposed Project), including the Malaga site, and the Palmetto sites. Information given in this section is based on resource information obtained from available public resources including, but not limited to, the City of Fontana General Plan (FCGP), South Coast Air Quality Management District (SCAQMD) Air Quality Management Plan (AQMP), Southern California Association of Governments (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and County of San Bernardino GP. Detailed GHG calculations are provided in Appendix A of Appendix B of this DEIR and are derived from:

- Greenhouse Gas Emission Assessment Sierra Avenue and Casa Grande Warehouse Project; and
- Air Quality Assessment Sierra Avenue and Casa Grande Warehouse Project;

4.7.2 ENVIRONMENTAL SETTING

SOUTH COAST AIR BASIN

The South Coast Air Basin (SCAB) is a 6,645-square mile area bounded by the San Gabriel, San Bernardino, and the San Jacinto Mountains to the north and east, and the Pacific Ocean to the west. The SCAB includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, along with the San Gorgonio Pass area of Riverside County. The distinctive climate of the SCAB is attributable to its terrain, which is a coastal plain with connecting broad valleys and low hills, and its geographical location, which is bounded by the Pacific Ocean to the west and high mountains to the north, east, and south.

The extent and severity of air pollution in the SCAB is a function of the area's natural physical characteristics (weather and topography), as well as man-made influences (development patterns and lifestyle). Factors such as wind, sunlight, temperature, humidity, rainfall, and topography all affect the accumulation and/or dispersion of air pollutants throughout the SCAB, making it an area of high pollution potential.

CLIMATE & METEOROLOGY

The South Coast region, bounded by the Pacific Ocean on the west and mountains on the other three sides, generally forms a lowland coastal plain. On average, the South Coast region experiences more days of sunlight per year than any other major urban area in the country, except Phoenix. The climate, however, does vary from mild near the coast to extreme at inland locations. The average annual temperatures in the coastal area, which benefits from the marine influence, varies from lows in the mid-50's to highs in the mid-70's degrees Fahrenheit (°F). Annual precipitations in the coastal area ranges from 12 to 15 inches. Moving inland, temperatures increase and precipitation decreases, with average summertime highs in the mid to high 90's and maximum daily temperatures exceeding 100 °F. Precipitation inland averages less than 10 inches per year. The mountains bounding the South Coast region to the north, east and west reach elevations of more than 10,000 feet and experience temperatures below freezing in the winter and precipitation in the form of snow.

Although the SCAB has a semi-arid climate, the air near the surface is moist due to the presence of a shallow marine layer. Except for infrequent periods when dry, continental tropical air is brought into the SCAB by winds blowing in from the southwest from Mexico, the ocean or maritime effect is dominant. Continental air (masses) originate over and are influenced by land while maritime air originates over water. Periods with heavy fog are frequent, and low stratus clouds, occasionally referred to as "high fog," are a characteristic climate feature. Annual average relative humidity is 70 percent at the coast and 57 percent in the eastern part of the SCAB. Precipitation in the SCAB is typically nine to fourteen inches annually and is rarely in the form of snow or hail due to typically warm weather. The frequency and amount of rainfall is greater in the coastal areas of the SCAB.

GLOBAL CLIMATE CHANGE

Certain gases in the earth's atmosphere classified as GHGs, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by the earth's surface and a smaller portion of this radiation is reflected back toward space. This absorbed radiation is then emitted from the earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because the earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on earth.

The primary GHGs contributing to the greenhouse effect are carbon dioxide (CO2), methane (CH4), and nitrous oxide (N2O). Fluorinated gases also make up a small fraction of the GHGs that contribute to climate change. Examples of fluorinated gases include chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF6), and nitrogen trifluoride (NF3); however, it is noted that these gases are not associated with typical land use development. Human-caused emissions of GHGs exceeding natural ambient concentrations are believed to be responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the Earth's climate, known as global climate change or global warming.

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO2 is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO2 emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO2 emissions remains stored in the atmosphere. **Table 4.7-1**, *Description of Greenhouse Gases* describes the primary GHGs attributed to global climate change, including their physical properties.

Table 4.7-1: Description of Greenhouse Gases

Greenhouse Gas	Description
Carbon Dioxide (CO_2)	CO_2 is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO_2 emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO_2 is variable because it is readily exchanged in the atmosphere. CO_2 is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N_2O)	N_2O is largely attributable to agricultural practices and soil management. Primary human-related sources of N_2O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N_2O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N_2O is approximately 120 years. The Global Warming Potential of N_2O is 298.
Methane (CH_4)	CH_4, a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH_4 include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH_4 is about 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF_6)	SF_6 is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF_6 is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.

Table 4.7-1: Description of Greenhouse Gases

Greenhouse Gas	Description
Nitrogen Trifluoride (NF_3)	NF_3 was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200.
Source: Compiled from U.S. EPA, *Overview of Greenhouse Gases*, April 11, 2018 (https://www.epa.gov/ghgemissions/overview-greenhouse-gases); U.S. EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016*, 2018; Intergovernmental Panel on Climate Change, *Climate Change 2007: The Physical Science Basis*, 2007; National Research Council, Advancing the Science of Climate Change, 2010; U.S. EPA, *Methane and Nitrous Oxide Emission from Natural Sources*, April 2010.	

4.7.3 REGULATORY SETTING

FEDERAL

To date, no national standards have been established for nationwide GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

The Energy Independence and Security Act of 2007 (December 2007), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

U.S. Environmental Protection Agency Endangerment Finding. The EPA authority to regulate GHG emissions stems from the U.S. Supreme Court decision in Massachusetts v. EPA (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (carbon dioxide [CO2], methane [CH4], nitrous oxide [N2O], hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], and sulfur hexafluoride [SF6]) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the EPA's assessment of the scientific evidence that form the basis for the EPA's regulatory actions.

Federal Vehicle Standards. In response to the U.S. Supreme Court ruling discussed above, the George W. Bush Administration issued Executive Order 13432 in 2007 directing the EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from

motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012-2016.

In 2010, an Executive Memorandum was issued directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of CO2 in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking. On January 12, 2017, the EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks. It should be noted that the U.S. EPA is currently proposing to freeze the vehicle fuel efficiency standards at their planned 2020 level (37 mpg), canceling any future strengthening (currently 54.5 mpg by 2026).

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO2 emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baseline.

In August 2016, the EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO2 emissions by approximately 1.1 billion metric tons and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.

Clean Power Plan and New Source Performance Standards for Electric Generating Units. On October 23, 2015, the EPA published a final rule (effective December 22, 2015) establishing the carbon pollution emission guidelines for existing stationary sources: electric utility generating units (80 Federal Register [FR] 64510–64660), also known as the Clean Power Plan. These guidelines prescribe how states must develop plans to reduce GHG emissions from existing fossil-fuel-fired electric generating units. The guidelines establish CO2 emission performance rates representing the best system of emission reduction for two subcategories of existing fossil-fuel-fired electric generating units: (1) fossil-fuel-fired electric utility steam-generating units and (2) stationary combustion turbines. Concurrently, the EPA published a final rule (effective October 23, 2015) establishing standards of performance for GHG emissions from new, modified, and reconstructed stationary sources: electric utility generating units (80 FR 64661–65120). The rule prescribes CO2 emission standards for newly constructed, modified, and reconstructed affected fossil-fuel-fired electric utility generating units. The U.S. Supreme Court stayed implementation of the Clean Power Plan pending resolution of several lawsuits. Additionally, in March 2017, President Trump

directed the EPA Administrator to review the Clean Power Plan in order to determine whether it is consistent with current executive policies concerning GHG emissions, climate change, and energy.

Presidential Executive Order 13783, Promoting Energy Independence and Economic Growth (March 28, 2017), orders all federal agencies to apply cost-benefit analyses to regulations of GHG emissions and evaluations of the social cost of CO2, N2O, and CH4.

STATE

California Air Resources Board

The California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects. California is a significant emitter of CO2 equivalents (CO2e) in the world and produced 459 million gross metric tons of CO2e in 2013. In the State, the transportation sector is the largest emitter of GHGs, followed by industrial operations such as manufacturing and oil and gas extraction.

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation, such as the landmark Assembly Bill (AB) 32, California Global Warming Solutions Act of 2006, was specifically enacted to address GHG emissions. Other legislation, such as Title 24 building efficiency standards and Title 20 appliance energy standards, were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

CARB Scoping Plan

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual").[1] The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the State's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines

[1] CARB defines business-as-usual (BAU) in its Scoping Plan as emissions levels that would occur if California continued to grow and add new GHG emissions but did not adopt any measures to reduce emissions. Projections for each emission-generating sector were compiled and used to estimate emissions for 2020 based on 2002–2004 emissions intensities. Under CARB's definition of BAU, new growth is assumed to have the same carbon intensities as was typical from 2002 through 2004.

the adopted role of a cap-and-trade program.[2] Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.
- Achieving a statewide renewables energy mix of 33 percent by 2020.
- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85 percent of California's GHG emissions (adopted in 2011).
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several sustainable community strategies have been adopted).
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gasses with high global warming potential, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO_2e ($MMTCO_2e$) to 545 $MMTCO_2e$. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32's goal of reaching 1990 levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated State-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32.

In 2016, the Legislature passed Senate Bill (SB) 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017 CARB adopted a

[2] The Climate Action Team, led by the secretary of the California Environmental Protection Agency, is a group of State agency secretaries and heads of agencies, boards, and departments. Team members work to coordinate statewide efforts to implement global warming emissions reduction programs and the State's Climate Adaptation Strategy.

second update to the Scoping Plan.[3] The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and, support the Clean Power Plan and other Federal actions.

Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

SB 375 (The Sustainable Communities and Climate Protection Act of 2008)

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34 percent fewer CO2e emissions and 75 percent fewer smog-forming emissions.

SB 1368 (Emission Performance Standards)

SB 1368 is the companion bill of AB 32, which directs the California Public Utilities Commission (CPUC) to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO2 per megawatt-hour.

[3] California Air Resources Board, *California's 2017 Climate Change Scoping Plan,* https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf, accessed March 12, 2020.

SB 1078 and SBX1-2 (Renewable Electricity Standards)

SB 1078 requires California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the State's load-serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23. SBX1-2, which codified the 33 percent by 2020 goal.

SB 350 (Clean Energy and Pollution Reduction Act of 2015)

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

AB 398 (Market-Based Compliance Mechanisms)

Signed on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the State. It also designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb toxic air contaminants and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

SB 150 (Regional Transportation Plans)

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)

Signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

Executive Order S-3-05

Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions 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.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07

Issued on January 18, 2007, Executive Order S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the LCFS on April 23, 2009.

Executive Order S-13-08

Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order S-14-08

Issued on November 17, 2008, Executive Order S-14-08 expands the State's Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, Executive Order S-21-09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the State come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly-owned electricity retailers.

Executive Order S-21-09

Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California's RPS to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15

Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO2e (MMTCO2e). The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18

Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations

The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Title 24 Building Energy Efficiency Standards

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6), was first adopted 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-efficient technologies and methods. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2016 Building Energy Efficiency Standards approved on January 19, 2016 went into effect on January 1, 2017. The 2019 Building Energy Efficiency Standards were adopted on May 9, 2018 and went into effect on January 1, 2020. Under the 2019 standards, homes will use about 53 percent less energy and nonresidential buildings will use about 30 percent less energy than buildings under the 2016 standards.

Title 24 California Green Building Standards Code

The California Green Building Standards Code (CCR 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 most recent update to the CALGreen Code went into effect January 1, 2017. Updates to the 2016 CALGreen Code took take effect on January 1, 2020 (2019 CALGreen). The 2019 CALGreen standards will continue to improve upon the existing standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

REGIONAL

South Coast Air Quality Management District Thresholds

The South Coast Air Quality Management District (SCAQMD) formed a GHG California Environmental Quality Act (CEQA) Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. As of the last Working Group meeting (Meeting 15) held in September 2010, the SCAQMD is proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency.

With the tiered approach, the Project is compared with the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. For all industrial projects, the SCAQMD is proposing a screening threshold of 10,000 million tons of CO_2e ($MTCO_2e$) per year. SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact.

Tier 4 consists of three decision tree options. Under the Tier 4 first option, SCAQMD initially outlined that a project would be excluded if design features and/or mitigation measures resulted in emissions 30 percent lower than business as usual emissions. However, the Working Group did not provide a recommendation for this approach. The Working Group folded the Tier 4 second option into the third option. Under the Tier 4 third option, a project would be excluded if it was below an efficiency-based threshold of 4.8 $MTCO_2e$ per service population per year. Tier 5 would exclude projects that implement off-site mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level.

GHG efficiency metrics are utilized as thresholds to assess the GHG efficiency of a project on a per capita basis or on a service population basis (the sum of the number of jobs and the number of residents provided by a project) such that a project would allow for consistency with the goals of AB 32 (i.e., 1990 GHG emissions levels by 2020 and 2035). GHG efficiency thresholds can be determined by dividing the GHG emissions inventory goal of the State, by the estimated 2035 population and employment. This

method allows highly efficient projects with higher mass emissions to meet the overall reduction goals of AB 32, and is appropriate, because the threshold can be applied evenly to all project types (residential or commercial/retail only and mixed use).

Although the screening threshold for industrial projects is 10,000 $MTCO_2e$ per year, the City of Fontana utilizes 3,000 $MTCO_2e$ per year as the GHG threshold for warehouse projects. Therefore, the City of Fontana's GHG threshold of 3,000 $MTCO_2e$ per year will be the threshold utilized to evaluate GHG emissions from the proposed warehouse project.

LOCAL

San Bernardino County Regional Greenhouse Gas Reduction Plan

In response to statewide GHG reduction initiatives, the San Bernardino Associated Governments (formerly SANBAG, now known as SBCOG), cooperated to compile an inventory of GHG emissions and an evaluation of reduction measures to be adopted by the cities partnering within SBCOG. Reduction measures in the GHG Reduction Plan (GHGRP) are targeting GHG goals for the year 2020. Several of the measures and policies mentioned in the GHGRP for the City of Fontana are from the General Plan. The policies listed in the GHGRP range from broadly supporting energy efficiency and sustainability to policies closely tied to specific GHG reduction measures. Application of these policies is expected to reduce local GHGs by an estimated 387,998 $MTCO_2e$ from "business as usual" levels in 2020. This would equate to a 28.0 percent reduction in GHGs from the 2008 levels of 1,238,926 $MTCO_2e$ annually.

Fontana General Plan 2015-2035

The City of Fontana's General Plan outlines the concerns of the community and the means of addressing those concerns. Chapter 9, Community Mobility and Circulation focuses on connecting neighborhoods and city destinations by expanding transportation choices in Fontana. General Plan policies that relate to greenhouse gas impacts include the following:

Goal 7 **The City of Fontana participates in shaping regional transportation policies to reduce traffic congestion and greenhouse gas emissions**

Policy 7-3 Participate in the efforts of the Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reduction.

4.7.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. The amendments to the CEQA Guidelines specifically allow lead agencies to determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency is left to determine whether a project's GHG emissions will have a "significant" impact on the environment. The guidelines direct that agencies are to use "careful judgment" and "make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" the Project's GHG emissions[4].

[4] 14 California Code of Regulations, Section 15064.4a

Based upon the criteria derived from Appendix G of the CEQA Guidelines, a project normally would have a significant effect on the environment if it would:

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

South Coast Air Quality Management District Thresholds

The SCAQMD has not announced when staff is expecting to present a finalized version of its GHG thresholds to the governing board. On December 5, 2008, the SCAQMD recommended an interim screening level numeric "bright-line" threshold of 10,000 metric tons per year of CO_2e for industrial land uses.[5] These efficiency-based thresholds were developed as part of the SCAQMD GHG CEQA Significance Threshold Working Group. This working group was formed to assist SCAQMD's efforts to develop a GHG significance threshold and is composed of a wide variety of stakeholders including the State Office of Planning and Research, CARB, the Attorney General's Office, a variety of city and county planning departments in the SCAB, various utilities such as sanitation and power companies throughout the SCAB, industry groups, and environmental and professional organizations. The numeric "bright line" was developed to be consistent with CEQA requirements for developing significance thresholds, are supported by substantial evidence, and provides guidance to CEQA practitioners in determining whether GHG emissions from a project are significant.

METHODOLOGY AND ASSUMPTIONS

The proposed Project, including the Warehouse site, Malaga site, and Palmettos site, are evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning land use and planning. Construction and operational emissions were calculated using the California Emissions Estimator Model version 2016.3.2 (CalEEMod). Details of the modeling assumptions and emission factors are provided in Appendix A: Greenhouse Gas Emissions Data, contained in Appendix B of this DEIR. For construction, CalEEMod calculates emissions from off-road equipment usage and on-road vehicle travel associated with haul, delivery, and construction worker trips. GHG emissions during construction were forecasted based on the proposed construction schedule and applying the mobile-source and fugitive dust emissions factors derived from CalEEMod. The proposed Project's construction-related GHG emissions would be generated from off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. The proposed Project's operations-related GHG emissions would be generated by vehicular traffic, area sources (e.g., landscaping maintenance, consumer products), electrical generation, natural gas consumption, water supply and wastewater treatment, and solid waste.

This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) when applicable that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation

[5] South Coast Air Quality Management District, https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook/ghg-significance-thresholds/page/2

measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts.

APPROACH TO ANALYSIS

This analysis of impacts on Greenhouse Gasses examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga site and Palmetto site and the surrounding characteristics in terms of air quality. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: review of available documentation related to geologic conditions, review of project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a component of any of the project elements would or would not result in "substantial" adverse effects on air quality considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies by any of the proposed Project elements.

4.7.5 IMPACTS AND MITIGATION MEASURES

Impact 4.7-1: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Level of Significance: Significant and Unavoidable Impact

WAREHOUSE SITE

Construction

Construction of the Warehouse site would result in direct emissions of GHGs. The approximate quantity of daily GHG emissions generated by construction equipment utilized to build the Project is depicted in **Table 4.7-2**, *Construction-Related Greenhouse Gas Emissions*.

Table 4.7-2: Construction-Related Greenhouse Gas Emissions

Category	$MTCO_2e$
2020 Construction	501
2021 Construction	718
Total Construction Emissions	1,219
30-Year Amortized Construction	41
Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B of this DEIR for model outputs.	

As shown, construction of the Warehouse site would result in the generation of approximately 1,219 $MTCO_2e$. Construction GHG emissions are typically summed and amortized over the lifetime of a project

(assumed to be 30 years), then added to the operational emissions.[6] The amortized construction emissions for the Warehouse site would be 41 $MTCO_2e$ per year. Once construction is complete, the generation of these GHG emissions would cease.

Operations

Operational or long-term emissions would occur over the life and operation of the Warehouse site. GHG emissions would result from direct emissions such as generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and wastewater from the Warehouse site, the emissions associated with solid waste generated from the Warehouse site, and any fugitive refrigerants from air conditioning or refrigerators.

Total GHG emissions associated with the Warehouse site t are summarized in **Table 4.7-3**, *Warehouse Site Greenhouse Gas Emissions*. As shown in Table 4.7-3, the Warehouse site would generate approximately 2,857 $MTCO_2e$ annually from both construction and operations. Related GHG emissions would not exceed the City's 3,000 $MTCO_2e$ per year threshold. Therefore, impacts from the operations of the Warehouse site would be less than significant, and no mitigation measures are required.

Table 4.7-3: Warehouse Site Greenhouse Gas Emissions

Emissions Source	$MTCO_2e$ per Year
Construction Amortized Over 30 Years	41
Area Source	0
Energy	235
Mobile	2,196
Off-road	35
Waste	79
Water and Wastewater	271
Total	**2,857**
City of Fontana Project Threshold	*3,000*
Exceeds Threshold?	**No**
Source: CalEEMod version 2016.3.2. Refer to Appendix A of Appendix B of this DEIR for model outputs.	

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

[6] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13,* August 26, 2009).

MALAGA SITE

The Malaga site would include direct and indirect GHG emissions from project construction and operations. Construction is considered a direct source since these emissions occur at the site. Direct operational-related GHG emissions for the Malaga site would include emissions from area and mobile sources, while indirect emissions are from energy consumption, water demand, and solid waste.

Construction

Construction of the Malaga site would result in direct emissions of CO2, N2O, and CH4 from construction equipment and the transport of materials and construction workers to and from the Malaga site.

Construction GHG emissions are typically summed and amortized over the lifetime of a project (assumed to be 30 years), then added to the operational emissions. Total GHG emissions generated during all potential phases of future construction for the Malaga site were combined and equaled approximately 738.70 (MTCO2e). The CalEEMod outputs are contained within Appendix A of Appendix B (Air Quality and GHG Data). Redevelopment and construction on the Malaga site would result in 738.70 MTCO2e (approximately 24.62 MTCO2e/year when amortized over 30 years).

Operations

Operational or long-term emissions occur over the life of the Malaga site should it be developed would result in GHG emissions from Project generated vehicular traffic, on-site combustion of natural gas, operation of any landscaping equipment, etc. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the Malaga site, the energy required to convey water to, and wastewater from the site, the emissions associated with solid waste generated from the site, and any fugitive refrigerants from air conditioning or refrigerators. The total GHG emissions associated with Malaga site would result in a net increase of 2,721.07 MTCO2e/year over the existing emissions. The Malaga site would not result in an increase in GHG emissions that exceed the SCAQMD's screening threshold of 3,000 MTCO2e/yr. Therefore, the related GHG emissions would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

PALMETTO SITE

The Palmetto site would include direct and indirect GHG emissions from project construction and operations. Construction is considered a direct source since these emissions occur at the site. Direct operational-related GHG emissions for the Palmetto site would include emissions from area and mobile sources, while indirect emissions are from energy consumption, water demand, and solid waste.

Construction

Construction of the Palmetto site would result in direct emissions of CO2, N2O, and CH4 from construction equipment and the transport of materials and construction workers to and from the Palmetto site.

Construction GHG emissions are typically summed and amortized over the lifetime of a project (assumed to be 30 years), then added to the operational emissions. Total GHG emissions generated during all potential phases of future construction for the Palmetto site were combined and equaled approximately 695.12 (MTCO2e). The CalEEMod outputs are contained within Appendix A of Appendix B (Air Quality and GHG Data). Redevelopment and construction on the Palmetto a site would result in 738.70 MTCO2e (approximately 24.62 MTCO2e/year when amortized over 30 years).

Operations

Operational or long-term emissions occur over the life of the Palmetto site should it be developed would result in GHG emissions from Project generated vehicular traffic, on-site combustion of natural gas, operation of any landscaping equipment, etc. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the Palmetto site, the energy required to convey water to, and wastewater from the site, the emissions associated with solid waste generated from the site, and any fugitive refrigerants from air conditioning or refrigerators. The total GHG emissions associated with Palmetto site would result in a net increase of 1,004.86 MTCO2e/year over the existing emissions. The Palmetto site would not result in an increase in GHG emissions that exceed the SCAQMD's screening threshold of 3,000 MTCO2e/yr. Therefore, the related GHG emissions would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

COMBINED ANALYSIS

As shown in the discussion above, each site individually would not generate any air quality emissions that would exceed SCAQMD's screening threshold of 3,000 MTCO2e/yr. The Malaga site and Palmetto sites both involve potential redevelopment with residential uses. Although it is unlikely buildout of the three sites would occur at the same time, and it is unknown when, if ever, the Malaga and Palmetto sites would be constructed, the analysis of the two sites is combined to provide a complete disclosure of GHG emissions that could occur from the residential development components.

This is considered a conservative approach because there is no planned development of the Malaga and Palmetto sites and it is possible the future development on those sites would be less intensive than what has been evaluated in this document. Additionally, over time as buildings and automobiles become more energy-efficient, the amount of greenhouse gas emissions associated with the future development of multi-family housing could be less than what is evaluated in this document.

The SCAQMD has separate screening thresholds for industrial and residential projects[7]. The Warehouse site is the only industrial component proposed as part of the Project. Although the SCAQMD screening threshold for industrial projects is 10,000 $MTCO_2e$ per year, the City of Fontana utilizes a more conservative 3,000 $MTCO_2e$ per year as the GHG threshold for warehouse projects. Because the industrial and residential components are different land uses and have substantial differences in their operations (e.g., trip generation, electrical use, peak energy consumptions periods, water use, etc.) the Warehouse site is considered separately for this combined analysis.

As previously discussed, the changes to the Malaga and Palmetto sites is limited to a rezone at this time and neither site is proposed to be re-developed and there are no current development applications. However, to provide for a conservative evaluation of potential GHG impacts construction and operational GHG emissions from the Malaga and Palmetto sites were combined. This was done to ensure full disclosure of potential impacts of the residential project components. **Table 4.7-4**, *Malaga and Palmetto Sites Combined GHG Emissions*, provides the sum of emissions for these project sites.

Table 4.7-4: Malaga and Palmetto Sites Combined-GHG Emissions

Malaga Site GHG Emissions		
Construction Emissions	738.70 (MTCO2e/yr)	Exceed Threshold: No
Operational Emissions	2,721.07 (MTCO2e/yr)	Exceed Threshold: No
Palmetto Site GHG Emissions		
Construction Emissions	695.12 (MTCO2e/yr)	Exceed Threshold: No
Operational Emissions	1,004.86 (MTCO2e/yr)	Exceed Threshold: No
Malaga and Palmetto Sites Combined GHG Emissions		
Construction Emissions	1,433.82(MTCO2e/yr)	Exceed Threshold: No
Operational Emissions	3,7825.93 (MTCO2e/yr)	Exceed Threshold: Yes

As shown in Table 4.7-4, when the GHG emissions from the Malaga and Palmetto sites are combined, the operational emissions would exceed the 3,000 MTCO2e/year threshold. Because the only entitlement associated with the Malaga and Palmetto sites involves a zone reclassification, it is not possible to apply mitigation to this component of the Project at this time that could be shown as effective and enforceable. If future multi-family development is proposed for the Malaga and/or Palmetto sites, a project-specific CEQA analysis would be required to consider the site-specific impacts on GHG emissions. Therefore, the proposed Project is considered to have a significant and unavoidable impact on GHG Emissions in this regard.

MITIGATION MEASURES

No feasible mitigation has been identified.

SIGNIFICANCE AFTER MITIGATION

Impacts would remain significant and unavoidable.

[7] South Coast Air Quality Management District, 2008. Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans. https://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgboardsynopsis.pdf?sfvrsn=2

Impact 4.7-2: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Level of Significance: Significant and Unavoidable Impact

WAREHOUSE SITE, MALAGA SITE, AND PALMETTO SITES

Construction and Operations

San Bernardino County Regional Greenhouse Gas Reduction Plan Consistency

The City follows the 2014 GHGRP, which serves as a long-term vision for how Fontana, along with neighboring cities, can be more environmentally friendly and provides guidance for residents, City staff, and decision-makers in the community on how to achieve future sustainability goals. The goals outlined in the GHGRP target GHG emissions in the year 2020. As shown in **Table 4.7-5**, *San Bernardino County Regional Greenhouse Gas Reduction Plan Consistency*, the proposed Project, including the Warehouse site, Malaga site, and Palmetto sites, would not conflict with the goals in the GHGRP.

Table 4.7-5: San Bernardino County Regional Greenhouse Gas Reduction Plan Consistency

SBCOG Goals	Compliance
GOAL 1: Continue to support the regional bus system to provide intra-city service, inter-city service to major employment centers, and connect with other regional transportation transfer points.	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 2: Where needed and appropriate, require new development to provide transit facilities and accommodations, such as bus shelters and turnouts, consistent with regional agency plans and existing and anticipated demands.	Consistent: The proposed Project is not located immediately adjacent to an existing bus route. The Malaga site and Palmetto sires are located in proximity to bus routes but no on a line. These sites, if they are redeveloped, would facilitate use of alternative transportation. Therefore, no new provide transit facilities and accommodations for buses are required.
GOAL 3: Continue to implement traffic signal systems and intelligent transportation systems (ITS) components (not limited to signal coordination, highway advisory radio, closed-circuit television, emergency vehicle signal preemption, etc.) along arterial roadways and sub-areas, in accordance to the City's traffic Signal System Conceptual Buildout Plan and in compliance with regional and appropriate ITS Architecture Master Plans	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 4: Continue to develop non-motorized trails and bicycle routes as identified in the City's adopted General Plan; Parks, Recreation and Trails Element and the adopted Regional Non-Motorized Transportation Plan.	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 5: Require that all new development adjacent to non-motorized trails provide bicycle and pedestrian routes linked to those facilities.	The Warehouse site is not located near non-motorized trails and therefore is not applicable. The Malaga and Palmetto sires are located near the City core and would provide more direct access to such areas.

Table 4.7-5: San Bernardino County Regional Greenhouse Gas Reduction Plan Consistency

SBCOG Goals	Compliance
GOAL 6: Increase densities through transit-oriented development in the core of the city adjacent to the Metrolink and Omni-trans hub.	The Warehouse site is not located near the City core and/or a Metrolink or Moni-trans hub and is not considered a transit-oriented development. Both the Malaga and Palmetto sites are in proximity to mass transit and would encourage use of these facilities.
GOAL 7: Activity Centers should be linked with residential neighborhoods and be accessible by multiple modes of transportation.	N/A: This is not a project-specific policy and is therefore not applicable.
Source: San Bernardino County Transportation Authority, *San Bernardino County Regional Greenhouse Gas Reduction Plan*, March 2014.	

SCAG RTP/SCS Consistency

On April 7, 2016, the Southern California Association of Governments (SCAG) Regional Council adopted the 2016-2040 Regional Transportation Plan/ Sustainable Communities Strategy (RTP/SCS). The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The RTP/SCS embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders in the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. SCAG's RTP/SCS establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035 as well as an overall GHG target for the Project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders 5-03-05 and B-30-15.

The RTP/SCS contains over 4,000 transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs and replacement bridges. These future investments were included in county plans developed by the six county transportation commissions and seek to reduce traffic bottlenecks, improve the efficiency of the region's network, and expand mobility choices for everyone. The RTP/SCS is an important planning document for the region, allowing project sponsors to qualify for federal funding.

The plan accounts for operations and maintenance costs to ensure reliability, longevity, and cost-effectiveness. The RTP/SCS is also supported by a combination of transportation and land use strategies that help the region achieve state GHG emissions reduction goals and Federal Clean Air Act (FCAA) requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and utilize resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore Project comparison to the RTP/SCS is an appropriate indicator of whether the Project would inhibit the post-2020 GHG reduction goals promulgated by the state. The proposed Project's consistency with the RTP/SCS goals is analyzed in detail in **Table 4.7-6**, *Regional Transportation Plan/Sustainable Communities Strategy Consistency.*

Table 4.7-6: Regional Transportation Plan/Sustainable Communities Strategy Consistency

SCAG Goals	Compliance
GOAL 1: Align the plan investments and policies with improving regional economic development and competitiveness.	N/A: This is not a project-specific policy and is therefore not applicable.
GOAL 2: Maximize mobility and accessibility for all people and goods in the region.	Consistent: Although the proposed Project is not a transportation improvement project, improvements to Sierra Avenue and Casa Grande Avenue are planned as a part of the Warehouse to improve the mobility and accessibility of the area. In addition, both the Malaga and Palmetto sites would increase resident access to alternatively transportation routes.
GOAL 3: Ensure travel safety and reliability for all people and goods in the region.	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 4: Preserve and ensure a sustainable regional transportation system.	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 5: Maximize the productivity of our transportation system.	N/A: This is not a transportation improvement project and is therefore not applicable.
GOAL 6: Protect the environment and health of our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking).	N/A: This is not a project-specific policy. However, all of the project components would not exceed any air quality thresholds. The Warehouse site is adjacent to proposed Class I and Class II bicycle facilities along Sierra Avenue and Casa Grande Avenue. The Malaga and Palmetto sites would enable walkable access to downtown business areas.
GOAL 7: Actively encourage and create incentives for energy efficiency, where possible.	N/A: This is not a project-specific policy and is therefore not applicable. However, the Project is required to comply with the provisions of the California Building Energy Efficiency Standards and the Green Building Standards Code (CALGreen).
GOAL 8: Encourage land use and growth patterns that facilitate transit as well as non-motorized transportation.	Consistent: The Warehouse site is located within approximately 1.5 miles of local bus routes. The Malaga and Palmetto sites are in immediate proximity to bus routes on nearby corridors.
GOAL 9: Maximize security of transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	N/A: This is not a transportation improvement project and is therefore not applicable.
Source: Southern California Association of Governments, *Regional Transportation Plan/Sustainable Communities Strategy*, 2016.	

The goals stated in the RTP/SCS were used to determine consistency with the planning efforts previously stated. As shown in Table 4.7-6, the proposed Project would be consistent with the stated goals of the RTP/SCS. Therefore, the proposed Project, including the Warehouse site, Malaga site, and Palmetto site, would not result in any significant impacts or interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets.

Consistency with the CARB Scoping Plan

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (CO2, CH4, NOX, HFCs, PFCs, and SF6) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, CARB adopted the Climate Change Scoping Plan (CCSP) in 2008, which outlines actions recommended to obtain that goal. The CCSP provides a range of GHG reduction actions that include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as the cap-and-trade program, and an AB 32 implementation fee to fund the program. The 2017 CCSP Update identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the first update to the CCSP in 2013. Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets.

As shown in **Table 4.7-7**, *Project Consistency with Applicable CARB Scoping Plan Measures*, the proposed Project is consistent with most of the strategies, while others are not applicable to the proposed Project. As such, impacts related to consistency with the Scoping Plan would be less than significant.

Table 4.7-7: Project Consistency with Applicable CARB Scoping Plan Measures

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Transport-ation	California Cap-and-Trade Program Linked to Western Climate Initiative	Regulation for the California Cap on GHG Emissions and Market-Based Compliance Mechanism October 20, 2015 (CCR 95800)	**Consistent.** The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers. However, the regulation indirectly affects people who use the products and services produced by these industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period.
	California Light-Duty Vehicle GHG Standards	Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles	**Consistent**. This measure applies to all new vehicles starting with model year 2012. The Project would not conflict with its implementation as it would apply to all new passenger vehicles purchased in California. Passenger vehicles, model year 2012 and later, associated with construction and operation of the Project would be required to comply with the Pavley emissions standards.
		2012 LEV III California GHG and	**Consistent.** The LEV III amendments provide reductions from new vehicles sold in California between 2017 and

Table 4.7-7: Project Consistency with Applicable CARB Scoping Plan Measures

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
		Criteria Pollutant Exhaust and Evaporative Emission Standards	2025. Passenger vehicles associated with the site would comply with LEV III standards.
	Low Carbon Fuel Standard	2009 readopted in 2015. Regulations to Achieve GHG Emission Reductions Subarticle 7. Low Carbon Fuel Standard CCR 95480	**Consistent.** This measure applies to transportation fuels utilized by vehicles in California. The Project would not conflict with implementation of this measure. Motor vehicles associated with construction and operation of the Project would utilize low carbon transportation fuels as required under this measure.
	Regional Transportation-Related GHG Targets.	SB 375. Cal. Public Resources Code §§21155, 21155.1, 21155.2, 21159.28	**Consistent**. The Project would provide development in the region that is consistent with the growth projections in the RTP/SCS.
	Goods Movement	Goods Movement Action Plan January 2007	**Not applicable**. The Project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
	Medium/Heavy-Duty Vehicle	2010 Amendments to the Truck and Bus Regulation, the Drayage Truck Regulation and the Tractor-Trailer GHG Regulation	**Consistent**. This measure applies to medium and heavy-duty vehicles that operate in the state. The Project would not conflict with implementation of this measure. Medium and heavy-duty vehicles associated with construction and operation of the Project would be required to comply with the requirements of this regulation.
	High-Speed Rail	Funded under SB 862	**Not applicable**. This is a statewide measure that cannot be implemented by a project applicant or Lead Agency.
Electricity and Natural Gas	Energy Efficiency	Title 20 Appliance Efficiency Regulation	**Consistent.** The Project would not conflict with implementation of this measure. The Project would comply with the latest energy efficiency standards.
		Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Building	
		Title 24 Part 11 California Green Building Code Standards	
	Renewable Portfolio Standard/Renewable Electricity Standard.	2010 Regulation to Implement the Renewable Electricity Standard (33% 2020)	**Consistent**. The Project would obtain electricity from the electric utility, Southern California Edison (SCE). SCE obtained 36 percent of its power supply from renewable sources in 2018. Therefore, the utility would provide power when needed on-site that is composed of a greater percentage of renewable sources.

Table 4.7-7: Project Consistency with Applicable CARB Scoping Plan Measures

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
	Million Solar Roofs Program	SB 350 Clean Energy and Pollution Reduction Act of 2015 (50% 2030)	
	Million Solar Roofs Program	Tax Incentive Program	**Consistent.** This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs. The program provides incentives that are in place at the time of construction.
Water	Water	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The Project would comply with the CalGreen standards, which requires a 20 percent reduction in indoor water use. The Project would also comply with the City's Water-Efficient Landscaping Regulations (Chapter 28, Article IV of the Fontana Municipal Code).
		SBX 7-7—The Water Conservation Act of 2009	
		Model Water Efficient Landscape Ordinance	
Green Buildings	Green Building Strategy	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The State is to increase the use of green building practices. The Project would implement required green building strategies through existing regulation that requires the Project to comply with various CalGreen requirements. The Project includes sustainability design features that support the Green Building Strategy.
Industry	Industrial Emissions	2010 CARB Mandatory Reporting Regulation	**Not applicable.** The Mandatory Reporting Regulation requires facilities and entities with more than 10,000 $MTCO_2e$ of combustion and process emissions, all facilities belonging to certain industries, and all-electric power entities to submit an annual GHG emissions data report directly to CARB. As shown above, total Project GHG emissions would not exceed 10,000 $MTCO_2e$. Therefore, this regulation would not apply.
Recycling and Waste Management	Recycling and Waste	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The Project would not conflict with implementation of these measures. The Project is required to achieve the recycling mandates via compliance with the CALGreen code. The City has consistently achieved its state recycling mandates.
		AB 341 Statewide 75 Percent Diversion Goal	
Forests	Sustainable Forests	Cap and Trade Offset Projects	**Not applicable.** The Project is not located in a forested area.
High Global Warming Potential	High Global Warming Potential Gases	CARB Refrigerant Management Program CCR 95380	**Not applicable**. The regulations are applicable to refrigerants used by large air conditioning systems and large commercial and industrial refrigerators and cold storage system. The Project would not conflict with the refrigerant management regulations adopted by CARB.

Table 4.7-7: Project Consistency with Applicable CARB Scoping Plan Measures

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Agriculture	Agriculture	Cap and Trade Offset Projects for Livestock and Rice Cultivation	**Not applicable**. No grazing, feedlot, or other agricultural activities that generate manure occur currently exist on-site or are proposed to be implemented by the Project.

Source: California Air Resources Board, *California's 2017 Climate Change Scoping Plan*, November 2017 and CARB, *Climate Change Scoping Plan*, December 2008.

The proposed Warehouse site is estimated to emit approximately 2,857 MTCO2e per year directly from on-site activities and indirectly from off-site motor vehicles, see Table 4.7-3. As discussed above, the GHG emissions caused by long-term operation of the Project would not exceed the City's 3,000 MTCO2e per year screening threshold, and impacts would be less than significant.

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the Project would comply with all applicable measures are enacted that state lawmakers decide would lead to an 80 percent reduction below 1990 levels by 2050.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA SITE

Operational or long-term emissions occur over the life of a project. GHG emissions would result from direct emissions such as Project generated vehicular traffic, on-site combustion of natural gas, operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the Project, the energy required to convey water to, and wastewater from the project site, the emissions associated with solid waste generated from the project site, and any fugitive refrigerants from air conditioning or refrigerators. Redevelopment of the Malaga site, if it occurs, would result in a net increase of 2,721.07 MTCO2e/year over the existing emissions. Redevelopment of the Malaga site would not result in an increase in GHG emissions that exceed the SCAQMD's screening threshold of 3,000 MTCO2e/yr. Therefore, the related GHG emissions from the Malaga site, should it be developed at some time in the future after an application is submitted, would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

PALMETTO SITE

Operational or long-term emissions occur over the life of a project. GHG emissions would result from direct emissions such as Project generated vehicular traffic, on-site combustion of natural gas, operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the Project, the energy required to convey water to, and wastewater from the project site, the emissions associated with solid waste generated from the project site, and any fugitive refrigerants from air conditioning or refrigerators. Redevelopment of the Palmetto site, if it occurs, would result in a net increase of 695.23 MTCO2e/year over the existing emissions. Redevelopment of the Palmetto site would not result in an increase in GHG emissions that exceed the SCAQMD's screening threshold of 3,000 MTCO2e/yr. Therefore, the related GHG emissions from the Palmetto site, should it be developed at some time in the future after an application is submitted, would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES COMBINED

As discussed above, neither the Malaga or Palmetto sites would individually violate the SCAQMD threshold of 3,000 $MTCO_2e$/year. However, operational long-term emissions from Project generated traffic, on-site combustion of natural gas, operation of any landscaping equipment, from both sites taken together in addition to indirect GHG emissions would exceed the threshold. Therefore, operation of the sites, when considered together, would result in a net increase of 3,7825.93 ($MTCO_2e$/yr) which would exceed the SCAQMD's screening threshold of 3,000 MTCO2e/yr.

Because the only entitlement associated with the Malaga and Palmetto sites involves a zone reclassification, it is not possible to apply mitigation to this component of the Project at this time that could be shown as effective and enforceable. If future multi-family development is proposed for the Malaga and/or Palmetto sites, a project-specific CEQA analysis would be required to consider the site-specific impacts on GHG emissions. Therefore, the proposed Project is considered to have a significant and unavoidable impact on GHG Emissions in this regard.

MITIGATION MEASURES

No feasible mitigation has been identified.

SIGNIFICANCE AFTER MITIGATION

Impacts would remain significant and unavoidable.

4.7.6 CUMULATIVE IMPACTS

CUMULATIVE SETTING

Climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and TACs, which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about 1 day), GHGs have much longer atmospheric lifetimes of 1 year to several thousand years that allow them to be dispersed around the globe.

CUMULATIVE IMPACTS

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The additive effect of project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. In addition, the proposed Project as well as other cumulative related projects would also be subject to all applicable regulatory requirements, which would further reduce GHG emissions. As shown, above, emissions from the Warehouse site, Malaga site, and Palmetto sites would not exceed thresholds and the Project would not conflict with the GHGRP, or the RTP/SCS. In addition, it should be noted, that as proposed, the Project would only result in the development of the Warehouse site. However, under a conservative analysis when the GHG emissions from the Malaga and Palmetto sites are combined, the operational emissions would exceed the City's 3,000 $MTCO_2e$/year threshold. Neither of the Malaga and Palmetto sites are currently proposed for development. There are no development plans, or applications pending for the redevelopment of these RUR sites. As a result, the proposed Project would not be in conformance with GHG reduction plans including the CARB Scoping Plan. Therefore, the proposed Project's cumulative contribution of GHG emissions would significant and the cumulative GHG impacts would be cumulatively considerable.

MITIGATION MEASURES

No feasible mitigation has been identified.

SIGNIFICANCE AFTER MITIGATION

Impacts would remain significant and unavoidable.

4.7.7 SIGNIFICANT UNAVOIDABLE IMPACTS

Significant unavoidable impacts from greenhouse gas emissions have been identified as a result of the combined redevelopment of the Malaga and Palmetto sites.

4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 INTRODUCTION

This section addresses potential hazards and hazardous materials impacts that may result from implementation of the proposed Project that includes development of the Warehouse site and potential future development of the Malaga site and Palmetto site. The following discussion addresses the existing hazards and hazardous materials conditions of the affected environment, considers relevant goals and policies, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the proposed Project, as applicable. The information and analysis herein rely on the following investigations and collectively document the conditions of the sites regarding hazards and hazardous materials:

- Phase I Environmental Site Assessment Report Sierra Avenue, Fontana, CA, March 2, 2015 - prepared by Partner Engineering and Science, Inc.
- Phase I Environmental Site Assessment 330 feet North of NE Corner of N. Sierra Avenue and W. Casa Grande Drive, November 16, 2017 – Prepared by S&S Commercial Environmental Services, Inc.
- Phase I Environmental Site Assessment NE Corner of N. Sierra Avenue and W. Casa Grande Drive, January 19, 2018 – Prepared by S&S Commercial Environmental Services, Inc.
- State Water Resources Control Board – Geo Tracker.

Analysis of area cumulative impacts and identification of appropriate and feasible mitigation measures are also included in the discussion portions of this section.

4.8.2 ENVIRONMENTAL SETTING

WAREHOUSE SITE

A Phase I Environmental Site Assessment (ESA) of the northern area of the Warehouse site was completed by Partner Engineering and Science, Inc in 2015 in accordance with the American Society for Testing and Materials (ASTM) Standard of Practice E 1527-05 (provided as Appendix E). Partner Engineering and Science conducted a physical inspection of the Warehouse site on February 24, 2015. The following discussion summarizes the findings of the physical site inspection completed by Partner Engineering and Science.

Two other Phase I ESA's were completed for the southern portion of the Warehouse site by S&S Commercial Environmental Services, Inc, also provided in Appendix E. The southernmost portion was conducted in November 2017, and another in the middle section of the site in January 2018. Site visits were conducted on November 16, 2017, and January 4, 2018, respectively. The following discussion summarizes the findings of the physical site inspection completed by S&S Commercial Environmental Services.

MALAGA SITE AND PALMETTO SITE

The Malaga and Palmetto sites have not been evaluated with a Phase I ESA. The sites are developed with predominantly residential uses in an urban setting. In addition, neither site is proposed for development,

there are no development applications, and the Project is only meant to upzone the properties allowing for redevelopment with greater density to conform with SB 330. The Malaga and Palmetto sites, however, were evaluated for their proximity to sites listed on the SWRCB GeoTracker website. The findings of this and the Phase I ESA's for the Warehouse site are discussed in additional detail further below.

Hazardous Materials and Waste Defined

Hazardous materials, as defined by California Health and Safety Code Sections 25501(n) and 25501(o), are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed of, or otherwise managed. Hazardous materials are grouped into the following four categories, based on their properties: (1) toxic (causes human health effects); (2) ignitable (has the ability to burn); (3) corrosive (causes severe burns or damage to materials); or (4) reactive (causes explosions or generates toxic gases).

Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. When improperly handled, hazardous materials and hazardous waste can result in public health hazards if released into the environment through the soil or groundwater, or via airborne releases in the form of vapors, fumes, or dust. Contaminated soil and groundwater containing concentrations of hazardous constituents that exceed regulatory thresholds must be handled and disposed of as hazardous waste when excavated or pumped. The California Code of Regulations, Title 22, Sections 66261.20–66261.24 contain technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

Warehouse Site History

Aerial photographs dating to 1938, the earliest date available, of the Warehouse site were used to determine the historic land use of the site and if there was any evidence of hazardous material that may affect the environmental quality of the Warehouse site. The aerial photographs were reviewed for the following features: sumps, pits, ponds, lagoons, above ground tanks, landfills, collection of drums or containers, discoloration of soil, structures and general land use. Furthermore, topographic maps dating back to 1896 show the land as undeveloped. **Table 4.8-1**, *Aerial Photograph Review Summary of the Warehouse Site*, details the results of the aerial review as outlined in the ESA. The aerials can be reviewed as part of the Phase I ESA included in Appendix E.

Table 4.8-1: Aerial Photograph Review Summary of the Warehouse Site

Year	Photo Source	Land Use	Identifiable Features
1938	USGS Aerial	Undeveloped land	The parcel is vacant land with agricultural land to the west, east, north, and south. What appears to be a dirt access road exists adjacent to the south of the site.
1953	USDA	Rural Residential	There is now a house on the property, and a house on the north border of the site. There are no other significant changes around the subject property.
1959	USGS Aerial	Rural residential	There are no significant changes around the subject property or surrounding properties.
1966	USGS Aerial	Rural residential	There are no significant changes to the subject property or surrounding properties.

Table 4.8-1: Aerial Photograph Review Summary of the Warehouse Site

Year	Photo Source	Land Use	Identifiable Features
1975	USDA	Rural residential	There are no significant changes to the subject property or surrounding properties.
1985	USDA	Rural residential	There are no significant changes to the subject property. The Southern California Edison High Voltage Towers and access road appear to have been built to the east of the subject property.
1995	USGS Aerial	Vacant land	The residential dwelling in the subject property has been demolished, and all that remains is a foundation. There are no significant changes to the surrounding properties. Residential properties are being constructed further east.
2003	USGS Aerial	Vacant land	There are no significant changes to the subject or surrounding properties. Residential properties are being constructed further east.
2006	USGS Aerial	Vacant land	The building appears to be gone from the property north of the subject property leaving only a foundation. There are no other significant changes in the area.
2016	USGS Aerial	Vacant land	There are no significant changes to the subject property or surrounding properties.

Source:
Partner Engineering and Science, Inc. (2015). *Phase I Environmental Site Assessment.* Torrance, CA: Nasim Ahmed.
S&S Commercial Environmental Services, Inc. (2017). *Phase I Environmental Site Assessment*. Eastvale, CA: Stephen A. Quartararo.
S&S Commercial Environmental Services, Inc. (2018). *Phase I Environmental Site Assessment*. Eastvale, CA: Stephen A. Quartararo.

No sumps, pits, ponds, lagoons, above ground tanks, landfills, collection of drums or containers, or discoloration of soil was visible during the aerial review. A small residential structure used to exist on the Project site, but now the land lies vacant and has the remnants of a foundation. There are a few surveyor stakes, some piles of rock, asphalt and construction and domestic debris in a few areas. Most of the property is rock and dirt with some scrub brush. A residential house does currently exist on the far north end of the site.

It should be noted that the Partner Study included to the overall study area the property to the north of the Warehouse site that includes the existing residence. This area is not-a-part of the proposed Project. The Partners report notes that access to that residence and associated property was not available and was not surveyed as part of the Phase I. Therefore, while the residence appears to be constructed in 1959, and due to its age of the structure there is a potential that asbestos-containing material (ACM) and or/lead-based paint (LBP) are present, it is not considered in this Draft EIR.

Regulatory Records Search

S&S Commercial Environmental Services, Inc., and Partner Engineering and Science, Inc., ran a computer database review (Environmental Record Search (ERS)) of the existing federal and state environmental databases per ASTM standards (E-1527-94) for environmental site assessments. The report examines data from all sites within a one-mile radius around the Project site. The S&S Report utilized a records data search through Environmental Records Search (ERS) and Partners utilized Environmental Data Resources

(EDR). Neither records search showed the Warehouse site as listed within any environmental database as having recognized environmental conditions. The full list of database results are included in Appendix E.

A review of the *State of California Division of Oil and Gas* Maps did not locate any wells on the Warehouse site, and California Waterboards Geotracker, which lists sites that can pose a threat to water and water quality did not list the Warehouse site as a subject property. It does not appear that any wells were surface-drilled into the subject property. There are no known RECs on the Warehouse site.

Onsite Reconnaissance and Site Inspection

Warehouse Site

S&S Commercial Environmental Services performed a site visit on November 16, 2017, and January 4, 2018, along with Partner Engineering and Science on February 24, 2015 of the Warehouse site. This portion of the Warehouse site is a vacant parcel with sand, gravel, some vegetation and dirt. The visual site inspection did not reveal any current or former underground storage tanks, significant surface staining, and/or vaulted electrical transfer boxes. There was no indication of the storage or use of hazardous materials within this area. The physical site survey did not evidence the current or former generation, storage or disposal of regulated hazardous waste on the subject property. There was no current use of herbicides or pesticides noted beyond the normal residential and commercial insect and pest control. Former discussions with the Fontana Water Company and a review of their web site evidenced a water supply to the area which meets all of California's drinking water requirements. There was nothing significant environmentally to indicate problems with the subject or surrounding properties.

At the time of the Partner site reconnaissance of the northern portion of the Warehouse site solid waste disposal areas were not noted. Piles of dirt and concrete were noted in the northeastern portion of the site but no staining or areas of concern were seen. In addition, there were no wells or cisterns noted, no existing industrial processes, no hazardous materials or petroleum products were observed, and there was no evidence of above-ground storage tanks (AGTs) or underground storage tanks (USTs) or spills, stains, or other indications that a surface release of materials had occurred.

The RWQCB GeoTracker website was searched to determine if there are any listed sites on the Malaga or Palmetto site. The GeoTracker is the Water Boards' data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater. GeoTracker contains records for sites that require cleanup, such as Leaking Underground Storage Tank (LUST) Sites, Department of Defense Sites, and Cleanup Program Sites. GeoTracker also contains records for various unregulated projects as well as permitted facilities including: Irrigated Lands, Oil and Gas production, operating Permitted USTs, and Land Disposal Sites. The GeoTracker search also revealed 6 sites within approximately 0.25 miles of the Malaga site and 2 sites within approximately 0.25 of the Palmetto site.

Within the site there are three pole mounted transformers associated with the SCE right-of-way adjacent to Sierra Avenue. The transformers are not labeled as containing polychlorinated biphenyls (PCBs) and there was no staining or leaking in the vicinity of the transformers. Contact with SCE confirmed the transformers do not contain PCBs. In addition to the above, the site was not found to have strong pungent, or noxious odors, pools of liquids, drainages, sumps or clarifiers, of other depressions containing water or other materials, and there was no evidence of stressed vegetation. No additional environmental hazards including landfill activities or radiological hazards were noted.

Malaga Site

The GeoTracker search revealed there are 6 sites within 0.25 miles of the Malaga site, all of which are downgradient. The following list shows the address of the sites, nature of the listing and present status[1]:

- Circle K Store– 7980 N. Sierra Avenue. Leaking underground storage tank (LUST) cleanup site. This case was related to a leak of gasoline and potential contamination of soils. The case was opened in January of 1990 and closed as of June 1993.
- Circle K Store– 16900 Foothill Boulevard. This listing denotes a permitted underground storage tank (UST). The tank is permitted by the San Bernardino County Fire Department (Facility ID# FA0006749).
- Circle K Store – 16925 Foothill Boulevard. This listing denotes a permitted underground storage tank (UST). The tank is permitted by the San Bernardino County Fire Department (Facility ID# FA0001324).
- TOSCO/Unocal #6319 – 16900 Foothill Boulevard. This listing is for a LUST cleanup site. This case was related to a leak of gasoline and potential contamination of soil. The case was opened in February 1998 and closed as of August 1998.
- Larrea Property – 7986 Mango Avenue. This listing is for a LUST cleanup site. This case was related to a leak of gasoline and potential contamination of soil. The case was opened in June 1998 and closed as of April 2000.
- Route 66 PIT Center – 17725 Foothill Blvd., Ste 500. This listing denotes a permitted underground storage tank (UST). The tank is permitted by the San Bernardino County Fire Department (Facility ID# FA0012805).

Palmetto Site

The GeoTracker search revealed there are 2 sites within 0.25 miles of the Palmetto site, the sites are upgradient between approximately 10-20 feet. The following list shows the address of the sites, nature of the listing and present status.

- *7/11 – 17305 Arrow Boulevard.* This site is listed as a LUST Cleanup site for gasoline that potentially contaminated soil. The case was opened in October of 2003 and was closed in June of 2009.
- *Fontana Unified School District – 6426 Mango Avenue.* This site is listed as a LUST Cleanup site for gasoline that potentially contaminated soil. The case was opened in January of 1987 and was closed August of 1987.

Nearby Airports or Airstrips

The nearest airstrips are the Ontario International Airport (located roughly 8 miles to the southwest) and the San Bernardino International Airport (located roughly 8 miles to the southeast).

[1] Regional Water Quality Control Board – GeoTracker, 2020. Available: https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Fontana Accessed: March 5, 2020.

WILDLAND FIRE HAZARDS

According to the City of Fontana General Plan (Fontana GP) Noise and Safety Element, fire hazards have been ranked within the range of little to no threat and are designated as an incorporated Local Responsibility Area (LRA). However, according to CalFire, the Warehouse site is designated as a Very High Fire Hazard Safety Zone (VHFHSZ).

EVACUATION ROUTES

According to the Fontana GP Noise and Safety Element, the City has no defined emergency routes. However, Interstate 210 (I-210) and Interstate 15 (I-15) are considered emergency routes as they traverse the City granting access from many of the main thoroughfares.

LANDFILL SITES

The Mid Valley Sanitary Landfill is located approximately 3,000 feet to the southeast of the Warehouse site. Groundwater depth measures at the landfill are approximately 300-400 below ground surface (bgs) and flow is to the southwest away from the Warehouse site.

SCHOOLS

Warehouse Site

The nearest school to the Warehouse site is the Kordyak Elementary School, located at 4580 Mango Ave, Fontana, CA, approximately 0.5 miles north along N Sierra Ave.

Malaga Site

There is one school within 0.25 miles of the Malaga site. This location is listed below:

Juniper Elementary School – 7655 Juniper Avenue #2025 approximately 0.25 miles to the northwest.

Palmetto Site

There are three schools within 0.25 miles of the Palmetto site. These locations are listed below:

- Fontana Middle School – 8425 Mango Avenue, approximately 0.04 miles to the northwest.
- South Tamarind Elementary School – 8561 Tamarind Avenue, approximately 0.20 miles to the east.
- Peace in the Valley Ministry – 17487 Arrow Boulevard #3991- Approximately 0.20 miles to the northeast.

4.8.3 REGULATORY SETTING

Hazardous materials and wastes are identified and defined by federal and state regulations for the purpose of protecting public health and the environment. Hazardous materials contain certain chemical, physical, or infectious properties that cause them to be considered hazardous. Hazardous wastes are defined in the Code of Federal Regulations Title 40, Volume 25, Parts 260–265 and in the California Code of Regulations (CCR), Title 22 Div. 4.5, Chapter 11, Article 1, Section 66261. Over the years, the laws and regulations have evolved to deal with different aspects of the handling, treatment, storage, and disposal of hazardous substances.

FEDERAL

Federal Toxic Substances Control Act of 1976

The Federal Toxic Substances Control Act of 1976 tasked the U.S. Environmental Protection Agency (EPA) with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. The Federal Toxic Substances Control Act addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint.

Resource Conservation and Recovery Act of 1976

The objectives of the Resource Conservation and Recovery Act are to protect human health and the environment from the potential hazards of waste disposal, to conserve energy and natural resources, to reduce the amount of waste generated, and to ensure that wastes are managed in an environmentally sound manner. The Resource Conservation and Recovery Act (RCRA) of 1976, which was an amendment of the Solid Waste Disposal Act in 1965, addresses solid and hazardous waste management activities. RCRA affirmed and extended the "cradle-to-grave" system of regulating hazardous wastes. "Cradle-to-grave" refers to the responsibility of the generator of the hazardous waste to manage the transportation, treatment, storage, and disposal of hazardous materials. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Amendments to RCRA in 1984. The Hazardous and Solid Waste Amendments of 1984 also added Subtitle I, which regulates underground storage tanks.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as "Superfund," was enacted by Congress on December 11, 1980. This law provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA established requirements concerning closed and abandoned hazardous waste sites, provided for liability of persons responsible for releases of hazardous waste at these sites, and established a trust fund to provide for cleanup when no responsible party could be identified. CERCLA also enabled the revision of the National Contingency Plan. The National Contingency Plan provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also establishes the National Priorities List, which is a list of contaminated sites warranting further investigation by the EPA. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986 to help further manage contaminated sites.

STATE

California Environmental Protection Agency

The California Environmental Protection Agency (CalEPA) was created in 1991 by Governor's Executive Order. The six boards, departments, and office were placed under the CalEPA "umbrella" to create a cabinet-level voice for the protection of human health and the environment and to ensure the coordinated deployment of state resources. CalEPA and the State Water Resources Control Board (SWRCB) establish rules governing the use of hazardous materials and the management of hazardous waste.

Applicable state and local laws include the following:

- Public Safety/Fire Regulations/Building Codes
- Hazardous Waste Control Law
- Hazardous Substances Information and Training Act
- Air Toxics Hot Spots and Emissions Inventory Law
- Underground Storage of Hazardous Substances Act
- Porter-Cologne Water Quality Control Act

California Fire Code

The California Fire Code, which is updated every three years, is included in California Code of Regulations Title 24, Chapter 9 and was created by the California Building Standards Commission. Based on the International Fire Code, the California Fire Code serves as the primary means for authorizing and enforcing procedures and methods to ensure the safe handling and storage of hazardous substances that pose potential public health and safety hazards. The code regulates the use, handling, and storage requirements for hazardous materials at certain facilities. The California Fire Code and the California Building Code apply a classification system in identifying appropriate protective measures relative to fire protection and public safety. Such measures may include identification and use of proper construction standards, setbacks from property lines, and/or installation of specialized equipment.

State Fire Regulations

Fire regulations for California are established in Sections 13000 et seq. of the California Health and Safety Code, which includes regulations for structural standards (similar to those identified in the California Building Code), fire protection and public notification systems, fire protection devices such as extinguishers and smoke alarms, standards for high-rise structures and childcare facilities, and fire suppression training. The State Fire Marshal is responsible for enforcement of these established regulations and building standards for all state-owned buildings, state-occupied buildings, and state institutions in California.

Government Code Section 65962.5(a), Cortese List

As required by Government Code Section 65962.5, CalEPA develops an annual update to the Hazardous Waste and Substances Sites (Cortese) List, which is a planning document used by the state, local agencies, and developers to comply with CEQA requirements in providing information about the location of hazardous materials release sites. The DTSC is responsible for a portion of the information contained in the Cortese List. Other state and local government agencies are required to provide additional hazardous material release information for the list.

The EnviroStor database constitutes the DTSC's component of Cortese List data by identifying state response sites, federal Superfund sites, school cleanup sites, and voluntary cleanup sites. The EnviroStor database identifies sites that have known contamination or sites for which further investigation is

warranted. It also identifies facilities that are authorized to treat, store, dispose, or transfer hazardous waste.[2]

State agencies with involvement and/or jurisdiction over public health hazards and hazardous materials management and regulations include the:

- **California Environmental Protection Agency:** The boards, departments, and offices that make up the California Environmental Protection Agency (CalEPA) include CARB, the Department of Pesticide Regulation, the Department of Resources Recycling and Recovery, the DTSC, the Office of Environmental Health Hazard Assessment, and the State Water Resources Control Board. These boards, departments and offices were placed within the CalEPA "umbrella" to create a cabinet-level voice for the protection of human health and the environment (such as clean air, clean water, clean soil, safe pesticides, and waste recycling and reduction) to assure the coordinated deployment of state resources.
- **Department of Toxic Substances Control (DTSC):** The mission of the DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products. As part of its mission, the DTSC maintains its Enforcement and Emergency Response Division (EERD) to administer the technical implementation of the State Unified Program. The Unified Program is a consolidation of six environmental programs at the local level. Those agencies at the local level with responsibility for the program are known as Certified Unified Program Agencies (CUPA). The DTSC also has the responsibility of overseeing and regulating hazardous materials, generators, transporters, and facilities that may use, generate, store, transport, or recycle, hazardous materials.
- **State Water Resources Control Board:** Brownfields are underutilized properties where reuse is hindered by the actual or suspected presence of pollution or contamination. The State Water Resources Control Board's (SWRCB) Brownfield Program goals are to:
    - Expedite and facilitate site cleanups and closures for brownfield sites to support reuse of those sites;
    - Preserve open space and greenfields;
    - Protect groundwater and surface water resources, safeguard public health, and promote environmental justice; and
    - Streamline site assessment, clean up, monitoring, and closure requirements and procedures within the various SWRCB site cleanup programs.

Site clean-up responsibilities for brownfields primarily reside within four main SWRCB programs: The Underground Storage Tank Program; Site Cleanup Program; Department of Defense Program; and the Land Disposal Program. These SWRCB cleanup programs are charged with ensuring sites are remediated to protect California's surface and groundwater and return them to beneficial uses.

- Regional Water Quality Control Board

[2] DTSC. 2019. *EnviroStor*. Available at https://www.envirostor.dtsc.ca.gov/public/search?basic=True, accessed on August 2019.

- Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA): Cal/OSHA is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. California OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR 337–340). The regulations specify requirements for employee training, availability of safety equipment, accident prevention programs, and hazardous substance exposure warnings.
- Construction Safety Orders 1529 (pertaining to asbestos), and 1532.1 (pertaining to lead) from Title 8 of the CCR
- Office of Emergency Services (Office of Emergency Services–California Accidental Release Prevention Implementation)
- California Department of Fish and Wildlife
- California Air Resources Board (CARB)
- California Department of Transportation (Caltrans)
- State Office of Environmental Health Hazard Assessment (Proposition 65 implementation)
- California Integrated Waste Management Board
- California Highway Patrol (for the enforcement for hazardous materials transportation regulations. Hazardous materials and waste transporters are responsible for complying with all applicable packaging, labeling, and shipping regulations.)
- South Coast Air Quality Management District Rules and Regulations (pertaining to asbestos abatement, including Rule 1403)

Hazardous chemical and biohazardous materials management laws in California include the following statutes:

- Hazardous Materials Management Act – requires that businesses handling or storing certain amounts of hazardous materials prepare a hazardous materials business plan, which includes an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee training program.
- Hazardous Waste Control Act (California Health and Safety Code, Division 20, Chapter 6.5, Article 2, Section 25100, et seq.) – authorizes the DTSC and local certified unified program agencies to regulate facilities that generate or treat hazardous waste.
- Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65) – requires the governor to publish and update, at least annually, a list of chemicals known to the state to cause cancer, birth defects, or other reproductive harm, and to inform citizens about exposures to such chemicals.
- Hazardous Waste Management Planning and Facility Siting, also known as the Tanner Act (Assembly Bill (AB) 2948, 1986) – requires counties to prepare, for California DTSC approval, hazardous waste management plans, and prescribes specific public participation activities, which

must be carried out during the local land use permit process for siting new or expanding off-site commercial treatment, storage, and disposal facilities.

- Hazardous Materials Storage and Emergency Response (AB 2185) – requires the immediate reporting to local fire departments and Offices of Emergency Services of any release or threatened release of a hazardous material, regardless of the amount handled by the business.
- California Medical Waste Management Act (California Health and Safety Code, Sections 117600–118360) – establishes procedures for the proper handling, storage, treatment, and transportation of medical waste.
- Land Disposal Restrictions (CCR, Chapter 18, Title 22) – set up by Congress in 1984 for the EPA, ensures that toxic constituents present in hazardous waste are properly treated before hazardous waste is land disposed.

Department of Toxic Substances Control

The mission of the DTSC is to protect California's people and environment from harmful effects of toxic substances by restoring contaminated resources, enforcing hazardous waste laws, reducing hazardous waste generation, and encouraging the manufacture of chemically safer products. As part of its mission, the DTSC maintains its Enforcement and Emergency Response Division (EERD) to administer the technical implementation of the State Unified Program. The Unified Program is a consolidation of six environmental programs at the local level. Those agencies at the local level with responsibility for the program are known as Certified Unified Program Agencies (CUPA). The DTSC also has the responsibility of overseeing and regulating hazardous materials, generators, transporters, and facilities that may use, generate, store, transport, or recycle, hazardous materials.

Government Code Section 65962.5

Pursuant to Government Code 65962.5, environmental regulatory database lists were reviewed to identify and locate properties with known hazardous substance contamination within the proposed 1-mile radius Project area (California Government Code, Section 65960 et seq.). Four state agencies are required to provide lists of facilities that have contributed, harbor, or are responsible for environmental contamination within their jurisdiction. The four state agencies that are required to provide these lists to the Secretary for Environmental Protection include the DTSC, the State Department for Health Services, the State Water Resources Control Board, and the California Integrated Waste Management Board. The Secretary for Environmental Protection then takes each of the four-respective agency lists and forms one list, referred to as the Hazardous Waste and Substances Site List – Site Cleanup (Cortese List), which is made available to every city and/or county in California (DTSC 2007).

California Health and Safety Code Section 25501

California law defines a hazardous material as any material that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may pose a present or potential hazard to human health and safety or to the environment if released in the workplace or the environment (California Health and Safety Code Section 25501).

California Hazardous Waste Control Law

The California Hazardous Waste Control Law (Health and Safety Code, Division 20, Chapter 6.5) is administered by the CalEPA to regulate the management of hazardous wastes. While the Hazardous Waste Control Law is generally more stringent than the Resource Conservation and Recovery Act, until the EPA approves the California hazardous waste control program (which is charged with regulating the generation, treatment, storage, and disposal of hazardous waste), both the state and federal laws apply in California. The Hazardous Waste Control Law lists 791 chemicals and approximately 300 common materials that may be hazardous; establishes criteria for identifying, packaging, and labeling hazardous wastes; prescribes management controls; establishes permit requirements for treatment, storage, disposal, and transportation; and identifies wastes that cannot be disposed of in landfills.

California Accidental Release Prevention Program

Similar to the Federal Risk Management Program, the California Accidental Release Prevention Program includes state requirements as well as a list of regulated substances and thresholds. The regulations of the program are contained in CCR Title 19, Division 2, Chapter 4.5. The intent of California Accidental Release Prevention Program is to prevent accidental releases of substances that can cause serious harm to the public and the environment, to minimize the damage if releases do occur, and to ensure compliance with community right-to-know laws.

California Health and Safety Code

The handling and storage of hazardous materials is regulated by Division 20, Chapter 6.95 of the California Health and Safety Code. Under Sections 25500–25543.3, facilities handling hazardous materials are required to prepare a hazardous materials business plan (HMBP). HMBPs contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state. Chapter 6.95 of the Health and Safety Code establishes minimum statewide standards for HMBPs.

In addition, in the event that a facility stores a quantity of specific acutely hazardous materials above the thresholds set forth by California code, facilities are also required to prepare a risk management plan and California Accidental Release Plan. The risk management plan and California Accidental Release Plan provide information on the potential impact zone of a worst-case release and require plans and programs designed to minimize the probability of a release and mitigate potential impacts (California Health and Safety Code, Chapter 6.95).

LOCAL

San Bernardino County Public Health Agencies

The County of San Bernardino, Department of Public Health, Division of Environmental Health Services has regulatory control over hazardous and solid waste, land use, wastewater.

Additionally, the Department of Public Works manages solid waste, transportation, and storm water. This department also manages all construction and demolition activities.

The Hazardous Materials Division of the San Bernardino County Fire Department is designated by the State Secretary for Environmental Protection as the Certified Unified Program Agency or "CUPA" for the County of San Bernardino in order to focus the management of specific environmental programs at the

local government level. The CUPA is charged with the responsibility of conducting compliance inspections for over 7000 regulated facilities in San Bernardino County. The San Bernardino County Fire Department manages six hazardous material and hazardous waste programs. This includes hazardous waste management and above/underground storage tanks. The CUPA program is designed to consolidate, coordinate, and uniformly and consistently administer permits, inspection activities, and enforcement activities throughout San Bernardino County.[3]

San Bernardino County Emergency Operations Plan

The City of Fontana adheres to the county-wide San Bernardino Emergency Operations Plan (EOP), which provides a comprehensive, single source of guidance and procedures for the County to prepare for and respond to significant or catastrophic natural, environmental or conflict-related risks that produce situations requiring coordinated response. The EOP describes the operations of the county's Emergency Operations Center, which is the central management entity responsible for directing and coordinating the various City departments and other agencies in their emergency response activities. The county's Emergency Operations Center centralizes the collection and dissemination of information about the emergency and makes a policy-level decision about response priorities and the allocation of resources. As part of the City's Emergency Management Program, the County's Emergency Services Manager is responsible for ensuring the readiness of the EOC.[4]

City of Fontana Local Hazard Mitigation Plan

The City's FEMA-approved Local Hazard Mitigation Plan (LHMP) provides natural hazard profiles which describe each hazard that is considered to pose a risk to the City; a risk assessment which measures the potential impact to life, property and economic impacts resulting from the identified hazards; a vulnerability assessment which includes an inventory of the numbers and types of buildings and their tabulated values that are subject to the identified hazards; and mitigation goals, objectives and actions relative to each hazard.

The City developed the LHMP in coordination with an internal/external planning team including representatives from city departments, external stakeholders/agencies, and the general public. As required by the Department of Homeland Security's Federal Emergency Management Agency (DHS-FEMA), all LHMPs must be updated, adopted, and approved every five years in order to validate and incorporate new information into the plan and identify progress that has been made since the last approval of the plan. The City's current 2017 LHMP is an update to its' previously-adopted 2012 LHMP.

Fontana General Plan 2015-2035

Noise and Safety Element

This Element describes hazards that exist in Fontana and the measures that the City is taking to address them. Some naturally occurring hazards may be unavoidable, but their impacts on communities can be reduced through planning and preparation. Thus, the Noise and Safety Element addresses natural hazards and human activities that may pose a threat to public safety within the following topic areas: wildfires, geological and seismic hazards, flooding, and noise, which are discussed in their respective chapters of

[3] San Bernardino County Fire Department. (2019). *About CUPA (Certified Unified Program Agency)*. https://www.sbcfire.org/ofm/Hazmat/CUPA.aspx

[4] County of San Bernardino. (2013). Emergency Operations Plan Part I - Basic Plan. San Bernardino, CA.

this EIR. Specifically related to this chapter, the Noise and Safety Element discusses hazards and hazardous materials and the Local Hazard Mitigation Plan (LHMP), discussed above. The General Plan expects that emergencies will occur even when precautions are taken against hazards, the Safety Element describes the City's goals and policies to prepare and respond to emergencies.

Goal 1 **The City of Fontana protects sensitive land uses from excessive noise by diligent planning through 2035.**

Policies

- New sensitive land uses shall be prohibited in incompatible areas.
- Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors.
- Where sensitive uses are to be placed along transportation routes, mitigation shall be provided to ensure compliance with state-mandated noise levels.
- Noise spillover or encroachment from commercial, industrial and educational land uses shall be minimized into adjoining residential neighborhoods or noise-sensitive uses.

Goal 6 **Injury, loss of life, property damage, and economic and social disruption caused by flood and inundation hazards are minimized in Fontana.**

Policy

- The City shall discourage new development in flood hazard areas and implement mitigation measures to reduce the hazard to existing developments located within the 100-and 500-year flood zones.

Goal 7 **Threats to public and private property from urban and wildland fire hazards are reduced in Fontana.**

Policies

- The City shall continue to require residential, commercial, and industrial structures to implement fire hazard-reducing designs and features.
- The City shall continue to ensure to the extent possible that fire services, such as fire equipment, infrastructure, and response times, are adequate for all sections of the city.
- The City shall monitor development or redevelopment in areas where fire zones have been mapped through the city.

Actions

A. The City shall require all new development in areas with a high fire hazard to provide fire-retardant landscaping and Project design to reduce their fire hazard, and the City shall take measures to reduce the risk of fire at the Wildland/Urban Interface.

B. The City will continue to support the wildland fire expertise provided by the San Bernardino County Fire Department in the Fontana Fire District.

Infrastructure and Green Systems Element

A purpose of the City of Fontana Infrastructure and Green Systems Element within the General Plan is to manage solid waste. The City is committed to continuing to divert as much solid waste as possible from the landfill as the city grows since it is difficult to further expand landfills or locate new ones, continuing to work with San Bernardino County to minimize any adverse impacts from the adjacent landfill in Rialto, and providing for hazardous waste disposal.

Goal 8 **All residences, businesses, and institutions have a dependable, environmentally safe means to dispose of solid waste.**

Policies

- Continue to use best practices for environmentally safe collection, transport and disposal of hazardous wastes.
- Continue to maximize landfill capacity by supporting recycling innovations, such as organic waste recycling for compost.

4.8.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

State CEQA Guidelines Appendix G contains the Initial Study Checklist, which includes questions concerning hazards and hazardous materials. The questions presented in the Initial Study Checklist have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Create a significant hazard to the public or the environmental through the routine transport, use, or disposal of hazardous materials;
- 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;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- 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;
- 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;
- Impair implementation of or physically interfere within an adopted emergency response plan or emergency evacuation plan; or
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

METHODOLOGY AND ASSUMPTIONS

The proposed Project is evaluated against the aforementioned significance criteria in order to determine the level of impacts related to hazards and hazardous materials. This analysis also considers existing

regulations, laws and standards that serve to avoid or reduce potential environmental impacts., as well as recommendations from existing site evaluations. Where significant impacts may remain, feasible mitigation measures are recommended, where warranted, to avoid or lessen the potential for significant adverse impacts to occur.

APPROACH TO ANALYSIS

This analysis of impacts on hazards and hazardous materials examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga site, and Palmetto site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: available information in public databases including local planning documents, a site evaluation of the Warehouse site; review of Project maps and drawings; and analysis of aerial and ground-level photographs. The determination that a Project component will or will not result in "substantial" adverse effects on standards related to hazards and hazardous materials considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

IMPACTS FOUND TO HAVE NO IMPACT

- 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?

Warehouse Site

Two Phase I ESA's were completed for the Warehouse site. Based on a records review of numerous databases that list REC's, the location is not on a listed hazardous materials site.

- 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?

Warehouse, Malaga, and Palmetto Sites

None of the Project sites, the Warehouse site, Malaga site, or Palmetto site are within proximity to, or with two miles of a public or private use airport. There are no associated safety hazards or noise issues. No impact would occur.

- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Malaga and Palmetto Sites

The Malaga site and Palmetto sites are both surrounded by urban development. There are no wildlands adjacent to the Malaga or Palmetto sites. No impacts would occur.

4.8.5 IMPACTS AND MITIGATION MEASURES

Impact 4.7-1: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Level of Significance: Less than Significant Impact

WAREHOUSE SITE

Construction

During construction of the Warehouse site, potentially hazardous materials would be handled on-site. These materials would include common materials needed for typical construction including gasoline, diesel fuel, lubricants, and other petroleum-based products used to operate and maintain construction equipment. Handling of these potentially hazardous materials would be temporary and would coincide with the short-term construction phase. Although these materials could be stored on-site, storage would be required to comply with the guidelines established by the manufacturer's recommendations. Consistent with federal, state, and local requirements, transport, removal, and disposal of hazardous materials from the Warehouse site during construction such as filling of temporary fuel storage tanks or vehicle repairs requiring the use of materials such as cleaners, lubricants, or other fuels, would be conducted by a permitted and licensed service provider. It should be noted that these materials are not typically considered acutely hazardous and routine use and exposure does not generally result in an immediate significant threat to human health and safety. Any handling, transport, use, or disposal would comply with all applicable federal, state, and local agencies and regulations, including the EPA, the California Department of Toxic Substances Control (DTSC), the California Occupational Safety and Health Administration (Cal/OSHA), Caltrans, the Resource Conservation and Recovery Act, and the San Bernardino County Fire Department (the Certified Unified Program Agency for San Bernardino County). Therefore, while construction would involve the use of some hazardous materials needed for construction, adherence to all required handling and disposal methodologies, would ensure impacts remain less than significant.

Operations

Operations of the warehouse facility would not represent a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials Activities associated with operation of the warehouse would include landscape maintenance work and would typically include the storage and periodic application of pesticides, herbicides, and fertilizers, as well as the storage and use of fuels and solvents. Properly removing and disposing of on-site hazardous materials in accordance with State and federal regulations before they are incidentally contacted would reduce impacts associated with these hazards. Additionally, any potentially hazardous material handled on the Warehouse site would be limited in both quantity and concentrations, consistent with other similar industrial uses located in the City, and any handling, transport, use, and disposal would comply with applicable federal, state, and local agencies and regulations. Further, as mandated by the OSHA, all hazardous materials stored on the Warehouse site would be accompanied by a Material Safety Data Sheet, which would inform employees and first responders as to the necessary remediation procedures in the case of accidental release. Additionally, if applicable future operations would include a HMBP in accordance with Sections 25500–25543.3 of the Health and Safety Code. The HMBPs would contain basic information on the

location, type, quantity, and health risks of hazardous materials stored, used, or disposed of at off-site locations. Accordingly, compliance with existing regulations would be sufficient to reduce potential impacts to a less than significant level and no additional, Project specific mitigation measures would be required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction

Approval of the proposed Project would not result in construction on either the Malaga or Palmetto sites. The Project proposes an upzoning of the sites that would enable future construction of higher density residential uses to conform to the requirements of SB 330. If future construction does occur, it would require removal of the existing residential and other structures and disposal of the demolished materials. It is possible that some of the existing uses contain or would leave, once vacated, materials that [if upset] could result in release of hazardous materials to the environment. In addition, some of the parcels, particularly at the Palmetto site, are used for open air vehicle, boat, and storage of other unknown materials storage. Should eventual demolition, clearing, excavation, and grading occur disturbance of these areas also could result in the release of hazardous materials. This would be considered a potentially significant impact and mitigation is required.

Upon completion of demolition, potential upset associated with construction would be the same as discussed above. Any handling, transport, use, or disposal associated with construction would comply with all applicable federal, state, and local agencies and regulations, including the EPA, the California Department of Toxic Substances Control (DTSC), the California Occupational Safety and Health Administration (Cal/OSHA), Caltrans, the Resource Conservation and Recovery Act, and the San Bernardino County Fire Department (the Certified Unified Program Agency for San Bernardino County). Therefore, although some potentially hazardous materials such as fuels, greases, solvents, and lubricants would be used, these materials are not typically acutely hazardous and do not constitute a significant threat to the environment, workers, or surrounding areas. Impacts in this regard would be less than significant.

Operations

Operations of the potential future uses at the Malaga and Palmetto sites are not anticipated to result in a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. To be consistent with the requirements of SB 330, uses are anticipated to include multi-family residential units, which like most similar uses do not typically involve the use, handling, or disposal of acutely hazardous materials. Material uses would be likely to include the storage and periodic application of pesticides, herbicides, and fertilizers, as well as the storage and use of fuels and solvent, or household cleaning materials such as bleaches. Therefore, operation of the potential future uses on the Malaga and Palmetto sites are not anticipated to create a significant hazard to the public or the

environment through the routine transport, use, or disposal of hazardous materials. These impacts would be less than significant, and mitigation is not required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.7-2: 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?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction

The construction of new developments such as the Warehouse site could result in hazards to the public or the environment through the accidental upset or release of hazardous materials caused by accidental spillage of hazardous materials used during construction phases, or as a result of the exposure of contaminated soil during grading activities. The Warehouse site is not listed on a NPL or Superfund site, and there are no oil wells within 1,000 feet. No significant environmental concerns were noted on the historical aerial photographs. Database searches did not reveal any underground storage tanks. Additionally, the Warehouse site has not been cited or issued violation notices by any environmental regulatory agency for improper use or disposal of hazardous materials.

The Phase I ESA for the Warehouse site evaluated the potential for hazardous materials, based upon readily discernible and/or documented present and historic uses of the properties and uses adjoining the sites and generally characterized the expected nature of hazardous materials that may be present as a result of such uses. The Phase I determined that there are no known issues related to contamination of hazardous material contamination with the site conditions.

Operations

Operation of the Warehouse site would involve typical hazardous materials and chemicals such as solvents and cleaning products associated with operation of an industrial land development. As discussed in Impact 4.8-1 above, any routine transport, use, and disposal of these materials during warehouse operations must adhere to Federal, State, and local regulations for transport, handling, storage, and disposal of hazardous substances. Prior to Project approval, a HMBP also would be required for approval to shown conformance to all applicable materials handling protocols. Adherence to these regulations are overseen and enforced by the San Bernardino County Fire Department. The San Bernardino County Fire Department manages six hazardous material and hazardous waste programs. The Certified Unified Program Agency (CUPA) program is designed to consolidate, coordinate, and uniformly and consistently administer permits, inspection activities, and enforcement activities throughout San Bernardino County.

The Unified Program consolidates, coordinates, and makes consistent the following hazardous materials and hazardous waste programs:

- Hazardous materials release response plans and inventory (business plan)
- Hazardous waste generation and onsite treatment
- Aboveground Petroleum Storage Act (APSA)/Spill Prevention, Control, and Countermeasure Plan (SPCC plan)
- Underground storage tanks (UST)
- California Accidental Release Program (CALARP)
- Hazardous materials management plans and inventory statements under California Fire Code

Furthermore, household hazards such as cleaners and solvents contain such low quantities of liquid and material that they do not pose a significant threat related to the release of hazardous materials into the environment. A less than significant impact would occur in this regard.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

Both the Malaga site and Palmetto site are predominantly in use as single-family residential with a few vacant lots, and a church on the Palmetto site. The RWQCB GeoTracker website does not list either site in their database. Because it is unknown if either site contains any materials that may be considered hazardous or if upset during demolition, construction, or operation, these activities could result in accidental upset during construction and operation. Some of the existing residential structures were built prior to 1970, which is before the Clean Air Act was adopted and the partial ban on the use of asbestos-containing materials. Because there are no existing plans to develop either site and no development applications. It is unknown if any of the existing structures contain asbestos or other potentially hazardous building materials including lead-based paint (LBP). If these materials are present and are upset during the demolition process, it could result in a release to the environment and cause harm to workers if appropriate precautions are not used.

Prior to development of either the Malaga or Palmetto site, a project-specific CEQA analysis which will include an evaluation of potential impacts associated with hazardous materials. This would include completion of a Phase I ESA and any a subsequent investigation based on the findings and if any recognized environmental conditions (RECs) exists. The investigations would include development of a remediation plans and appropriate measures to ameliorate the impact as needed. Potential impacts are considered less than significant because no development is currently proposed.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.7-3: 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?

Level of Significance: Less than Significant Impact

WAREHOUSE SITE

Construction and Operations

There are no schools located within 0.25 miles of the Warehouse site. The nearest schools to the Warehouse site are the Kordyak Elementary School at 4580 Mango Ave, Fontana, CA 92336, approximately 0.5 miles to the north and Kucera Middle School at 2140 West Buena Vista Drive approximately 1.0 miles to the east. Hazardous substances such as fuels, cleaners, greases, lubricants and waste materials from construction and operation would be used and stored on the Warehouse site during construction. More specifically, these substances include fuels for construction equipment and vehicles, motor oil, cleaning solvents, and paints and coatings. All materials would be in appropriate storage containers and would be used in machines or equipment or applied to buildings and materials according to manufacturer specification and would be required to adhere to all applicable regulations as noted in Impact 4.7-1. These materials are common to construction and operation as would normally occur in a warehouse setting and are not considered acute hazards. Due to the distance from the schools, and the nature of the materials and their uses, the Warehouse site would not emit or handle hazardous materials that have the potential to impact any schools. Impacts would be less than significant, and mitigation is not required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

There are four schools within approximately 0.25 of the Malaga and Palmetto sites. As discussed above, the components of the proposed Project do not involve any construction on either the Malaga or Palmetto sites but would rezone the respective sites to accommodate an increased residential density to meet the requirements of SB 330. Indirectly, approval of the Project and the upzone of the Malaga and Palmetto sites could result in demolition of the existing structures and construction of new buildings.

If the new structures are built, they are not anticipated to contain uses that would handle acutely hazardous materials. The intent of SB 300 is to ensure adequate housing is provided and the upzoning would allow for residential uses at densities greater than what currently exists. Construction of any associated buildings would use similar materials and equipment as discussed above. The fuels, lubricants, and other materials needed to operate machinery would be similar and in common use for construction activities. These impacts would be less than significant.

It is anticipated that if the Malaga and Palmetto sites are constructed, some paints and coatings would be applied to the finished structures, but such materials are not acutely hazardous and would not emit at substantial volumes to affect local schools. Therefore, due to the nature of the materials and their uses, these sites would not emit or handle hazardous materials that have the potential to impact any schools. Impacts would be less than significant, and mitigation is not required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.7-4 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?

Level of Significance: Less Than Significant Impact

MALAGA AND PALMETTO SITES

Both the Malaga site and Palmetto site are predominantly in use as single-family residential with a few vacant lots, and a church on the Palmetto site. The RWQCB GeoTracker website does not list either site in their database. Nonetheless, the sites may have had past uses or undergone past incidents that would represent a REC's. Although it is not anticipated that any such locations would be listed pursuant to Government Code Section 65962, a Phase I ESA would provide an initial evaluation of the Malaga and Palmetto sites. This would inform the need for additional studies and provide a framework for a remediation plan should it be required prior to initiation of any development action. Conformance with this plan would ensure any existing conditions receive appropriate further study to include necessary remedial actions. Potential impacts are considered less than significant because no development is currently proposed.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.7-5: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction and Operations

Construction of the warehouse would occur within the site boundaries, thus, would not impede access to nearby roadways or a designated evacuation route. Furthermore, the City does not designate any roads as emergency evacuation routes. Warehouse construction would not interfere with the City's emergency response plan. Construction activities may require the transport of heavy equipment and materials to and from the Warehouse site, which may impede traffic flows. However, these impediments would be localized and short-term in nature, and a less than significant impact would occur in this regard.

The County has adopted an Emergency Operations Plan to identify evacuation routes, emergency facilities, and City personnel and equipment available to effectively deal with emergency situations. No revisions to the adopted Emergency Operations Plan would be required as a result of the proposed warehouse. The nearest fire station is the San Bernardino County Fire Station 78, located approximately 2.5-miles southwest of the site at 7110 Citrus Avenue. Should a response from the station to the Warehouse site or other nearby uses be required, response times would not be impacted because primary access to all major roads would be maintained during construction of the warehouse.

Although the City does not have any designated emergency evacuation routes, I-15 and I-210 may be considered emergency routes as they traverse the City and provide access to many main thoroughfares. Furthermore, design of any needed roadway improvements and subsequent construction due to increased traffic volumes on local roadways would comply with the applicable federal, state, and local requirements related to emergency access and evacuation plans. The proposed design and construction plans for the Warehouse site and nearby roads, including potential mitigation (road widening or intersection improvements) to accommodate the warehouse would be reviewed and approved by the City engineering department and fire marshal (if needed) during the plan review and prior to Project approval.

The warehouse Project would not be located on a one-lane or dead-end road, is not near a hillside, and does not involve residential development along foothills. Additionally, the warehouse would be located on Sierra Avenue, a designated local truck route[5] which can accommodate a large volume of traffic, which would be beneficial to the site and surrounding neighborhoods and uses in the event of an emergency.

Because both Project construction and operations would not disrupt or interfere with emergency access or impede access to nearby roadways; would not interfere with the City's emergency response plan; and would comply with design standards for emergency services; the warehouse would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant in this regard and mitigation is not required.

[5] City of Fontana. 2017. *Local Truck Routes.* Available at https://www.fontana.org/DocumentCenter/View/3971/Local-Truck-Routes-2017-11x17?bidId=, accessed on March 2019.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

The proposed Projects does not involve any construction on either the Malaga of Palmetto sites but would rezone the respective sites to accommodate an increased residential density to meet the requirements of SB 330. Indirectly, approval of the Project and the upzone of the Malaga and Palmetto sites could result in demolition of the existing structures and construction of new buildings.

If construction occurs on the Malaga and Palmetto sites, with the exception of worker vehicle trips and transportation of construction materials, work would occur within the boundaries of the two sites and would not impede access to nearby roadways. The City does not designate any roads as emergency evacuation routes and any future construction activities on either site would not affect any evacuation route and would not interfere with the City's emergency response plan. As discussed, demolition and construction activities, should they occur, may require the transport of heavy equipment and materials to and from the sites. These activities may temporarily impede traffic flows; however, these impediments would be localized and short-term in nature. Impacts in this regard would be less than significant.

The County has adopted an Emergency Operations Plan to identify evacuation routes, emergency facilities, and City personnel and equipment available to effectively deal with emergency situations. No revisions to the adopted Emergency Operations Plan would be required as a result of the either the upzoning or construction on either the Malaga or Palmetto site should it occur. The nearest fire station is the San Bernardino County Fire Station 78, located approximately 1.5-miles northwest of the Malaga site and approximately 2.5 miles northwest of the Palmetto site. Should a response from the station or other fire station to the sites or other nearby uses be required, response times would not be impacted because primary access to all major roads would be maintained during demolition and construction.

Although the City does not have any designated emergency evacuation routes, I-15 and I-210 may be considered emergency routes as they traverse the City and provide access to many main thoroughfares. Furthermore, design of any needed roadway improvements and subsequent construction due to increased traffic volumes on local roadways would comply with the applicable federal, state, and local requirements related to emergency access and evacuation plans. The proposed design and construction plans for any future construction and roadway improvements, including potential mitigation (road widening or intersection improvements) to accommodate any future increase in traffic volume would be reviewed and approved by the City engineering department and fire marshal (if needed) during the plan review and prior to Project approval.

Neither construction or operations of the Malaga site or Palmetto site would disrupt or interfere with emergency access or impede access to nearby roadways or would interfere with the City's emergency response plan. Both projects, should they be built, would comply with design standards for emergency services and would not impair implementation of or physically interfere with an adopted emergency

response plan or emergency evacuation plan. Impacts would be less than significant in this regard and mitigation is not required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.7-6 Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction and Operations

The Warehouse site is located in an area with coastal sage scrub and other native habitat. The majority of surrounding areas are developed with residential or industrial uses or other areas that are highly disturbed. The area to the north of the Warehouse site are undeveloped with the exception of an existing single-family residence on an area of vacant land approximately 26 acres in size and approximately 20 acres of undeveloped property to the south adjacent the SCE substation. Although these areas and the Warehouse site are surrounded by predominantly developed areas, they are designated as a very high fire hazard severity zone.

While the Warehouse site is located in an area with vegetation that can be prone to fire, due to the presence of surrounding development, non-contiguous nature of the existing undeveloped areas, presence of area roadways, lack of steep slopes, and concrete construction of the Warehouse it is not likely to be affected by a wildfire during construction or operations. In addition, the undeveloped area to the north of the Warehouse structures would be separated from the warehouse structure by parking, the drive isle, and landscaping. This buffer would be approximately 62 feet in width at its narrowest point and approximately 146 feet at its widest point. Lastly, the warehouse structure would be predominantly concrete which is not typically susceptible to fire. It is anticipated that these design elements would reduce exposure of the Warehouse site and structure to wildfire. Nonetheless, the mitigation (**MM-WLD-1)** requiring a Fire Protection Plan (FPP) has been included in Section, 4.16 Wildfire. Therefore, although the surrounding areas could experience a fire, because of the above-listed factors, as well as the proposed mitigation, impacts would be less than significant.

MITIGATION MEASURES

Implement **MM-WLD-1** (refer to **Section 4.16 Wildfire**).

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

4.8.6 CUMULATIVE IMPACTS

For purposes of hazardous materials impact analysis, cumulative impacts are considered for cumulative development in the vicinity of the Warehouse Project site and the Malaga and Palmetto sites. Refer also to *Section 4.0, Environmental Analysis*, for discussion concerning the basis for the cumulative impact analysis and a list of related cumulative projects.

Impacts associated with hazardous materials are often site-specific and localized. The EIR evaluates environmental hazards in connection with the warehouse, Malaga, and Palmetto sites and surrounding areas. Regarding the off-site environmental hazards, the database search documents the findings of various governmental database searches regarding properties with known or suspected releases of hazardous materials within a search radius of up to one mile from the site and serves as the basis for defining the cumulative impacts study area.

Cumulative impacts related to hazards and hazardous materials would result from projects that combine to increase exposure to hazards and hazardous materials. The potential for cumulative impacts to occur is limited since the impacts from hazardous materials use on site are site-specific. Although some of the cumulative projects and other future projects associated with buildout of the surrounding communities (Table 4.1) also have potential impacts associated with hazardous materials, the environmental concerns associated with hazardous materials are typically site-specific. It is expected that future development within the area must comply with all Federal, State, and local statutes and regulations applicable to hazardous materials.

Each Project is required to address any issues related to hazardous materials or wastes on a project-specific basis. With adherence to applicable federal, State, and local regulations governing hazardous materials, the potential risks associated with hazardous materials would be less than significant. The incremental effects of the warehouse project, and potential construction of the Malaga and Palmetto sites related to hazards and hazardous materials, if any, are anticipated to be minimal, and any effects would be site-specific.

The Warehouse site is currently vacant and database record searches reveal that the site does not contain any underground storage tanks or hazardous cleanup sites. Review of historical aerial photos show the Project site has been vacant or with small residential dwellings for over 70 years. The Malaga and Palmetto sites contain existing residences, and some uses that may have involved the use of materials that are potentially hazardous should they be upset or result in exposure of workers or nearby residents to the potentially harmful effects. The potential impacts from these uses and materials would be mitigated on a site-specific level through the implementation of a measure requiring further investigation and remediation if required. Therefore, considering the above, proposed Project impacts would be mitigated to less than significant levels with mitigation incorporated, and the Project's contribution to cumulative impacts is not otherwise considered to be "cumulatively considerable."

4.8.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable hazards and hazardous materials impacts have been identified.

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 INTRODUCTION

This section describes the hydrologic and water quality conditions on and around the proposed Project sites including the Warehouse site, Malaga site, and Palmetto site, and evaluates whether implementation of the proposed Project would result in adverse effects to such resources. The setting, context, and impact analysis in this section is based on the City's 2016 Water Quality Management Plan (WQMP) completed by CWE and 2019 Preliminary Water Quality Management Plan (PWQMP) prepared for the Warehouse site by Allard Engineering. Additional background information for this section was obtained from the City's General Plan and Final EIR. The information and analysis rely on the following:

- City of Fontana General Plan
- City of Fontana General Plan EIR
- City of Fontana Water Quality Management Plan
- Preliminary Water Quality Management Plan, 2019 (Attached as Appendix F to this DEIR).

4.9.2 ENVIRONMENTAL SETTING

WAREHOUSE, MALAGA, AND PALMETTO SITES

The proposed Project consists of the Warehouse site, Malaga site, and Palmetto site. All three sites are within San Bernardino County in the City of Fontana. The Warehouse site is located adjacent to Sierra Avenue and approximately 1.5 miles south of Interstate 15 (I-15) and approximately 1.0 miles east of Lytle Creek which drains to the San Bernardino Mountains.

Hydrology

The Warehouse site, Malaga site, and Palmetto site are located in the Santa Ana River watershed. Surface waters start in the upper erosion zone of the watershed, primarily in the San Bernardino and San Gabriel mountains. This upper zone has the highest gradient and soils and geology that do not allow large quantities of percolation of surface water into the ground. In sum, the Santa Ana River watershed drains approximately 2,650 square-mile area and is bound on the south by the Santa Margarita watershed, on the east by the Salton Sea and Southern Mojave watersheds, and on the north and west by the Mojave and San Gabriel watersheds. It is the principal surface flow water body within the region and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. The total length of the Santa Ana River and its major tributaries is approximately 700 miles.

The entire Santa Ana River watershed is divided into smaller specific watersheds through the region which is generally arid and therefore has little natural perennial surface water. Because of the aridity, water is stored in a variety of downstream water storage reservoirs including Lake Perris, Lake Mathews, and Big Bear Lake as well as in some flood control areas including the Prado Dam area and Seven Oaks Dam area. The watershed is regulated by the Santa Ana Regional Water Quality Control Board (RWQCB).

The Santa Ana Watershed is managed in part by the Santa Ana Watershed Project Authority (SAWPA). The SAWPA consists of five member agencies including Eastern Municipal Water District (EMWD), Inland Empire Utilities Agency (IEUA), Orange County Water District (OCWD), San Bernardino Valley Municipal Water District (SBMWD), and Western Municipal Water District (WMWD). The location of the Project sites within the Santa Ana River watershed is depicted on **Figure 4.9-1**, *Santa Ana River Watershed*, below. Due to the scale of the watershed, the Project site is denoted by a single star on the map.

Existing Site Drainage

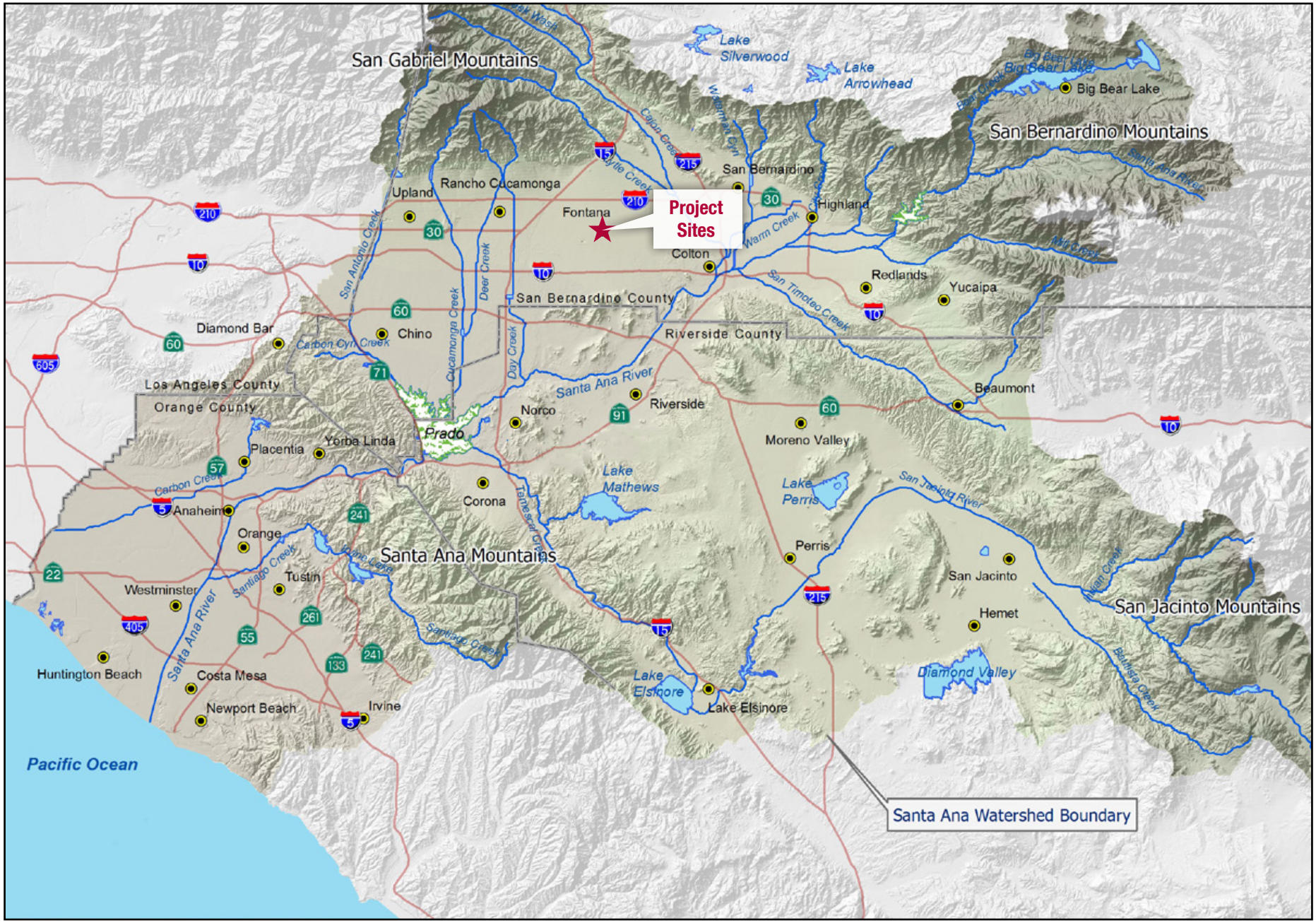
The Warehouse site occupies approximately 16.09 gross acres and would be constructed on 15.21 acres with the remaining 0.86 acres being dedicated to the City for use as right-of-way. The site is on undeveloped land in the northwestern portion of the City. The Warehouse site is vegetated with native coastal sage scrub, other chamise chaparral species, as well as upland and ruderal vegetation, and non-native grasses. The nearest major watercourse the Project sites is Lytle Creek. Lytle Creek is approximately 1.0 miles northeast of the Warehouse site, and approximately 4.5 miles northeast of the Malaga and Palmetto sites. Although the upper reaches of Lytle Creek are generally perennial, the lower section of Lytle Creek changes into an intermittent stream with a dry wash below I-15. The alluvial fan, which includes the Project sites extends roughly from the Glen Helen area in the north, and south to Rancho Cucamonga and Colton. The sites location on the alluvial fan is what resulted in the onsite soils of the Warehouse site being categorized as Soboba very stony loam sand and Soboba gravelly loamy sand. Both these soils have high infiltration rates and are well-drained to excessively drained. The Malaga and Palmetto sites are characterized by Tujunga gravelly loamy sand which is less rocky than the Warehouse site but still has high infiltration rates and is somewhat excessively drained with a very low runoff class.

All three sites are relatively flat. The Warehouse site slopes gently to the southwest from approximately 1,760 feet on the east to approximately 1,745 on the west. Because of the existing soils, the site would drain rapidly from rain events and runoff and erosion would be low except for during the most severe storms. The Malaga and Palmetto sites are flat and consist of existing development and are surrounded by urbanized areas. The existing structures and paved areas reduce the sites permeability, and although the site is underlain by soils that are well-drained, the sites would generate run-off because of the existing hardscape. Water run-off from the sites would be conducted into the local stormwater drainage facilities in the existing streets and flow in a westerly direction, based on the existing flow pattern on site, through the drainage system.

Flood Hazards

Federal Emergency Management Agency (FEMA) Flood Insurance Rated Map (FIRM) shows the Warehouse site being covered by one main indication panel, which is 06071 C7920H, effective August 28, 2008. The Malaga and Palmetto sites are on indication panel 06071C8656H effective August 29, 2008. Based on a review of these panels, this is an area of minimal flood hazard. More specifically, the Project site is located within "Zone X," which corresponds to areas with minimal flood hazard outside of the 500-year floodplain (also referred to as the 0.2% annual chance floodplain).[1] Therefore, no portions of the Project sites are located within a 100-year flood hazard area.

[1] FEMA, 2008. FEMA Flood Map Service Center. Available: https://msc.fema.gov/portal/search?AddressQuery=Fontana Accessed: April 16, 2020.



Source: WEI, 2017

FIGURE 4.9-1: Santa Ana River Watershed

Sierra Avenue/Casa Grande Avenue Warehouse Project

City of Fontana

Not to scale

Kimley»Horn

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Groundwater

The Warehouse site, Malaga site, and Palmetto site all are within the San Ana River Basin (SARB). Within the larger confines of the SARB there are numerous smaller basins separated by landforms and geologic conditions such as faults or subsurface layers of materials that inhibit underground waterflows and confine groundwater in certain areas. Due to the separation of the proposed Project areas, the Warehouse site is underlain by the Rialto Colton water basin and the Malaga and Palmetto sites are underlain by the Chino-Groundwater basin.

Rialto-Colton Basin

The Warehouse site is underlain by the Rialto-Colton ground water basin. This basin is located under the northerly portion of the City and is thin and linear. The basin generally trends in northwesterly to southeasterly direction and is approximately 3 miles wide and 13 miles in length extending from near the I-15 freeway to the I-10 and I-215 freeway intersection. The basin is bound by the Rialto-Colton fault on the southwest and Lytle Creek/San Jacinto-Fault to the northwest. Groundwater within the basin varies between approximately 200 feet below ground surface to as low as about 400 feet below the ground surface.[2]

Chino-Groundwater Basin

The Malaga, and Palmetto sites are underlain by groundwater resources associated with the Chino Groundwater Basin. These sites are located within the eastern portion of the Groundwater Basin within the "Chino North" groundwater management zone, as shown in **Figure 4.9-2**, *Chino Groundwater Basin*. Both the West Valley Water District (WVWD) and the Fontana Water Company (FWS) rely on groundwater resources from this groundwater basin for a portion of its total water supply. WVWD would supply water to the Warehouse site and FWC currently would supply water to the Malaga and Palmetto sites. According to the ground water elevation contours from the Chino Basin Watermaster in 2016, ground water level are approximately 750 to 775 feet above mean sea level (amsl). Considering the Project sites range in elevation between approximately 1,250 feet to 1,765 feet amsl, the depth to groundwater would be substantially measured between 500 to 1,000 feet below the ground surface.[3]

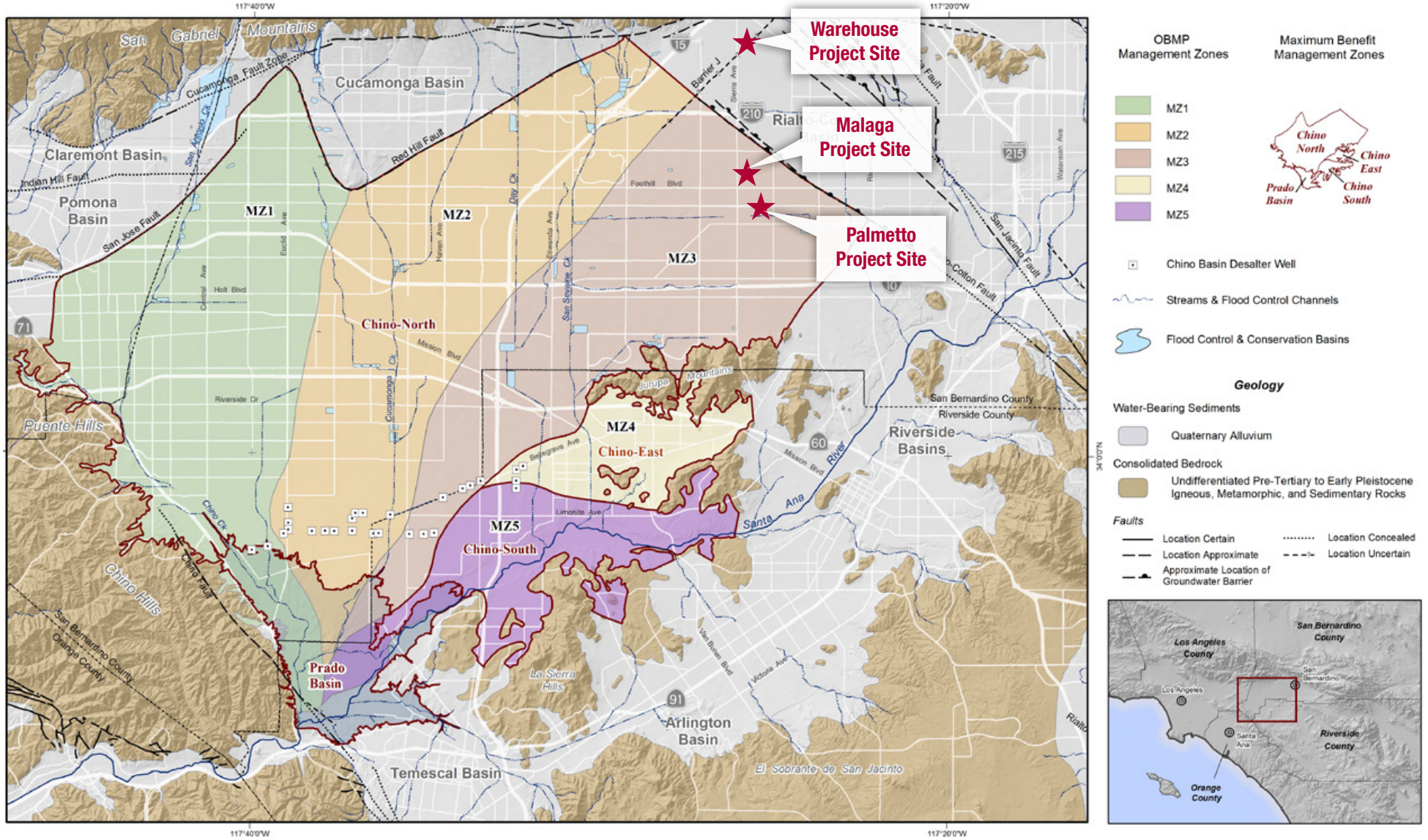
Water Quality

The Preliminary Water Quality Master Plan (PWQMP) prepared for the Project identified potential categories of stormwater pollutants of concern that could be generated by use of the sites for the proposed uses. While some level of pollutant loads are anticipated, the RWQCB places thresholds on the volumes of pollutants at which an impact would occur. Numerous materials and chemicals are considered potential pollutants. These include the following: 1) phosphorous, 2) nitrogen, 3) sediment, 4) metals, 5) oil and grease, 6) trash and debris, 7) pesticides and herbicides, 8) organic compounds, 9) other nutrients and 10) other oxygen demanding compounds.

[2] SBVMWD, 2016 – Change in Groundwater Storage for the San Bernardino Basin, Rialto-Colton and Yucaipa Basin Areas. Available: https://www.sbvmwd.com/Home/ShowDocument?id=4216 Accessed: April 21, 2020.

[3] Chino Basin Watermaster – 2016 – 2016 Chino Basin Groundwater Elevation Contours. Available: http://www.cbwm.org/docs/engdocs/maps/Exhibit%204-4%20GW%20Contour%202016.pdf Accessed: April 16, 2020.

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Source: WEI, 2017

FIGURE 4.9-2: Chino Groundwater Basin

Sierra Avenue/Casa Grande Avenue Warehouse Project

City of Fontana

Not to scale

Kimley»Horn

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To measure the levels of impairment to water quality, the measurement of certain chemicals and chemical processes are performed. This is done to determine the amount of pollutants in runoff and which can reach off-site and downstream surface water. The physical properties and chemical constituents of water typically serve as the primary means for monitoring and evaluating water quality. These types of pollutants can occur from uses in both rural and urbanized areas. In more urbanized areas, such as the Project sites, the quantity of certain pollutants in the environment is typically a function of the intensity of the land use. For instance, a high density of automobile traffic increases the availability of a variety of potential pollutants (e.g., lead and hydrocarbons). In addition, other pollutants may come from the overapplication of fertilizers and pesticides resulting in these materials being washed downstream and affecting receiving waters. Some of the physical, chemical, or biological characteristics and processes used to evaluate the quality of surface runoff are as follows: 1) Dissolved Oxygen, 2) Chemical Oxygen Demand, 3) Total Dissolved Solids, 4) Specific Conductance, 5) Turbidity, and 6) Nitrogen (N).

The proposed drainage at the Warehouse site would be divided into two drainage management areas (DMA-1 and DMA-2). The DMAs were designed to accommodate the anticipated run-off from rain events and provide an efficient flow pattern for the site. DMA-1 would be approximately 11.53 acres in size and include the eastern site. DMA-1 includes Infiltration Basin-1 which would enable infiltration encourage settlement of sediments for water quality. DMA-2 would be approximately 3.7 acres in size, and be located on the western side of the site and would include Infiltration Basin 2. Water would be conducted to the basins via a network of storm drain pipe/conveyance systems including grate inlets with ADS Flexstorm Filter Inserts and a trench drain with Oldcastle FloGard Filter Insert that would provide for pre-treatment of run-off. Basin-1 is proposed to be connected with Basin-2 via an equalization drain. When Basin-1 reaches its capacity, it would drain to Basin-2 for water quality treatment. Once Basin-1 and 2 reach their capacity, they would drain into the proposed stormwater drain system within the site and discharge to the 66” RCP master storm drain in Sierra Avenue at the southwest corner of the site.

Neither the Warehouse site, Malaga site, or Palmetto site have existing water bodies within their boundaries. This includes lakes, ponds, rivers, streams, or intermittent waters. As discussed above, water would flow off the sites to downstream areas, but there are no existing water resources within the Project sites. To manage pollutants that may flow from such sites, the County of San Bernardino has adopted the EPA’s National Pollutant Discharge Elimination System (NPDES) regulations in an effort to reduce pollutants in urban runoff and stormwater flows. The Santa Ana RWQCB issued the County a Municipal Separate Storm Sewer System (MS4) Permit (Order No. R8-2010-0036), which establishes pollution prevention requirements for planned developments. The County participates in an area-wide Urban Stormwater Runoff Management Program to comply with the MS4 Permit requirements.

4.9.3 REGULATORY SETTING

FEDERAL

Federal Clean Water Act

The proposed Project, including the Warehouse, Malaga, and Palmetto sites are subject to federal permit requirements under the Federal Clean Water Act (CWA). The primary goals of the CWA are to maintain the chemical, physical, and biological integrity of the nation’s waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality

regulations, including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, antidegradation policy, nonpoint-source discharge programs, and wetlands protection. The United States Environmental Protection Agency (EPA) has delegated the administrative responsibility for portions of the CWA to State and regional agencies. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality.

Under the NPDES permit program, the EPA establishes regulations for discharging stormwater by municipal and industrial facilities and construction activities. Section 402 of the CWA prohibits the discharge of pollutants into "Waters of the United States" from any point source unless the discharge is in compliance with an NPDES Permit.

The Anti-degradation Policy under EPA's Water Quality Standards Regulations (48 F.R. 51400, 40 CFR 131.12, November 8, 1983), requires states and tribes to establish a three-tiered anti-degradation program to prevent a decrease in water quality standards.

- Tier 1—Maintains and protects existing uses and water quality conditions that support such uses. Tier 1 is applicable to all surface waters.
- Tier 2—Maintains and protects "high quality" waters where existing conditions are better than necessary to support "fishable/swimmable" waters. Water quality can be lowered in such waters but not to the point at which it would interfere with existing or designed uses.
- Tier 3—Maintains and protects water quality in outstanding national resource waters (ONRWs). Water quality cannot be lowered in such waters except for certain temporary changes.

Anti-degradation was explicitly incorporated into the federal CWA through 1987 amendments, codified in §303(d)(4)(B), requiring satisfaction of anti-degradation requirements before making certain changes in NPDES permits.

Section 303(d) of the CWA requires the SWRCB to list impaired water bodies that are too polluted or otherwise degraded to meet the water quality standards set by states, territories, or authorized tribes. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop Total Maximum Daily Loads for these waters.

Section 404 of the CWA is administered and enforced by the U.S. Army Corps of Engineers (USACE). Section 404 establishes a program to regulate the discharge of dredged and fill material into waters of the United States, including wetlands and coastal areas below the mean high tide. USACE administers the day-to-day program, and reviews and considers individual permit decisions and jurisdictional determinations. USACE also develops policy and guidance and enforces Section 404 provisions.

Federal Emergency Management Agency – National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) is tasked with responding to, planning for, recovering from, and mitigating against disasters. Among other things, FEMA is responsible for coordinating the federal response to floods. The Federal Insurance and Mitigation Administration within FEMA is responsible for administering the National Flood Insurance Program (NFIP) and other programs

that provide assistance for mitigating damage from natural hazards. Established in 1968 with the passage of the National Flood Insurance Act, the NFIP is a federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for state and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the federal government. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods.

California Toxics Rule

The California Toxics Rule is a federal regulation issued by the EPA with water quality criteria for potentially toxic constituents in receiving waters with human health or aquatic life designated uses in California. Criteria are applicable to the receiving water body and therefore must be calculated based on the receiving waters' probable hardness values for evaluation of acute (and chronic) toxicity criteria. At higher hardness values for the receiving water, copper, lead, and zinc are more likely to be complexed (bound with) components in the water column. This, in turn, reduces these metals' bioavailability and resulting potential toxicity.

Because of the intermittent nature of stormwater runoff, especially in Southern California, the acute criteria are considered to be more applicable to stormwater conditions than the chronic criteria and therefore are used in assessing impacts. The acute criteria represent the highest concentration of a pollutant to which aquatic life can be exposed for a short period of time without deleterious effects; the chronic criteria equal the highest concentration to which aquatic life can be exposed for an extended period of time (four days) without deleterious effects.

STATE

California Porter-Cologne Water Quality Control Act (Porter-Cologne Act)

The Porter-Cologne Act (California Water Code §13000 et seq) is the principal law governing water quality regulation in California. It established a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;
- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine RWQCB's (based on hydrogeologic barriers which prevent the movement of viable pathogens from a contaminant source to a public supply well) and the SWRB, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Board decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting,

inspection, and enforcement actions within each of nine hydrology regions. The State Water Board and Regional Water Boards have numerous nonpoint source pollution (NPS) (broad and disconnected sources of pollution) -related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. Section 401 of the Clean Water Act gives the State Water Board the authority to review any proposed federally permitted or federally licensed activity that may impact water quality and to certify, condition, or deny the activity if it does not comply with State water quality standards. If the State Water Board imposes a condition on its certification, those conditions must be included in the federal permit or license. Except for dredge and fill activities, injection wells, and solid waste disposal sites, waste discharge requirements may not "specify the design, location, type of construction, or particular manner in which compliance may be had…." (Porter-Cologne Act §13360). Thus, waste discharge requirements ordinarily specify the allowable discharge concentration or load or the resulting condition of the receiving water, rather than the manner by which those results are to be achieved. However, the Regional Water Boards may impose discharge prohibitions and other limitations on the volume, characteristics, area, or timing of discharges and can set discharge limits such that the only practical way to comply is to use management practices. Regional Water Boards can also waive waste discharge requirements for a specific discharge or category of discharges on the condition that management measures identified in a water quality management plan approved by the State Water Board or Regional Water Boards are followed.

The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. A number of statewide water quality control plans have been adopted by the State Water Board. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and are updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. Statewide and regional water quality control plans include enforceable prohibitions against certain types of discharges, including those that may pertain to nonpoint sources. Portions of water quality control plans, the water quality objectives and beneficial use designations, are subject to review by EPA. When approved, they become water quality standards under the CWA. On a statewide basis, according to the California State Water Board, the water basin for the area is under jurisdiction of the Santa Ana watershed.

The Porter-Cologne Act establishes a comprehensive program for the protection of beneficial uses of the waters of the state. California Water Code Section 13050(f) describes the beneficial uses of surface and

ground waters that may be designated by the state or regional board for protection as follows: "Beneficial uses of the waters of the state that may be protected against quality degradation include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves." Water bodies with substantial evidence which indicates that the waterbody supports rare, threatened, or endangered species are identified as RARE. Twenty-three beneficial uses are now defined statewide; of these 23, 20 beneficial uses are recognized in the Santa Ana Basin (Santa Ana RWQCB 2016). Section 303(d) specifically requires the state to develop a list of impaired water bodies and subsequent numeric total maximum daily loads (TMDLs) for whichever constituents impair a particular water body. These constituents include inorganic and organic chemical compounds, metals, sediment, and biological agents. The EPA approved a revised list of impaired waters pursuant to Section 303(d) in July 2003.

State Water Resources Control Board

The SWRCB administers water rights, water pollution control, and water quality functions throughout the State, while the RWQCBs conduct planning, permitting, and enforcement activities. The City of Fontana lies within the jurisdiction of the Santa Ana RWQCB (SARWQCB).

The NPDES permit is broken up into two Phases: I and II. Phase I requires medium and large cities, or certain counties with populations of 100,000 or more to obtain NPDES permit coverage for their stormwater discharges. Phase II requires regulated small Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas, as well as small MS4s outside the urbanized areas that are designated by the permitting authority, to obtain NPDES permit coverage for their stormwater discharges. Concerning the proposed Project, the NPDES permit is divided into two parts: construction and post-construction. The construction permitting is administered by the SWRCB, while the post-construction permitting is administered by the RWQCB. Development projects typically result in the disturbance of soil that requires compliance with the NPDES General Permit, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities (Order No. 2012-0006-DWQ, NPDES Number CAS000002) (General Construction Permit). This Statewide General Construction Permit regulates discharges from construction sites that disturb one or more acres of soil.

The SWRCB has issued and periodically renews a statewide General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (GCASP) and a statewide General Industrial Activities Stormwater Permit (GIASP) for projects that do not require an individual permit for these activities. The GCASP was adopted in 2009 and further revised in 2012 (Order No. 2012-0006-DWQ). The most recent GIASP (Order No. 2014-0057-DWQ) was adopted in April 2014 and requires dischargers to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) to reduce or prevent industrial pollutants in stormwater discharges, eliminate unauthorized non-storm discharges, and conduct visual and analytical stormwater discharge monitoring to verify the effectiveness of the SWPPP and submit an annual report.

By law, all stormwater discharges associated with construction activity where clearing, grading, and excavation results in soil disturbance of at least one acre of total land area must comply with the provisions of this NPDES Permit and develop and implement an effective SWPPP. The SWPPP is required to contain a site map, which shows the construction site perimeter, existing and proposed buildings, lots,

roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the Project site. The SWPPP is required to list Best Management Practices (BMPs) the discharger would use to protect stormwater runoff (such as stormwater treatment systems) and the placement of those BMPs. Additionally, the SWPPP must contain the following elements: a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Construction General Permit Section A describes the elements that must be contained in an SWPPP. A project applicant must submit a Notice of Intent (NOI) to the SWRCB to be covered by the NPDES General Permit and prepare the SWPPP before beginning construction. SWPPP implementation starts with the commencement of construction and continues through project completion. Upon project completion, the applicant must submit a Notice of Termination (NOT) to the SWRCB to indicate that construction is completed.

The Municipal Stormwater Permitting Program regulates stormwater discharges from municipal separate storm sewer (drain) systems (MS4s). Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. The MS4 permits require the discharger to develop and implement a Stormwater Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in CWA §402(p). The management programs specify what BMPs will be used to address certain program areas. The program areas include public education and outreach; illicit discharge detection and elimination; construction and post-construction; and good housekeeping for municipal operations.

For construction activities that would result in the disturbance of one acre or more, permittees must develop, implement, and enforce a program to reduce pollutant runoff in stormwater. This includes: (1) a program to prevent illicit stormwater discharges; (2) structural and non-structural BMPs to reduce pollutants in runoff from construction sites; and (3) preventing discharges from causing or contributing to violations of water quality standards. Permittees are required to review construction site plans to determine potential water quality impacts and ensure proposed controls are adequate. These include preparation and submission of an Erosion and Sediment Control Plan (ESCP) with elements of an SWPPP, prior to issuance of building or grading permits. The 2012 MS4 permit requires that the ESCP be developed by a Qualified SWPPP Developer. Permittees are required to develop a list of BMPs for a range of construction activities.

Watershed Management Initiative (WMI)

The State and Regional Water Boards are currently focused on looking at entire watersheds when addressing water pollution. The Water Boards adopted the Watershed Management Initiative (WMI) to further their goals. The WMI establishes a broad framework overlying the numerous federal and State mandated priorities. As such, the WMI helps the Water Boards achieve water resource protection, enhancement and restoration while balancing economic and environmental impacts (SWRCB, 2017). The integrated approach of the WMI involves three main ideas:

- Use water quality to identify and prioritize water resource problems within individual watersheds. Involve stakeholders to develop solutions.
- Better coordinate point source and nonpoint source regulatory efforts. Establish working relationships between staff from different programs.

- Better coordinate local, state, and federal activities and programs, especially those relating to regulations and funding, to assist local watershed groups.[4]

Sustainable Groundwater Management Act (SGMA)

The California Department of Water Resources' (DWR's) 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies (GSAs) in "high"- and "medium"-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs (DWR, 2019). The DWR categorizes the priority of groundwater basins (DWR, 2018). The DWR categorizes the priority of groundwater basins (DWR, 2018). GSPs are detailed road maps for how groundwater basins will reach long term sustainability. Section 10720.8(a) of the SGMA exempts adjudicated basins from the SGMA's requirement to prepare a GSP.[5]

LOCAL

City of Fontana Local Hazard Mitigation Plan (LHMP)

The City of Fontana's Local Hazard Mitigation Plan (LHMP) is a plan that the City reviews, monitors, and updates approximately every five years to reflect changing conditions and new information regarding hazards faced by the City of Fontana. The most current version is dated June 2017 and was approved and adopted by the Fontana City Council on August 14, 2018 (Fontana, 2018). The LHMP addresses hazards associated with earthquakes, wind surges, wildfire, landslides, floods, terrorism, climate change and droughts being significant hazards to the City. The LHMP includes mitigation measures to address flooding concerns on a community-wide level. The LHMP mitigation measures include: performing a feasibility study or retention and detention of storm water to include water sensitive design, evaluation of public infrastructure, ensuring undeveloped properties adhere to flood plain preservation and risk reduction methodologies, continuing to impose BMPs on users of the storm drain system, and continuing street sweeping and trash services.

San Bernardino County Municipal Stormwater Management Plan (MSMP)

San Bernardino County Municipal Stormwater Management Plan (MSMP) The purpose of the MSMP was to satisfy NPDES permit conditions for creating and implementing an Urban Runoff Management Program (URMP) to reduce pollutant discharges to the maximum extent practicable (MEP) for protection of receiving waterbody water quality and support of designated beneficial uses. The MSMP contains guidance on both structural and nonstructural BMPs for meeting these goals.

The MSMP identifies activities required to implement the following six minimum control measures required under the Municipal Permit: public outreach; public involvement; illicit discharge detection and elimination; construction site runoff; new development and redevelopment; and municipal operations. Some typical types of outreach may include a stormwater hotline, website, storm drain stenciling, and other programs. Public meetings and presentations, volunteer water quality monitoring groups, and community cleanup days are some of the elements of the public involvement component.

[4] California Water Boards, Watershed Management Initiative (WMI). Available: https://www.waterboards.ca.gov/water_issues/programs/watershed/ Accessed: April 16, 2020.
[5] United States Geologic Survey, 2014. Sustainable Groundwater Management. Available: https://ca.water.usgs.gov/sustainable-groundwater-management/ Accessed: April 16, 2020.

One Water One Watershed

The One Water One Watershed (OWOW) program, is the result of an integrated planning process convened for the management of the Santa Ana River Watershed. The OWOW program integrates water resources management with various disciplines such as land use planning, flood control, and natural resource management. The OWOW plan is now in its second iteration, which was adopted in 2014.

The OWOW plan process complies with the standards of the State of California's Integrated Regional Water Management Program while supporting synergies in planning how to address water challenges across the Santa Ana River Watershed. The OWOW 2.0 Plan describes the next generation of integrated regional watershed planning, solving problems on a regional scale, and giving all water interests a voice in the planning process. The plan provides a blueprint for management of the watershed, which includes the following goals:

- Achieve a watershed that is sustainable, drought-proofed and salt-balanced by 2035, and in which water resources are protected and water is used efficiently;
- Value a watershed that supports economic prosperity and environmental viability;
- Assure a watershed that diminishes carbon emissions and is resilient to climate change;
- Demand a watershed free of environmental injustices;
- Maintain a watershed in which the natural hydrology is protected, restored, and enhanced;
- Instill a water ethic within institutions and people that will make efficient use of water a California way of life

City of Fontana Water Quality Management Plan (WQMP)

The City of Fontana Water Quality Management Plan (WQMP) was written in response to requirements set forth in the 1972 CWA which established requirements for MS4 permitting under the NPDES. The MS4 Permit regulates discharges from all MS4 facilities within the Santa Ana River watershed in San Bernardino County, which includes the project area. The area-wide MS4 program requires the completion of a Water Quality Management Plan (WQMP) to minimize the potential adverse effects that development projects can have on receiving waters. To simplify the process the City prepared a WQMP handbook to streamline the process. The Handbook notes that all significant development projects such as redevelopment projects that would add or replace 5,000 or more sf of impervious surfaces and new developments that include more than 10,000 sf or more of new impervious surfaces would require a WQMP. The WQMP includes similar to other permitting vehicles and includes, identification of drainage areas, impervious surfaces, anticipated flows, existing impaired waters, best management practices (BMPs) to reduce runoff and polluted runoff, low impact development (LID) strategies to retain water on-site before being discharged, etc.[6]

[6] City of Fontana 2016. Water Quality Management Plan Handbook. Available: https://www.fontana.org/DocumentCenter/View/19908/WQMP-Handbook Accessed: March 13, 2020.

FONTANA GENERAL PLAN 2015-2035

Infrastructure and Green Systems Element

The Infrastructure and Green Systems Element of the Fontana GP includes the goals and policies that will be applied to the Project related to hydrology and water quality. This element represents the City's plan to effectively and safely use and conserve water.

Goal 1 **Fontana collaborates with public and private agencies for an integrated and sustainable water resource management program.**

Policy

- Support initiatives to provide a long-term supply of the right water for the right use through working with regional providers and the One Water One Watershed Plan.

Goal 2 **Fontana promotes use of non-potable water for uses where drinking water is not needed.**

Policies

- Encourage use of processed water from the IEUA systems using recycled water for all non-drinking water purposes.
- Promote laundry-to-landscape greywater systems for single-family housing units.

Goal 3 **The City continues to have an effective water conservation program.**

Policies

- Support landscaping in public and private spaces with drought-resistant plants.
- Continue successful city water conservation programs and partnerships.

Goal 4 **The City of Fontana consistently seeks reasonable rates from the city's drinking water providers.**

Policy

- Support City negotiations to keep drinking water rates reasonable for residents and other users.

Goal 5 **Fontana collaborates closely with the Inland Empire Utility Agency to promote innovative and resource-efficient systems and reduce sewer fees.**

Policies

- Support and participate in IEUA programs that help Fontana be more resource-efficient.
- Support incorporation of greywater systems in new developments.

Goal 6 **Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional One Water One Watershed standards.**

Policies

- Continue to implement the Water Quality Management Plan for stormwater management that incorporates low-impact and green infrastructure standards.
- Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.

SAN BERNARDINO COUNTY MUNICIPAL STORMWATER MANAGEMENT PLAN (MSMP)

The purpose of the MSMP was to satisfy NPDES permit conditions for creating and implementing an Urban Runoff Management Program (URMP) to reduce pollutant discharges to the maximum extent practicable (MEP) for protection of receiving waterbody water quality and support of designated beneficial uses. The MSMP contains guidance on both structural and nonstructural BMPs for meeting these goals.

The MSMP identifies activities required to implement the following six minimum control measures required under the Municipal Permit: public outreach; public involvement; illicit discharge detection and elimination; construction site runoff; new development and redevelopment; and municipal operations. Some typical types of outreach may include a stormwater hotline, website, storm drain stenciling, and other programs. Public meetings and presentations, volunteer water quality monitoring groups, and community cleanup days are some of the elements of the public involvement component.

FONTANA MUNICIPAL CODE

Section 23-511, Prohibited Discharges

Section 23-511 of the City's Municipal Code states that all discharges to the City's storm drain system are prohibited, and only discharges pursuant to the NPDES permit are permitted. Discharges shall specifically comply with the requirements outlined in the respective general permits. This includes depositing any pollutant or trash in the streets or sidewalk as it has the potential to enter the storm drain, along with failure to implement BMP's when directed so by the environmental manager.

Section 23-513, Illicit Connections to the Storm Drain System

Section 23-513 of the City's Municipal Code states that no person shall use or maintain any illicit connection to the storm drain system. This prohibition applies retroactively regardless of whether the connection to the storm drain system was permissible under the law or practices applicable at the time of the connection.

Section 12.1-12-25, Flood Damage Prevention

The City's Municipal Code Section 12 regarding flood control states the City's focus on minimizing public and private losses due to flood condition in specific areas by provisions outlined throughout the section. The City has several flood hazard areas which are subject to periodic inundation which can adversely affect public health and safety. The City outlines several provisions that are outlined in the entirety of Section 12:

1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;

2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;

4) Control filling, grading, dredging, and other development which may increase flood damage; and

5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

4.9.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

The CEQA Guidelines Appendix G Initial Study Checklist, includes questions concerning hydrology and water quality. The questions presented in the Initial Study Checklist have been utilized as significance criteria in this section. The Project would have a significant effect on the environment if it would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality (see Impact 4.8-1);
- Substantially decrease ground water supplies or interfere substantially with ground water recharge such that the project may impeded sustainable groundwater management of the basin (see Impact 4.8-2);
- 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:
  - Result in substantial erosion or siltation on-or off-site?
  - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
  - Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?
- Impede or redirect flood flows? (see Impact 4.8-3);
- In flood hazard, tsunami, or seiche zones, risk release or pollutants due to project inundation (see Impact 4.8-4);
- Conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan (see Impact 4.8-5).

METHODOLOGY AND ASSUMPTIONS

The proposed Project and associated Project Design Features (PDFs) are evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning hydrology and water quality. In addition to PDFs, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards (LORS)) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite

compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

APPROACH TO ANALYSIS

This analysis of impacts on hydrology and water quality materials examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga site, and Palmetto site and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: available information in public databases including local planning documents, a site evaluation of the Warehouse site; review of project maps and drawings; and analysis of aerial and ground-level photographs. The determination that a Project component will or will not result in "substantial" adverse effects on standards related to hazards and hazardous materials considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.9.5 IMPACTS AND MITIGATION MEASURES

Impact 4.9-1: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Level of Significance: Less than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Construction

Grading activities during construction of the Warehouse site would occur after the proposed Project is approved. The Malaga and Palmetto sites, would be upzoned as part of the proposed Project to enable future development at a greater density, but no development would occur at this time as no development is proposed and no applications have been filed. Construction at the Warehouse site, and future development at the Malaga and Palmetto sites, should it occur in the future, would result in the baring and exposure of soils. During construction, fuels, lubricants, and solid and liquid wastes would be stored within active construction areas. If the construction areas are not properly managed to contain loose soils and liquid and solid contaminants, temporary water quality impacts could occur due to runoff from the active construction site.

Pursuant to the requirements of the Santa Ana RWQCB and Fontana Municipal Code Chapter 23, Article IX, the Project Applicant, for the Warehouse site, and applicant(s) for the Malaga site and Palmetto site, should the applicant be different, would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit) associated with the Project sites. The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the applicants would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality

Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP would specify the Best Management Practices (BMPs) that all construction contractors would be required to implement during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

BMPs are designed to control and prevent discharges of pollutants that can adversely impact the downstream surface water quality. Construction activities are also required to comply with the City's Stormwater/Urban Runoff Ordinance, the Erosion and Sediment Control Ordinance, and other required regulations. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydroseeding. Pursuant to the City's Municipal Code Chapter 9, Article II, all project applicants also would be required to implement an erosion control plan to minimize water and windborne erosion. Mandatory compliance with the SWPPP and the erosion control plan would ensure that the construction of the Warehouse site, and Malaga site, and Palmetto site, should they be redeveloped, do not violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

Operations

Stormwater pollutants that may be produced during operation of the Warehouse site, and operation of the Malaga and Palmetto sites should the sites be redeveloped, include pathogens (bacterial/virus), phosphorous, nitrogen, sediment, metals, oil/grease, trash/debris, pesticides/herbicides, and organic compounds. The expected pollutants of concern for the Warehouse site would be pathogens, nitrogen, and metals. Primary pollutants of concern from Malaga and Palmetto sites would be similar but likely fewer metals due the lack of truck trips and industrial uses.

To meet the requirements of the City's Municipal Storm Water Permit – and in accordance with City's Municipal Code Chapter 23, Article IX – the project applicant for the Warehouse site, and future project applicants for the Malaga and Palmetto sites, should they be redeveloped after the upzoning, would be required to prepare and implement a Storm Water Quality Management Plan (SWQMP). A SWQMP is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via BMPs. Implementation of the SWQMP ensures on-going, long-term protection of the watershed basin. It is anticipated that the structural source control BMPs would be sufficient to reduce impacts. Structural source controls would consist of measures such as low impact development strategies including underground infiltration chambers, bioretention areas, and hydrodynamic separators as well as operational source control BMPs (including but not limited to: the installation of water-efficient landscape irrigation systems, storm drain system stenciling and signage, and implementation of a trash and waste storage areas) to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows before they are discharged into the City's storm drain system.

Specifically related to industrial uses, the NPDES program requires certain industrial land uses to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. On April 1, 2014, the California State Water Resources Control Board adopted an updated new NPDES permit for storm water discharge associated with

industrial activities (referred to as the "Industrial General Permit") (SWRCB, 2014b). The new Industrial General Permit, which is more stringent than the former Industrial General Permit, became effective on July 1, 2015. Under this currently effective NPDES Industrial General Permit, the industrial uses such as but not limited to manufacturing, facilities subject to stormwater effluent limitations, transportation facilities, and other uses with typically heavy industrial uses would require permitting. Warehousing uses are not specifically included. Based on the future uses, if a covered use is implemented, the Warehouse site could require NPDES coverage under this order (2014-0057-DWQ). This would require preparation of a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. This permit is dependent upon a detailed accounting of all operational activities and procedures. Prior to final Project approval a detailed account of the proposed uses within the Warehouse facility will be provided to the City to determine if permitting would be required. If such permitting is required, the mandatory compliance with all applicable water quality regulations would reduce potential water quality impacts during long-term operation. This impact would therefore, be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-2: 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?

Level of Significance: Less than Significant Impact

WAREHOUSE SITE

Construction and Operations

The Warehouse site overlies the Colton-Rialto water basin. The Warehouse site would be within the service area of WVWD, which derive some of its water from the Colton-Rialto basin. Accordingly, the Warehouse site would connect to the municipal water systems and would not use onsite wells nor would any other groundwater extractive activities occur. Therefore, the Warehouse site would not directly draw water from the groundwater basin. Accordingly, implementation of the Warehouse site in this regard would not substantially deplete or decrease groundwater supplies and direct impact to groundwater supplies would be less than significant.

Additionally, as discussed in additional detail in **Section 4.15**, *Utilities*, considering the above and considering current as well as project water demand through the year 2040 in both normal, and single, two year, and multiple dry year scenarios, WVWD has an adequate supply of water to serve the Warehouse site. This would be done without jeopardizing ground water supplies in any of the underlying basins.

The Warehouse site would be constructed on an existing site that is developed and consists of coastal sage and chamise chaparral habitat with some ruderal and none native grass species. The soils conditions

are Soboba very stony loam sand and Soboba gravelly loamy sand with high infiltration rates. While construction of the Warehouse site would introduce new impermeable surfaces to the site, a WQMP would be required. As part of the WQMP, the Warehouse site would include elements to reduce the effects of the new impervious areas. The WQMP would include design measures such as low impact development (LID) and other stormwater drainage controls. The LIDs would be engineered to capture and control runoff prior to being released downstream. This would increase the duration that water is held on-site prior to being released to downstream receiving waters. This timed-release allows more water time to infiltrate the ground and facilitates recharge. In addition, LIDs that include permeable materials, enable runoff to immediately infiltrate and begin the recharge process. Lastly, the Warehouse site also includes areas that will be landscaped with permeable surfaces, which also would facilitate groundwater recharge. Therefore, should the Warehouse Project change recharge characteristics, with the required measures in place, the loss of the permeable area would not be substantial, and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

The Malaga and Palmetto sites overly the Chino water basin. These sites would be within the service area of FWC, which derive some of its water from the Chino basin. Accordingly, the Malaga and Palmetto sites would connect to these municipal water systems and would not use onsite wells nor would any other groundwater extractive activities occur. Therefore, the Malaga and Palmetto sites would not directly draw water from the groundwater basin. Accordingly, implementation of this aspect of the proposed Project, should the redevelopment of the sites occur, would not substantially deplete or decrease groundwater supplies in this regard and direct impact to groundwater supplies would be less than significant.

Additionally, as discussed in additional detail in **Section 4.15**, *Utilities*, considering the above and considering current as well as project water demand through the year 2040 in both normal, and single, two year, and multiple dry year scenarios, FWC would have an adequate supply of water to serve the Malaga and Palmetto sites should they be redeveloped. This would be done without jeopardizing ground water supplies in any of the underlying basins.

The Malaga and Palmetto sites occur in areas with existing development in an urbanized area. As such, the existing ground surface available to facilitate groundwater recharge is limited. Nonetheless, if the sites are redeveloped in the future, they would change the sites and increase the amount of impermeable area. While construction of the sites, should it occur, would introduce new impermeable surfaces to the site a WQMP would be required. Redevelopment of the site would include elements to reduce the effects of the new impervious areas that are currently available for ground water recharge. The WQMP would include design measures such as low impact development (LID) and other stormwater drainage controls. The LIDs would be engineered to capture and control runoff prior to being released downstream. This

would increase the duration that water is held on-site prior to being released to downstream receiving waters. This timed-release allows more water time to infiltrate the ground and facilitates recharge. In addition, LIDs that include permeable materials, enable runoff to immediately infiltrate and begin the recharge process. Therefore, considering the existing conditions which already limit the potential for recharge, and with the implementation of a WQMP, the increased impervious surfaces would not be substantial, and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-3: 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?

Implementation of the proposed Project including the Warehouse site, the Malaga site, and Palmetto site, should they be developed, would alter the existing ground contours of the sites. The Warehouse site is undeveloped, and construction of the warehouse would result in the installation of impervious surfaces. Although the same drainage patterns, southerly, and southwesterly flows would be maintained, the Project would result in changes to the site's existing, internal drainage patterns. Because most of the area on which the Malaga and Palmetto sites are already built, there is a substantial amount of existing impervious surfaces, but the sites are currently designed to conduct stormwater to off-site stormwater drainage facilities. Redevelopment of these sites would result in slight modifications to the existing man-made drainage patterns, but would not substantially alter flows. In addition, the Warehouse site, and Malaga and Palmetto sites, if they are redeveloped, would include the installation of an integrated, on-site system consisting of measures designed to capture and control stormwater. These measures may include, but would not necessarily be limited to, underground storm drain pipes, catch basins, underground infiltration basins, LIDs, and other structural BMPs to capture on-site stormwater runoff, and temporarily capture and hold stormwater before conveying the runoff offsite. Thus, with these measures in place, impacts in this regard would be less than significant.

Impact 4.9-4: Result in substantial erosion or siltation on- or off-site?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Although construction of the Warehouse site, Malaga and Palmetto sites (should they be redeveloped), would alter the subject property's interior drainage patterns, the changes would not result in substantial erosion or siltation on- or off-site. Each project would be required to follow of the State Water Resources Control Board's erosion control standards and each project would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. Because the

Warehouse site, Malaga site, and Palmetto site are all greater than 1 acre, this requirement would apply to all of the Project sites.

In addition, because all the Project areas are located within the Sana Ana RWQCB's jurisdiction, all would be required to conform with the Santa Ana River Basin Water Quality Control Program. Compliance involves the preparation and implementation of a SWPPP for construction-related activities. More specifically, BMPs would be required to be implemented in accordance with the SWPPP that would be required prior to initiation of any construction activities. These measures would help ensure that during construction waterborne pollution from erosion and siltation is reduced, prevented, or minimized. Other measures may include ways to treat runoff prior to discharge. BMPs may include but not be limited to, sandbag barriers, silt fences, soil stabilizers, reseeding, straw mats, and other ground covers. Lastly, all three Projects, including the Malaga and Palmetto sites if they are redeveloped, would be required to implement an erosion and dust control plan pursuant to City's Municipal Code Chapter 9, Article II (and to ensure compliance with SCAQMD Rule 403 to minimize water- and windborne erosion. Conformance with these requirements and measures would ensure that erosion during construction is reduced to less than significant.

Erosion control measures also would be in place upon completion of construction on the three Project sites. Because the Warehouse site is the only location for which development is currently proposed, these measures would take effect immediately. For the Malaga site and Palmetto site, these measures would be applicable if applications or development plans are filed with the City and if the sites are redeveloped. Nonetheless, for all Projects at buildout, all project applicants would be required to prepare and implement a SWQMP. The SWQMP would be site-specific and would include post-construction water quality management measures that would be implemented and designed to minimize erosion and siltation. The SWQMP would include engineered erosion control and sediment control measures used to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. Each set of erosion control measures would be site-specific and respond to anticipated flows, runoff constituents, and unique demands of the site. This would ensure an on-going and long-term erosion control plan is in place to account for operational impacts from the Warehouse site, and Malaga and Palmetto sites. Compliance would be ensured because the SWQMP is required pursuant to the City's Municipal Code Chapter 23, Article IX. Because all future projects would be required to prepare and implement such a plan as a condition of project approval, these impacts would be less than significant. Mitigation is not required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-5: Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

As discussed previously, grading and construction on the Warehouse site, Malaga site, and Palmetto site would generally mimic the waterflow paths of the existing site condition. Stormwater flows from the Warehouse site would continue to trend to the south and southwest and because the existing structures on the Malaga site and Palmetto site cover the majority of the site, replacement with new structures, should the sites be redeveloped, would not substantially alter the natural flow regime.

The rate and amount of surface runoff versus infiltration on a given site is determined by multiple factors, including the amount and intensity of precipitation; amount of other imported water that enters a watershed; surface and subsurface soil layers vegetative cover, existing soils moisture content, slope, and others. In addition, the rate of surface runoff is largely determined by topography and the intensity of rainfall over a given period of time.

Development of the Warehouse site would create impervious surfaces where none currently exist. While the Warehouse site also would include some areas with landscaping, the surface of the site would be substantially changed with new hardscape or building area. The Warehouse site would include designs with LIDs that would contain materials and temporary water storage that would release over time and would facilitate infiltration of surface water runoff.

The Malaga and Palmetto sites are currently developed with residential and other uses and have substantial areas already covered by impervious surfaces. While some areas are landscaped or undeveloped, a substantial volume of stormwater is still conducted off-site to the stormwater drainage system.

None of the project elements would alter precipitation amounts or intensities, nor would they require any additional water to be imported into the Project site. However, construction of the Warehouse site, and redevelopment of the Malaga and Palmetto sites would require earth-disturbing activities which may temporarily affect site-specific infiltration and permeability during construction and permanently, from operation. This would result in a substantially greater volume of water flowing off-site from the Warehouse site and a greater volume from the Malaga and Palmetto sites.

Each site would have a new storm water system designed and installed to be site-specified and that would contain and collect storm water flows in the sites. Water would be captured and stored and treated if needed before runoff is allowed to drain off-site. New storm water facilities would be planned and designed to satisfy the SWQMP requirements as discussed above. In addition, this would include plans that ensure the post-development flows do not exceed pre-development flows. All designs and conformance with the SWQMP would be verified by the City and incorporated as conditions of approval to all Project sites prior to the issuance of any construction permit. Compliance with these requirements would ensure impacts are less than significant and mitigation would not be required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-6: 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?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

As discussed in impacts HYD 4.8-3 i, ii, and iii, all projects, the Warehouse site, Malaga site, and Palmetto site, should they be developed, must comply with the requirements of the NPDES General Permit, which helps control water pollution by regulating point and non-point sources that discharge pollutants into receiving waters.

All projects would be required to obtain a General Construction Permit. The General Construction Permit requires implementation of a SWPPP, which would include BMPs designed to protect the quality of storm water runoff. Preparation, implementation, and participation with both the NPDES General Permit and the General Construction Permit, including the SWPPP and BMPs, would reduce the potential for storm water flows, and any potential contaminants contained within those flows, to be conveyed off-site during construction of the proposed project. As a result, short-term construction-related impacts associated with creating or contributing to runoff and additional sources of polluted runoff would be less than significant**.** Conformance with these requirements would be verified prior to any project approval and included as conditions of approval to any future project. Impacts would therefore, be less than significant.

As mandated by the RWQCB and through implementation of the SWQMP, the Warehouse site, Malaga site, and Palmetto sites if they are redeveloped would include new storm water drainage system facilities that would be engineered, designed, and installed to satisfy the all water quality requirements. These measures would include minimizing impervious surfaces as feasible and directing flows to LID areas; integrating appropriately sized LIDs to ensure post-development flows do not exceed pre-development flows; and where feasible, incorporating bio-retention in combination with site planning, and dispersion of runoff to meet LID requirements.

To ensure that the new storm water drainage improvements are planned and designed to satisfy these requirements as well as all other applicable standards and requirements, would be verified by the City and incorporated as conditions of approval to all project prior to the issuance of any construction permit. Compliance with these requirements would ensure impacts are less than significant and mitigation would not be required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-7: Impede or redirect flood flows?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Federal Emergency Management Agency (FEMA) Flood Insurance Rated Map (FIRM) shows the Warehouse site being covered by one main indication panel, which is 06071 C7920H, effective August 28, 2008. The Malaga and Palmetto sites are on indication panel 06071C8656H effective August 29, 2008. Based on a review of these panels, this is an area of minimal flood hazard. More specifically, the Project site is located within "Zone X," which corresponds to areas with minimal flood hazard outside of the 500-year floodplain (also referred to as the 0.2% annual chance floodplain).[7] Therefore, no portions of the Project sites are located a 100-year flood hazard area and impacts would be less than significant. No mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-8: In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

The Pacific Ocean is located approximately 45 miles from the warehouse site, and approximately 43 miles from the Malaga and Palmetto site. Considering this distance, there is no potential for any of the sites to be impacted by a tsunami. The Project site also is not subject to flooding hazards associated with a seiche because the nearest large body of surface water. The nearest and largest body of water likely to be affected by a seiche is Lake Matthews approximately 16 miles to the south. At this distance, all of the Project sites would be unaffected. Furthermore, as noted in the City's General Plan EIR, the City is not mapped in a dam inundation area. Accordingly, the impacts to the Warehouse site, Malaga site, and Palmetto site associated with release of pollutants due to inundation would not occur. No mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-9: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Level of Significance: Less Than Significant Impact

[7] FEMA, 2008. FEMA Flood Map Service Center. Available: https://msc.fema.gov/portal/search?AddressQuery=Fontana Accessed: April 16, 2020.

WAREHOUSE, MALAGA, AND PALMETTO SITES

As discussed in the Impacts discussions above, the Warehouse site, Malaga site and Palmetto site are all located within the Santa Ana River Basin. The Warehouse site's related construction and operational activities would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Plan by preparing and adhering to a SWPPP and SWQMP. Similarly, the Malaga and Palmetto sites, should they be redeveloped, also would be required to comply with all applicable rules and regulations, and implement water quality control plans. All Projects would be required to show conformance prior to any approval. Implementation of the Warehouse site, and Malaga and Palmetto sites, should they be redeveloped, would not conflict with or obstruct the Santa Ana River Basin Water Quality Control Plan and impacts would be less than significant. All of the Project sites are located within the Chino Groundwater Basin, which is an adjudicated groundwater basin. Adjudicated basins, like the Chino Groundwater Basin, are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Subbasin. Therefore, none of the Projects or any of the Project components would obstruct or prevent implementation of the management plan for the Chino Groundwater Basin. As such, construction and operation of the Warehouse site, Malaga site, and Palmetto site, would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.9.6 CUMULATIVE IMPACTS

Cumulative impacts to hydrology and water quality could occur as new development, redevelopment, and existing uses are ongoing within the watershed. This includes the Warehouse site, other past, present and future projects, as well as the potential redevelopment of the Malaga and Palmetto sites. Because parts of the watershed are already urbanized, growth is anticipated to consist of a mix of redevelopment as well as new development and consistent with past and present growth trends and planned development is anticipated to consist of a mix of uses (residential, commercials, industrial, etc.). New development including the Warehouse site, and redevelopment projects, such as the Malaga and Palmetto sites, would result in some increases in impervious surfaces, and thus could generate increased runoff from the affected project sites. Depending on the site of projects, they would be required to prepare and implement SWPPP with BMPs to control erosions and stormwater runoff in accordance with all required water quality permits and the Water Quality Control Plan. This would include conformance with the Santa Ana RWQCB's Santa Ana River Basin WWMP. As needed projects would implement BMPs, including LID BMPs to minimize runoff, erosion, and storm water pollution. As part of these requirements, projects would be required to implement and maintain source controls, and treatment measures to minimize polluted discharge and prevent increases in runoff flows that could substantially decrease water quality. Conformance to these measures would minimize runoff from those sites and reduce contamination of runoff with pollutants. Therefore, related projects are not expected to cause substantial increases in

storm water pollution. With compliance with State and local mandates, cumulative impacts would be less than significant, and project impacts would not be cumulatively considerable.

4.9.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable hydrology and water quality impacts have been identified.

4.10 LAND USE

4.10.1 INTRODUCTION

This section evaluates the existing land use and planning setting and the proposed Project's consistency with the applicable City land use plans, policies, and regulations. This section identifies potential impacts that could result from the proposed Project, which includes construction and operation of the Warehouse site and upzoing of the Malaga and Palmetto sites. This section discusses the existing conditions in terms of land use designations, zoning, existing land uses on the Project sites, characteristics of the surrounding land uses, and potential conflicts resulting in impacts to the environment that could occur should the Project be implemented.

It should be noted that the proposed Project is unique in that it includes three different sites but only one site, the Warehouse site, is proposed to be developed. The Malaga site and Palmetto site would be upzoned but no development is proposed. This creates a unique situation in that some of the Project elements, existing setting, and impacts are applicable to all three components individually as well as being applicable to all three sites. Therefore, the subsequent discussion of some of the Project components, the existing environment, and Project impacts, where applicable will be discussed as one, and in some instances, they will be discussed separately.

This Section and environment discussion uses information from the following City documents:

- City of Fontana General Plan
- City of Fontana Municipal Code
- City of Fontana General Plan EIR

4.10.2 ENVIRONMENTAL SETTING

WAREHOUSE SITE

The Warehouse site is located in an area that is undeveloped, except for a remnant concrete pad. The property is accessible from the east via Sierra Avenue, and from the south via dirt roads uses by Southern California Edison (SCE) needed to access their High Voltage Towers and substantiation to the south. The Warehouse site is in an area that is within the southwestern edge of a military reservation that was used from 1941-1945. The land was then sold by the Army into private use in 1946. The property has not been developed with the exception of the private residence. The remnants of the foundation of the house is located in the center of the property. Most of the property now consists of rock and dirt with some habitat consisting of coastal sage scrub and chamise chaparral mixed with dense non-native grasses and native annuals and perennials. A few areas of the site contain piles of rock, asphalt and construction and domestic debris. Although there are no residential or other uses on the Warehouse site, it should be noted there is an existing private residence adjacent to the northern Project boundary with access via Sierra Avenue which parallels the western Warehouse site boundary.

According the City of Fontana General (FCGP) Land Use Map, the Warehouse site would be developed on land presently designated as Medium-Density Residential with an area designated as Multi-Family High Residential in the middle of the property. This area is rectangular in shape and is connected to Sierra

Avenue. The Warehouse site consists of two zones both of which are residential. The majority of the Warehouse site is zoned R-2 (Medium Density Residential) 5.1-12 du/ac) (up to 7.6 du/ac for single-family detached product type 7.7-12 du/ac for single-family attached or multiple product type). The zoning boundaries mirror the land use designation boundaries and the same smaller area is designated R-5 (Multi-Family High Residential) 39.1-50 du/ac.

The Warehouse site also is located is located within a Fire Hazard Overlay Zone and, in an area, designated as a Very High Fire Hazard Severity Zone (VHFHSZ). This aspect of the proposed Project and how it applies to design, and development of the Warehouse site is discussed in detail in **Section 4.16,** *Wildfire*.

MALAGA SITE

The Malaga site is approximately 5.69 acres and is located at the north side of Malaga Avenue, immediately west of Mango Avenue, approximately 0.3 miles north of Foothill Boulevard. The site is rectangular and contains 14 individual parcels which are mainly developed as residential in an area characterized by urban development. The Malaga site consists of primarily single-family residential development and is surrounded by existing residential uses, a few undeveloped lots, and limited commercial development. As discussed, the site is bound by Mango Avenue on the east, single-family residential to the north, a vacant lot to the west, and Malaga Street to the south. The properties are vegetated with typical ornamental landscaping including shrubs, trees, and potted plants. Some of the area undeveloped and has non-native grasses and ruderal vegetation. Landscaping species mostly within the interior of the lots, but street trees are present.

The Malaga Site has a current GPLU designation of Single-Family Residential (R-SF) and zoning designation of Single-Family Residential (R-1). As part of the proposed Project, the Malaga Site's GPLU designation would be changed to Walkable Mixed-Use I (WMXU-1) and it would be upzoned to form-Based Code (FBC) – Transitional District.

PALMETTO SITE

The Palmetto site occupies approximately 3.58-acres and contains three single-family residences and two vacant lots on the northerly half of the site and a church and parking lot on the southerly half. Immediately surrounded the Palmetto site are existing residential uses, lots used for storage, and a few undeveloped lots. In the immediate surrounding area, there are three apartment buildings, a school, and limited commercial development. The site is bound by Palmetto Avenue on the east, Valencia Avenue on the south, a quad-plex or five plex and single-family units and storage yard to the east, and a single-family unit, a small strip commercial use and area used for vehicle and boat storage to the north. Views of the site would be afforded to travelers on both roadways, from the backyards of the residential units, and across the streets and vacant lots and other uses. The site contains vegetation consistent with ornamental landscaping including shrubs, trees, and potted plants, and a few open areas consisting of non-native grasses and ruderal vegetation.

The Palmetto Site has a current GPLU designation of Single-Family Residential (R-SF) and zoning designation of Single-Family Residential (R-1). The Palmetto Site's GPLU designation would be changed to Medium-Density Residential (R-2) and it would be upzoned to Medium-Density Residential (R-2). **Table 4.10-1,** *Existing and Proposed Land Uses*, presents this information in a tabular format. **Figure 3-5(a**) *Warehouse Site General Plan Land Use Designations*; **Figure 3-5(b)** – *Malaga and Palmetto Sites General*

Plan Land Use Designations, **Figure 3-6(a)**, *Warehouse Site Zoning Designations*, and **Figures 3-6(b**), *Malaga and Palmetto Sites Zoning Designations*, in *Section 3.0 – Project Description* provide a graphic representation of the Project sites in relation to the City General Plan Land Use Map and Zoning Map.

SURROUNDING LAND USES

Warehouse site

The Warehouse site is largely surrounded by existing development with some undeveloped areas. The Warehouse site's western boundary is the two-lane Sierra Avenue, across which is undeveloped land including detention basin(s) occupying approximately 15 acres, and residential development. Directly to the north is a small occupied residential dwelling, and vacant land further to the north followed by a residential development approximately 0.5 miles. To the east there is a Southern California Edison (SCE) easement designated as designated as a Public Utility Corridor and single-family residential uses within the City of Rialto approximately 300 feet east. To the south there is undeveloped land and industrial uses approximately 0.25 miles away. These uses are consistent with the overall community character of Fontana and Rialto which generally consists of large residential communities, shopping centers, and warehousing and industrial uses. To the south there is undeveloped land and industrial uses. It should be noted approximately 1.0 miles to the southeast is the Mid-Valley landfill.

Malaga site

The land uses surrounding the Malaga site are similar to those within the Malaga site. Immediately north there are single-family residences along the entire boundary and Fairfax Street just beyond. Further north are single-family units bound by Miller Avenue. To the south is Malaga Street across which are single-family units as well as undeveloped lots. At the southeast corner of the site Malaga Street "T's" with Mango Avenue, which bounds the site on the east. To the east of Mango Avenue there are single-family residential units and a section of Malaga Street that continues east. To the west, the Malaga site is bound by a parcel and single-family dwelling unit.

Palmetto Site

The uses surrounding the Palmetto site consist of Palmetto Avenue to the west beyond which is single-family residential units west to Mango Avenue approximately 0.5 miles west. To the south is Valencia Avenue and single-family residential units along Encinitas Avenue and Palo Verde Avenue, which "T" with Valencia Avenue. To the north is a single-family residential unit and in the rear yard is an area used to store vehicle and boats.

Table 4.10-1 – Existing and Proposed Land Uses

Location	General Plan Land Use Designation	Existing Zoning Designation	Proposed General Plan and Zoning Designation
Warehouse Site	(R-M) Medium Density Residential; (R-MFH) Multi-Family High Residential (Fire Hazard Overlay)	(R-2) Medium Density Residential (R-5) Multi-Family High Residential (Fire Hazard Overlay District)	(I-L) Light Industrial for both *General Plan* and *Zoning*
North	(R-MFH) Multi-Family High Residential (Fire Hazard Overlay)	(R-5) Multi-Family High Residential (Fire Hazard Overlay District)	No Change
South	(I-L) Light Industrial (Warehousing Distribution Logistics Overlay District) (Fire Hazard Overlay)	(R-MU) Regional Mixed Use (Warehousing Distribution/Logistics Overlay District) (Fire Hazard Overlay District)	No Change
East	City of Rialto	(P-UC) Public Utility Corridor City of Rialto	No Change
West	(R-PC) Residential Planned Community (Fire Hazard Overlay)	Arboretum Specific Plan (Fire Hazard Overlay District)	No Change
Malaga Site	R-SF Single Family Residential (2.1-5 du/ac	(R-1) Single Family Residential (2.1-5 du/ac)	GPLU Walkable Mixed-Use I (WMXU-1) – *General Plan* Form-Based Code (FBC) – Transitional District - *Zoning*
North	R-SF Single Family Residential (2.1-5 du/ac)	(R-1) Single Family Residential (2.1-5 du/ac)	No Change
South	WMXU-1 Walkable Mixed-Use Corridor & Downtown (0.2-2 FAR, 3-39 du/ac).	(FBC) Form-Based Code (0.2-2 FAR, 2.1-39 du/ac)	No Change
East	WMXU-1 Walkable Mixed-Use Corridor & Downtown (0.2-2 FAR, 3-39 du/ac).	(FBC) Form-Based Code (0.2-2 FAR, 2.1-39 du/ac)	No Change
West	WMXU-1 Walkable Mixed-Use Corridor & Downtown (0.2-2 FAR, 3-39 du/ac).	(FBC) Form-Based Code (0.2-2 FAR, 2.1-39 du/ac)	No Change
Palmetto Site	R-M Medium Density Residential (5.1-12 du/ac)	(R-1) Single Family Residential (2.1-5 du/ac)	Medium Density (R-M) *General Plan* Medium-Density Residential (R-2) *Zoning*
North	C-C Community Commercial (0.1-1.0 FAR)	C-1 Community Commercial (0.1-1.0 FAR)	No Change
South	R-SF Single Family Residential (2.1-5 du/ac)	(R-1) Single Family Residential (2.1-5 du/ac)	No Change
East	R-M Medium Density Residential	R-PC (Residential Planned Community (3.0-6.4 du/ac)	No Change

Table 4.10-1 – Existing and Proposed Land Uses

Location	General Plan Land Use Designation	Existing Zoning Designation	Proposed General Plan and Zoning Designation
West	R-SF Single Family Residential (2.1-5 du/ac)	(FBC) Form-Based Code (0.2-2 FAR, 2.1-39 du/ac) and Valley Business Park Overlay	No Change

Sources: City of Fontana, State of California General Plan Land Use Map (Adopted November 13, 2018), accessible at https://www.fontana.org/DocumentCenter/View/26777/Land-Use-Map---Exhibit-158 and City of Fontana, State of California Zoning District Map (Last revised April 18, 2017).

To the north between this property and the east-west trending Arrow Boulevard is a strip commercial center with four stores. To the east is a rear yard of an existing residence also use for storage, and adjacent to the church to the east is a quad-plex residential unit.

4.10.3 REGULATORY FRAMEWORK

FEDERAL

No federal laws, regulations, or executive orders apply to land use and planning on the Warehouse, Malaga, or Palmetto sites. Certain federal regulations that are applicable to the proposed Project, such as for Air Quality and Biological Resources, are discussed in the respective sections of the EIR.

STATE

Housing Crisis Act of 2019 - Senate Bill 330 (SB 330)

On October 19, 2019 Governor Newsom signed into the Housing Crisis Act of 2018 Senate Bill (330). In part, SB 330 was meant to reduce the time needed to obtain building permits and disallowing local governments from reducing the densities of areas designated for residential development. As it specifically pertains to the proposed Project and the proposed zone change, with a few exceptions, SB 330 bill prohibits a jurisdiction from changing the current zoning and land use designations in the general plan that would reduce the density of the use. For example, a jurisdiction cannot downzone a site from residential to another type of use or make changes, such as decreasing structure height limits or increasing setbacks, that would lessen the number of units that could be built on a given site. In addition, SB 330 forbids the jurisdictions from limiting land use approvals and placing moratoriums on housing development.[1]

California Planning and Zoning Law

The legal framework under which California cities and counties exercise local planning and land use functions is set forth in California Planning and Zoning Law, Government Code Sections 65000–66499.58. Under State planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include seven mandatory elements described in the Government Code, including a section on land use. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

California Environmental Quality Act

CEQA establishes that a significant effect on the environment involves an adverse change to the physical environment. Pursuant to the State *CEQA Guidelines*, a project's impact related to land use planning is evaluated in terms of physically dividing an established community, compatibility with existing land uses and consistency with local plans and other local land use controls (i.e., general plans, zoning codes, specific plans, etc.) such that if conflicts do exist, would the conflict result in a significant environmental impact. This is discussed in additional detail in the methodology and impacts section below.

[1] Holland & Knight, 2019. California Legislature Passes Housing Crisis Act of 2019 and Rent Control, Among Others. Available: https://www.jdsupra.com/legalnews/california-legislature-passes-housing-78188/ Accessed: March 9, 2020.

REGIONAL

Southern California Association of Governments (SCAG) 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

The SCAG 2016 RTP/SCS was updated in April 2016 to strategize methods for sustainable growth for the region by integrating land use and transportation efficiently. The strategy identifies the areas of focus that SCAG has prioritized, such as an increased interest in compact communities, and a continued reliance on personal transportation and suburban neighborhoods. These issues have been met with strategies in the 2016 RTP/SCS that are projected to improve each impacted sector from the year 2016 to the year 2040. Some accomplishments projected by the RTP/SCS include a reduction in vehicle travel distances due to more efficient land use patterns as well as a greater conservation of open spaces and rural lands due to more sustainable land development[2].

2016 Regional Transportation Plan/Sustainable Communities Strategy

The passage of California Senate Bill 375 in 2008 requires that an MPO, such as SCAG, prepare and adopt a Sustainable Communities Strategy (SCS) that sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures, and policies, will reduce greenhouse gas emissions from automobiles and light-duty trucks (Government Code Section 65080(b)(2)(B)). The SCS outlines certain land use growth strategies that provide for more integrated land use and transportation planning and maximize transportation investments. The SCS is intended to provide a regional land use policy framework that local governments may consider and build upon.

On April 7, 2016, SCAG's Regional Council adopted the 2016 Regional Transportation Plan/Sustainable Communities Strategy (2016 RTP/SCS). The 2016 RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2016 RTP/SCS closely integrates land use and transportation so that the region can grow smartly and sustainably. SCAG works closely with local jurisdictions to develop the 2016 RTP/SCS, which incorporates local growth forecasts, projects and programs, and includes complimentary regional policies and initiatives. The 2016 RTP/SCS considers new patterns of development as the regional economy continues to recover and grow, the composition of population changes, the housing market responds to evolving needs, and demands and mobility innovations emerge. The 2016 RTP/SCS also includes a long-term strategic vision for the region that will help guide decisions for transportation and how land is used, as well as the public investments in both, through 2040.

LOCAL

City of Fontana General Plan Update 2015-2035

The General Plan was recently updated in November 2018 and covers a broad range of topics in 16 chapters, including goals, policies, and actions on all aspects of community life-affecting future physical development. The City's General Plan is the guiding document that provides residents, elected officials, business owners, and other stakeholders with direction on how to meet the needs of a growing city and provides a greater quality of life for its current and future residents. The GP contains the following chapters: Community and Neighborhood; Housing; Building a Healthier Fontana; Conservation, Open

[2] SCAG (2016). *2016 RTP/SCS*. Table 8.1, Pages 156 – 158. Accessible at http://scagrtpscs.net/Documents/2016/final/f2016RTPSCS.pdf.

Space, Parks and Trails; Public and Community Services; Community Mobility and Circulation; Infrastructure and Green Systems; Noise and Safety; Sustainability and Resilience; Economy, Education and Workforce Development; and Land Use, Zoning, and Urban Design.

Land Use, Zoning, and Urban Design Element[3]

Each element within the GP contains goals and policies that guide development. While other GP elements may have policies that are applicable to land use, this chapter focuses on the Land Use Element, which sets forth the goals and policies meant to guide the physical development of Fontana regarding land use over the next 20 years. The Land Use element represents the guide for decision-makers on the pattern, distribution, density and intensity of land uses. Goals and policies pertinent to the proposed Project are as follows:

Goal 1 The Strategic Policy Map and the Future Land Use Map guide land-use decision making.

Policies

- Review citywide land use strategies when considering changes to the land use map.
- Keep zoning and other regulations up to date and consistent with the Future Land Use Map.

Goal 2 Fontana development patterns support a high quality of life and economic prosperity.

Policies

- Preserve and enhance stable residential neighborhoods.
- Locate multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation.
- Locate industrial uses where there is easy access to regional transportation routes.
- Promote interconnected neighborhoods with appropriate transitions between lower intensity and higher intensity land uses.
- Preserve land to achieve an interconnected network of environmentally sensitive areas, parks, multi-use paths, and recreation areas.

Goal 3 Downtown is a dynamic center of activity, with new housing options, walkable environments, and a mixture of uses attracting residents and visitors.

Policies

- Promote revitalization and redevelopment of older neighborhoods.
- Encourage infill on vacant and underutilized parcels.
- Transform downtown into a vibrant local and regional destination.

[3] City of Fontana. (2018). *City of Fontana General Plan 2015-2035 – Land Use Element*. Accessible at https://www.fontana.org/DocumentCenter/View/26754/Chapter-15---Land-Use-Zoning-and-Urban-Design.

Goal 4 Compact, walkable, mixed-use centers are located at key locations along corridors to be served by public transit in the future and at intersections where neighborhood retail and diverse housing options can succeed.

Policy

- Promote a land use pattern that provides connections among land uses and a mixture of land uses.

Goal 5 High-quality job-producing industrial uses are concentrated in a few locations where there is easy access to regional transportation routes.

Policies

- Promote the Southwest Industrial Park and the I-10 corridor as preferred locations for industrial uses
- Maintain but do not expand existing heavy industrial land use areas in proximity to one another and to services for industrial uses
- Avoid locating small areas of residential uses where they will be surrounded by intensive commercial or industrial uses.

Goal 7 Public and private development meets high design standards.

Policy

- Support high-quality development in design standards and in land use decisions.

Community Mobility and Circulation Element

The City of Fontana Community Mobility and Circulation Element sets forth the goals and policies over the next 20 years for the physical development of Fontana regarding transportation.

Goal 1 The City of Fontana has a comprehensive and balanced transportation system, with safety and multimodal accessibility the top priority of citywide transportation planning, as well as accommodating freight movement.

Policies

- Provide roadways that serve the needs of Fontana residents and commerce, and that facilitate safe and convenient access to transit, bicycle facilities, and walkways.
- Apply the six "E's" of the Safe Routes to School program to transportation planning and implementation— Encouragement, Education, Engineering, Enforcement, Evaluation, and Equity.
- Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2016- 2040 Regional Transportation Plan and Sustainable Communities Strategy.
- Monitor the development of autonomous vehicle systems and potential benefits and impacts on Fontana.

Goal 3 Local transit within the City of Fontana is a viable choice for residents, easily accessible and serving destinations throughout the city.

Policy

- Promote concentrated development patterns in coordination with transit planning to maximize service efficiency and ridership.

Goal 4 Fontana's neighborhood streets maintain a residential character and support a range of transportation options.

Policy

- Balance neighborhood traffic circulation needs with the goal of creating walkable and bike-friendly neighborhoods.

Goal 5 Fontana's commercial and mixed-use areas include a multi-functional street network that ensures a safe, comfortable, and efficient movement of people, goods, and services to support a high quality of life and economic vitality.

Policies

- Provide a transportation network that is compatible with the needs of commerce and those who live, work and shop in mixed-use areas.
- Encourage mixed use and commercial developments that support walking, bicycling, and public transit use while balancing the needs of motorized traffic to serve such developments.

Sustainability and Resilience Element

The City of Fontana Sustainability and Resilience Element sets forth the goals and policies over the next 20 years for the physical development of Fontana regarding resource efficiency and planning for climate change. This element represents the guide for decision-makers on sustainability for community activities such as health, transportation, land use, open space preservation, and infrastructure.

Goal 5 Green building techniques are used in new development and retrofits.

Policy

- Promote green building through guidelines, awards and nonfinancial incentives.

Economy, Education, and Workplace Development Element

The City of Fontana Economy, Education, and Workplace Development Element sets forth the goals and policies over the next 20 years for the physical development of Fontana as it relates to the economy and other development elements. This element represents the guide for decision-makers on enhancing prosperity and economic well-being within the City.

Goal 1 Promote a diversified economy that builds on existing business sectors and develops, attracts and retains future job-creating sectors.

Policies

- Support resources for the City's economic development department to develop and implement strategies to attract and grow businesses that provide tax revenue and opportunities for diversified and high-paying jobs for Fontana residents.
- Support initiatives for entrepreneurship in potential growth sectors.
- Leverage the resources of organizations such as the San Bernardino County Economic Development Agency and the Workforce Investment Board to help Fontana businesses promote in-city jobs and help residents find local job opportunities.

Goal 3 **Plan Fontana as a "complete community" with a balance of diverse neighborhoods, amenities, services, and infrastructure that supports a qualified workforce and attracts business.**

Goal 4 **Revitalize Fontana's downtown and Sierra Avenue corridor to provide an attractive area for new businesses to locate and create a lively center of government, education, medical care, arts, culture and entertainment, restaurants, and new housing.**

Policy

- Promote initiatives to attract housing in the downtown vicinity for households of all types as a way to support new retail, restaurant, and entertainment options in downtown.

General Plan Land Use Designations

The GP also provides guidance based on land use designations for certain areas. The land use designations guide development in terms of planning and maps locations where particular uses such as residential, commercial, and industrial uses, etc. would be best suited. In part, this determination is based on existing landscape, proximity to transit, the overall desired development pattern of the City, as well as anticipated changes within the community and evolving development standards. The proposed Project includes changes to the existing land use designations for the Warehouse, Malaga, and Palmetto sites. The GPLU designation for the Warehouse would be changed to (I-L) Light Industrial; The Malaga site would be changed to Walkable Mixed-Use I (WMXU-1); and the Palmetto Site would be changed to Medium Density (R-M). Each are discussed in additional detail below:

Walkable Mixed-Use I (WMXU-1)- This land use category is intended to provide compact residential development enabling use of alternative transportation and public transit to travel to work, recreation, shopping, and other needs. Residential uses in this designation include a variety of medium to high-density residential types and may also include retail and services, office, entertainment, education, civic, and open space to accommodate other needs. Conditional allowances for light industrial uses for things such as small-scale, artisan-style businesses may be allowed. Residential densities range from 24 to 39 du per acre and non-residential uses have a maximum Floor Area Ratio of 2.0.

A form-based zoning code for the Downtown Area Plan district is being prepared to accompany this General Plan. When adopted, it will serve as the Downtown Code and provide the foundation for additional zoning in the WMXU-1 land use area along the corridors.

Medium Density (R-M) - This land use category accommodates single-family detached housing up to 7.6 du per acre and single-family attached or multi-family housing up to 12 du per acre.

I-*L: Light Industrial (0.1–0.6 FAR*). Employee-intensive uses, including business parks, research and development, technology centers, corporate and support office uses, clean industry, supporting retail uses, truck and equipment sales and related services are allowed. Warehouses that are designed in ways that limit off-site impacts are also permitted.

City of Fontana Zoning and Development Code

The City's zoning and development code is found in the City of Fontana Municipal Code (Municipal Code) Chapter 30, Zoning and Development Code (Development Code), which carries out the City's General Plan policies by regulating development and land uses within Fontana. The Development Code establishes official land use zoning regulations and design guidelines and are designed to:

- Encourage the most appropriate use of land and ensure compatibility between uses;
- Provide open space for light, air, and the preservation of resources;
- Facilitate the timely provision of adequate infrastructure and community facilities;
- Promote excellent architectural design; and
- Promote health, safety, and general welfare of the citizens and visitors of Fontana.

Section 30 Zoning District Regulations

The Fontana MC Section establishes official land use zoning regulations and design guidelines. The zoning districts and regulations set forth are consistent with the goals and policies of the City of Fontana General Plan and are designed to:

1) Encourage the most appropriate use of land and ensure compatibility between uses;
2) Provide open space for light, air, and the preservation of resources;
3) Facilitate the timely provision of adequate infrastructure and community facilities;
4) Promote excellent architectural design; and
5) Promote health, safety, and general welfare of the citizens and visitors of Fontana.

The proposed Project includes changes to the existing zoning for the Warehouse, Malaga, and Palmetto sites. The zoning of the Warehouse site would be changed to (I-L) Light Industrial; The Malaga site would be changed to Form-Based Code (FBC) – Transitional District; and the Palmetto Site would be changed to Medium-Density Residential (R-2).

Section No. 30-234 Industrial Zoning Districts

Development Code Article VII, Industrial Zoning Districts, establishes development policies, use regulations, development standards, performance standards, and design guidelines specific to industrial development

The industrial zoning districts are established to create opportunities for a wide range of industrial operations to conduct business in the City, thereby building a strong economic base and providing employment opportunities for residents. Consistent with general plan land use policy, this establishes design guidelines and development policies intended to:

1) Encourage development of well-designed, functional industrial buildings;

2) Ensure that industrial operations are compatible with adjacent, non-industrial land uses; and
3) Ensure that industrial operations are conducted in a manner that does not threaten the health of City residents and does not harm the environment.

Section No. 30-444 – R-2 Medium Density Residential

The residential development standards for this zone are designed to create quality residential developments and serve as the minimum standards controlling development in the zone. The standards include but are not limited to: maximum dwelling units per acre, front, rear, and street setbacks, structure height, minimum du size (sf), parking setbacks, etc.

Form-Based Code (FBC) – Transitional District

The Transitional District is adjacent to more intense commercial uses providing a transition to more sensitive uses, such as residential. This district includes a mixture of commercial office, retail, personal services, and residential. Similar to the other zoning districts, this sets forth requirements related to allowable building types such as live-work, court and row houses, densities, setbacks from adjacent uses and streets, required parking, and balcony design.

North Fontana Conservation Program[4]

The North Fontana Conservation program (formerly known as the North Fontana Interim Multiple Species Habitat Conservation Plan) is a habitat conservation plan developed for northern sections of the City in which with Warehouse site is located. The Program is an effort by the City to foster and promote biological and ecological diversity in the region, while improving quality of life. There are distinct and State recognized rare plant communities found on the alluvial fans in the foothills of the San Gabriel and San Bernardino Mountains, including Riversidean Alluvial Fan Sage Scrub (RAFSS) habitat and Riversidean Sage Scrub (RSS). They are known to support several federally and state-listed species, including California gnatcatcher (CAGN), San Bernardino kangaroo rat (SBKR), slender-horned spineflower and Santa Ana River woolly star, as well as sensitive but unlisted species such as Los Angeles Pocket Mouse (LAPM). Both plant communities are found throughout the northern portions of the City of Fontana. This includes 2,310 acres of land that was approved for development.

The following describes the various qualities of habitat noted within the Program area. The Warehouse site is located in areas designated as unsuitable habitat, suitable habitat, and restorable habitat.

Occupied Habitat: Areas occupied by either SBKR or CAGN, federally listed species, will be mitigated at a 5:1 ratio (i.e., an applicant will pay Five times the determined per acre mitigation fee for developing this Project site or portion of the property), but occupied portions of the site can't be developed until the appropriate "take" authority is acquired from the Service.

Suitable Habitat: Areas of suitable RAFSS and RSS that may support sensitive plant and wildlife species but that do not support SBKR or CAGN will be mitigated at a 3:1 ratio (i.e., an applicant will pay three times the determined per acre mitigation fee for developing this Project site or portion of the property).

[4] City of Fontana. (2016). *Action Plan for Implementing the North Fontana Conservation Program.* Accessible at https://novus.fontana.org/CoverSheet.aspx?ItemID=9794&MeetingID=890

Restorable Habitat: RAFSS and RSS habitats that no longer provides suitable habitat because of the maturation process and/or a heavy understory of non-native grasses but that could be restored will be mitigated at a 2:1 ratio (i.e., an applicant will pay twice the determined per acre mitigation fee for developing this Project site or portion of the property). Non-native grasslands mixed with RAFSS and RSS that could be restored to an open RAFSS or RSS plant community structure will be mitigated at a 1:1 ratio (i.e., the applicant will pay the full determined mitigation fee per acre for developing this Project site or portion of the property).

Unsuitable Habitat: Areas that no longer provide suitable habitat and are not considered restorable due to the level of disturbance will be mitigated at a 0.5:1 ratio (i.e., an applicant will pay half the determined per acre mitigation for developing this Project site or portion of the property).

4.10.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project will have a significant environmental impact if one or more of the following occurs:

- Would the Project physically divide an established community? (see Impact 4.10-1);
- 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? (see Impact 4.10-2);

METHODOLOGY AND ASSUMPTIONS

The proposed Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning land use and planning. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts.

APPROACH TO ANALYSIS

This analysis of impacts on land use and planning components examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga Site and Palmetto sites and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: field observations conducted by Kimley-Horn; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component will or will not result in "substantial" adverse effects on land use and planning standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.10.5 IMPACTS AND MITIGATION MEASURES

Impact 4.10-1: Would the Project physically divide an established community?

Level of Significance: Less than Significant Impact

WAREHOUSE SITE

Construction and Operations

The Warehouse site is located on undeveloped land in the northeastern portion of the City. The Warehouse site is surrounded by existing development but it would not physically divide and established community. The site is undeveloped with the exception of a concrete pad from a formerly demolished home. There are no existing residential uses and no communities on the site. The nearest residence to the Warehouse site is the single-family unit adjacent to the northern Warehouse site boundary. The residence is located approximately 200 feet from Sierra Avenue and is connected by a driveway to the roadway. Construction and operation of the Warehouse site would not reduce residence of this home from accessing Sierra Avenue or any other off-site areas in the vicinity, city, or region as a whole.

The area proposed to be occupied by the Warehouse is immediately bordered by a Southern California Edison (SCE) public utility corridor (approximately 300 feet wide) to the east. Immediately adjacent to the utility corridor on the east is a residential subdivision in the City of Rialto. The subdivision is separated from the easterly side of the utility easement by a cinderblock wall that partially blocks views of the Warehouse site. An undeveloped area to the west and northwest of Sierra Avenue is a planned residential neighborhood, currently named the "Arboretum Special Project." To the south of the Warehouse site is Casa Grande Avenue which currently exists as a dirt road but that would be improved and paved under the proposed Project. Immediately south of Casa Grande Avenue is an approximate 20-acre triangular parcel and an SCE substation. These areas link the SCE easement on the easterly side of the Warehouse site, and also link the westerly portion of the easement that continues for approximately 1.5 miles west. Further south the land uses area characterized by industrial development that are within the Warehousing Distribution Logistics Overlay District. Sierra Avenue provides northerly connectivity to I-15 and south to SR-210. Between these two points there are seven local roadways that provide access to the industrial and residential development to the east and west of Sierra Avenue.

Construction of the Warehouse site would require temporary grading and excavation following by building of the warehouse, parking lot, utility extension, installation of landscaping, etc. All work would be contained to the Project site, but it is anticipated occasional truck traffic needed for deliveries of materials and hauling of construction debris to and from the site would be required. Similarly, operation of the warehouse, with the exception of vehicle traffic, would be contained to the site. Activities that would occur during both construction and operations could result in intermittent short term slowing of vehicle speeds on Sierra Avenue. This would be due to truck traffic using the roadway to access I-15 or SR-210. None of the warehouse related vehicle trips from construction or operation; however, would impair east-west travel between communities across Sierra Avenue. In addition, construction and operation would not impair the use of the adjacent single-family residence from accessing Sierra Avenue.

Therefore, due to the lack of developments occupying the Warehouse site and the neighboring residential communities' boundaries already established outside of the footprint of the site, construction and operation of the warehouse site would not physically divide any established communities. In addition, the

warehouse site is being proposed in a part of the city where the site is not critical to the connectivity of the community. The warehouse site does not serve the community as a gathering place nor would it substantially decrease the sense of community that may existing between the existing individual communities by creating a new division. Therefore, construction and operation of the Warehouse would not reduce the connectivity between any of the adjacent areas, and would not preclude access to any existing roadways that enable travel between any of the listed locations. Therefore, impacts would be less than significant and no mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

Both the Malaga and Palmetto sites are occupied by existing uses that include residential, vacant lots, and a church site on southern portion of the Palmetto site. Both sites are immediately adjacent to and accessed via two existing roadways; Palmetto Avenue and Valencia Avenue for the Palmetto site, and Malaga Street and Mango Avenue for the Malaga site. Neither of the sites contains a designated roadway or trail through which the site could be uses to provide connectivity to adjacent areas. The surrounding uses of the sites largely consist of residential areas with a few commercial and multi-family developments. The roadways surrounding the Project sites and within the generally vicinity is in a grid pattern and travel between adjacent areas is unencumbered except by usual traffic and traffic control devices.

As discussed above, approval of the proposed Project would not result in construction on either the Malaga or Palmetto sites. Instead, the Project proposes an upzoning of the sites which would enable future construction of higher density residential uses to conform to the requirements SB 330. In this way, direct impacts associated with dividing an established community would not occur. Indirectly; the proposed Project could result in future redevelopment of the site and construction with higher density residential housing on the Malaga and Palmetto sites, should they be developed as some time in the future. To enable construction and future operations, the existing uses on the site would first require removal structures prior to initiating construction of a new use. Demolition and Construction activities would occur within the respective sites and would not directly affect or change any of the existing surrounding uses. Demolition and construction of new uses would result in a temporary disturbance over a relatively short period of time. Notably, construction and related activities, would not affect the connectivity or reduce the ability of off-site uses to travel to other locations. Therefore, although future development, should it be undertaken, would change the uses, construction and operation would not reduce the connectivity that currently exists within the community and it would not be a physical division of the neighborhood. Additionally, all existing roadways and other routes used to travel between nearby and surrounding areas would remain open during construction.

Therefore, construction and operation of projects on the Malaga and Palmetto sites, should it occur, would not result in a physical division of the community. While a new use would replace the existing

development, albeit at a higher density, this would not result in a physical separation where none currently exists. Because these projects would not physically divide surrounding uses impacts would be less than significant, and mitigation is not required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.10-2: 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?

Level of Significance: Less than Significant Impact

CEQA requires that an EIR consider whether a Project may conflict with any applicable land use plan, policy, or regulation (including, but not limited to the general plan, specific plan, or zoning ordinance) that was adopted for the purpose of avoiding or mitigating an environmental effect. This environmental determination differs from the larger policy determination of whether a proposed Project is consistent with a jurisdiction's general plan. The broader General Plan consistency determination takes into account all evidence in the record concerning the Project characteristics, its desirability, as well as its economic, social, and other non-environmental effects. Regarding plan or policy consistency, a Project is evaluated in terms of whether the proposed site plan, design features, and/or development at this location would substantially impede implementation of an adopted plan or policy. The mere fact that a Project may be inconsistent in some manner with particular policies in a general plan or zoning ordinance does not, per se, amount to a significant environmental effect. In the context of land use and planning, significant impacts occur when a conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the Project results in an adverse physical environmental impact.

WAREHOUSE, MALAGA, AND PALMETTO SITES

Construction and Operations

SCAG 2016 RTP/SCS Strategies

Due to the comprehensive nature of the listed SCAG planning document, the three Project elements, the Warehouse, Malaga, and Palmetto sites have been designed to be compatible with the strategies proposed by SCAG in their 2016 RTP/SCS. These strategies were a collaborative effort between SCAG and local agencies with the intention of not only managing regional growth, but also maximizing ecological health. **Table 4.10-2**, *Project Compatibility with SCAG 2016 RTP/SCS Strategies* below describes the proposed Project's compatibility with the land use strategies proposed in SCAG's 2016 amendment of the RTP/SCS. Due to the Project's consistency with SCAG's 2016 RTP/SCS Land Use strategies, no significant impact is expected in this regard.

Table 4.10-2: Project Compatibility with SCAG 2016 RTP/SCS Strategies

RTP/SCS Strategies [1]	Project Compatibility
Reflect the Changing Population and Demands	**Consistent:** The City is building their identity as a work-play-learn city of opportunity where families, young adults, and older residents can all flourish. Fontana promotes a strong and viable local economy that balances the economic, environmental, sustainability and social needs of the city. The City is partnering with major employers to connect Fontanans to local jobs and encourage employees to live in Fontana. They are putting forth business-friendly policies to help small businesses and start-ups thrive.[2] In addition, the proposed Project is responsive to the recently adopted SB 330 intended to eliminate some of the causes and effects of the housing crisis.
Focus New Growth Around Transit	**Consistent:** High-Quality Transit Areas (HQTAs) require creation of complete streets.[1] The proposed Project would improve Casa Grande Dr., south of the Warehouse site and would include pedestrian walkways along the street connecting residential areas to open space and commercial and mixed-use zones. Sierra Avenue also is planned to have sidewalks constructed as a part of the Warehouse Project. Both upzonings of the Malaga and Palmetto sites would provide the opportunity for redevelopment with higher density residential uses in proximity to existing and planned mass transit opportunities along major travel corridors. In addition, the Malaga Site would be rezoned to *WMXU-1,* which is intended to provide compact residential development enabling use of alternative transportation and public transit to travel to work, recreation, shopping, and other needs.
Plan for Growth Around Livable Corridors	**Consistent:** The mobility of residents and workers in the Project areas (the Warehouse site, and the Malaga and Palmetto sites, should they be developed) would be improved. The Warehouse site would improve Sierra Avenue and Casa Grande Avenue area roadways and include sidewalks for pedestrian travel. Furthermore, within the Warehouse area, the City is committed to implement Livable Corridor framework for Sierra Avenue to support downtown revitalization and economic development.[2] The Malaga and Palmetto sites are both within ½ mile of Transit Oriented Design bus stops, and the Malaga Site would be rezoned to *WMXU-1,* which allows residential uses to include retail and services, office, entertainment, education, civic, and open space to accommodate other needs rendering a more flexible zoning responsive to community needs and livability.
Provide More Options for Short Trips	**Consistent:** The Warehouse site would improve the adjacent areas with new sidewalks, that would be built adjacent to the property along the roads, making the area more walkable for residents of surrounding communities, off-site industrial areas, and future workers at the Warehouse site. Both the Malaga and Palmetto sites would enable redevelopment with higher density uses within proximity to major corridors, and in proximity to existing or planned transit corridors. These projects would, if they are developed, enable the location of more residents closer to existing non-residential uses reducing the need for longer vehicle trips.
Support Local Sustainability Planning	**Consistent:** As a part of the City's sustainability policies, they are committed to pursue sustainability and resilience by making resource-efficient choices to conserve water, energy, and materials, improve air quality, and adjust to changing conditions. Development of the

RTP/SCS Strategies [1]	Project Compatibility
	Warehouse and upzoning of the Malaga site and Palmetto sites would help connect people and places by providing safe and efficient transportation choices, including pedestrian improvements and access to transit opportunities, while continuing to provide well-maintained streets, and connecting people to local city destinations from livable communities.
Protect Natural and Farm Lands	**Consistent:** The total area of the warehouse building is 332,996 square feet (sf), which would be located on 16.09 gross acres (15.21 net and 0.86 acres dedicated to the City for right-of-way and is zoned for residential use. This area is within the North Fontana Conservation Program (NFCP), which required over 50% of the site to be left as open space. The Warehouse would be mitigated at a 5:1 ratio. Both the Malaga and Palmetto sites are locations with existing urban development and have no natural or farmlands. As a result, development is permitted for this property. None of the areas are designated or used as farmland
[1] Source: 2016 SCAG RTP/SCS. (2016). *Chapter 5: The Road to Greater Mobility and Sustainable Growth - Land Use Strategies*. Accessible at http://scagrtpscs.net/Documents/2016/final/f2016RTPSCS_05_RoadToGreaterMobilityAndSustainableGrowth.pdf. [2] Source: City of Fontana. (2018). *Fontana Forward General Plan Update 2015-2035.* Accessible at https://www.fontana.org/DocumentCenter/View/28271/Complete-Document---Approved-General-Plan-Documents-11-13-2018.	

City of Fontana Zoning Code

The City of Fontana Zoning Code is not in and of itself intended to reduce impacts to the environment. The intent of the Zoning Code is to prescribe zones in which certain land uses are permitted, and to define allowable Project elements and designs within those zones. Nonetheless, conformance with the Zoning Code typically signifies that a Project would not result in environmental impacts beyond those which are already planned for or disclosed in an environmental document. In the case of the proposed Project the Warehouse site would be rezoned to I-L (light industrial). The Malaga and Palmetto sites would be upzoned to Form-Based Code (FBC) – Transitional District, and Residential Medium Density (R-2), respectively.

The proposed zone changes are intended to be responsive to existing as well as future demands for both industrial warehousing uses as well as being responsive to the housing crisis. Accordingly, the proposed Project includes both construction of warehouse and upzoning of the Malaga and Palmetto sites to enable high-density residential uses should future demand require such uses of the sites. The Warehouse site has been designed and would be constructed to conform to all applicable requirement of the proposed zone. All future development on the Malaga and Palmetto sites, should they occur would be designed and would be consistent with the requirements of the applicable proposed zones. All Project sites would be developed to tie into existing areas, would link to surrounding development, and would increase connectivity throughout the local areas. Regarding the Malaga and Palmetto sites, these would increase regional connectivity by potentially increasing the number of residents in proximity to major transportation corridors and transit. All Projects would be cohesively designed allowing for integrated features such as sidewalks and landscaping. The changed zones would be consistent with the associated policies of the applicable FCGP designations as intended. Consistent with this intent, the proposed Project implements and is consistent with the policies of the FCGP as the Project would provide regionally beneficial uses. The Malaga and Palmetto sites, should they occur in their proposed locations, represent

in-fill projects on a properties which could be maximized by providing additional housing in a market with a shortage of such uses.

As discussed above, the Zoning Code is meant to implement the designations as listed in the FCGP, which it would do. The proposed Project also has been analyzed for consistency with applicable FCGP goals and policies, below. Lastly, potential impacts on the environment associated with the proposed Project are discussed throughout the sections of this document. There would be no significant impacts as a result of inconsistencies with the zoning code. All associated impacts were found to be less than significant or would be less than significant with mitigation incorporated. Therefore, the proposed Project would satisfy the intent of the zoning ordinance.

FONTANA GENERAL PLAN

The proposed Project was evaluated for consistency with the applicable goals, policies, and action items of the FCGP. It should be noted that a Project need not satisfy all directional guidance contained in the FCGP and CEQA does not require a proposed Project to be consistent with all guidance but instead requires a discussion of inconsistencies. Nonetheless, the proposed Project and all its components were found to be substantially conforming with the applicable FCGP guidance. The proposed Project would promote a continuation of industrial warehousing uses similar to the existing uses to the south, and the Malaga and Palmetto sites would enable potential redevelopment of two areas with higher density residential uses in close proximity to existing and planned transit corridors. All Project areas would increase the interconnections of the transportation network and improving the walkability of the areas. The proposed Project enhance these areas making them more easily accessible to nearby residents and other uses. Additionally, consistent with the FCGP, mitigation measures have been included related to specific environmental resource areas to reduce or eliminate potential effects of the proposed Project.

The warehouse component of the proposed Project is consistent with the proposed FCGP designation and would be located in an area already proposed for development. Hence, the Warehouse site would disturb the same area as if the site was developed with residential uses. Due to the location and extension of industrial warehousing uses, services provided by the warehouse would be consistent with this surrounding area. Additionally, all proposed and anticipated uses would be consistent with the designation and the Warehouse site would be at or below the allowable FAR.

The upzoning of the Malaga and Palmetto sites associated with the proposed Project would enable higher density uses on the potential redevelopment sites. Although they would be different in scale and density, the potential residential components, which would be permitted based on both the amended FCGP designation and zone change would be permitted uses in the areas. In addition, consistent with the overall intent of the FCGP, redevelopment of the sites, should it occur, would provide residents access to major transportation corridors, mass transit, and fulfill the increased demand for higher density residential uses. All proposed uses would be within the allowable dwelling density of units per acre.

Ultimately, land use compatibility is a function of how well a Project is integrated with surrounding land uses. Land use compatibility impacts can be measured in terms of specific environmental effects such as noise, air quality, visual resources, and traffic. The land use compatibility analysis is therefore supported by other specific discussions within this EIR. All developments proposed in the City are reviewed for consistency with land use controls and development standards during the course of the Project review and approval process. Lastly, prior to any construction or development on any of the Project sites, the

Projects would have to be evaluated by the City for final consistency, disclosure of potential impacts, and approval of any required mitigation or conditions of Project approvals needed to reduce impacts.

The proposed Project has been designed to be compliant with applicable land use regulations within the FCGP. A summary of the Project's consistency with applicable land use goals and policies in the FCGP is located in **Table 4.10-3**, *Fontana General Plan 2015-2035 Consistency* below.

Table 4.10-3: Fontana General Plan 2015-2035 Consistency

General Plan Policy [1]	Project Consistency
LAND USE ELEMENT	
Goal 1: The Strategic Policy Map and the Future Land Use Map guide land-use decision making.	
Policy 1: Review citywide land use strategies when considering changes to the land use map.	**Consistent:** The City would review applicable zoning and land use designations and change as necessary. The City and the Planning Division would accept applications for changes to the Land Use map.
Policy 2: Keep zoning and other regulations up to date and consistent with the Future Land Use Map.	**Consistent:** The City would revise the Land Use map and keep it up to date upon Project approval by the Planning Division. The zones and Fontana Municipal Code also will be updated to maintain consistency with the General Plan as required.
Goal 2: Fontana development patterns support a high quality of life and economic prosperity.	
Policy 1: Preserve and enhance stable residential neighborhoods.	**Consistent:** Development, upzoning, or redevelopment of the Project sites will not intrude or substantially impact any residential neighborhood in the City of Fontana. Although areas are surrounding by existing development and other planned community are anticipated, the proposed Project would not affect the stability or reduce connectivity of existing residences.
Policy 2: Locate multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation.	**Consistent:** While the Warehouse is zoned as residential, the zone would be changed and a light industrial use to enable developed. This would require an upzoning of the Malaga and Palmetto sites, which, if developed would locate higher density residential uses in closer proximity to major transit corridors, public transportation, and the downtown corridor and associated mixed-use centers.
Policy 3: Locate industrial uses where there is easy access to regional transportation routes.	**Consistent:** The Warehouse site is located adjacent to Sierra Avenue, which is a major transportation route and designated truck route in the City. It is Approximately, 1.5 miles to the north is I-15, 1.5 miles south is the Foothill Freeway and 5 miles to the south on Sierra Avenue is a Metrolink access location.
Policy 4: Promote interconnected neighborhoods with appropriate transitions between lower intensity and higher intensity land uses.	**Consistent:** The nearest residential neighborhood to the Warehouse site is located roughly a half-mile north along Sierra Avenue. and there is an existing subdivision in Rialto to the east beyond the Utility easement. The Malaga site and Palmetto sites would be upzoned allowing for increased residential density of the sites should they be redeveloped but uses would remain consistent with surrounding areas. Therefore, the Project will not interfere with interconnected neighborhoods.

General Plan Policy [1]	Project Consistency
Policy 5: Preserve land to achieve an interconnected network of environmentally sensitive areas, parks, multi-use paths, and recreation areas.	**Consistent:** Neither the Warehouse site, Malaga site, or Palmetto sites have parks, multi-use paths, or recreational opportunities. Should they be developed they would include sidewalks to maintain walkability. The Warehouse site mitigates all impacts to biological resources and includes sidewalks and bike lanes to improve non-vehicular traffic. All impacts associated with biological resources or other environmental considerations would be less than significant or reduced to less than significant to the extent feasible.
Goal 3: Downtown is a dynamic center of activity, with new housing options, walkable environments, and a mixture of uses attracting residents and visitors.	
Policy - Promote revitalization and redevelopment of older neighborhoods	**Consistent**: While the Warehouse site is undeveloped, both the Malaga site and Palmetto sites include upzoning of older properties that have existing uses mainly, single-family residential units. The proposed Project would enable redevelopment of the sites with higher density development while providing amenities and helping to revitalize the area.
Policy – Encourage infill on vacant and underutilized parcels	**Consistent:** The upzoning of the Malaga and Palmetto sites would be on parcels with existing uses, primarily single-family residential units. The areas are surrounded by existing urban development. In the context of the City's desire to create downtown core the Project is consistent with this policy. The Warehouse would be in an area adjacent to other similar uses and the Warehouse Distribution Logistics Overlay District.
Policy – Transform downtown into a vibrant local and regional destination.	**Consistent:** The upzoning of the Malaga and Palmetto sites would enable redevelopment of the existing parcels with multifamily uses as well as some commercial uses potentially including live-work opportunities on the Palmetto site. This would serve future residents as well as surrounding neighborhoods. In the context of the City's desire to create a more vibrant city core, the Project is consistent with this policy. The Warehouse site is outside the downtown.
Goal 4: Compact, walkable, mixed-use centers are located at key locations along corridors to be served by public transit in the future and at intersections where neighborhood retail and diverse housing options can succeed.	
Policy– Promote a land use pattern that provides connections among land uses and a mixture of land uses.	**Consistent**: The upzoning of the Malaga and Palmetto sites would enable redevelopment of the existing parcels with multifamily uses in areas that are predominantly single-family. In addition, some neighborhood serving commercial uses may be included to the Palmetto site. If the sites are developed, they would not detract but most likely add to neighborhood connectivity with revitalized sidewalks.
Goal 5: High-quality job-producing industrial uses are concentrated in a few locations where there is easy access to regional transportation routes.	
Policy 1: Promote the Southwest Industrial Park and the I-10 corridor as preferred locations for industrial uses.	**Consistent:** The Project site is located approximately six miles north of I-10 but approximately 1.5 miles south of I-15 and approximately 1.5 miles north of the Foothill Freeway, both of which provide access to or are connected to the I-10 corridor.
Policy 2: Maintain but do not expand existing heavy industrial land use areas in proximity to one another and to services for industrial uses	**Consistent:** The Warehouse site is not considered heavy industrial, but rather is light industrial and warehousing.

General Plan Policy [1]	Project Consistency
Policy 3: Avoid locating small areas of residential uses where they will be surrounded by intensive commercial or industrial uses	**Consistent:** The Warehouse site does not include residential uses. The Malaga and Palmetto sites would be located adjacent to existing residential areas in established neighborhoods.
Goal 7: Public and private development meets high design standards.	
Policy 1: Support high-quality development in design standards and in land use decisions.	**Consistent:** Construction of the Warehouse, Malaga, and Palmetto sites will be held to high-quality design standards and land use decisions and require approval by City Council and Planning Commission.
COMMUNITY MOBILITY AND CIRCULATION ELEMENT	
Goal 1: The City of Fontana has a comprehensive and balanced transportation system, with safety and multimodal accessibility the top priority of citywide transportation planning, as well as accommodating freight movement.	
Policy 1: Provide roadways that serve the needs of Fontana residents and commerce, and that facilitate safe and convenient access to transit, bicycle facilities, and walkways.	**Consistent:** The Warehouse site will construct sidewalks on the both Sierra Avenue and Casa Grande Avenue. The Malaga and Palmetto sites also will include pedestrian-oriented improvements. In addition, bicycle racks or storage areas would be provided at the Warehouse site. The Project, will be adequate in serving the needs of Fontana residents and commerce.
Policy 2: Apply the six "E's" of the Safe Routes to School program to transportation planning and implementation—Encouragement, Education, Engineering, Enforcement, Evaluation, and Equity.	**Consistent:** The Project will adhere to all rules regarding the Safe Routes to School program.
Policy 3: Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy.	**Consistent:** The Warehouse site would support walking through the construction of sidewalks on the site. All other construction regarding bicycling and access to public transit use with comply with the RTP/SCS. Both the Malaga and Palmetto sites would be located in close proximity to major transit corridors and existing and planned transit routes.
Policy 4: Monitor the development of autonomous vehicle systems and potential benefits and impacts on Fontana.	**Consistent:** The City of Fontana will continue to monitor all such developments.
Goal 3: Local transit within the City of Fontana is a viable choice for residents, easily accessible and serving destinations throughout the city.	
Policy: Promote concentrated development patterns in coordination with transit planning to maximize service efficiency and ridership.	**Consistent**: The upzoning of the Malaga and Palmetto sites would enable redevelopment of the existing parcels with multifamily uses that would be in proximity to existing transportation corridors with mass transit and planned transit opportunities.
Goal 4: *Fontana's neighborhood streets maintain a residential character and support a range of transportation options.*	
Balance neighborhood traffic circulation needs with the goal of creating walkable and bike-friendly neighborhoods	**Consistent**: The upzoning of the Malaga and Palmetto sites would enable redevelopment of the existing parcels with multifamily uses that would maintain existing circulation pattern which enable biking and walking on existing sidewalks.
Goal 5: Fontana's commercial and mixed-use areas include a multi-functional street network that ensures a safe, comfortable, and efficient movement of people, goods, and services to support a high quality of life and economic vitality.	

General Plan Policy [1]	Project Consistency
Policy 1: Provide a transportation network that is compatible with the needs of commerce and those who live, work and shop in mixed-use areas.	**Consistent:** The roads surrounding the Warehouse site will be compatible with transportation demands of those traveling to live, work, and shop in mixed-use areas. The roads surrounding the Malaga and Palmetto sites will be adequate to convey Project-related traffic.
Policy 2: Encourage mixed use and commercial developments that support walking, bicycling, and public transit use while balancing the needs of motorized traffic to serve such developments.	**Consistent:** The Warehouse site will remain consistent with all policies on surrounding properties that may be mixed use or commercial developments, and the Malaga and Palmetto sites will include designs to support alternative modes of transportation.
Goal 7: The city has attractive and convenient parking facilities, including electric charging stations, for both motorized and nonmotorized vehicles that meet needs that fit the context.	
Policy 1: Lead and participate in initiatives to manage regional traffic.	**Consistent:** The Warehouse site will comply with all policies and regulations in efforts to reduce traffic on the surrounding transportation networks. The Malaga and Palmetto sites are in proximity to major transportation corridors and transit routes.
Policy 2: Coordinate with regional agencies and Caltrans to participate in regional efforts to maintain transportation infrastructure in Fontana.	**Consistent:** The City will ensure the Warehouse, Malaga, and Palmetto Projects will remain consistent with Caltrans and all regional agencies in efforts to either construct, maintain, or improve Sierra Avenue, Casa Grande Avenue, or other roadways in the Project areas.
Policy 3: Participate in the efforts of the Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reductions.	**Consistent:** The City will ensure the Warehouse site, Malaga site, and Palmetto site complies with applicable aspects of the SCAG 2016 RTP/SCS.
Policy 4: Participate in the efforts by Caltrans to reduce congestion and improve traffic flow on area freeways.	**Consistent:** The Project will comply and remain consistent with all efforts by Caltrans to reduce congestion and improve traffic flow on local freeways.
SUSTAINABILITY AND RESILIENCE ELEMENT	
Goal 6: Green building techniques are used in new development and retrofits.	
Policy 1: Promote green building through guidelines, awards and nonfinancial incentives.	**Consistent:** The City will support the Warehouse Project's green building initiatives through guidelines, awards, and nonfinancial incentives. If the Malaga and Palmetto sites are redeveloped, green building designs will be incorporated.
ECONOMY, EDUCATION, AND WORKPLACE DEVELOPMENT ELEMENT	
Goal 1: Promote a diversified economy that builds on existing business sectors and develops, attracts and retains future job-creating sectors.	
Policy 1: Support resources for the City's economic development department to develop and implement strategies to attract and grow businesses that provide tax revenue and opportunities for diversified and high-paying jobs for Fontana residents.	**Consistent:** All proposed Project sites, if developed, will provide tax revenue towards the City and will provide jobs to Fontana residents.
Policy 2: Support initiatives for entrepreneurship in potential growth sectors.	**Consistent:** All Project elements will remain consistent will the City's initiatives in potential growth sectors.

General Plan Policy [1]	Project Consistency
Policy 3: Leverage the resources of organizations such as the San Bernardino County Economic Development Agency and the Workforce Investment Board to help Fontana businesses promote in-city jobs and help residents find local job opportunities	**Consistent:** The San Bernardino County Economic Development Agency and the Workforce Investment Board will promote job opportunities with the Project during construction and operation for Fontana residents.
Goal 3: Plan Fontana as a "complete community" with a balance of diverse neighborhoods, amenities, services, and infrastructure that supports a qualified workforce and attracts business.	
Policy 1: Strengthen community institutions and development patterns that provide a high quality of life and that correspond to the values of the millennial generation—the majority of workers starting in 2016.	**Consistent:** Development of the Warehouse site and development of the Malaga site and Palmetto sites, should it occur, will remain consistent with community development patterns to provide a high quality of life to Project workers, residents, and those who live and work in surrounding properties.
Goal 4: Revitalize Fontana's downtown and Sierra Avenue corridor to provide an attractive area for new businesses to locate and create a lively center of government, education, medical care, arts, culture and entertainment, restaurants and new housing.	
Policy 1: Implement a comprehensive Downtown Area Plan	**Consistent:** The Warehouse site and Malaga site are outside the Downtown Area Plan. The Palmettos site is within the eastside neighborhoods in the easterly side of the Downtown Area Plan.
Policy-Promote initiatives to attract housing in the downtown vicinity for households of all types as a way to support new retail, restaurant, and entertainment options in downtown.	**Consistent:** The Malaga and Palmetto sites would be upzoned to allow for redevelopment of the two sites at an increased density. The Palmetto site, could, should it be built contain neighborhood supporting commercial uses such as small retail, restaurant, and local entertainment.
[1] Source: City of Fontana. (2018). *City of Fontana General Plan 2015-2035.* Accessible at https://www.fontana.org/2632/General-Plan-Update-2015---2035.	

The proposed Project is shown to be consistent with the Fontana GP sections in Table 4.10-4 above. No substantial conflicts have been found and therefore, a significant impact is not expected.

NORTH FONTANA CONSERVATION PROGRAM

The North Fontana Conservation program (formerly known as the North Fontana Interim Multiple Species Habitat Conservation Plan) is a habitat conservation plan developed for northern sections of the City. The Program is an effort by the City to foster and promote biological and ecological diversity in the region, while improving quality of life of residents. There are distinct and State recognized rare plant communities found on the alluvial fans in the foothills of the San Gabriel and San Bernardino Mountains, including Riversidean Alluvial Fan Sage Scrub (RAFSS) habitat and Riversidean Sage Scrub (RSS). These habitats are known to support several federally and state listed species, including California gnatcatcher (CAGN), San Bernardino kangaroo rat (SBKR), slender-horned spineflower and Santa Ana River woolly star, as well as sensitive but unlisted species such as Los Angeles Pocket Mouse (LAPM). Both plant communities are found throughout the northern portions of the City of Fontana, which includes 2,310 acres of land that was previously approved for development, including the Warehouse site. Mitigation Measure BIO-4 in discussed in Section 4.3, Biological Resources requires mitigation consistent with the North Fontana Conservation Program.

Therefore, no conflicts with an adopted land use plan, policy, or regulation has been identified and impacts are considered less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.10.6 CUMULATIVE IMPACTS

For purposes of land use and planning impact analysis, cumulative impacts are considered for cumulative development according to the related projects. Those projects represent past, present, and potential future projects that could lead to cumulative impacts when combined with the proposed Project. The geographic context for the land use and planning cumulative impact analysis includes the jurisdiction of local and regional agencies including the City of Fontana, San Bernardino County and SCAG. Future development of the Warehouse site, Malaga site, and Palmetto site will be reviewed for consistency with adopted planning documents and policies associated with the previously listed agencies. This will be done in accordance with the requirements of CEQA, the California Zoning and Planning Law and the California Subdivision Map Act, all of which require findings of plan and policy consistency prior to approval of entitlements for development.

Implementation of the proposed Project, when considered in conjunction with other existing and planned developments would result in the development of one currently vacant and undeveloped sites (Warehouse site) as well as the upzoning and potential redevelopment of the Malaga and Palmetto sites. The Warehouse site would be converted from an existing land uses designation to an industrial use to enable development as a commercial warehouse. The approximately 15.23-acre warehouse site is presently undeveloped and located within the City of Fontana. The City of Fontana GP currently designates the Project site as Medium Density Residential, with a small portion of Multi-Family High Residential. However, the builder has requested a zoning change to Regional Mixed Use with a Warehousing Distribution/Logistics Overlay, similar to the land use designations directly south of the Project.

To compensate for the loss of potential housing that could be developed on the Warehouse site, the Project proposes to upzone the Malaga and Palmetto sites to Walkable Mixed-Use I (WMXU01) and Medium Density Residential (R-M), respectively. This would allow for the potential future redevelopment of the sites with up to 219 dwelling units. This would account for the loss of the potential for residential development on the Warehouse site and conform to the requirements of SB 330 by providing the RUR sites.

Lastly, it should be noted that future projects, including those not listed in Table 4.0-1 also could request GP amendments and/or zone changes. Each proposed amendment or zone change would be required to undergo an environmental review process and show a consistency analysis with the Fontana GP and/or MC prior to adoption of any project. This would reduce the potential for conflicts related to land use. For this reason, the cumulative impact associated with conflict of future development with adopted plans and policies is less than significant. In addition, development of the Warehouse site within the North Fontana Conservation Program is compatible with the requirements of that plan, and due to the nature of development surrounding the Warehouse site, allows for the preservation of more contiguous and valuable land. Therefore, the proposed Project would not conflict with applicable plans or policies, and

cumulative impact of the Project with respect to future development are not cumulatively considerable and is, therefore, less than significant.

4.10.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable land use or planning impacts have been identified.

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4.11 NOISE

4.11.1 INTRODUCTION

This section evaluates both construction-related and operational noise and vibration levels to on-site and surrounding land uses resulting from the proposed Sierra at Casa Grande Avenue Warehouse Project ("proposed Project," "Project"), including the Malaga and the Palmetto sites. The analysis in the section evaluates the level of noise impacts the proposed Project would have on the environment, including associated impacts with the proposed residential replacement sites (RURs). Noise data and assumptions that are used for quantifying the proposed Project's emissions are based on the following sources completed by Kimley-Horn. The noise data and calculations are included in Appendix G of this EIR.

- Acoustical Assessment Sierra Avenue and Casa Grande Warehouse Project (June 2020);
- Mango Replacement Site Noise Impacts Memorandum (June 2020);
- Palmetto Replacement Site Noise Impacts Memorandum (June 2020); and
- City of Fontana General Plan.

4.11.2 ENVIRONMENTAL SETTING

WAREHOUSE SITE

The proposed Warehouse site is located in the northeastern portion of the City; approximately 330 feet west of the City border with the City of Rialto. The Warehouse site consists of three connected parcels on the northeast corner of the Sierra Avenue and Casa Grande Avenue intersection. Regional access would be available to the site via transportation routes including State Route 210 and Interstate Highway I-15. The State Route 210 entrance and exit is located approximately 1.5 miles south of the proposed Project via Sierra Avenue. The Interstate Highway I-15 entrance and exit is located approximately 1.6 miles north of the proposed Project via Sierra Avenue.

The Warehouse site is a rectangular lot, mostly vacant, and unimproved site on approximately 16.5-gross acres (15.34-net acres) or approximately 661,561-square feet. A concrete foundation from a former house remains in the site northwest corner of the property, while the remaining portion of the property is undeveloped land covered with natural vegetation, including two trees on the west side of the site. Additionally, there is debris consisting of mostly rocks, dirt, tires, and an old domestic sprinkler hose. The property is zoned R-5 and R-2 for single-family residential and regional-mixed use commercial development by the City of Fontana, respectively.

MALAGA AND PALMETTO SITES

The Project is proposing RURs for the development of residential dwelling units at two Project sites within the City of Fontana in efforts to account for the potential residential dwelling units lost with the development of the proposed Warehouse facility. The two replacement sites are proposed within the City: the Malaga and Palmetto sites.

The Malaga site is located on the northwest corner of the intersection of Mango Avenue at Malaga Street and is currently 5.69 acres and occupied by 14 existing residential dwelling units. The Malaga site is bound

by single family homes adjacent to Fairfax Street on the north, Mango Avenue to the east, Malaga Street to the south, and an undeveloped parcel to the west.

The Palmetto site is located on the northeast corner of the intersection of Palmetto Avenue at Valencia Avenue and is currently 3.58 acres and occupied by 8 existing residential dwelling units and a church building. The Palmetto site is primarily developed with single-family residential units. The northernmost residential lot is used for vehicle and boat storage and the southernmost lot is developed with a church and parking lot. Within the Palmetto site there are two areas that are undeveloped portions of the existing lots. The Palmetto site is bound by Valencia Avenue on the south, Palmetto Avenue to the west, a small strip mall with four business fronts along Arrow Boulevard to the north, and residential uses to the east.

The replacement of residential land uses due to the development of the proposed Project would result in the development of a maximum of 219 new residential dwelling units, in addition to the existing units on each site. The 219 dwelling units would be split proportionally between the two replacement sites as follows:

- Malaga Site: 195 new dwelling units
    - 14 existing dwelling units
    - 209 on-site total dwelling units
    - Proposed Residential Designation: R-MF: Multi-Family Residential (12.1-24 du/ac) or WMXU-1: Walkable Mixed Use Corridor & Downtown (0.2-2 FAR, 3-39 du/ac)
- Palmetto Site: 24 new dwelling units
    - 8 existing dwelling units
    - 32 on-site total dwelling units
    - Proposed Residential Designation: R-MF: Multi-Family Residential (12.1-24 du/ac) or WMXU-1: Walkable Mixed Use Corridor & Downtown (0.2-2 FAR, 3-39 du/ac)

CHARACTERISTICS OF NOISE

Acoustics is the science of sound. Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a medium (e.g., air) to human (or animal) ear. If the pressure variations occur frequently enough (at least 20 times per second), they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound and is expressed as cycles per second, or hertz (Hz).

Noise is defined as loud, unexpected, or annoying sound. In acoustics, the fundamental model consists of a noise source, a receptor, and the propagation path between the two. The loudness of the noise source, obstructions, or atmospheric factors affecting the propagation path, determine the perceived sound level and noise characteristics at the receptor. Acoustics deal primarily with the propagation and control of sound. A typical noise environment consists of a base of steady background noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These sources can vary from an occasional aircraft or train passing by to continuous noise from traffic on a major highway. Perceptions of sound and noise are highly subjective from person to person.

Measuring sound directly in terms of pressure would require a large range of numbers. To avoid this, the decibel (dB) scale was devised. The dB scale uses the hearing threshold of 20 micropascals (µPa) as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a practical range. The dB scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels correspond closely to human perception of relative loudness. **Table 4.11-1,** *Typical Noise Levels* provides typical noise levels.

Table 4.11-1: Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	– 110 –	Rock Band
Jet fly-over at 1,000 feet		
	– 100 –	
Gas lawnmower at 3 feet		
	– 90 –	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	– 80 –	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawnmower, 100 feet	**– 70 –**	Vacuum cleaner at 10 feet
Commercial area		Normal Speech at 3 feet
Heavy traffic at 300 feet	**– 60 –**	
		Large business office
Quiet urban daytime	**– 50 –**	Dishwasher in next room
Quiet urban nighttime	**– 40 –**	Theater, large conference room (background)
Quiet suburban nighttime		
	– 30 –	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	– 20 –	
		Broadcast/recording studio
	– 10 –	
Lowest threshold of human hearing	**– 0 –**	Lowest threshold of human hearing

dBA = A-weighted decibels; mph = miles per hour
Source: California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

NOISE DESCRIPTORS

The dB scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Several rating scales have been developed to analyze the adverse effect of community noise on people. Because environmental noise fluctuates over time, these scales consider that the effect of noise on people is largely dependent on the total acoustical energy content of the noise, as well as the time of day when the noise occurs. The equivalent noise level (L_{eq}) is the average noise level averaged over the measurement period, while the day-night noise level (L_{dn}) and Community Equivalent Noise Level (CNEL) are measures of energy average during a 24-hour period, with dB weighted sound levels from 7:00 p.m. to 7:00 a.m. Most commonly, environmental sounds are described in terms of L_{eq} that has the same acoustical energy as the

summation of all the time-varying events. Each is applicable to this analysis and defined in **Table 4.11-2,** *Definitions of Acoustical Terms.*

Table 4.11-2: Definitions of Acoustical Terms

Term	Definitions
Decibel (dB)	A unit describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure. The reference pressure for air is 20.
Sound Pressure Level	Sound pressure is the sound force per unit area, usually expressed in µPa (or 20 micronewtons per square meter), where 1 pascals is the pressure resulting from a force of 1 newton exerted over an area of 1 square meter. The sound pressure level is expressed in dB as 20 times the logarithm to the base 10 of the ratio between the pressures exerted by the sound to a reference sound pressure (e.g., 20 µPa). Sound pressure level is the quantity that is directly measured by a sound level meter.
Frequency (Hz)	The number of complete pressure fluctuations per second above and below atmospheric pressure. Normal human hearing is between 20 Hz and 20,000 Hz. Infrasonic sound are below 20 Hz and ultrasonic sounds are above 20,000 Hz.
A-Weighted Sound Level (dBA)	The sound pressure level in dB as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high-frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.
Equivalent Noise Level (L_{eq})	The average acoustic energy content of noise for a stated period of time. 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. For evaluating community impacts, this rating scale does not vary, regardless of whether the noise occurs during the day or the night.
Maximum Noise Level (L_{max}) Minimum Noise Level (L_{min})	The maximum and minimum dBA during the measurement period.
Exceeded Noise Levels (L_{01}, L_{10}, L_{50}, L_{90})	The dBA values that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period.
Day-Night Noise Level (L_{dn})	A 24-hour average L_{eq} with a 10 dBA weighting added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity at nighttime. The logarithmic effect of these additions is that a 60 dBA 24-hour L_{eq} would result in a measurement of 66.4 dBA L_{dn}.
Community Noise Equivalent Level (CNEL)	A 24-hour average L_{eq} with a 5 dBA weighting during the hours of 7:00 a.m. to 10:00 a.m. and a 10 dBA weighting 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, respectively. The logarithmic effect of these additions is that a 60 dBA 24-hour L_{eq} would result in a measurement of 66.7 dBA CNEL.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Intrusive	That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends on its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

HUMAN RESPONSE TO NOISE

The human response to environmental noise is subjective and varies considerably from individual to individual. Noise in the community has often been cited as a health problem, not in terms of actual physiological damage, such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. The health effects of noise in the community arise from interference with human activities, including sleep, speech, recreation, and tasks that demand concentration or coordination. Hearing loss can occur at the highest noise intensity levels.

Noise environments and consequences of human activities are usually well represented by median noise levels during the day or night or over a 24-hour period. Environmental noise levels are generally considered low when the CNEL is below 60 dBA, moderate in the 60 to 70 dBA range, and high above 70 dBA. Examples of low daytime levels are isolated, natural settings with noise levels as low as 20 dBA and quiet, suburban, residential streets with noise levels around 40 dBA. Noise levels above 45 dBA at night can disrupt sleep. Examples of moderate-level noise environments are urban residential or semi-commercial areas (typically 55 to 60 dBA) and commercial locations (typically 60 dBA). People may consider louder environments adverse, but most will accept the higher levels associated with noisier urban residential or residential-commercial areas (60 to 75 dBA) or dense urban or industrial areas (65 to 80 dBA). Regarding increases in dBA, the following relationships should be noted:

- Except in carefully controlled laboratory experiments, a 1-dBA change cannot be perceived by humans.
- Outside of the laboratory, a 3-dBA change is considered a just-perceivable difference.
- A minimum 5-dBA change is required before any noticeable change in community response would be expected. A 5-dBA increase is typically considered substantial.
- A 10-dBA change is subjectively heard as an approximate doubling in loudness and would almost certainly cause an adverse change in community response.

EFFECTS OF NOISE ON PEOPLE

Hearing Loss

While physical damage to the ear from an intense noise impulse is rare, a degradation of auditory acuity can occur even within a community noise environment. Hearing loss occurs mainly due to chronic exposure to excessive noise but may be due to a single event such as an explosion. Natural hearing loss associated with aging may also be accelerated from chronic exposure to loud noise. The Occupational Safety and Health Administration has a noise exposure standard that is set at the noise threshold where hearing loss may occur from long-term exposures. The maximum allowable level is 90 dBA averaged over 8 hours. If the noise is above 90 dBA, the allowable exposure time is correspondingly shorter.

Annoyance

Attitude surveys are used for measuring the annoyance felt in a community for noises intruding into homes or affecting outdoor activity areas. In these surveys, it was determined that causes for annoyance include interference with speech, radio and television, house vibrations, and interference with sleep and rest. The L_{dn} as a measure of noise has been found to provide a valid correlation of noise level and the percentage of people annoyed. People have been asked to judge the annoyance caused by aircraft noise and ground transportation noise. There continues to be disagreement about the relative annoyance of these different sources. A noise level of about 55 dBA L_{dn} is the threshold at which a substantial percentage of people begin to report annoyance.[1]

[1] Federal Interagency Committee on Noise, Federal Agency Review of Selected Airport Noise Analysis Issues, August 1992.

GROUNDBORNE VIBRATION

Sources of groundborne vibrations include natural phenomena (earthquakes, volcanic eruptions, sea waves, landslides, etc.) or man-made causes (explosions, machinery, traffic, trains, construction equipment, etc.). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude. One is the peak particle velocity (PPV); another is the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. The RMS velocity is defined as the average of the squared amplitude of the signal. The PPV and RMS vibration velocity amplitudes are used to evaluate human response to vibration.

Table 4.11-3, *Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibrations*, displays the reactions of people and the effects on buildings produced by continuous vibration levels. The annoyance levels shown in the table should be interpreted with care since vibration may be found to be annoying at much lower levels than those listed, depending on the level of activity or the sensitivity of the individual. To sensitive individuals, vibrations approaching the threshold of perception can be annoying. Low-level vibrations frequently cause irritating secondary vibration, such as a slight rattling of windows, doors, or stacked dishes. The rattling sound can give rise to exaggerated vibration complaints, even though there is very little risk of actual structural damage. In high noise environments, which are more prevalent where groundborne vibration approaches perceptible levels, this rattling phenomenon may also be produced by loud airborne environmental noise-causing induced vibration in exterior doors and windows.

Table 4.11-3: Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibrations

Peak Particle Velocity (in/sec)	Approximate Vibration Velocity Level (VdB)	Human Reaction	Effect on Buildings
0.006-0.019	64-74	Range of threshold of perception	Vibrations unlikely to cause damage of any type
0.08	87	Vibrations readily perceptible	Recommended upper level to which ruins and ancient monuments should be subjected
0.1	92	Level at which continuous vibrations may begin to annoy people, particularly those involved in vibration-sensitive activities	Virtually no risk of architectural damage to normal buildings
0.2	94	Vibrations may begin to annoy people in buildings	Threshold at which there is a risk of architectural damage to normal dwellings
0.4-0.6	98-104	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Architectural damage and possibly minor structural damage

Source: California Department of Transportation, *Transportation and Construction Vibration Guidance Manual*, 2013.

Ground vibration can be a concern in instances where buildings shake, and substantial rumblings occur. However, it is unusual for vibration from typical urban sources such as buses and heavy trucks to be

perceptible. Common sources for groundborne vibration are planes, trains, and construction activities such as earth-moving which requires the use of heavy-duty earth moving equipment. For the purposes of this analysis, a PPV descriptor with units of inches per second (in/sec) is used to evaluate construction-generated vibration for building damage and human complaints.

EXISTING NOISE SOURCES

The City is impacted by various noise sources. Mobile sources of noise, especially cars, trucks, and trains are the most common and significant sources of noise. Other noise sources are the various land uses (i.e., residential, commercial, institutional, and recreational and parks activities) throughout the City that generate stationary-source noise.

Mobile Sources

Existing roadway noise levels were calculated for the roadway segments in the vicinity of the Warehouse Site. This task was accomplished using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108) and existing traffic volumes from the *Traffic Impact Study for the Proposed Sierra and Casa Grande Warehouse*, prepared by Kimley-Horn (May 2020) (Traffic Impact Study [TIA]). The noise prediction model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average vehicle noise rates (also referred to as energy rates) used in the FHWA model have been modified to reflect average vehicle noise rates identified for California by the California Department of Transportation (Caltrans). The Caltrans data indicates that California automobile noise is 0.8 to 1.0 dBA higher than national levels and that medium and heavy truck noise is 0.3 to 3.0 dBA lower than national levels. The average daily noise levels along roadway segments in proximity to the Warehouse site are included in **Table 4.11-4,** *Warehouse Site Existing Traffic Noise Levels*. As shown in **Table 4.11-4,** existing traffic noise levels in the Project vicinity range between 67.2 dBA CNEL and 72.2 dBA CNEL.

Table 4.11-4: Warehouse Site Existing Traffic Noise Levels

Roadway Segment	ADT	dBA CNEL[1]
Sierra Avenue		
North of Casa Grande Avenue	9,756	67.2
Between Casa Grande Avenue and SR-210 WB Ramps	21,528	71.0
Between SR-210 WB Ramps and EB Ramps	25,283	71.7
South of SR-210 Eastbound Ramps	28,770	72.2

ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level
1. Traffic noise levels are at 100 feet from the roadway centerline.
Source: Based on traffic data provided by Kimley-Horn and Associates, Inc., May 2020. Refer to Appendix A for traffic noise modeling results.

Stationary Sources

The primary sources of stationary noise in the Project vicinity are those associated with the operations of adjacent warehouse uses to the south and southeast of the Project. The noise associated with these sources may represent a single-event noise occurrence or short-term noise. Other noises include mechanical equipment (e.g., heating ventilation and air conditioning [HVAC] equipment), dogs barking, idling vehicles, and residents talking.

NOISE MEASUREMENTS

The Warehouse site is currently vacant and unoccupied. To quantify existing ambient noise levels in the Project area, Kimley-Horn conducted three short-term noise measurements on February 20, 2020 (see Appendix G for Noise Data Calculations). The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the Project site. The 10-minute measurements were taken between 12:30 p.m. and 2:00 p.m. near potential sensitive receptors. Short-term L_{eq} measurements are considered representative of the noise levels throughout the day. The average noise levels and sources of noise measured at each location are listed in **Table 4.11-5,** *Warehouse Site Existing Noise Measurements* and shown on **Figure 4.11-1,** *Warehouse Site Noise Measurement Locations.*

Table 4.11-5: Warehouse Site Existing Noise Measurements

Site #	Location	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)	Time
1	West Dawnview Drive cul-de-sac to the east of the Project site.	37.8	32.6	60.2	12:43 p.m.
2	West Fairview Drive cul-de-sac to the east of the Project site.	45.4	33.4	60.5	12:58 p.m.
3	To the west of the Project site along Sierra Avenue.	73.2	40.6	89.9	1:25 p.m.
Source: Noise measurements taken by Kimley-Horn, February 20, 2020. See Appendix A for noise measurement results.					

SENSITIVE RECEPTORS

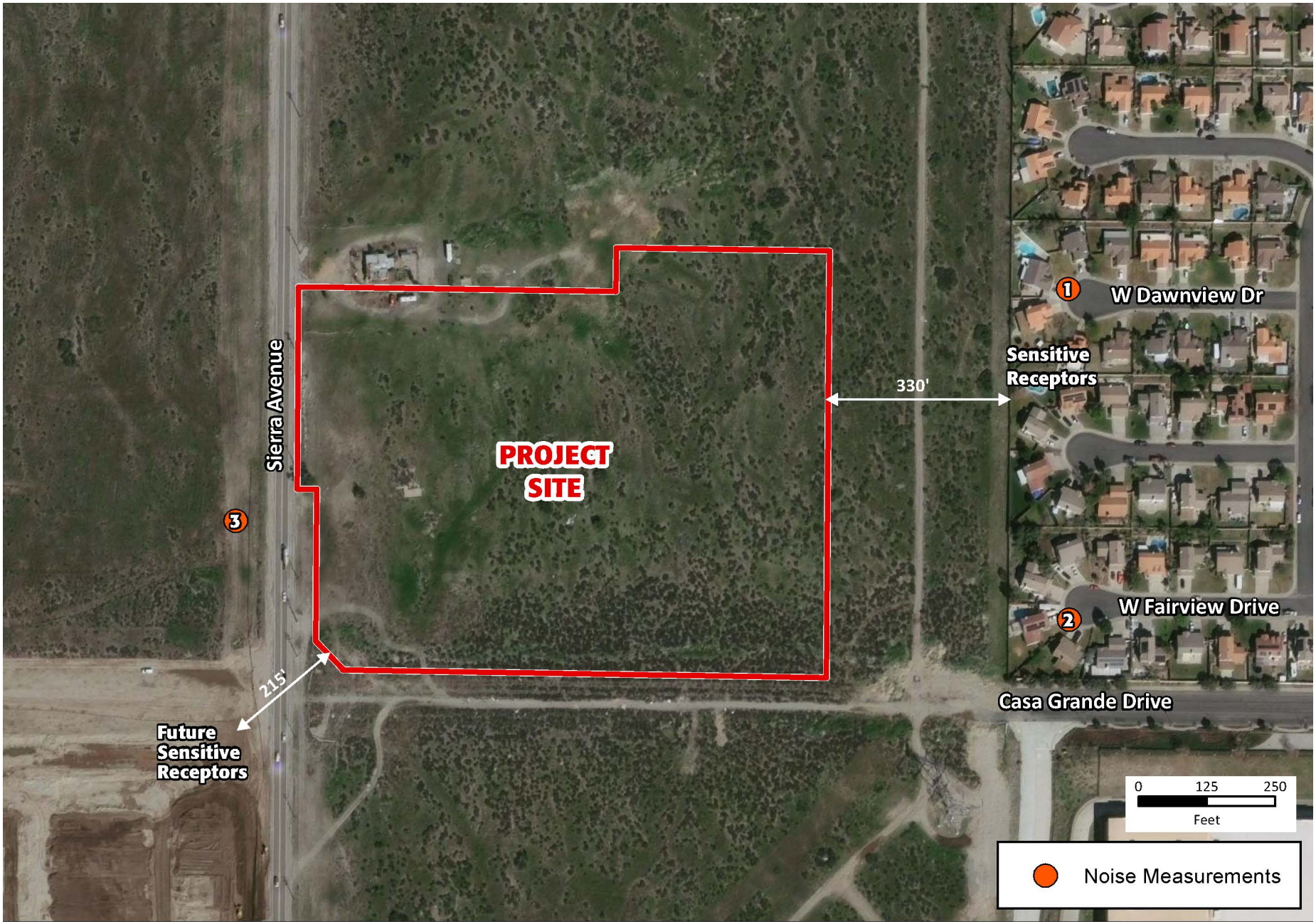
Sensitive populations are more susceptible to the effects of air pollution than is the general population. Sensitive receptors that are in proximity to localized sources of toxics are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. Sensitive land uses surrounding the Warehouse site consist mostly of single-family residential communities. Sensitive land uses near the Warehouse site include the single-family residential communities 330 feet to the east and a future residential community currently under construction, located 215 feet to the southwest.

4.11.3 REGULATORY SETTING

FEDERAL

Federal Transit Administration Noise and Vibration Guidance

The Federal Transit Administration (FTA) has published the Transit Noise and Vibration Impact Assessment Report to provide guidance on procedures for assessing impacts at different stages of transit Project development. The report covers both construction and operational noise impacts, and describes a range of measures for controlling excessive noise and vibration. The specified noise criteria are an earlier version of the criteria provided by the Federal Railroad Administration's High-Speed Ground Transportation Noise and Vibration Impact Assessment. In general, the primary concern regarding vibration relates to potential damage from construction. The guidance document establishes criteria for evaluating the potential for damage for various structural categories from vibration.



Source: Kimley-Horn, Esri World Imagery, 2020.

FIGURE 4.11-1: Warehouse Site Noise Measurement Locations

Sierra Avenue/Casa Grande Avenue Warehouse Project

City of Fontana

Kimley»Horn

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STATE

California Government Code

California Government Code §65302(f) mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines established by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of "normally acceptable," "conditionally acceptable," "normally unacceptable," and "clearly unacceptable" noise levels for various land use types. Single-family homes are "normally acceptable" in exterior noise environments up to 60 Community Noise Equivalent Level (CNEL) and "conditionally acceptable" up to 70 CNEL. Multiple-family residential uses are "normally acceptable" up to 65 CNEL and "conditionally acceptable" up to 70 CNEL. Schools, libraries, and churches are "normally acceptable" up to 70 CNEL, as are office buildings and business, commercial, and professional uses.

Title 24 – Building Code

The State's noise insulation standards are codified in the California Code of Regulations, Title 24: Part 1, Building Standards Administrative Code, and Part 2, California Building Code. These noise standards are applied to new construction in California for interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new multi-family residential buildings, the acceptable interior noise limit for new construction is 45 dBA CNEL.

California General Plan Guidelines

The California General Plan Guidelines, published by the Governor's Office of Planning and Research, provides guidance for the acceptability of specific land use types within areas of specific noise exposure. **Table 4.11-6,** *Land Use Compatibility for Community Noise Environments*, presents guidelines for determining acceptable and unacceptable community noise exposure limits for various land use categories. The guidelines also present adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the particular community's sensitivity to noise, and the community's assessment of the relative importance of noise pollution. OPR guidelines are advisory in nature. Local jurisdictions, including the City of Fontana, have the responsibility to set specific noise standards based on local conditions.

Table 4.11-6: Land Use Compatibility for Community Noise Environments

Land Use Category	Community Noise Exposure (CNEL)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential – Low Density, Single-Family, Duplex, Mobile Homes	50 – 60	55 - 70	70-75	75-85
Residential – Multiple-Family	50 – 65	60 - 70	70 – 75	70 - 85
Transient Lodging – Motel, Hotels	50 – 65	60 - 70	70 – 80	80 - 85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50 – 70	60 - 70	70 – 80	80 - 85
Auditoriums, Concert Halls, Amphitheaters	NA	50 - 70	NA	65 - 85
Sports Arenas, Outdoor Spectator Sports	NA	50 - 75	NA	70 - 85
Playgrounds, Neighborhood Parks	50 – 70	NA	67.5 – 75	72.5 - 85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 – 70	NA	70 – 80	80 - 85
Office Buildings, Business Commercial and Professional	50 – 70	67.5 - 77.5	75 – 85	NA
Industrial, Manufacturing, Utilities, Agriculture	50 – 75	70 - 80	75 – 85	NA

NA: Not Applicable; Ldn: average day/night sound level; CNEL: Community Noise Equivalent Level

Notes:
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 systems or air conditioning will normally suffice.
Normally Unacceptable – New construction or development should 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: Office of Planning and Research, California, *General Plan Guidelines*, October 2003.

LOCAL

City of Fontana General Plan 2015-2035

Adopted on November 13, 2018, the Fontana Forward General Plan Update 2015-2035 (Fontana General Plan) identifies noise standards that are used as guidelines to evaluate transportation noise level impacts. These standards are also used to assess the long-term traffic noise impacts on specific land uses. According to the Fontana General Plan, land uses such as residences have acceptable exterior noise levels of up to 65 dBA CNEL. Based on the guidelines in the Fontana General Plan, an exterior noise level of 65 dBA CNEL is generally considered the maximum exterior noise level for sensitive receptors.

Land uses near these significant noise-producers can incorporate buffers and noise control techniques including setbacks, landscaping, building transitions, site design, and building construction techniques to reduce the impact of excessive noise. Selection of the appropriate noise control technique would vary depending on the level of noise that needs to be reduced as well as the location and intended land use. The City has adopted the Noise and Safety Element as a part of the updated Fontana General Plan. The Noise and Safety Element specifies the maximum allowable unmitigated exterior noise levels for new developments impacted by transportation noise sources. Additionally, the Noise and Safety Element identifies transportation noise policies designed to protect, create, and maintain an environment free of

harmful noise that could impact the health and welfare of sensitive receptors. The following Fontana General Plan goals, policies, and actions for addressing noise are applicable to the Project:

Noise and Safety Element

Goal 1 **The City of Fontana protects sensitive land uses from excessive noise by diligent planning through 2035.**

Policies

- New sensitive land uses shall be prohibited in incompatible areas.
- Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors.
- Where sensitive uses are to be placed along transportation routes, mitigation shall be provided to ensure compliance with state-mandated noise levels.
- Noise spillover or encroachment from commercial, industrial and educational land uses shall be minimized into adjoining residential neighborhoods or noise-sensitive uses.

Goal 2 **The City of Fontana provides a diverse and efficiently operated ground transportation system that generates the minimum feasible noise on its residents through 2035.**

Policies

- All noise sections of the State Motor Vehicle Code shall be enforced.
- Roads shall be maintained such that the paving is in good condition and free of cracks, bumps, and potholes.
- Noise mitigation measures shall be included in the design of new roadway Projects in the city.

Goal 3 **Fontana's residents are protected from the negative effects of "spillover" noise.**

Policy

- Residential land uses and areas identified as noise-sensitive shall be protected from excessive noise from non-transportation sources including industrial, commercial, and residential activities and equipment.

City of Fontana Municipal Code 18-63

Standards established under the City of Fontana Municipal Code (Municipal Code) are used to analyze noise impacts originating from the Project. Operational noise impacts are typically governed by Fontana Municipal Code Sections 18-61 through 18-67. However, the City currently relies on delineated general industrial areas. According to the General Plan Noise and Safety section, these areas are buffered from residential uses through land use zoning that places either light industrial or commercial uses between the major manufacturers involved in heavy industrial uses and local residents. This separation of land uses meaning noise intrusion on conforming land uses is not a problem at this time.

Guidelines for non-transportation and stationary noise source impacts from operations at private properties are found in the Zoning and Development Code in Chapter 30 of the Fontana Municipal Code. Applicable guidelines indicate that no person shall create or cause any sound exceeding the City's stated noise performance standards measured at the property line of any residentially zoned property. Per Fontana Municipal Code Section 30-543(A), the performance standards for exterior noise emanating from industrial uses are 65 dBA between the hours of 7:00 a.m. and 10:00 p.m. and 70 dBA during the noise-sensitive hours of 10:00 p.m. to 7:00 a.m. at residential uses. However, the nighttime performance standard in Section 30-543(A) should actually reference 65 dBA instead of the 70 dBA that is listed. For this analysis, a 65-dBA nighttime noise level standard is conservatively used to analyze potential noise impacts at off-site residential receptors within the City of Fontana.

The City has also set restrictions to control noise impacts from construction activities. Section 18-63(b)(7) states that the erection (including excavation), demolition, alteration, or repair of any structure shall only occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays, except in the case of urgent necessity or otherwise approved by the City of Fontana. Although the Fontana Municipal Code limits the hours of construction, it does not provide specific noise level performance standards for construction.

4.11.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

CEQA Guidelines Appendix G, Environmental Checklist Form, includes questions pertaining to noise. The issues presented in the Environmental Checklist, as restated below, have been used as the thresholds of significance in this section:

- 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?
- Generation of excessive groundborne vibration or groundborne noise levels?
- 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?

METHODOLOGY AND ASSUMPTIONS

The proposed Warehouse site and its associated design are evaluated against the aforementioned significance criteria as the basis for determining the level of impacts related to noise. In addition to Project Design Features (PDFs), this analysis considers existing regulations, laws and standards that serve to avoid or reduce potential noise impacts. Because the Malaga Site and Palmetto Site are not proposed to be developed, but would result in upzoning, impacts are evaluated based on the potential development footprint if an application for development was proposed or approved for redevelopment of the site at some point in the future.

APPROACH TO ANALYSIS

This analysis of the Existing and With Project noise environments is based on noise prediction modeling and empirical observations. Construction noise levels were based on typical noise levels generated by construction equipment published by the Federal Transit Administration. Reference noise levels are used

to estimate operational noise levels at nearby sensitive receptors based on a standard noise attenuation rate of 6 dB per doubling of distance (line-of-sight method of sound attenuation for point sources of noise). Noise level estimates do not account for the presence of intervening structures or topography, which may reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of actual temporary construction noise.

Groundborne vibration levels associated with construction-related activities for the Project were evaluated utilizing typical groundborne vibration levels associated with construction equipment, obtained from Federal Transit Administration (FTA) published data for construction equipment. Potential groundborne vibration impacts related to structural damage and human annoyance were evaluated, considering the distance from construction activities to nearby land uses and typically applied criteria for structural damage and human annoyance.

4.11.5 IMPACTS AND MITIGATION MEASURES

Impact 4.11-1: 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?

Level of Significance: Less than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Construction

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earthmovers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods surrounding the construction site. Project construction for the warehouse facility would occur adjacent to existing residential uses located approximately 330 feet to the east and 215 feet to the southwest from the Project construction area. However, it is acknowledged that construction activities would occur throughout the proposed Warehouse site and would not be concentrated at a single point near sensitive receptors. Noise-sensitive uses closest to the Malaga site include residences to the north located adjacent to the Malaga site. Noise-sensitive uses closest to the Palmetto site include residences to the west on the opposite side of Palmetto Avenue.

Construction activities would include demolition, site preparation, grading, building construction, paving, and architectural coating. Such activities would require concrete/industrial saws, excavators, and dozers during demolition; dozers and tractors during site preparation; excavators, graders, and dozers during grading; cranes, forklifts, generators, tractors, and welders during building construction; pavers, rollers, mixers, and paving equipment during paving; and air compressors during architectural coating. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). Noise generated by construction equipment, including earthmovers, material handlers, and portable generators, can reach high levels. Typical noise levels associated with individual construction equipment are listed in **Table 4.11-7,**

Warehouse Site Typical Construction Noise Levels and **Table 4.11-8,** *Malaga and Palmetto Sites Typical Construction Noise Levels.*

Table 4.11-7: Warehouse Site Typical Construction Noise Levels

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 100 feet from Source[1]	Typical Noise Level (dBA) at 215 feet from Source[1]
Air Compressor	80	74	67
Backhoe	80	74	67
Compactor	82	76	69
Concrete Mixer	85	77	72
Concrete Pump	82	76	69
Concrete Vibrator	76	79	63
Crane, Derrick	88	76	75
Crane, Mobile	83	70	70
Dozer	85	82	72
Generator	82	77	69
Grader	85	79	72
Impact Wrench	85	76	72
Jack Hammer	88	79	75
Loader	80	79	67
Paver	85	82	72
Pile-driver (Impact)	101	74	88
Pile-driver (Sonic)	95	79	82
Pneumatic Tool	85	95	72
Pump	77	89	64
Roller	85	79	72
Saw	76	71	63
Scraper	85	84	72
Shovel	82	89	69
Truck	84	79	71

Note:
1. Calculated using the inverse square law formula for sound attenuation: $dBA_2 = dBA_1+20Log(d_1/d_2)$
Where: dBA_2 = estimated noise level at receptor; dBA_1 = reference noise level; d_1 = reference distance; d_2 = receptor location distance

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

Table 4.11-8: Malaga and Palmetto Sites Typical Construction Noise Levels

Equipment	Typical Noise Level (dBA) at 50 feet from Source
Air Compressor	80
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane, Mobile	83
Dozer	85
Generator	82
Grader	85
Impact Wrench	85
Jack Hammer	88

Table 4.11-8: Malaga and Palmetto Sites Typical Construction Noise Levels

Equipment	Typical Noise Level (dBA) at 50 feet from Source
Loader	80
Paver	85
Pneumatic Tool	85
Pump	77
Roller	85
Saw	76
Scraper	85
Shovel	82
Truck	84

Note: dBA = A-weighted decibel; Lmax = maximum A-weighted sound level
Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

As shown in **Table 4.11-7** and **Table 4.11-8**, construction noise levels for the proposed warehouse would range from approximately 76 dBA to 101 dBA and approximately 76 dBA to 85 dBA at a distance of 50 feet. Sensitive uses in vicinity of the Warehouse, Malaga and Palmetto sites include existing residential uses. As such, noise levels at the residences surrounding the Project sites could exceed ambient noise levels and may cause periodic disturbance during the construction period. However, Section 18-63(7) of the City's Municipal Code exempts construction noise between the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 8:00 a.m. to 5:00 p.m. on Saturdays. Construction activities for the proposed Project would only occur during the time period specified in the Municipal Code, except in the case of urgent necessity or otherwise approved by the City of Fontana. All motorized equipment used in such activity shall be equipped with functioning mufflers as mandated by the state. Additionally, construction noise from the proposed Project would be acoustically dispersed throughout the Project sites (depending on what construction phase or activity is occurring) and not concentrated in one area near surrounding sensitive uses for an extended period of time. As such, construction-related noise impacts would be less than significant in this regard.

Construction activities may also cause increased noise along site access routes due to movement of equipment and workers. Compliance with the Municipal Code would minimize impacts from construction noise, as construction would be limited to daytime hours on weekdays and Saturdays. By following Municipal Code standards, Project construction activities would result in a less than significant noise impact.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

WAREHOUSE, MALAGA, AND PALMETTO SITES

Operations

Implementation of the proposed Project would create new sources of noise in the vicinity of the Warehouse site, and the Malaga and Palmetto sites, if proposed for future development. The major noise sources associated with the Project that would potentially impact existing and future nearby residences include stationary noise equipment (i.e., trash compactors, air conditioners, etc.); truck and loading dock (i.e., slow moving truck on the site, maneuvering and idling trucks, equipment noise); parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and off-site traffic noise.

Warehouse Site Truck and Loading Dock Noise

During loading and unloading activities, noise would be generated by the trucks' diesel engines, exhaust systems, and brakes during low gear shifting' braking activities; backing up toward the docks; dropping down the dock ramps; and maneuvering away from the docks. Loading/unloading activities would occur on the southern portion of the proposed warehouse building in the southern portion of the Project site. Driveways and access to the site would occur along Almond Avenue. As noted above, Section 30-543(A) of the Municipal Code limits noise from industrial uses.

The proposed warehouse building includes dock-high doors for truck loading/unloading and manufacturing/light industrial operations. The dock-high doors are set back approximately 500 feet from the nearest residences to the east and southwest of the Project site. Loading dock noise is approximately 68 dB at 50 feet.[2] Loading dock noise levels would be approximately 48 dB at the nearest receptors conservatively assuming a clear line of sight and no attenuation from intervening walls or structures. Furthermore, loading dock doors would be surrounded with protective aprons, gaskets, or similar improvements that, when a trailer is docked, would serve as a noise barrier between the interior warehouse activities and the exterior loading area. This would attenuate noise emanating from interior activities, and as such, interior loading and associated activities would be permissible during all hours of the day. Therefore, noise levels associated with truck loading/unloading activities would not exceed the City's noise standards of 65 dBA for residential uses.

Trucks at the Warehouse site would also utilize backup alarms during loading/unloading activities. Backup alarms produce a typical noise level of 79 dB at 30 feet.[3] At 500 feet, backup alarm noise levels would be approximately 54.6 dB[4] and would be below the City's 65 dBA noise standard for residential uses. Therefore, noise levels from trucks and loading/unloading activities would not exceed any local noise standards and a less than significant impact would occur.

Warehouse Site Parking Noise

The implementation of the warehouse would provide 175 parking stalls, 45 trailers stalls, and 11 dock doors, and up to 136 parking stalls and 69 trailer stalls in the future (see **Section 3.0**, *Project Description*). Parking stalls would be located on all sides of the proposed warehouse building near the site perimeter. Nominal parking noise would occur within the on-site parking facilities. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-

[2] Charles M. Salter Associates, Inc., *Midpoint at 237 Loading Dock Noise Study,* March 27, 2014.
[3] Ibid.
[4] Based on the inverse square law for sound attenuation, and assuming a minimum of 5 dB noise reduction from the intervening warehouse building on the proposed Project site (FHWA, 2006).

averaged scale such as the CNEL scale. The instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys range from 53 to 61 dBA[5] and may be an annoyance to adjacent noise-sensitive receptors. Conversations in parking areas may also be an annoyance to adjacent sensitive receptors. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech.[6] It should be noted that parking lot noises are instantaneous noise levels compared to noise standards in the hourly L_{eq} metric, which are averaged over the entire duration of a time period.

Additionally, parking noise also occurs at the adjacent properties to the east, southeast, and southwest under existing conditions. Parking and driveway noise would be consistent with existing noise in the vicinity and would be partially masked by background traffic noise from motor vehicles traveling along Sierra Avenue and Casa Grande Avenue. Actual noise levels over time resulting from parking activities are anticipated to be far below the local noise standards. Therefore, noise impacts associated with parking would be less than significant.

Mechanical Equipment at All Project Sites

The nearest sensitive receptors to the Warehouse site are the residences 330 feet east and 215 feet southwest of the site. Noise-sensitive uses closest to the Malaga site include residences to the north located adjacent to the Malaga site. Noise-sensitive uses closest to the Palmetto site include residences to the west on the opposite side of Palmetto Avenue.

Potential stationary noise sources related to long-term operation of residential development at the Project sites would include mechanical equipment. Mechanical equipment (e.g., heating ventilation and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet.[7] HVAC noise levels would attenuate to approximately 39.3 dBA at the nearest residences located approximately 215 feet southwest of the Warehouse site, which is well below the City's 65 dBA noise standard for residential uses. Operation of mechanical equipment would not increase ambient noise levels beyond the acceptable compatible land use noise levels. Further, it is noted that noise from stationary sources at the all the Project sites would primarily occur during the daytime activity hours of 7:00 a.m. to 10:00 p.m. Therefore, the proposed Project would result in a less than significant impact related to stationary noise levels.

Off-Site Traffic Noise at All Project Sites

Implementation of the proposed warehouse, including any potential development at the RURs, would result in noise sources typical of residential developments in the area. The major noise sources associated with the proposed Project would include off-site traffic noise. The closest sensitive receptors are existing residential uses adjacent to the Project sites.

Implementation of the warehouse would generate increased traffic volumes along nearby roadway segments. According to the Traffic Impact Study, the proposed warehouse would generate 782 daily trips which would result in noise increases on Project area roadways. In general, a traffic noise increase of less than 3 dBA is barely perceptible to people, while a 5-dBA increase is readily noticeable.[8] Generally, traffic

[5] Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.
[6] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, Noise Navigator Sound Level Database with Over 1700 Measurement Values, 2015.
[7] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, Noise Navigator Sound Level Database with Over 1700 Measurement Values, 2015.
[8] Federal Highway Administration, *Highway Traffic Noise Analysis and Abatement Policy and Guidance, Noise Fundamentals*, https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm, accessed March 11, 2020.

volumes on Project area roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA. Therefore, permanent increases in ambient noise levels of less than 3 dBA are considered to be less than significant.

Traffic noise levels for roadways primarily affected by the implementation of the warehouse were calculated using the FHWA's Highway Noise Prediction Model (FHWA-RD-77-108). Traffic noise modeling was conducted for conditions with and without the Project, based on traffic volumes from the Traffic Impact Analysis. As indicated in **Table 4.11-9,** *Existing and Project Traffic Noise Levels*, Existing Plus Project traffic-generated noise levels on Project area roadways would range between 67.3 dBA CNEL and 72.3 dBA CNEL at 100 feet from the centerline, and the Project would result in a maximum increase of 0.1 dBA CNEL along Sierra Avenue. In addition, as shown in **Table 4.11-10,** *Opening Year and Opening Year Plus Project Traffic Noise Levels*, Opening Year Plus Project traffic noise levels on Project area roadways range between 68.3 dBA CNEL and 72.5 dBA CNEL at 100 feet from the centerline, and the Project would result in a maximum increase of 0.1 dBA CNEL along Sierra Avenue. As such, the Project would result in an increase of less than 3.0 dBA CNEL for the roadway segments analyzed and traffic noise. A less than significant impact would occur in this regard.

Table 4.11-9: Existing and Project Traffic Noise Levels

Roadway Segment	Existing		Existing Plus Project		Project Change from Existing Conditions	Significant Impact?
	ADT	dBA CNEL[1]	ADT	dBA CNEL[1]		
Sierra Avenue						
North of Casa Grande Avenue	9,756	67.2	9,895	67.3	0.1	No
Between Casa Grande Avenue and SR-210 WB Ramps	21,528	71.0	22,179	71.1	0.1	No
Between SR-210 WB Ramps and EB Ramps	25,283	71.7	25,718	71.8	0.1	No
South of SR-210 Eastbound Ramps	28,770	72.2	28,987	72.3	0.0	No

ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level
1. Traffic noise levels are at 100 feet from the roadway centerline.
Source: Based on traffic data provided by Kimley-Horn and Associates, Inc., March 2020. Refer to Appendix A for traffic noise modeling results.

Table 4.11-10: Opening Year and Opening Year Plus Project Traffic Noise Levels

Roadway Segment	Opening Year		Opening Year Plus Project		Project Change from Existing Conditions	Significant Impact?
	ADT	dBA CNEL[1]	ADT	dBA CNEL[1]		
Sierra Avenue						
North of Casa Grande Avenue	12,269	68.2	12,408	68.3	0.0	No
Between Casa Grande Avenue and SR-210 WB Ramps	27,000	72.0	27,589	72.1	0.1	No
Between SR-210 WB Ramps and EB Ramps	29,061	72.3	29,337	72.4	0.0	No
South of SR-210 Eastbound Ramps	30,463	72.5	30,842	72.5	0.1	No

Table 4.11-10: Opening Year and Opening Year Plus Project Traffic Noise Levels

Roadway Segment	Opening Year		Opening Year Plus Project		Project Change from Existing Conditions	Significant Impact?
	ADT	dBA CNEL[1]	ADT	dBA CNEL[1]		

ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level
1. Traffic noise levels are at 100 feet from the roadway centerline.
Source: Based on traffic data provided by Kimley-Horn and Associates, Inc., March 2020. Refer to Appendix A for traffic noise modeling results.

Future Project development at the Malaga site would generate increased traffic volumes along Mango Avenue and associated area roadways. According to the trip generation analysis, future Project development, based on the RURs required at the site, would result in an additional 820 average daily vehicle trips. The increase in traffic would result in noise increases on associated area roadways. In general, a 3-dBA increase in traffic noise is barely perceptible to people, while a 5-dBA increase is readily noticeable. Traffic volumes in the area roadways associated with the Malaga site, would have to approximately double for the resulting traffic noise levels to generate a 3-dBA increase. According to the Background Report identified as Appendix 1 of the Fontana General Plan, the daily average daily traffic along Mango Avenue (between Foothill Boulevard and Miller Avenue) is 8,900 vehicles. Therefore, because the increase of 1,427 daily trips generated by proposed future development at the Malaga site is not enough to double the number of trips along Mango Avenue, and thus, would not generate sufficient traffic to result in a permanent 3-dBA increase in ambient noise levels. Noise impacts associated with traffic would be less than significant.

Future Project development at the Palmetto site would generate increased traffic volumes along Palmetto Avenue and associated area roadways. According to the trip generation analysis, future Project development, based on the RURs required at the site, would result in an additional 520 average daily vehicle trips. The increase in traffic would result in noise increases on associated area roadways. In general, a 3-dBA increase in traffic noise is barely perceptible to people, while a 5-dBA increase is readily noticeable. Traffic volumes in the area roadways associated with the Palmetto site, would have to approximately double for the resulting traffic noise levels to generate a 3-dBA increase. According to the Background Report identified as Appendix 1 of the Fontana General Plan, the daily average daily traffic along Palmetto Avenue (between Arrow Boulevard and Orange Way) is 8,500 vehicles. Therefore, because the increase of 520 daily trips generated by proposed future development at the Palmetto site is not enough to double the number of trips along Palmetto Avenue, and thus, would not generate sufficient traffic to result in a permanent 3-dBA increase in ambient noise levels. Noise impacts associated with traffic would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than Significant Impact.

Impact 4.11-2: Generation of excessive groundborne vibration or groundborne noise levels?

Level of Significance: Less than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Construction and Operations

Increases in groundborne vibration levels attributable to the proposed Project would be primarily associated with short-term construction-related activities. The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations in their 2018 Transit Noise and Vibration Impact Assessment Manual. The types of construction vibration impacts include human annoyance and building damage.

Human annoyance is evaluated in vibration decibels (VdB) (the vibration velocity level in decibel scale) and occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. The FTA Transit Noise and Vibration Impact Assessment Manual identifies 75 VdB as the approximate threshold for annoyance. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any vibration damage.

Table 4.11-11, *Typical Construction Equipment Vibration Levels*, lists vibration levels at 25 feet and 215 feet for typical construction equipment. Groundborne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. As indicated in **Table 4.11-11,** based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity, which is below the FTA's 0.20 PPV threshold. The nearest sensitive receptors are the residential uses located approximately 215 feet to the southwest of the active construction zone.

Table 4.11-11: Typical Construction Equipment Vibration Levels

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 100 Feet (in/sec)[1]	Approximate VdB at 25 Feet	Approximate VdB at 215 Feet[2]
Large Bulldozer	0.089	0.011	87	59
Caisson Drilling	0.089	0.011	87	59
Loaded Trucks	0.076	0.010	86	58
Jackhammer	0.035	0.004	79	51
Small Bulldozer/Tractors	0.003	0.000	58	30

Notes:
1. Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$, where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance; PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018; D = the distance from the equipment to the receiver.
2. Calculated using the following formula: Lv(D) = Lv(25 feet) - (30 x log10(D/25 feet)) per the FTA Transit Noise and Vibration Impact Assessment Manual (2018).

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018.

As shown in **Table 4.11-11**, construction VdB levels would not exceed 59 VdB at 215 feet (i.e., below the 75 VdB annoyance threshold). It is also acknowledged that construction activities would occur throughout the Project sites and would not be concentrated at the point closest to the nearest residential structure(s). Therefore, vibration impacts associated with the warehouse construction, or future proposed development at the RURs, would be less than significant.

Once operational, the warehouse would not be a significant source of groundborne vibration. Groundborne vibration surrounding the Warehouse site currently result from heavy-duty vehicular travel (e.g., refuse trucks, heavy-duty trucks, delivery trucks, and transit buses) on the nearby local roadways. Operations of the proposed warehouse would include truck deliveries. Due to the rapid drop-off rate of ground-borne vibration and the short duration of the associated events, vehicular traffic-induced ground-borne vibration is rarely perceptible beyond the roadway right-of-way, and rarely results in vibration levels that cause damage to buildings in the vicinity. According to the FTA's Transit Noise and Vibration Impact Assessment, trucks rarely create vibration levels that exceed 70 VdB (equivalent to 0.012 inches per second PPV) when they are on roadways. Therefore, trucks operating at the Warehouse site or along surrounding roadways would not exceed FTA thresholds for building damage or annoyance. Impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.11-3: 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?

Level of Significance: Less than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

Construction and Operations

The Project sites are not located within an airport land use plan. The Project sites are not within 2.0 miles of a public airport or within an airport land use plan. The nearest airport to the Project sites is the Ontario International Airport located to the southwest, approximately 10.5 miles from the Warehouse site, 9 miles from the Malaga and Palmetto sites. Additionally, there are no private airstrips located within the vicinity of the Project sites. Therefore, the proposed Project would not expose people residing or working in the Project areas to excessive airport- or airstrip-related noise levels and no mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.11.6 CUMULATIVE IMPACTS

For purposes of noise resource impact analysis, cumulative impacts are considered for cumulative development according to the related Projects; see **Table 4-1**, *Cumulative Projects List*. Construction-related noise is a localized activity and would only affect land uses that are immediately adjacent to the construction areas due to the fact that noise dissipates as it travels away from its source.

The warehouse's construction activities, or construction activities associated with future proposed development at the RURs, would not result in a substantial temporary increase in ambient noise levels. The City permits construction activities between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays (except in the case of urgent necessity or otherwise approved by the City of Fontana), and prohibited on Sundays and Federal holidays. There would be periodic, temporary, noise impacts that would cease upon completion of construction activities. The Project would contribute to other proximate construction Project noise impacts if construction activities were conducted concurrently. However, based on the noise analysis above, the Project's construction-related noise impacts would be less than significant, following compliance with the General Plan and the Municipal Code. Given that noise dissipates as it travels away from its source, operational noise impacts from on-site activities and other stationary sources would be limited to the Project sites and surrounding vicinity. Thus, cumulative operational noise impacts from related Projects, in conjunction with project-specific noise impacts, would not be cumulatively significant.

4.11.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable noise impacts have been identified.

4.12 POPULATION AND HOUSING

4.12.1 INTRODUCTION

This section evaluates the existing population and housing characteristics within the City and region, and regulatory setting and the proposed Project's consistency with the applicable City and regional plans, policies, and regulations related to growth. This section identifies potential impacts that could result from the proposed Project, which includes construction and operation of the Warehouse site and upzoning of the Malaga and Palmetto sites. This chapter discusses the existing conditions in terms of populations growth through the provision of housing, changing land use designations as compared to the existing land uses on the Project sites, and potential conflicts resulting in impacts to the environment that could occur should the Project be implemented.

It should be noted that the proposed Project is unique in that it includes three different sites but only one site, the Warehouse site is proposed to be developed. The Malaga Site and Palmetto site would be upzoned to allow for redevelopment of residential uses at a higher density. However, at this time there are no plans for redevelopment of the Malaga and Palmetto sites, and no applications to redevelop the sites have been filed. The upzoning of the sites is included to the proposed Project to comply with the requirements of the Senate Bill 330 (SB-330). Because all three sites are included in the Project but separated spatially and because only one is proposed to be development, this creates a unique situation for analysis in this Draft EIR. Because of this, some Project elements are discussed as being applicable to all three sites and because of the separation some discussion is provided individually. Therefore, the subsequent discussion of some of the Project components, the existing environment, and Project impacts, where applicable will be discussed as one, and in some instances, they are discussed separately.

This Chapter and environment discussion use information from the following City documents:

- City of Fontana General Plan
- City of Fontana Municipal Code
- City of Fontana General Plan EIR

4.12.2 ENVIRONMENTAL SETTING

WAREHOUSE SITE

The Warehouse site is approximately 16.09 gross acres with 15.21 acres proposed for development with the warehouse, parking, internal circulation, landscaping, etc., and approximately 0.86 acres dedicated to the City for right-of-way, and would occur in an area that is undeveloped. It should be noted there is an existing private residence adjacent to the northern Project boundary. This residence is approximately 200 feet east of Sierra Avenue which parallels the western Warehouse site boundary. The Warehouse site was previously developed with a single-family residential unit, but the structures has been removed and only a concrete pad remains. The soils of the Warehouse site consist of rock and dirt with habitat consisting of coastal sage scrub (CSS) and chamise chaparral mixed with dense non-native grasses and native annuals and perennials. The property is accessible from the south and east via dirt roads used by Southern California Edison (SCE) to access their easement and High Voltage Towers. The Warehouse site is accessible by Sierra Avenue from the west.

According the City of Fontana General Plan (FCGP)Land Use Map, the Warehouse site would be developed on land presently designated as Medium Density Residential (R-M) with a small strip of Multi-Family High Residential (R-MH) in the middle of the property connected to Sierra Avenue.

The zoning for the Warehouse site matches the areas in FCGP land use designations consisting of R-2 (Medium Density Residential) and R-5 (Multi-Family High Residential). The R-2 zone allows 5.1-12 du/ac or up to 7.6 du/ac for single-family detached product type 7.7-12 du/ac for single-family attached or multiple product type. The R-5 allows 39.1-50 du/ac. As part of the proposed Project, the Warehouse site would require a land use and zone change to Light Industrial (I-L) for both previous designations. No residential uses are proposed within this area as part of the Project.

MALAGA SITE

The Malaga site is approximately 5.69 acres and is located at the north side of Malaga Avenue, immediately west of Mango Avenue, and approximately 0.3 miles north of Foothill Boulevard. The site is rectangular and contains 14 individual parcels which are primarily developed with single-family residential uses. The Malaga site is surrounded by existing residential uses, a few undeveloped lots, and commercial development to the north. The Malaga site is bound by Mango Avenue on the east, single-family residential to the north, a vacant lot to the west, and Malaga Street to the south.

The Malaga Site has a current GPLU designation of Single-Family Residential (R-SF) and zoning designation of Single-Family Residential (R-1). As part of the proposed Project, the Malaga Site's GPLU designation would be changed to Walkable Mixed-Use I (WMXU-1) and it would be upzoned to form-Based Code (FBC) – Transitional District.

PALMETTO SITE

The Palmetto site is approximately 3.58-acres and contains three single-family residences and two vacant lots on the northerly half of the site and a church and parking lot on the southerly half. Immediately surrounding the Palmetto site are existing residential uses areas of which are uses for storage, and a few undeveloped lots. In the surrounding areas, there are three apartment buildings, a school, and commercial development, and single-family uses. The site is bound by Palmetto Avenue on the east, Valencia Avenue on the south, a quad-plex and single-family units and storage yard to the east, and to the north there is a single-family unit, and a small strip commercial use that fronts on Arrow Boulevard.

The Palmetto Site has a current GPLU designation of Single-Family Residential (R-SF) and zoning designation of Single-Family Residential (R-1). The Palmetto Site's GPLU designation would be changed to Medium-Density Residential (R-2) and it would be upzoned to Medium-Density Residential (R-2). This information is discussed in detail in *Chapter 4.10 - Land Use and Planning*, presents this information in tabular format.

POPULATION

San Bernardino County

San Bernardino County has a current population of approximately 2,192,203 persons.[1] ***Table* 4.12-1**, *County and City of Fontana Existing and Forecasted Population*, shows population numbers

[1] California Department of Finance, 2019. E-1 Population Estimates for Cities, Counties, and the State — January 1, 2018 and 2019. Available: http://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-1/ Accessed: March 18, 2020.

for the County, City of Fontana and projected population are estimated by the California Department of Finance (CDOF). CDOF estimates that the population of San Bernardino County will increase to 2,529,068 by 2040.

As identified in the table, the population in the County is forecasted to grow by just over 15% percent between over the next 20 years. The City of Fontana, as estimated by the Southern California Association of Governments (SCAG) estimates, is anticipated to grow by approximately 32.5 percent over the next 20 years.

Table 4.12-1: City of Fontana and San Bernardino County Existing and Forecasted Population

	2019	2025	2040	2019-2040 Percent Change
San Bernardino County	2,192,203	2,310,552	2,529,068	15.3%
City of Fontana	212,078	--	280,900[2]	32.5%
Source: DOF, 2019a, b.				

City of Fontana

Between 1990 and 2016 the city of Fontana's population nearly doubled to 210,000 residents making it the twentieth largest city in the State of California at the time.[3] As of January 2019, the City of Fontana had a population of approximately 212,078 which represents approximately 9.7 percent of the population of San Bernardino County. The population in Fontana is expected to increase to 280,900 by 2040, which would represent an increase over the next 20 years of approximately 32.5%. Over the same period the County is anticipated to increase population by approximately 15.3 %. Considering these numbers, in 2040 Fontana's population would represent approximately 11% of the county population.

HOUSING

San Bernardino County

As shown in **Table 4.12-2,** *Housing Units for City of Fontana and San Bernardino*, the County has an estimated 723,783 housing units with an average of 3.38 persons per household. The types of residences and associated number of each are as follows: Single Family Detached – 514,630; Single attached – 25,078; two to fourplex – 46,242; Five plus – 93,873; mobile homes – 43,960; with the total occupancy of 637,569 and a vacancy rate of 11.9%.[4]

The City of Fontana had a total of 54,945 housing units with an average of 4.12 persons per household. Of these homes 43,881 were detached single family, 1,337 were attached single family, 2,126 were two to four plex, 6,053 were five plus, 1,548 were mobiles homes. Of the total 51,335 were occupied leaving a vacancy rate of 4.12%.[5]

As reported by the DOF, the vacancy rate is a measure of the availability of housing in a community. It also demonstrates how well the types of units available meet the market demand. A low vacancy rate

[2] Trends of Fontana Future, 2018. Available: https://www.fontana.org/DocumentCenter/View/26757/Chapter-2---Trends-for-Fontana's-Future accessed: March 18, 2020. (based on SCAG estimates).
[3] City of Fontana, 2018 – Available: https://www.fontana.org/DocumentCenter/View/26752/Chapter-13---Economy-Education-and-Workplace-Development Accessed: March 18, 2020.
[4] California Department of Finance, 2019b. Table 2: E-5 City/County Population and Housing Estimates, 1/1/2019. Available: http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/. Accessed: March 18, 2020.
[5] California Department of Finance, 2019b. Table 2: E-5 City/County Population and Housing Estimates, 1/1/2019. Available: http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/. Accessed: March 18, 2020.

suggests that households may have difficulty finding housing within their price range; a high supply of vacant units may indicate either the existence of a high number of desired units, or an oversupply of units. The vacancy rate for housing in San Bernardino is estimated to be 11.9% whereas in Fontana is at 4.12%, 7.78 percentage points lower. This indicates a higher demand to live in Fontana than the County overall. For comparison the City of Rialto to the east has a vacancy rate of 4.4% and Rancho Cucamonga to the west has a vacancy rate of 3.7%,[6] indicating the City and surrounding areas are desired places to live.

Table 4.12-2: Housing Units for City of Fontana and San Bernardino County

	2019	Persons per Household	Vacancy Rate
San Bernardino County	723,783	3.38	11.9%
City of Fontana	54,945	4.12	4.12%
Source: DOF, 2019b			

The Southern California Association of Governments (SCAG) determines the regional housing needs allocation (RHNA) based on variables including income category for each community pattern and the types, and the tenure of housing needs. As of March 5, 2020, SCAG published housing needs allocations. The number of these units for San Bernardino County overall was 137,796 units. If these unit 35,556 were for very low income, 21,849 were for low income, 24,089 for moderate-income, and 56,302 for above moderate-income. [7]

Of the County units, Fontana was allocated a total of 17,476 units, or approximately 12.7 % of the Counties overall allocation. Of these units 5,095 were allocated for very low income, 2,943 for low income, 3,029 for moderate-income, and 6,410 for above moderate-income. [8] As part of the planning process, the City is required to ensure that sufficient areas within the City are planned and zoned for housing and are available to accommodate the requirements. The City also helps fulfill this requirement by implementing proactive programs that facilitate and encourage the production of housing commensurate with its housing needs. Of note, is that the extremely low income and very low-income needs are approximately 35 percent of the total RHNA allocation for the City.

Table 4.12-3: Regional Housing Needs Allocation for City of Fontana

	Very Low	Low	Moderate	Above Moderate	Total
City of Fontana	5,095	2,943	211	3,029	**6,410**
Source: SCAG, 2020					

EMPLOYMENT

Jobs and Employed Residents

The FCGP notes that the economic development within the City encompasses and is focused on actions meant to enhance prosperity and economic well-being of the residents. As part of this effort, the City strives to create and retain jobs and businesses, grow incomes, and improve the tax base. Accordingly, the City's economic development efforts emphasize fiscal benefits and provide retail and services to the

[6] ibid
[7] SCAG, 2020. – Estimate of SCAG RHNA Allocation Based on Regional Council Approved Final RHNA Methodology. Available: http://www.scag.ca.gov/programs/Documents/RHNA/Staff-Recommended-RHNA-Estimated-Allocations-030520.pdf Accessed: March 18, 2020.
[8] Ibid.

residential population. Fontana's vision for the year 2035 for the City in terms of jobs and economy includes two elements applicable to the proposed Project. This includes being the inland empire's opportunity city, and having a diversified economy so residents can live where they work.

Fontana has direct access to three major highway corridors placing it in a position of increased credibility and increasing value for its logistics and warehousing businesses. Fontana also has a large amount vacant land, much of which is already entitled to be developed, but nonetheless, is available to expand both residential and business development. It should be noted that the unemployment rate in Fontana generally tracks and is in line with the overall unemployment rate. For example, Fontana's unemployment rate fell from 14.7% in 2010 to 5.5% in 2016,[9] and is currently estimated 3.6% by the California Employment Development Department. [10]

Within the City the five most common employer types by industries are services (37%); retail trade (23%); wholesale trade (11%); manufacturing (8%), and transportation (7%). The balance of jobs falls within the construction, financial/insurance/real estate, utilities, agriculture and mining, services, and unclassified. These employment sectors have between approximately 4% to 0.3% of the working population.

Jobs-Housing Balance

The ratio of jobs to housing balance is calculated by dividing the number of jobs in the community by the number of households in the same area. The majority of Fontana's working population commutes outside of the City each day to work. Data from the US Census Bureau's Center for Economic Studies pertaining to worker inflows/outflows show that Fontana has 64,640 workers that live in the City but are employed elsewhere; businesses in Fontana employ 6,214 workers who also live in the city and 40,358 employees that live outside of the city. Workers who live and work in Fontana represent 13.3% of the total number of people employed in Fontana (regardless of where the employee lives) and only 8.8% of the total workers that live in Fontana. A jobs-employed resident imbalance can be problematic because it results in longer commutes as residents' travel to other more distant locales for employment.

4.12.3 REGULATORY FRAMEWORK

FEDERAL

No federal laws, regulations, or executive orders apply to land use and planning on the Warehouse, Malaga, or Palmetto sites. Certain federal regulations that are applicable to the proposed Project, such as for Air Quality and Biological Resources, are discussed in the respective Chapters of the EIR.

STATE

Housing Crisis Act of 2019 - Senate Bill 330 (SB 330)

On October 19, 2019 Governor Newsom signed into the Housing Crisis Act of 2018 Senate Bill (330). In part, SB 330 was meant to reduce the time needed to obtain building permits and disallowing local governments from reducing the densities of areas designated for residential development. As it specifically pertains to the proposed Project and the proposed zone change, with a few exceptions, SB 330

9 City of Fontana, 2018. Available: https://www.fontana.org/DocumentCenter/View/26752/Chapter-13---Economy-Education-and-Workplace-Development accessed: March 18, 2020.

10 CEDD, 2020 - Monthly Labor Force Data for Cities and Census Designated Places (CDP) Available: https://www.labormarketinfo.edd.ca.gov/data/unemployment-and-labor-force.html Accessed: March 18, 2020.

bill prohibits a jurisdiction from changing the current zoning and land use designations in the general plan that would reduce the density of the use. For example, a jurisdiction cannot downzone a site from residential to another type of use or make changes, such as decreasing structure height limits or increasing setbacks, that would lessen the number of units that could be built on a given site. In addition, SB 330 forbids the jurisdictions from limiting land use approvals and placing moratoriums on housing development.[11]

California Planning and Zoning Law

The legal framework under which California cities and counties exercise local planning and land use functions is set forth in California Planning and Zoning Law, Government Code Sections 65000–66499.58. Under State planning law, each city and county must adopt a comprehensive, long-term general plan. State law gives cities and counties wide latitude in how a jurisdiction may create a general plan, but there are fundamental requirements that must be met. These requirements include seven mandatory elements described in the Government Code, including a section on land use. Each of the elements must contain text and descriptions setting forth objectives, principles, standards, policies, and plan proposals; diagrams and maps that incorporate data and analysis; and mitigation measures.

California Environmental Quality Act

CEQA establishes that a significant effect on the environment involves an adverse change to the physical environment. Pursuant to the State CEQA Guidelines, a project's impact related to land use planning is evaluated in terms of physically dividing an established community, compatibility with existing land uses and consistency with local plans and other local land use controls (i.e., general plans, zoning codes, specific plans, etc.) such that if conflicts do exist, would the conflict result in a significant environmental impact. This is discussed in additional detail in the methodology and impacts section below.

REGIONAL

SCAG RHNA

The Regional Housing Needs Assessment (RHNA) is an assessment process performed periodically as part of Housing Element and General Plan updates at the local level. The RHNA quantifies the need for housing by income group within each jurisdiction during specific c planning periods. The RHNA is used in land use planning, to prioritize local resource allocation and to help decide how to address existing and future housing needs. The RHNA allows communities to anticipate growth, so that collectively the region can grow in ways that enhance quality of life, improve access to jobs, promote transportation mobility, and address social equity and fair share housing needs.[12]

LOCAL

City of Fontana General Plan Update 2015-2035

The General Plan was recently updated in November 2018 and covers a broad range of topics in 16 chapters, including goals, policies, and actions on all aspects of community life-affecting future physical development. The City's General Plan is the guiding document that provides residents, elected officials,

[11] Holland & Knight, 2019. California Legislature Passes Housing Crisis Act of 2019 and Rent Control, Among Others. Available: https://www.jdsupra.com/legalnews/california-legislature-passes-housing-78188/ Accessed: March 9, 2020.
[12] SCAG,

business owners, and other stakeholders with direction on how to meet the needs of a growing city and provides a greater quality of life for its current and future residents. The GP contains the following chapters: Community and Neighborhood; Housing; Building a Healthier Fontana; Conservation, Open Space, Parks and Trails; Public and Community Services; Community Mobility and Circulation; Infrastructure and Green Systems; Noise and Safety; Sustainability and Resilience; Economy, Education and Workforce Development; and Land Use, Zoning, and Urban Design.

Economy, Education, and Workplace Development Element

The City of Fontana Economy, Education, and Workplace Development Element sets forth the goals and policies over the next 20 years for the physical development of Fontana as it relates to the economy and other development elements. This element represents the guide for decision-makers on enhancing prosperity and economic well-being within the City.

Goal 1 **Promote a diversified economy that builds on existing business sectors and develops, attracts and retains future job-creating sectors.**

Policies

- Support resources for the City's economic development department to develop and implement strategies to attract and grow businesses that provide tax revenue and opportunities for diversified and high-paying jobs for Fontana residents.
- Support initiatives for entrepreneurship in potential growth sectors.
- Leverage the resources of organizations such as the San Bernardino County Economic Development Agency and the Workforce Investment Board to help Fontana businesses promote in-city jobs and help residents find local job opportunities

Goal 3 **Plan Fontana as a "complete community" with a balance of diverse neighborhoods, amenities, services, and infrastructure that supports a qualified workforce and attracts business.**

Goal 4 **Revitalize Fontana's downtown and Sierra Avenue corridor to provide an attractive area for new businesses to locate and create a lively center of government, education, medical care, arts, culture and entertainment, restaurants and new housing.**

Policy

- Promote initiatives to attract housing in the downtown vicinity for households of all types as a way to support new retail, restaurant, and entertainment options in downtown.

4.12.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

SIGNIFICANCE CRITERIA UNDER CEQA

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project will have a significant environmental impact if one or more of the following occurs:

- 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)?); or
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

METHODOLOGY AND ASSUMPTIONS

The proposed Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning population and housing. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts.

APPROACH TO ANALYSIS

This analysis of impacts on population and housing examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, Malaga Site, and Palmetto sites and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: field observations conducted by Kimley-Horn; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on land use and planning standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.12.5 IMPACTS AND MITIGATION MEASURES

Impact 4.10-1: Would the Project 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)?

Level of Significance: Less than Significant Impact

The analysis in this section considers the overall intent of the FCGP that was, in part, developed to accommodate anticipated growth in existing developed areas that are adequately served by infrastructure; to revive underutilized parcels and uses; and preserve and enhance residential opportunities and options within the City. Although the proposed Project would modify the existing land use designations, use of the site at Sierra Grande Avenue and the Casa Grande Road extension for a warehouse in conjunction with the upzoning of the Malaga and Palmetto sites for potential future use as higher density housing, is consistent with the overall intent. The following discussions evaluate the individual proposed Project components including the Warehouse site, Malaga site, and Palmetto site in light of this as well as to evaluate the potential for unplanned and substantial population growth.

WAREHOUSE SITE

Construction and Operations

The Warehouse site is located on undeveloped land in the northeastern portion of the City. The site is undeveloped with the exception of a concrete pad from a formerly demolished home. There are no existing residential uses or human communities on the site.

The proposed Project would not result in a direct increase in population because the Warehouse site would not be developed with any new residential units and would not generate any new residents within the City. Construction of the Warehouse site would result in temporary increased demand for construction workers. Construction on the Warehouse site is planned to occur in a single phase and last approximately 12 months from early 2021 to be completed in early 2022. The majority of workers are anticipated to come from within the City or surrounding jurisdictions and commute daily to the job-site. Although it is possible that demand for workers could induce some people to move to the area this is anticipated to be a small number relative to total demand for construction workers. It is anticipated that with the recent and continuing growth of the City and within the San Bernardino region, there are adequate numbers of people already residing in the area to work on or at the Warehouse site. As such, construction would not induce substantial unplanned growth or unaccounted for growth in the FCGP or regional forecasts.

Operationally, the warehouse would be approximately 332,996 square feet (sf) and represent an opportunity for employment for new workers in the City. Based on the average number of workers per square foot provided by EnergyStar as applied to unrefrigerated or refrigerated buildings that are used to store goods, manufactured products, merchandise or raw materials, the Warehouse would require approximately 0.59 persons/employees per 1,000 square feet. Considering these values, the warehouse would result in a demand for approximately 188 new employees post-construction. Considering both City projections for growth as well as growth within the region, this is not unaccounted for and is not substantial considering existing populations and projected population.

In addition, construction of the Warehouse site is consistent with overall intent of the FCGP. It should be noted that as discussed in the General Plan EIR, the construction of the Warehouse site would require major infrastructure expansions to utilities (e.g., water, sewer, wastewater). Although services would be extended into the Warehouse site, these lines and utilities would be only be used to serve the Warehouse and would not be sized to accommodate future development in off-site areas. The proposed Project does include the construction of a portion of Casa Grande Avenue on the southern boundary of the Project site; however, this is accounted for in the General Plan and would only be used to access the two southern driveways to the Warehouse site. Casa Grande Avenue would not be developed as a through street into Rialto and would increase connectivity between the two Cities. In this way, this roadway construction would not result in access to an area not already served, and it would not induce substantial unplanned growth either directly or indirectly. Impacts in this regard would be less significant and no mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

Both the Malaga and Palmetto sites are occupied by existing uses that include residential, vacant lots, and a church site on southern portion of the Palmetto site. Both sites are served by existing utilities and are surrounded by existing urban development. Approval of the proposed Project would not result in any construction on either the Malaga or Palmetto sites. Instead, the proposed Project would upzone the sites which would enable future construction of higher density residential uses. The upzoning is needed to conform to the requirements Senate Bill (SB) 330. The upzoning would account for the approximate 219 units that could have been constructed on the Warehouse site. In addition, the upzoning would account for the existing 22 units that would be removed from the sites to enable redevelopment. This accounts for the provision of a total of 241 units (198 units on the Malaga site and 43 units on the Palmetto site). This is consistent with be allowable within the proposed FCGP and zoning designations. Therefore, redevelopment of the Malaga and Palmetto sites, should it occur, would not result in any residential units or a population not already planned for. In this way, direct impacts associated with population growth would not occur.

Indirectly; redevelopment of the Malaga and Palmetto sites could result in a small and temporary increased demand for workers. If construction does occur, it could induce some workers needed for demolition and construction to move to the City. However, similar to the Warehouse site, it is anticipated that the most workers would come from within the City or surrounding areas. Additionally, the number of workers needed is projects of this size is relatively small and are unlikely to induce substantial growth. Additionally, because these two sites are surrounded and served by existing infrastructure, only onsite improvements are anticipated. There would be no extension of utility services and this would not induce or create a demand to develop currently undeveloped or noncontiguous areas.

Lastly, it should be noted that as discussed in the General Plan EIR, the General Plan is focused in nature and gives strong consideration to development of the Downtown Core and creation of Livable Corridors. The General Plan Update is predicted to accommodate anticipated population growth within the City in an orderly manner. The Housing Element establishes an overall development capacity for the City and serves as a policy guide for determining the appropriate physical development and character of the City. Although the proposed Project would result in a potential shift in the location of housing densities, if the Malaga and Palmetto sites are developed, the proposed Project is respective of the above by increasing the density of development within and near the downtown core. This aspect would result in a focusing of growth in already developed areas. In addition, the proposed Project is compliant and responsive to the goals and policies related to population and housing in the FCGP Update, and regional planning contained in documents such as the RHNA by providing a portion of the City's allocation. Further, it is anticipated that because the redevelopment would include higher density uses, it is likely the Project would serve residents with lower income levels, thereby being responsive to the housing need with the greatest demand. Therefore, impacts associated with population and housing would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.10-2: Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Level of Significance: Less than Significant Impact

WAREHOUSE, MALAGA AND PALMETTO SITES

Construction and Operations

The Warehouse site is currently vacant and undeveloped. The Warehouse site does not include any existing housing and therefore, construction of the site and this component of the proposed Project would not displace housing units or people. The Warehouse site is located adjacent to an existing residence to the north, but construction and operation on the Warehouse site would not disallow continued use of the property. Therefore, implementation of the proposed Project with respect to the Warehouse site would not directly result in any displacement of any people. Indirectly, construction of the Warehouse would require the upzoning of the Malaga and Palmetto sites to accommodate replacement housing and to conform to the requirements of SB 330. As of now, there are no plans or applications to develop either of the sites. Nonetheless, if at some point in the future both the Malaga and Palmetto sites are redeveloped it would require removal the existing structures on the sites which includes a total of approximately 22 residential units. The Malaga site contains 14 parcels used for single-family uses and the Palmetto site contains 8 parcels used for residential development. Use of these sites for replacement housing would result in the temporary displacement of residents within the existing residential units until they found an alternative residence.

Considering the total population, average number of residents per unit, and number of housing units within the City, the housing (22 units) on the Malaga and Palmetto sites would contain approximately 78 people and account for approximately .03% of the total housing units in the City. Although it would result in a temporary displacement, should the sites be redeveloped, the number of units analyzed in this Draft EIR would provide for the existing units lost. Therefore, should it be needed, these units would conceivably be available to existing residents. Additionally, considering the current 4.2% vacancy rate within the City, there are currently approximately 2,263 vacant units. Therefore, while the Project, should it redevelop the Malaga and Palmetto sites would displace the existing residents adequate housing exists to accommodate the displacement. Therefore, unplanned replacement housing to accommodate existing residents resulting in unanticipated environmental effects would not be needed. To further assist existing residents, should the Malaga and Palmetto sites be redeveloped, the City would provide the existing residents assistance in locating replacement housing through the City of Fontana Housing Authority. The Housing Authority has programs including public housing assistance programs and other assistance through the Residential Resource Center. Therefore, impacts in this regard are less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.12.6 CUMULATIVE IMPACTS

The proposed Project would be consistent with the planned land uses in the City's General Plan and the population and employment projections in the City and for the region as a whole. Impacts from cumulative growth are considered in the context of their consistency with these local and regional planning efforts. In addition, the proposed Project is consistent with the more recent adoption of the SB 330 and provides upzoning of the Malaga and Palmetto site to account for anticipated future housing demands. Considering the approximate 4.12 persons per household the proposed Project would be expected to generate up to 902 new residents. It should be noted that this growth is accounted for by the existing General Plan but that the residential growth would be shifted from the Warehouse site to the Malaga and Palmetto sites. Additionally, use of the Warehouse site for the business instead of residential uses would result in temporary new construction jobs, and approximately 188 new permanent jobs. These positions are anticipated to be filled by existing residents from the City and from the surrounding areas.

While the proposed Project would temporarily displace existing residence at the Malaga and Palmetto sites, adequate vacancy exists within the City to accommodate the movement of residents. As such, the proposed Project would not require construction of any replacement housing such that it would contribute to a cumulatively considerable impact on the environment or any effects from new construction not accounted for in previous planning efforts. The proposed Project is consistent with the FCGP which guides the development of housing and business opportunities in the City. No cumulative impacts related to displacement would occur.

The City of Fontana is anticipated to have an approximate population of 280,900 by 2040. The proposed Project represents 0.3 percent of this total. Within this planning context in terms of both local and regional population growth, and considering the Project is not proposing new housing but replacement housing units for existing planned development, the potential for the proposed Project to result in redevelopment of the Malaga and Palmetto sites would not be cumulatively considerable. Accordingly, the proposed Project would not induce population growth that has not been planned and would extend infrastructure to areas resulting in unplanned induced or cumulatively considerable development. Therefore, the proposed Project would not cause a cumulatively considerable impact on population and housing and no mitigation is required.

4.12.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable population and housing impacts have been identified.

4.13 PUBLIC SERVICES AND RECREATION

4.13.1 INTRODUCTION

This section evaluates potential Project impacts on public services and recreation amenities by identifying anticipated demand and evaluating its relationship to existing and planned public services, facilities, and availability to serve the City population. For abbreviation purposes, the general term "public services" in this Draft EIR includes the following: fire protection, police protection, schools, parks, and library services. This section identifies potential impacts that could result from implementation of the proposed Project, which includes construction and operation of the Warehouse site and upzoning of the Malaga and Palmetto sites. This chapter discusses the existing conditions in terms of land use designations, existing land uses on the Project sites, characteristics of the surrounding land uses, and potential conflicts resulting in impacts to the environment that could occur should the Project be implemented.

It should be noted that the proposed Project is unique in that it includes three different sites but only one site, the Warehouse site, is proposed to be developed. The Malaga Site and Palmetto site would be upzoned but no development is proposed. This creates a unique situation in that some of the Project elements, existing setting, and impacts are applicable to the components individually as well as being applicable to all three sites together. Therefore, the subsequent discussion of some of the Project elements, designs, plans, the existing environment, and assocaited Project impacts, where applicable will be discussed as one and in some instances they will be discussed separately.

In accordance with Appendix G of CEQA, the emphasis in this Draft EIR is on impacts to public services that could result from implementation of the proposed Project and that could require construction or expansion of existing public service facilities resulting in a physical impact on the environment. CEQA Appendix G questions related to fire service are addressed separately in this EIR in Chapter 4.16*, Wildfire*. The environmental setting discussion is based largely on review of relevant documents and information including the following:

- City of Fontana General Plan Update 2015-2035
- Aerial Photographs
- Field Observations

4.13.2 ENVIRONMENTAL SETTING

WAREHOUSE SITE

The Warehouse site is located on approximately 16.02 gross acres with approximately 15.21 being developed as the warehouse, parking, internal circulation, landscaping etc., and approximately 0.86 acres being dedicated to the City for use as right-of-way. The site would occupy an area that is undeveloped except for a remnant concrete pad from a previous residence that was located on-site. It should be noted there is an existing private residence adjacent to the northern project boundary approximately 200 feet to the north. The residence as well as the Warehouse site are primarily accessed via Sierra Avenue which parallels the western site boundary. The Warehouse site is in an area that is within the southwestern edge of a military reservation that was used from 1941-1945. The land was then sold by the Army into private use in 1946. The property to the north has not been developed other than with the private residence. The remnants of the foundation of the house on site is located in the center of the Warehouse site. Habitat

on the site consists of coastal sage scrub and chamise chaparral mixed with dense non-native grasses and native annuals and perennials. The property is accessible from the south and east sides via dirt roads needed by Southern California Edison (SCE) to reach their easement for the adjacent high voltage towers. There are no uses on-site that currently require public services or increase demands on recreation.

MALAGA SITE

The Malaga site is approximately 5.69 acres and is located at the north side of Malaga Avenue, immediately west of Mango Avenue, approximately 0.3 miles north of Foothill Boulevard. The site is rectangular and contains 14 individual parcels which are mainly developed with residential uses in an urbanized area. The Malaga site consists of primarily single-family residential development and is surrounded by existing residential uses, a few undeveloped lots, and limited commercial development. Being primarily residential in nature, the site would be served by existing public services and local recreational facilities. As discussed, the site is bound by Mango Avenue on the east, single-family residential to the north, a vacant lot to the west, and Malaga Street to the south. Within the properties is typical ornamental vegetation (shrubs, trees, and potted plants), and a few open areas consisting of non-native grasses and ruderal vegetation.

PALMETTO SITE

The Palmetto site occupies approximately 3.58 acres and contains three single-family residences and two vacant lots on the northerly half of the site and a church and parking lot on the southerly half. Immediately surrounding the Palmetto site are existing residential uses, lots used for storage, and a few undeveloped lots. In the immediately surrounding area, there are three apartment buildings, a school, and limited commercial development. Being primarily residential in nature, the site would be served by existing public services and local recreational facilities. The site is bound by Palmetto Avenue on the east, Valencia Avenue on the south, a quad-plex or five plex and single-family units and storage yard to the east, and a single-family unit, a small strip commercial use and are used for vehicle and boat storage to the north. Views of the site would be afforded to travelers on both roadways, from the backyards of the residential units, and across the streets and vacant lots and other uses. The site contains vegetation consistent with ornamental landscaping including shrubs, trees, and potted plants, and a few open areas consisting of non-native grasses and ruderal vegetation.

FIRE PROTECTION

Warehouse, Malaga, and Palmetto Sites

The Fontana Fire Protection District (FFPD) was created in 2008 and provides emergency, preventive, and administrative services to the 52.4 square miles within the City limits and within the City SOI through a contract with the San Bernardino County Fire Department (SBCFD). The City and proposed Project areas are currently served by seven fire stations, an administrative office, and a fire prevention office.

Both the District's administrative offices and the fire prevention offices are located at City Hall, 8353 Sierra Avenue. The Fontana Fire District serves the City of Fontana and its sphere of influence. The District is served by seven fire stations. The District's administrative offices are located at 17001 Upland Avenue and the fire prevention offices are located at City Hall, 8353 Sierra Avenue. The District is staffed with 129 full-time personnel: 113 safety employees and 16 non-safety employees. Emergency response, administrative and support services are provided through a contract under the umbrella of the San Bernardino County

Fire Department. The FFD has three levels of measures for response times including Six minutes or less for the 1st Unit; Eight minutes or less for the 2nd unit, and Twelve minutes or less for a full assignment. For all measures the actual response times from 2017 – 2018, estimated response times from 2018-2020, and targeted response times from 2019-2020 are 90% or anticipated to be 90%.[1]

The closest Fire Station to the Warehouse site is Station 79 at 5075 Coyote Canyon Road approximately 1.75 miles to the west. Station 79 is staffed with one Captain, one engineer, and firefighter medic. The equipment includes one Medic Engine.

The closest Fire Station to the Malaga site is Fire Station 78 at 7110 Citrus approximately 1.5 miles to the northwest. Station 78 is staffed with one Captain, one engineer, two firefighter medics, and one firefighter. The equipment includes one medic engine and one squad vehicle.[2] The closest fire station to the Palmetto site also is Fire Station 78 within is approximately 2.25 miles to the northwest.

POLICE

Warehouse, Malaga, and Palmetto Sites

Police protection services for the City and proposed Project sites is provided by the Fontana Police Department (FPD). The FPD operates out of its headquarters at 17005 Upland Avenue, which is approximately 4.0 miles south of the Warehouse site, approximately 1 mile south of the Malaga site and approximately 0.5 miles west of the Palmetto site. As with fire protection services discussed above, the Warehouse site, Malaga site, and Palmetto site are all already within the service area of the FPD. The FPD serves the City and proposed Project areas with 304 full-time employees of which 202 are sworn officers and 102 are none sworn. Based on the current population of the City from the 2019 US Census of 213,739 people, this represents a current ratio of 1.06 officers per 1,000 population.

FPD is comprised of four divisions including the Office of the Chief of Police, Administrative Services, Field Services and Special Operations.[3] Within these division numerous units are used to serve the public. This includes but is not limited to records, field evidence, K-9, code compliance, traffic, etc. The Patrol unit is the largest unit within the department, and calls for routine and emergency service are typically handled by this unit. In 2017-2018 there were a total of 129,680 calls for service and the response time of patrol to the Priority One calls was 7:30 minutes. In 2018 the calls dropped to 111,159 and estimated response time was 7:19. The targeted numbers for 2019-2020 are 95,596 total calls and a response time to Priority one calls of 7:15 minutes.[4] The FPD also operate the Southridge Contact Station at 11500 Live Oak Avenue. There is an additional contact station located within the Palm Court Shopping Center, at 17122 Slover Avenue. The stations are used by officers for reporting, but neither is staffed.[5]

1 City of Fontana, 2019. City of Fontana, California Adopted Operating Budget Fiscal Year 2019-2020. Available: https://www.fontana.org/DocumentCenter/View/29901/2019--2020-Adopted-Operating-Budget Accessed: March 11, 2020
2 City of Fontana, 2020. Stations & Equipment. Available: https://www.fontana.org/639/Stations-Equipment Accessed: March 11, 2020.
3 City of Fontana, 2019. City of Fontana, California Adopted Operating Budget Fiscal Year 2019-2020. Available: https://www.fontana.org/DocumentCenter/View/29901/2019--2020-Adopted-Operating-Budget Accessed: March 11, 2020.
4 City of Fontana, 2019. City of Fontana, California Adopted Operating Budget Fiscal Year 2019-2020. Available: https://www.fontana.org/DocumentCenter/View/29901/2019--2020-Adopted-Operating-Budget Accessed: March 11, 2020.
5 City of Fontana 2018. Fontana Forward General Plan Update 2015-2035 DEIR. Available: https://www.fontana.org/2137/Environmental-Documents Accessed: March 11, 2020.

SCHOOLS

The Fontana Unified School District (FUSD) serves the City of Fontana with education services. The FUSD serves students in preschool through adult education using 45 different schools. According to the FUSD during the 2018-2019 school year they served a total of 41,116 students of which 17,327 were in elementary school, 8,622 were in middle school, and 11,152 were in high school. The balance enrolled students, 4,015 are in early education/preschool, infant and toddler, continuation schools, or adult schools. Within the district students are served by 29 elementary schools, 1 elementary magnet school, 7 middle schools, 5 high schools, 2 continuation high schools, 1 adult school, 27 preschools, 1 head start site, and 2 infant/toddler sites. To support operations there are over 3,948 employees in the District of which: 1,904 are certificated, 1,769 are support staff, and 275 are administrators.[6]

The Warehouse site is in the Sierra Lakes Elementary School boundary, the Ruble Middle School boundary for 6th grade, and the boundaries of Summit High School. The Malaga site is in the North Tamarind Elementary School boundary for elementary and middle school, and the boundaries of Miller High School the Palmetto site is in the South Tamarind Elementary School boundary for elementary, and the Fontana Middle School for middle school grades, and the boundaries of Fontana High School.[7]

PARKS AND RECREATION

Parks and recreation areas within the City are managed by City of Fontana Facilities & Parks. The City of Fontana maintains over 40 parks, sports facilities, and community centers. There are no parks or recreational facilities in any of the Project sites. The nearest park to the Warehouse site is Sierra Crest Park at 4860 Condor Avenue. The park provides a picnic park structure, play area, grass area, landscaping and pathways. The park is approximately 1.0 acres.

The nearest park to the Malaga site is North Tamarind Park at 8025 Tamarind Avenue approximately 0.75 miles to the east. This park provides barbeques, picnic shelters, picnic tables, a playground, and restrooms. The park is approximately 4.5 acres in size.

The nearest park to the Palmetto site is Veterans Memorial Park approximately 1.0 miles to the southwest. This park is approximately 25 acres in size and has ball fields, barbeque areas, basketball, picnic shelters and tables, playground, snack-bar, soccer field, and volleyball.[8]

4.13.3 REGULATORY SETTING

FEDERAL

There are no Federal regulations pertaining to fire services, police services, or school services that would be applicable to the proposed Project.

6 Fontana Unified School District, 2019. Fontana Unified School District – A Quick Reference to Fontana Unified School District. Available: https://ca50000190.schoolwires.net/cms/lib/CA50000190/Centricity/Domain/143/2018-19%20Fontana%20Flash%20Facts.pdf Accessed: March 11, 2020.

7 Fontana Unified School District 2019b. School Boundary Maps and Maps to Schools. Available: https://www.fusd.net/Page/321 Accessed: March 11, 2020.

8 City of Fontana, 2020. Fontana Community Services. Available: https://www.fontana.org/DocumentCenter/View/31336/Fontana-Parks--Sports-Complex- Accessed: March 11, 2020.

STATE

California Senate Bill 50 and California Government Code (Section 65995(b)) and Education Code (Section 17620)

California Senate Bill (SB) 50 places limitations on the power of local governments to require mitigation of school facilities by developers. Under the provisions of SB 50, school districts can collect fees to offset the cost of expanding school capacity, which becomes necessary as development occurs. These fees are determined based on the square footage of proposed uses. As a part of this Bill, school districts must base their long-term facilities needs and costs on long-term population growth in order to qualify for this source of funding. Payment of statutory school fees is deemed to be adequate mitigation of school impacts under CEQA. Prior to SB 50, case law allowed cities to consider and impose conditions to mitigate impacts of new development on school facilities.

SB 50 amended California Government Code Section 65995, which contains limitations on Education Code Section 17620, the statute that authorizes school districts to assess development fees within school district boundaries. Government Code Section 65995(b)(3) requires the maximum square footage assessment for development to be increased every two years, according to inflation adjustments. Currently, the maximum impact fees allowed by SB 50 are as follows:

- In the case of residential construction, two dollars and ninety-seven cents ($3.79) per square foot of assessable space.
- In the case of any commercial or industrial construction, thirty-three cents ($0.61) per square foot of chargeable covered and enclosed space. (Gov. Code §65995, subd. (b)).

According to California Government Code Section 65995(3)(h), the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities." The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Mitigation Fee Act (California Government Code (Sections 66000 through 66008)

Enacted as Assembly Bill (AB) 1600, the Mitigation Fee Act requires a local agency, such as the City of Fontana establishing, increasing, or imposing an impact fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development Project on which it is to be levied. This Act became enforceable on January 1, 1989 (California Legislative Information, 2019).

California State Assembly Bill 97 (AB 97)

Approved in July 2013, AB 97 revises existing regulations related to financing for public schools, by requiring State funding for county superintendents and charter schools that previously received a general-purpose entitlement. The bill authorizes local educational agencies to spend, for any local educational purpose, the funds previously required to be spent for specified categorical education programs, including, among others, programs for teacher training and class size reduction.

Assembly Bill 75

Assembly Bill (AB) 75, approved by the Governor in 1999, took effect on January 1, 2000. This bill added new provisions to the Public Resources Code, requiring each State agency to develop and adopt an Integrated Waste Management Plan (IWMP). AB 75 also mandated that community service districts providing solid waste services report disposal and diversion information to the City, county, or regional agency in which the community service district is located.

California Building Code

The State of California provides a minimum standard for building design through the California Building Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations. The California Building Code is based on the International Building Code but has been modified for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan checked by local City and County building officials for compliance with the CBC. Typical fire safety requirements of the CBC include the installation of sprinklers in all commercial and residential buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

2016 California Fire Code

California Code of Regulations (CCR) Title 24, Part 9 (2016 California Fire Code) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of wildland-urban interface areas, among other issues. The California Fire Code is updated every three years by the California Building Standards Commission and was last updated in 2016 (adopted January 1, 2017). The Fire Code sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the proposed Project would be subject to applicable regulations of the California Fire Code.

California Health and Safety Code

State fire regulations are set forth in California Health and Safety Code §13000 et seq., and include provisions concerning building standards, fire protection and notification systems, fire protection devices, and fire suppression training, as also set forth in the 2016 CBSC and related updated codes.

Mutual Aid Agreements (MAA)

The Emergency Management Mutual Aid (EMMA) system is a collaborative effort between City and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center (REOC), local Emergency Operations Centers (EOCs), the

Disaster Field Office (DFO), and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the MAA, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

The Quimby Act

The Quimby Act (California Government Code, Section 66477) was established by the California legislature in 1965 to develop new or rehabilitate existing neighborhood or community park or recreation facilities. This legislation was enacted in response to the need to provide parks and recreation facilities for California's growing communities. The Quimby Act gives the legislative body of a city or county the authority, by ordinance, to require the dedication of land or payment of in-lieu fees, or a combination of both, for park and recreational purposes as a condition of approval of a tract map or parcel map. The Quimby Act is implemented through City Ordinance and is discussed further below.

Senate Bill 50

Senate Bill (SB) 50 (the Leroy F. Greene School Facilities Act of 1998), adopted in 1998, defined the school impact fee needs analysis process in Government Code Sections 65995.5–65998. Pursuant to its provisions, school districts may collect fees to offset the costs associated with increasing school capacity as a result of development. By statute, payment of a statutory fee by developers serves as the total mitigation of the potential impact of a development on school facilities pursuant to CEQA.

California Department of Education Code Section 17212.5

The California Department of Education Code Section 17212.5 states that "no school building shall be constructed, reconstructed, or relocated on the trace of a geological fault along which surface rupture can be reasonably expected to occur within the life of the school building."

LOCAL

City of Fontana General Plan Update 2015-2035

Public and Community Services

This Element of the Fontana Forward Plan focuses on three important aspects of municipal service provision: public safety, public facilities, and the many services provided by the Community Services department. Fontana residents are generally very satisfied with the public services and facilities provided by the City. Continuing this high level of service provision while making improvements is the theme of this element of the plan.

Goal 1 **Fontana's crime rate continues to be below state and county rates.**

Policies

- Continue the Police Department's successful community policing programs.
- Provide appropriate security for new amenities, such as trails and parks.
- Support Police Department needs for staff and technology to keep up with population growth and contemporary policing methods.

- Promote and enhance use of anti-crime design strategies and programs.

Goal 2 **Fontana's Fire Department meets or exceeds state and national benchmarks for protection and responsiveness.**

Policy

- Continue the City's successful partnership with the San Bernardino County Fire Department.

Goal 3 **Fontana has modern, well-maintained public facilities that meet the needs of residents of all ages, businesses, and government.**

Policies

- Support development of a City facilities master plan and use an asset management system for all City property.
- Support initiatives to reduce energy costs in public facilities.
- Develop an "Aging in Fontana" plan to prepare to serve an increasing number of senior citizens.

Goal 5 **New community centers, parks, and facilities are located in the context of multimodal networks for maximum accessibility.**

Policy

- Support location of new facilities in coordination with mobility planning.

4.13.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

CEQA Guidelines Appendix G, Environmental Checklist Form, includes questions pertaining to public services. The issues presented in the Environmental Checklist have been utilized as thresholds of significance in this section. Accordingly, the Project would have a significant adverse environmental impact if it:

- Would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
  - *Fire protection?*
  - *Police protection?*
  - *Schools?*
  - *Parks?*
  - *Other public facilities?*
- 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?

- 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?

METHODOLOGY AND ASSUMPTIONS

The proposed Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning public services and recreation. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts associated with public services and recreational resources.

APPROACH TO ANALYSIS

This analysis of impacts on public services and recreation examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga Site and Palmetto sites and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: field observations conducted by Kimley-Horn; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component will or will not result in "substantial" adverse effects on land use and planning standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.13.5 IMPACTS AND MITIGATION MEASURES

Impact 4.12-1: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

Level of Significance: Less Than Significant Impact

A significant impact would result if development of the Warehouse site, and upzoning and potential future redevelopment of the Malaga and Palmetto sites at higher densities would result in increased demands for fire protection services, police protection, schools, parks, or other facilities such that new or physically altered stations, schools, parks, or other facilities or location from which services are provided would be needed. If the construction or operation of such facilities would cause substantial environmental effects due to the expansion or construction of facilities on new sites needed to maintain acceptable service ratios, response times, or other performance objectives a potentially significant impact could result.

WAREHOUSE SITE

Construction and Operations

i) Fire protection?

Level of Significance: Less Than Significant Impact

The Warehouse site would be developed on an existing 16.02-acre vacant parcel surrounded by existing residential and industrial development and some areas of undeveloped land to the north and south already served and responded to by FFPD. The Warehouse site would be approximately 3.5 miles from Fire Station 29 and approximately 5 miles from Station 78. Station 29 would be the primary station responding to the Warehouse site if a call for service is requested. Based on the City of Fontana Adopted Operating Budget for 2019-2020, the FFPD currently responds to approximately 90% of calls within the desired time frame. The Warehouse site is within the area of other existing developments and would be an extension of the industrial development nearby to the south. Additionally, access to the Warehouse site is currently available via Sierra Avenue, and would be expanded with the associated construction of Casa Grande Avenue. Therefore, based on the location, proximity to existing stations, the response time to the Warehouse site is anticipated to be acceptable. It is not anticipated that construction of new or expanded fire facilities or fire stations as a result of the construction or operation of the Warehouse would be required. The Warehouse site would further reduce impacts and increase the ability for responding personnel to fight fires with the installation of all required on-site fire suppression devices, as well as use of defensible space, installation of hydrants, and use of building materials to retard the spread of fire. Impacts are less than significant in this regard and mitigation beyond the standard payment of fees and conformance to fire safety requirements is not required.

ii) Police Protection?

Level of Significance: Less Than Significant Impact

The Warehouse site would be developed with approximately 322,996 square feet (sf) of industrial Warehouse, associated parking, landscaping, and ancillary structures. This element of the proposed Project would not directly increase the City population resulting in additional residents who may request law enforcement services. This would result in the officer to population ratio remaining constant and a substantial increased demand for service during construction or operation of the Warehouse is not anticipated. In addition, the FPD would be provided the opportunity to review the Project's design to verify that all feasible Crime Prevention measures. Through Environmental Design (CPTED) strategies are incorporated. CPTED is a way of designing the built environment to create a safer built environment. CPTED elements include the strategic use of nighttime security lighting, avoidance of landscaping and fencing that limit sightlines, and use of a single, clearly identifiable point of entry.

Fees are exacted on new development to pay for new facilities. Funding for the operation and maintenance of existing services comes from the City's General Fund. It is anticipated that the Warehouse site would be adequately served by existing FPD facilities, equipment, and personnel such that new facilities would not be required. As discussed above, because the Warehouse site is not residential, although some calls for service are anticipated the increase for police services would not be significantly impacted due to construction and operation of the Warehouse site. Additionally, development of the Warehouse site would increase property tax revenues to provide a source of funding to offset any

increases in the anticipated demands for public services generated by the proposed Project. Therefore, impacts would be less than significant in this regard.

iii) Schools?

Level of Significance: Less Than Significant Impact

School services for students in residential areas surrounding the Warehouse site are provided by the FUSD. However, because the warehouse component of the proposed Project is industrial in nature, no students would be directly generated by the construction and operation of the Warehouse site. Development and use of the Warehouse site could result in indirect generation of students by encouraging new growth needed to house employees and their families. As discussed in the Chapter 4.11 – Population and Housing, it is anticipated that most workers would come from surrounding areas or from currently planned residential development a limited number of new students would be generated.

Assembly Bill 2926 passed in 1986 allows school districts to collect impact fees from developers of new residential and commercial/industrial building space. Senate Bill 50 and Proposition 1A, both of which passed in 1998, provided a comprehensive school facilities financing and reform program.

According to California Government Code Section 65995(3)(h), the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities." The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

The FUSD requires school mitigation impact fees of $0.61 per square foot for commercial/industrial developments.[9] The Project applicant would be required to pay the District's current developer impact fees for commercial/industrial use in effect at the time of submitting the building permit application. The FUSD uses these fees to pay for facility expansion and upgrades needed to serve new students. While this component of the proposed Project would not generate any new students and increase demand for school services such that new facilities would be required, payment of fees in compliance with Government Code Section 65996 fully mitigates all impacts to school facilities. Therefore, this impact would be less than significant in this regard.

iv) Parks?

Level of Significance: Less Than Significant Impact

The City of Fontana provides approximately forty parks to its residents. The closest park to the Warehouse site is the Sierra Crest Park, located approximately 0.5 miles north. Because the Warehouse would not involve the development of habitable structures, new residents would not be directly be generated as part of the Warehouse Project. It is possible that new employees could occasionally use public parks or facilities between shifts. However, such use is likely to be negligible compared to existing conditions. Therefore, the Warehouse site would not impact local or neighboring parks. Therefore, a less than significant impact would occur in this regard.

9 Fontana Unified School District, 2020. *Developer Fee*. Available at https://www.fusd.net/Page/639, accessed on March 11, 2020.

v) Other Public Facilities?

Level of Significance: Less Than Significant Impact

Other Public Facilities generally refers to libraries and government buildings that serve the population within the jurisdiction. The Fontana Lewis Library & Technology Center is located at 8437 Sierra Avenue, located approximately 4.0 miles south of the Warehouse site. The construction and operation of the Warehouse site would not result in a substantial increase in demand for these services such that a significant deterioration of the existing facilities would occur, or such that new facilities would be required. Regardless of any added level of use to existing libraries or other public facilities, the Project applicant would be required to pay its fair share of Development Impact Fees to help offset incremental impacts to libraries by helping fund capital improvements and expenditures. The City charges $.042 per building sf to help offset costs and improvements needed to provide services to the residents. Therefore, impacts associated with libraries and other public facilities would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

Impacts on public facilities are typically associated with population increases. Neither the Malaga site or Palmetto sites are proposed to undergo any construction. Both sites would be upzoned to enable reconstruction at higher densities than currently exist. The Malaga and Palmetto sites are in areas already served by the City including FFPD, FPD, FUSD, Parks and Recreation, and other public facilities such as libraries. Therefore, while the upzoning of the Malaga and Palmetto sites would allow for increased residential densities, if they are eventually built, it would not result in an overall increase in the planned population growth of the City. Redeveloped of the sites would increase the population local to the respective areas area but would not increase the City population to a number greater than that which is already planned for based on FCGP Land designations or and existing zoning. Redeveloped, should it occur, of the Malaga and Palmetto sites would increase the existing density of the site and the number of people in the vicinity. While densities would be increased, the Malaga and Palmetto sites are RUR's sites and are intended to accommodate the same approximate 219 units that would have been developed had the Warehouse site been used for residential based on the current designations and zoning. Accordingly, this transfer of units and potential for the Malaga and Palmetto site does not represent new and unaccounted for growth in the City.

In the same way the General Plan anticipates growth, it plans for expansion and increased demand for City services including fire and police protection services, schools, parks and recreation, and other public facilities. This includes the need for new stations or locations of new City buildings to provide services to residents. While the precise location, size, and details of future structures is unknown and too speculative for this analysis, potential impacts of new and expanded facilities would have an accompanying environmental analysis as required by CEQA. Any future CEQA analysis would disclose any potential significant impacts and identify mitigation measures necessary to reduce significance of the impacts. This

would include evaluation for conformance to the City's development review process as required by the zoning ordinance. This process of development review for future Project (s) is accounted for in the City of Fontana General Plan EIR.[10]

i) Fire Protection?

Level of Significance: Less Than Significant Impact

The General Plan EIR discusses that build out of the City is planned for in an orderly expansion over two decades resulting in gradual population growth. To accommodate the growth new fire protection facilities were anticipated and to help offset costs and ensure adequate service is provided, development mitigation fees are collected.

Through application of the FCGP and conformance to its goals and policies related to the provision of fire services including fire equipment, infrastructure, and to maintain appropriate response times, provision of services was found to be adequate for all sections of the City. This would ensure that any new developments including redevelopment of these sites would not reduce the staffing, response times, or service levels within the City. In addition, because the overall Project would not result in an overall increased population of the City it would not result in demands for new stations that are unplanned or that would result in significant new effects. Therefore, the upzoning of these sites is not anticipated to have a significant impact to Fire Protection.

ii) Police Protection?

Level of Significance: Less Than Significant Impact

The FCGP EIR discusses that built out of the City is planned for in an orderly expansion over two decades resulting in gradual population growth. To accommodate the growth new police officers and potential for new protection facilities were anticipated and to help offset costs and ensure adequate service is provided, development mitigation fees are collected.

Through application of the FCGP and conformance to its goals and policies related to the provision of law enforcement protection including equipment, infrastructure, vehicles and to maintain appropriate response times, provision of services was found to be adequate for all sections of the City. This would ensure that any new developments including redevelopment of these Malaga and Palmetto sites would not reduce the staffing, response times, or service levels within the City. In addition, because the overall Project would not result in an overall increased population of the City it would not result in demands for new stations that are unplanned or that would result in significant new effects. Therefore, the upzoning of these sites is not anticipated to have a significant impact to Police Protection.

iii) Schools?

Level of Significance: Less Than Significant Impact

The General Plan EIR discusses that built out of the City is planned for in an orderly expansion over two decades resulting in gradual population growth. The GPEIR notes that as of 2015 school enrolment had been in decline due to the great recession and was 40,674 students in 2015. Since that time enrollment has slightly rebounded to a 41,116 in 2019, and increase of approximately 1.0%. Nonetheless, future

[10] City of Fontana, 2018. Fontana Forward General Plan Update 2015 -2035. Available: https://www.fontana.org/2632/General-Plan-Update-2015---2035 Accessed: March 12, 2020.

growth and student generation is anticipated and to accommodate the growth new school and staff would be needed to support the student population. To help ensure adequate service is provided, development mitigation fees are collected in accordance with state law. Currently, the FUSD collects school impact mitigation fees of $3.79 per square foot to off-set costs and help pay for improvements

While the need for additional facilities has been identified for overall development within the City, if or when new schools are needed and proposed, the Project-specific details will be analyzed for the potential impacts pursuant to CEQA at that time. Additionally, it should be noted that if the Malaga and Palmetto sites are redeveloped, it would not generate students in addition to what has been planned or anticipated because the Project would shift transfer growth from the Warehouse site to the Malaga and Palmetto sites. Therefore, through application of the General Plan, conformance to its goals and policies related to the provision of school including infrastructure, it is anticipated that adequate services would be provided. In addition, if redeveloped fees from the Malaga and Palmetto sites would be paid, which, by law, are considered to fully mitigate impacts to school services. Therefore, impacts in this regard would be less than significant.

iv) Parks?

Level of Significance: Less than Significant Impact

The City of Fontana provides approximately forty parks for the use of its residents. There are numerous parks and schools in proximity to both the Malaga and Palmetto sites that could be used by existing local residents and future residents should the sites be redeveloped. As discussed above, unplanned new residents would not be generated as part of the proposed Project and redeveloped of the Malaga and Palmetto sites would not result in a net increase of planned City population. As discussed in the GPEIR, while the FCGP Update does not specifically propose construction of new facilities, the build out under the FCGP Update would not exceed the performance standard set for parks. Further, based on Fontana Development Fee schedule for parks, and the anticipated nature of potential residential development of the Malaga or Palmetto sites, park fees would be paid in the sum of either $5,981.70 per unit (townhomes/condos) or 5,139.37 per sf (Apartments). This would offset the costs of cost to provide parks. Lastly, all future park development would undergo individual CEQA evaluation, which is anticipated to account for all future impacts. Therefore, the Project would have a less than significant impact on Parks.

v) Other Public Facilities?

Level of Significance: Less Than Significant Impact

The City of Fontana provides library services and also serves residents through its City hall as well as other City buildings. As discussed above, new residents would not be directly be generated as part of the Project and redeveloped of the Malaga and Palmetto sites would not result in a net increase of City population. The proposed Project would result in a relocation of residential development from the Warehouse site to potential development of the Malaga and Palmetto sites. Therefore, because the proposed Project would not result in a direct increase of population directly increasing demand for public services, impacts in this regard would be less than significant and mitigation is not required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.12-2: 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?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction and Operations

The demand for parks is determined by changes and increases in housing and population. In this case, the Warehouse site would be developed with an industrial use, and no new residents or housing would be introduced to the area. Therefore, this component of the proposed Project would not directly induce population growth or increase demand on parks and recreational resources. Impacts in this regard would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

The demand for parks is determined by changes and increases in housing and population. As discussed above, new residents would not be directly be generated as part of the Project and redeveloped of the sites would not result in a net increase of City population. The Project would result in a relocation of residential development from the Warehouse site to potential development of the Malaga and Palmetto sites. In sum, the Project would result in a transfer of up to approximately 219 residents from the Warehouse site to the Malaga and Palmetto sites. Therefore, because the Project would not result in a direct increase of population directly increasing demand for parks, a substantial deterioration would not occur, and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.12-3: 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?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction and Operations

The proposed Project does not include recreational facilities or require the expansion of recreational facilities which might have an adverse physical effect on the environment; because the proposed Project would not result in an increased demand for recreational facilities, less than significant impacts would occur.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

Neither the Malaga or Palmetto sites, should they be redeveloped would include recreational facilities or the expansion of recreational facilities, which might have an adverse physical effect on the environment. Because the Project does not include recreational facilities, a less than significant impacts would occur.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.13.6 CUMULATIVE IMPACTS

The proposed Project is not anticipated to substantially increase the need for public services in the City. The proposed Project would result in a transfer or residential development from the Warehouse site to the Malaga and Palmetto sites. The Project would not result in an overall net increase in City population. As discussed above, anticipated increase demands for public services within the City was accounted for in the General Plan and analyzed in the GP EIR, which accounts for cumulative growth in the City. In addition, related to all public services, the Project would pay the required development fees that would be appropriately allocated for police, fire, schools, parks, and other public facilities.

Similar to the proposed Project, other cumulative projects would be required to demonstrate their level of impact on public services including paying the appropriate development fees; therefore, the past, present, and future projects would not result in a cumulative impact related to the provision of public services.

4.13.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable public services and recreation impacts have been identified.

4.14 TRANSPORTATION AND TRAFFIC

4.14.1 INTRODUCTION

This section addresses transportation and traffic impacts related to the construction and operation of the Sierra and Casa Grande Project (proposed Project), which includes upzoning of the Malaga and Palmetto sites. The following discussion addresses existing environmental conditions in the affected areas including the existing transportation system, significance criteria for transportation and traffic impacts, and potential Project impacts resulting from implementation of the proposed Project. Where required and feasible this discussion recommends mitigation measures to reduce or avoid significant impacts anticipated from implementation of the proposed Project, and from construction of the and operation of the Warehouse site, and after upzoning of the Malaga and Palmetto sites. Information presented in this section also cites existing laws and regulations, and local policies and guidelines relevant to transportation resources. In some cases, compliance with these existing laws and regulations will serve to reduce or avoid certain impacts that might otherwise occur with the implementation of the proposed Project. Information for this section was obtained from the following sources:

- City of Fontana General Plan Update 2015-2035
- Community Development and Circulation element
- City of Fontana Municipal Code (MC)
- Traffic Impact Analysis (TIA) for the Proposed Sierra Grande and Casa Grande Warehouse Project – May 2020
- Traffic Memorandum for the Proposed Sierra Casa Grande Warehouse Residential Replacement Sites – Mango Avenue Site; and
- Traffic Memorandum for the Proposed Sierra Casa Grande Warehouse Residential Replacement Sites – Palmetto Avenue Site.
- Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition).

The full contents of the TIA including appendices to the TIA and the Traffic Memorandums for the Malaga and Palmetto sites are provided in Appendix H of this DEIR.

4.14.2 ENVIRONMENTAL SETTING

LOCAL VICINITY

Warehouse Site

The Warehouse site comprises several vacant parcels totaling approximately 16.02 acres. It is located at the northeastern portion of the City of Fontana (City) at the intersection of Sierra Avenue and Casa Grande Avenue. Direct access to the site is via Sierra Avenue, which parallels the site on the west, and via Casa Grande Avenue, which is a dirt road adjacent to the site on the south. Casa Grande Avenue would be paved as part of the Warehouse construction. Casa Grande is shown as a Secondary Highway in the FCGP

in the Roadway Functional Classification figure. This figure also shows an extension of Casa Grande from its current terminus with Sierra Avenue east to the border with Rialto but not extending into Rialto.[1]

Sierra Avenue is a north south trending divided two-lane roadway (one north and one south lane) adjacent to the Warehouse site. The Fontana General Plan designates Sierra Avenue as a major highway and as a truck route in the FCGP. **Figure 4.14-1,** *Local Truck Routes*, provides a graphic representation of these roadways. Interstate 15 (I-15) is located approximately 1.5 miles to the north near the entrance to the Cajon Pass, and Interstate 210 (I-210), is located approximately 1.5 miles to the south. I-210 trends in an east west direction and provides a direct connection to Interstate 10 (I-10) approximately 3.5 miles west and to Interstate (I-215) approximately 6.5 miles to the east.

The Warehouse site does not have any existing paved roads and is not used for any public transportation or transit purposes. The Warehouse site is immediately adjacent to a Southern California Edison (SCE) easement on the easterly side of the property. The easement is used by SCE to access existing powerlines and the easement separates the Warehouse site from a large residential subdivision the City of Rialto approximately 300 feet to the west.

The Warehouse site is characterized by scattered brush consisting of coastal sage scrub and other similar habitats, relatively flat surfaces with no substantial landforms, rock outcrops, or other significant features. Soils on the Warehouse site are generally characterized as rocky soil and are remnants of alluvial flows. The site slopes gently to the south at an elevation of approximately 1,755 feet on the north to approximately 1,735 feet at the southeast corner of the site. The existing local and regional transportation system is described in additional detail below.

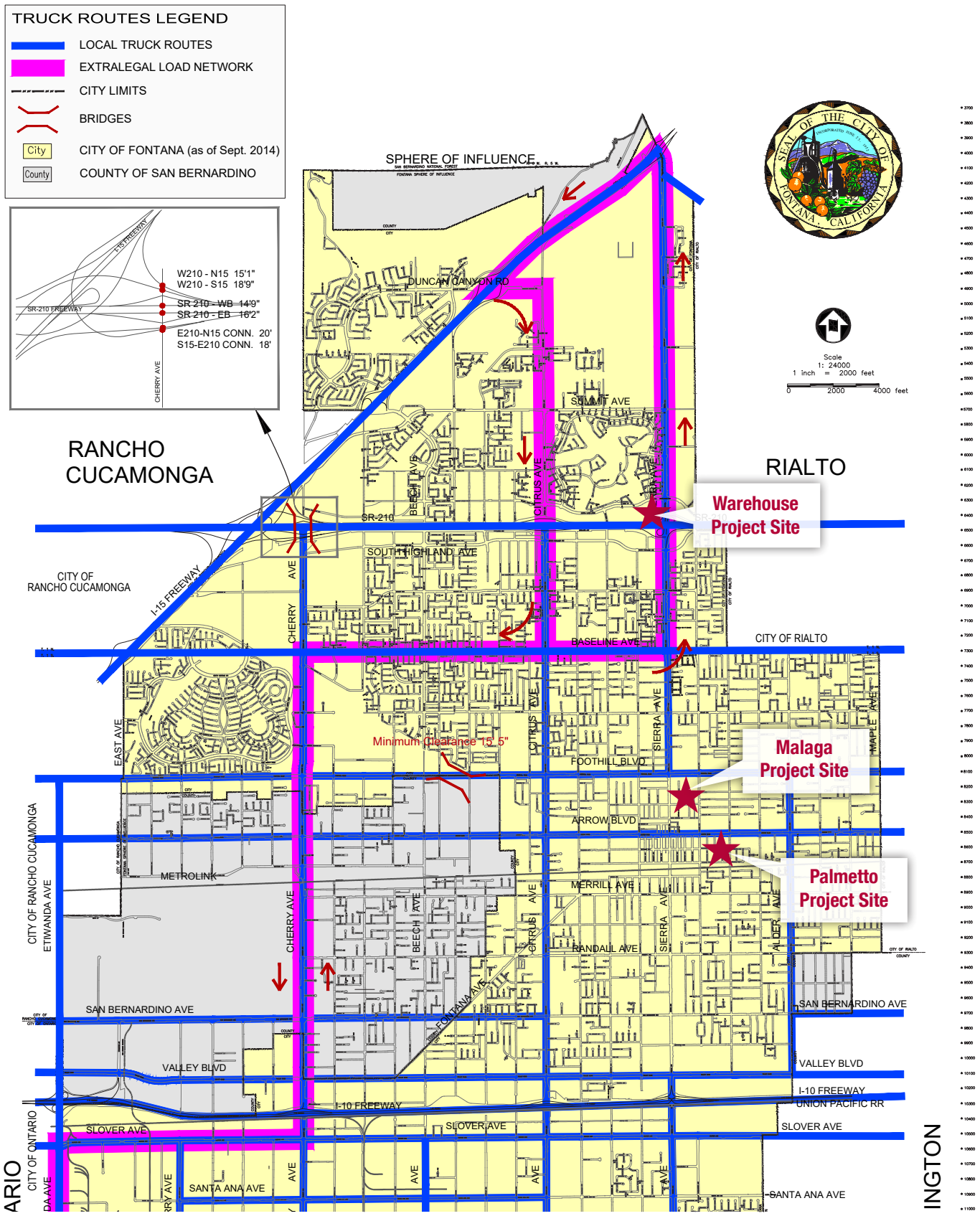
Malaga Site

The Malaga RUR site is located approximately 0.5 miles north of the central Downtown area of the City. The Malaga site comprises approximately 5.69 acres and is located adjacent to the north side of Malaga Street and west side of Mango Street. Approximately one block north is the Miller Avenue which provides two lanes in each direction for east west travel across most of the City. Approximately .3 miles south is Foothill Boulevard, which provides two lanes for in each direction for east west travel across most of the City and has an existing bus route and stops proximate to the site.

Palmetto Site

The Palmetto RUR site is located approximately 0.5 miles east of the central Downtown area of the City. The Palmetto site comprises approximately 3.58-acres and is located adjacent to the eastern right-of-way of Palmetto Avenue and adjacent to the northern right-of-way of Valencia Avenue. Approximately ½ block north is Arrow Boulevard, which provides two lanes in each direction for east west travel across most of the City and has an existing bus route and stops proximate to the site. Approximately 0.3 miles south is Merrill Avenue, which provides two lanes in each direction for east west travel across most of the City.

[1] City of Fontana, 2017 – Roadway Functional Classifications. Available: https://www.fontana.org/DocumentCenter/View/26748/Chapter-9---Community-Mobility-and-Circulation Accessed: March 18, 2020.



Source: Cty of Fontana, 2017

FIGURE 4.14-1: Local Truck Routes

Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Kimley»Horn

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Regional access to both the Malaga and Palmetto sites is available via State Route 210. SR-210 is located approximately 2.5 and 3.0 miles north of the site via Sierra Avenue, respectively. SR-210 then provides access to I-15 approximately 3.5 miles west of the intersection with Sierra Avenue and easterly access to I-215 approximately 7 miles away. Figure 3-4, Malaga and Palmetto Site Areas show the locations of these sites and surrounding vicinity on an aerial view**.**

EXISTING REGIONAL TRANSPORTATION SYSTEM CHARACTERISTICS

I-15 provides regional access to the proposed Project sites. Locally, the I-15 freeway facility traverses the region from San Diego into the inland Empire, but also extends out of the state into Arizona, Nevada, Utah, Idaho, Montana, and ends at Alberta Canada. I-15 begins at its southern terminus in San Diego and continues northbound through Corona, Riverside, and eventually, passes Fontana as it heads into the Cajon Pass. I-15 continues through Barstow, pass Las Vegas and continues to head north passing through the aforementioned states until it reaches its northern terminus at a connection with Alberta Highway 4 at the Sweetgrass-Coutts Border Crossing. In the Project vicinity, I-15 is generally an eight-lane freeway providing access to the proposed Project sites via exiting Sierra Avenue from the north.

I-210 provides regional access for the project site as a freeway facility, traversing both San Bernardino and Los Angeles county. I-210 begins at its western terminus at the Golden State Freeway (I-5) and ends at the I-10 in Redlands. In the Project vicinity, I-210 is generally a four-lane freeway providing access to the proposed Project sites via exiting Sierra Avenue.

EXISTING LOCAL TRANSPORTATION SYSTEM CHARACTERISTICS

The FCGP provides descriptions of the various classes of roadways within the City. The following definitions from the General Plan describe the characteristics of the various roadway classifications.

Major Highways: Major highways will have up to 6 lanes in most situations. Where Major Highways cross Freeways it may be necessary to increase capacity to 8 lanes. These streets typically have raised medians or two-way left turn lanes. These facilities can carry a high volumes of traffic. The majority of the Major Highway network in the City has already been improved. Sidewalks and bike lanes should be added whenever possible and bus bays should be installed as turnouts. New development should incorporate Complete Street components as outline in the Active Transportation.

Primary and Secondary Highways: These roadways will have up to 4 travel lanes. Primary Highways typically connect Major Highways and often have raised medians or two way left turn lanes. Secondary Highways also have up to 4 lanes of travel and are typically used to carry traffic along the perimeters of large developments. Because traffic volumes are not as high as compared to Major Highways, these wide roads are ideal for Complete Street concepts.

Collector Streets: These roadways can accommodate 2 or 4 lanes of traffic. They are typically used to take traffic from neighborhoods to Primary and Secondary Roads. Collector Roads are also used in industrial areas to funnel trucks from their point of services to the Truck Route Network. Whether connecting residents to Primary Roads or trucks to Truck Routes, collector streets are ideal candidates for Complete Street concepts. Where possible, physical buffers such as landscaped parkways or solid dividers should be used to separate vehicular traffic from bicycles and pedestrians.

Local Streets: These are 2 lane roads in large part serving residential neighborhoods. In addition to Complete Street concepts, traffic calming measures should be incorporated whenever possible. Local streets should consider automobile parking curb adjacent with bike lanes striped along the roadside of the parking area.

MAJOR ROADWAYS AT PROJECT SITES

Sierra Avenue is designated as a major highway and is currently the main road providing direct access to the Warehouse site. Sierra Avenue is a two-lane undivided roadway north of Summit Avenue, and a five to-six-lane divided roadway south of Summit Avenue. Throughout the entire roadway within the study area, Sierra Avenue has left-turn lanes at arterial intersections. On-street parking on Sierra Avenue is not allowed. Sierra Avenue forms the western boundary of the Warehouse site and would provide passenger vehicle access to the Warehouse site via two full-movement driveways. Sierra Avenue is designated as a Major Divided Highway on the City of Fontana Circulation Master Plan, which would provide six travel lanes and a median with left turn pockets approaching intersections. This would ultimately only allow right-in/right-out driveways to the Warehouse site along Sierra Avenue with the Horizon Year conditions. All driveways would be unsignalized.

Casa Grande Avenue is the adjacent dirt road on the south side of the Warehouse site. Casa Grande Avenue would be improved and be paved to allow trucks access the south portion of the Warehouse site where the trucking docks would be located. The Roadway Functional Classification figure in the FCGP indicates Casa Grande being paved through to the City of Rialto. Casa Grande Avenue is a four-lane undivided roadway through the study area with bike lanes in both directions. On-street parking on Casa Grande Avenue is not allowed. Casa Grande Avenue would form the southern boundary of the Warehouse project site and would provide truck access to the site via one western, right-in/right-out driveway and one eastern, full-movement driveway. The eastern full movement driveway would be the primary access point to avoid the potential for queuing into the Sierra Avenue and Casa Grande Avenue intersection. All driveways would be unsignalized.

Mango Avenue: Mango Avenue is identified as a Collector Street in the General Plan. Mango street is a north south trending roadway and is adjacent to the easterly side of the Malaga site. Mango Street is a paved two-lane roadway that has a painted centerline and has a “T” intersection with Malaga Street that is adjacent to the southern boundary of the Malaga site.

Palmetto Avenue: Palmetto Avenue is identified as a Collector Street in the General Plan. Palmetto Avenue is a north south trending roadway and is adjacent to the westerly side of the Malaga site. Palmetto Street is a paved two-lane roadway that has a painted centerline and has a “T” intersection with Valencia Street that is adjacent to the southern boundary of the Palmetto site.

STUDY AREA INTERSECTIONS

Warehouse Site

The TIA evaluated three intersections in the vicinity of the Warehouse site including the following:

- Sierra Avenue at Casa Grande Avenue (future intersection)
- Sierra Avenue at SR-210 Westbound Ramp

- Sierra Avenue at SR-210 Eastbound Ramp

The traffic study included documentation of existing conditions, future conditions, and identification of anticipated that would occur at the intersections after implementation of the Warehouse Project. The study locations were established in consultation with City of Fontana staff.

Existing Traffic Operations

The baseline for existing traffic operations are based on typical morning and evening peak hour turning movement volumes and daily roadway volumes. Volumes were collected on a typical weekday in September of 2019. Because intersection of Sierra Avenue at Casa Grande Avenue is a future intersection, would be constructed as part of the Project, volumes at this intersection were estimated based on existing daily roadway volumes and existing and anticipated traffic flows. The impacts discussion further below, provide an analysis of the anticipated intersection LOS for Existing Plus Project and other future scenarios. These project conditions are evaluated against the existing morning and evening peak hour volumes, which are presented in **Figure 4.14-1,** *Morning and Evening Peak Hour Volumes*, below.

Intersection Level of Service (LOS) analysis was conducted for the morning and evening peak house and is shown in **Table 4.14-1** *Existing Intersection LOS*, and indicates that the all study intersections currently operate at an acceptable LOS under Existing Conditions.

Table 4.14-1 – Existing Intersection LOS

Intersection #	Intersection	Existing Traffic Control	AM Peak Hour		PM Peak Hour	
1	Sierra Avenue at Casa Grande Avenue	N/A	None- Future Intersection			
2	Sierra Avenue at SR-210 WB Ramp	Signalized	7.3	A	16.2	B
3	Sierra Avenue at SR-210 EB Ramp	Signalized	13.5	B	14.5	B

Notes:
At a signalized intersection, delay refers to the average control delay for the entire intersection, measured in seconds per vehicle.
Delay values are based on the methodology outlined in the Highway Capacity Manual (6th Edition).

Transit Service

Transit service to the Warehouse site is provided via the OmniTrans transit lines, which serves cities within the San Bernardino region. The closest bus stop to the Warehouse site is at the intersection of Sierra Avenue at Sierra Lakes Parkway, approximately 1¼ mile south of the Warehouse site. A description of the bus route serving the Warehouse site is provided below.

Route 82 operates between the City of Fontana and the City of Rancho Cucamonga, traveling through Fontana along Sierra Avenue and Jurupa Avenue. Route 82 operates on weekdays from approximately 4:30 AM to 10:15 PM with approximately 15-minute headways (the time between bus arrivals), on Saturdays from approximately 6:15 AM to 7:30 PM with approximately 30-minute headways, and on Sundays from approximately 6:15 AM to 7:10 PM with approximately 30-minute headways.

Bicycle and Pedestrian Paths

Currently, there are no official pedestrian or bicycle facilities serving the Warehouse site. Adjacent to the Warehouse site Sierra Avenue is only paved within the vehicle lanes and the shoulders are unpaved and consist of dirt and gravel and do not provide designated sidewalks or bike lanes. The Warehouse site also is adjacent to the northern right-of-way of Casa Grande Avenue which is a dirt road in that location and does not provide bicycle or pedestrian facilities.

Malaga Site

Local and Regional Access

Access to the Malaga site is from Malaga Street and Mango Avenue. These streets each have one travel lane in each direction with no sight distance limitations adjacent to the site. Regional access to the Malaga site would be from 5 major freeways; CA-210 to the north, I-10 and CA-66 (Foothill Boulevard) to the south, CA-259 to the east, and I- 15 to the west. These freeways provide connectivity to local locations around the City of Fontana and to different cities such as Los Angeles, Temecula, San Bernardino, or Victorville. To access the freeways, residents would typically use Sierra Avenue to reach the CA-259 or I-15 onramps, which connect to the CA-210, I-10, and CA-66.

Bus Service

Three OminTrans transit routes are located within walking distance of the Malaga site. Routes 67 and 82 operate on Sierra Avenue with bus stops within 0.2-mile of the site. These routes operate at 1-hour headways and both provide a connection to the Fontana Metrolink station, approximately 1.25 miles to the south. These route schedules are staggered to provide service every 30 minutes. OmniTrans Route 14 has stops on Foothill Boulevard, approximately 0.3-mile from the project site. Route 14 operates at 15-minute headways and provides connections to the San Bernardino Transit Center, the OmniTrans Metro Station and the Fontana Metrolink Station, as well as Fontana City Hall.

Offsite Accessibility

The Malaga site is within approximately .25 to one mile of Grocery Stores, Schools, Downtown Fontana, and Community Parks. To access these locations, residents would use major east-west corridors through the City including Baseline Avenue, to the north of the site and Foothill Boulevard to the south. Sierra Avenue, which is one block west of the site, would be used as the major north to south travel route through the City. Overall, the Malaga site is located within walking distance to commercial and retail centers along Foothill Boulevard and is central to employment centers within the City.

Palmetto Site

Local and Regional Access

Access to the Palmetto site is from Palmetto Avenue adjacent to the west and Valencia Avenue adjacent to the south. Both streets have one lane in each direction. The proposed project site is surrounded by 5 major freeways; CA-210 and CA-66 (Foothill Boulevard) to the north, I-10 to the south, CA-259 to the east, and I-15 to the west. These freeways can take residents from the project site to local locations around the City of Fontana to different cities such as Los Angeles, Temecula, San Bernardino, or Victorville.

Access to these freeways would be provided via Palmetto Avenue to the north south trending Sierra Avenue, which connects to the and follow the corridor to the CA-259 or I-15 onramps. Further connections to CA-210, I--10, and CA-66 can be made to reach more distant locations.

Bus Service

OmniTrans Route 15 operates at one-hour headways along Arrow Boulevard, with bus stops about 0.1 miles from the project. This route provides connections to the Fontana Metrolink Station, which is about ¾ mile southwest of the project.

Offsite Accessibility

The Palmetto site provides easily accessible to Schools, Grocery Stores, Downtown Fontana, and Community Parks. To access these locations, residents would be close to major corridors that run throughout the entire city; Foothill Boulevard, running east to west, is just north of Arrow Boulevard, and Sierra Avenue, running north to south, is two blocks west of Palmetto Avenue. Additionally, the proposed project site is within walking distance to Fontana Middle School as well as commercial and retail centers along Arrow Boulevard that are central to the City.

4.14.3 REGULATORY SETTING

FEDERAL REGULATIONS

There are no federal regulation applicable to the proposed Project.

STATE

California Department of Transportation

The California Department of Transportation (Caltrans) owns and operates the State highway system, which includes the freeways and State routes within California. In Fontana Caltrans maintains the freeways (I-15, I-10, I-215) the 210 Freeway. The Caltrans Guide for the Preparation of Traffic Impact Studies (December 2002) provides guidance on the evaluation of traffic impacts to State highway facilities. The document outlines when a traffic impact study is needed and what should be included in the scope of the study. The Guide states the following: "Caltrans endeavors to maintain a target LOS at the transition between LOS "C" and LOS "D" on State highway facilities, however, Caltrans acknowledges that this may not be always feasible and recommends that the lead agency consult with Caltrans to determine the appropriate target LOS."

Sustainable Communities Strategies: Senate Bill 375 – Land Use Planning

Senate Bill (SB) 375 provides for a new planning process to coordinate land use planning and regional transportation plans (RTP) and funding priorities in order to help California meet the greenhouse gas (GHG) reduction goals established in Assembly Bill (AB) 32. SB 375 requires that RTPs developed by metropolitan planning organizations (MPO) relevant to the Project site (e.g., Southern California Association of Governments [SCAG]) incorporate a "sustainable communities strategy" in their RTPs that will achieve GHG emission reduction targets set by the California Air Resources Board (CARB). SB 375 also includes provisions for streamlined California Environmental Quality Act (CEQA) review for some infill projects, such as Transit-Oriented Developments (TODs).

As an MPO, SCAG is responsible for preparing and utilizing a public participation plan that is developed in consultation with all interested parties and provides reasonable opportunities for interested parties to comment on the content of SCAG's proposed RTP and the Regional Transportation Improvement Program (TIP). SB 375 requires SCAG to adopt a public participation plan for development of the sustainable communities strategy (SCS) and an alternative planning strategy (APS). Further, as required by SB 375, SCAG will conduct at least two informational meetings in each county within the region for members of the board of supervisors and city councils on the SCS and APS, if any. The purpose of the meetings shall be to present a draft of the SCS to members of the board of supervisors and city council members in that county and to solicit and consider their input and recommendations.

Complete Streets Act

Assembly Bill (AB) 1358, the California Complete Streets Act, became effective January 1, 2011. AB 1358 places the planning, designing, and building of complete streets into the larger planning framework of the General Plan by requiring jurisdictions to amend their circulation elements to plan for multimodal transportation networks.

LOCAL

City of Fontana General Plan 2015-2035

The Community Mobility and Circulation Element of the Fontana general Plan is designed to expand transportation choice and to provide further mobility. It is aligned with the SCAG 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy concepts of Neighborhood Mobility Areas and Livable Corridors. This element represents the City's overall transportation plan to accommodate the movement of people and goods.

Community Development and Circulation Element

Goal 1 **The City of Fontana has a comprehensive and balanced transportation system, with safety and multimodal accessibility the top priority of citywide transportation planning, as well as accommodating freight movement.**

Policies

- Provide roadways that serve the needs of Fontana residents and commerce, and that facilitate safe and convenient access to transit, bicycle facilities, and walkways.
- Make safety and multimodal accessibility the top priority of citywide transportation planning.
- Apply the six "E's" of the Safe Routes to School program to transportation planning and implementation— Encouragement, Education, Engineering, Enforcement, Evaluation, and Equity.
- Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2016- 2040 Regional Transportation Plan and Sustainable Communities Strategy.

Goal 5 **Fontana's commercial and mixed-use areas include a multi-functional street network that ensures a safe, comfortable, and efficient movement of people, goods, and services to support a high quality of life and economic vitality.**

Policies

- Provide a transportation network that is compatible with the needs of commerce and those who live, work and shop in mixed-use areas.
- Encourage mixed use and commercial developments that support walking, bicycling, and public transit use while balancing the needs of motorized traffic to serve such developments.

Goal 6 **The city has attractive and convenient parking facilities for both motorized and nonmotorized vehicles that meet needs that fit the context.**

Policies

- Provide the right amount of motor vehicle and bicycle parking in commercial and employment centers to support vibrant economic activity.
- Encourage approaches that reduce the overall number of new parking spaces that must be provided on-site for new development.

Goal 7 **The city of Fontana participates in shaping regional transportation policies to reduce traffic congestion and greenhouse gas emissions.**

Policies

- Lead and participate in initiatives to manage regional traffic.
- Coordinate with regional agencies and Caltrans to participate in regional efforts to maintain transportation infrastructure in Fontana.
- Participate in the efforts of the Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reductions.
- Participate in the efforts by Caltrans to reduce congestion and improve traffic flow on area freeways.

Land Use, Zoning, and Urban Design Element

The Land Use and Zoning Element sets forth the policy framework over the next 20 years for the physical development of Fontana regarding transportation. This element represents the guide for decision-makers on the pattern and distribution of transportation development.

Goal 5 **High-quality job-producing industrial uses are concentrated in a few locations where there is easy access to regional transportation routes.**

Policies:

- Promote the Southwest Industrial Park and the I-10 corridor as preferred locations for industrial uses.

- Maintain but do not expand existing heavy industrial land use areas in proximity to one another and to services for industrial uses.
- Avoid locating small areas of residential uses where they will be surrounded by intensive commercial or industrial uses.

4.14.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

CITY OF FONTANA IMPACT CRITERIA

The FCGP recommends a level of service standard of LOS "C" or better as acceptable operating conditions for intersections and roadway segments. In accordance with City of Fontana Traffic Impact Analysis Guidelines, the determination of significant impacts is based on the increase in delay caused by the addition of Project related traffic at study intersections that exceeds the allowable thresholds identified in **Table 4.14-2***, City of Fontana Intersection LOS Impact Criteria*, below. Thus, impacts are identified at intersections within the City's jurisdiction where the LOS C standard is not met and the change in delay shown below occurs under the "With Project" conditions.

Table 4.14-2: City of Fontana Intersection LOS Impact Criteria

LOS	Increased Delay
A/B	Increase of 10 seconds
C	Increase of 8 seconds
D	Increase of 5 seconds
E	Increase of 2 seconds
F	Increase of 1 second

SIGNIFICANCE CRITERIA UNDER CEQA

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project will have a significant environmental impact if one or more of the following occurs:

- Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (see Impact 4.14-1);
- Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (see Impact 4.14-2);
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (see Impact 4.14-3); or
- Result in inadequate emergency access? (see Impact 4.14-4).

METHODOLOGY AND ASSUMPTIONS

The proposed Project including the Warehouse site, Malaga site and Palmetto site, is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning population and housing. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts.

APPROACH TO ANALYSIS

This analysis of impacts on transportation examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga Site and Palmetto sites and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: field observations conducted by Kimley-Horn; review of project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on land use and planning standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

ISSUES NOT DISCUSSED FURTHER

- Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).

In accordance with SB 743, the new CEQA Guidelines section 15064.3, subdivision (b) was adopted in December 2018 by the California Natural Resources Agency. These revisions to the CEQA Guidelines change the way transportation impacts will be analyzed in environmental documents. With SB 743, the criteria for determining the significance of transportation impacts are primarily focused on projects within transit priority areas and shift the focus from vehicle congestion and delay to a reduction of greenhouse gas emissions, creation of multimodal networks, and promotion of a mix of land uses. VMT is a measure of the total number of miles driven to or from a development and is sometimes expressed as an average per trip or per person. As stated in the Governor's Office of Planning and Research Technical Advisory (2018):

SB 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA (CEQA Guidelines) (Cal. Code Regs., Title 14, Div. 6, Ch. 3, §15000 et seq.) regarding the analysis of transportation impacts. As one appellate court recently explained: "During the last 10 years, the Legislature has charted a course of long-term sustainability based on denser infill development, reduced reliance on individual vehicles and improved mass transit, all with the goal of reducing greenhouse gas emissions. Section 21099 is part of that strategy …" (Covina Residents for Responsible Development v. City of Covina (2018) 21 Cal.App.5th 712, 729.) Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (Id., subd. (b)(1); see generally, adopted CEQA Guidelines, §15064.3, subd. (b) [Criteria for Analyzing Transportation Impacts].) To that end, in developing the criteria, OPR has proposed, and the California Natural Resources Agency (Agency) has certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by "level of service" and other similar

metrics, generally no longer constitutes a significant environmental effect under CEQA. (Pub. Resources Code, §21099, subd. (b)(3).)

The newly adopted guidance provides that a lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide. The City is currently engaged in this process and has not yet formally adopted its updated transportation significance thresholds or its updated transportation impact analysis procedures. Since the regulations of SB 743 have not been finalized or adopted by the City, delay and LOS are the measures used in this EIR to determine the significance of transportation impacts (see Impact 4.14-1 discussion, below).

4.14.5 IMPACTS AND MITIGATION MEASURES

Impact 4.14-1: Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Level of Significance: Less than Significant Impact

WAREHOUSE SITE

The Warehouse site is currently vacant and unimproved. The site does not have any existing roadways but is adjacent to a SCE Edison easement used by the company to access high voltage powerlines. There are no authorized roadway, pedestrian, bicycle, or public transit facilities within or adjacent to the Warehouse site. The Warehouse site is adjacent to Sierra Avenue, which is a north south trending two lane roadway and a designated truck route in the FCGP. To the south, the Warehouse site is bound by Casa Grande Avenue which is presently a dirt road but that would be improved and paved as part of the proposed Project. Construction of the warehouse would alter the site and result in the construction of a new 332,996 square foot (sf) warehouse. Construction would include the installation of roadway improvement to Sierra Avenue as well as improvements to Casa Grande Avenue. Casa Grande improvements would extend approximately 18 feet south of the southerly project boundary and include approved curb, gutter, and lighting, and sidewalk for pedestrian travel. Although Casa Grande is not proposed to link with the existing section in Rialto, this section would conform with the vision of the General Plan for development of the roadway as a secondary highway. The Warehouse project would provide improvements to Sierra Avenue that would facilitate safe and efficient ingress and egress to and from the Warehouse site via two entrance and exit driveways. Roadway improvements also would include street lighting for nighttime illumination in accordance with City standards, and stormwater drainage facilities.

The Warehouse site would be designed and constructed to be responsive to the goals and policies from the Land Use and Circulation elements of the City of Fontana GP that pertain to the circulation system. The Project's land use and circulation elements would be consistent with the Fontana CP elements pertaining to the circulation system, including transit, roadway, bicycle and pedestrian facilities, elements that are included as part of the proposed roadway improvements.

The design of the Warehouse site considers and includes requirements needed to comply with applicable traffic and circulation regulations and guidance set forth by the City. The Warehouse site is adjacent to and would use Sierra Avenue, an officially designated Local Truck Route for primary access; refer to

Figure 4.14-1, *Local Truck Routes*, above,[2] which also depicts Sierra Avenue as a part of the extralegal load network from Baseline Avenue to I-15. California Code, Vehicle Code – VEH §320.5 defines an extralegal load as "a single unit or an assembled item which, due to its design, cannot be reasonably reduced or dismantled in size or weight so that it can be legally transported as a load without a permit as required by VEH Code §35780. This section does not apply to loads on passenger cars." An extralegal vehicle is a vehicle whose overall dimensions and/or weight exceed those set forth in Division 15 of the California Vehicle Code.

Sierra Avenue is planned with a future Class II bicycle facility. As part of development of the Warehouse site these elements would be included to that portion of the roadway improving non-motorized access and mobility along this corridor.[3] Moreover, As part of the off-site improvements, sidewalk would be provided along Sierra Avenue and along the Casa Grande Avenue extension. The sidewalk currently ends at the Warehouse site's southwestern most corner. All roadway, pedestrian, and bicycle improvements would occur within areas that are proposed to be disturbed as part of the construction of the Warehouse site and impacts are, therefore, included in the analysis in the respective chapters of this document. Some improvements to existing roadways would occur within existing paved areas, and some improvements would occur within areas adjacent to roadway(s) which are already heavily disturbed and consist of bare ground, dirt, and gravel. Therefore, the Warehouse site improvements would adhere to all relevant circulation regulations and be consistent with policy and planning document guidance related to needed improvements. Adherence to these planning directives and incorporation of the associated improvements would have a less than significant impact on the environment.

Plus Project Conditions

Warehouse Site Generated Trips

To determine future levels of services and Plus Project Condition, the trips that would be generated by the operation of the warehouse were calculated. Trip generation estimates for the Warehouse site are based on daily and peak hourly trip generation rates based and ITE land use of: Warehousing (Land Use 150). Passenger vehicle and truck mix assumptions were derived from the City of Fontana TIA Guidelines. Truck trips were assumed to account for approximately 20.43% of the daily trips of which approximately 17% are two-axle trucks, 23% are three-axle, and 60% are four-axle. These were used to develop an estimate of truck volumes by number of axles. Passenger car equivalent (PCE) factors were then applied to the truck types to determine the total PCE volumes that would be generated by operation of the warehouse.

The assumptions for the Warehouse site related trip distribution were developed based on existing traffic patterns and the likely origins and destinations of employees and trucks. The summary of the trip distribution assumptions for passenger cars and trucks are shown in **Table 4.14-3,** *Summary of Trip Generation for Warehouse Related Intersections*. In sum, the warehouse is estimated to generate 782 PCE trips on a daily basis, with 77 PCE trips in the morning peak hour, and 81 PCE trips in the evening peak hour.

[2] City of Fontana. 2017. *Local Truck Routes*. Available at https://www.fontana.org/DocumentCenter/View/3971/Local-Truck-Routes-2017-11x17?bidId=, accessed on April 2019.

[3] San Bernardino County Non-Motorized Transportation Plan. *City of Fontana Bicycle Facilities.*

Table 4.14-3 Summary of Warehouse Project Trip Generation

Trip Generation Rates										
ITE Land Use		**ITE Code**	**Unit**	**Daily**	**AM Peak Hour**			**PM Peak Hour**		
					In	**Out**	**Total**	**In**	**Out**	**Total**
Warehousing		150	KSF	1.740	0.131	0.039	0.170	0.051	0.139	0.190
Project Trip Generation										
Projected Land Use		**Quantity**	**Unit**	**Daily**	**AM Peak Hour**			**PM Peak Hour**		
					In	**Out**	**Total**	**In**	**Out**	**Total**
Warehousing		332.996	KSF	579	44	13	57	17	46	63
Passenger Vehicles	79.57%			461	35	10	45	14	37	51
Trucks	20.43			118	9	3	12	3	9	12
Project Trips - Passenger Car Equivalent (PCE)										
Vehicle Type	**Vehicle Mix[1]**	**Daily Vehicles**	**PCE Factor**	**Daily**	**AM Peak Hour**			**PM Peak Hour**		
					In	**Out**	**Total**	**In**	**Out**	**Total**
Passenger Vehicles	79.57%	461	1.0	461	35	10	45	14	37	51
2-Axle Trucks	3.46%	20	2.0	40	3	1	4	1	3	4
3-Axle Trucks	4.64%	27	2.5	68	5	2	7	2	5	7
4+-Axle Trucks	12.33%	71	3.0	213	16	5	21	6	17	23
Total Truck PCE Trips				321	24	8	32	9	25	34
Total Project PCE				**782**	**59**	**18**	**77**	**23**	**62**	**85**

Source: Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition
PCE= Passenger Car Equivalent
KSF=Thousand Square Feet
[1]Source: Truck Trip Generation Study - City of Fontana, August 2003

Existing Plus Project Conditions

As part of the TIA, due to construction phasing and timing, project-related construction and improvements to the minor approach delay and access to the project driveways along the Warehouse site frontage on Sierra Avenue. This included the two northbound lanes and assumed a two-way left-turn lane (TWLTL) would be constructed and that a median on Sierra Avenue along the project frontage also is constructed. Because these improvements as well as improvements to Casa Grande would be made prior to operation of the Warehouse site, future traffic conditions were evaluated to include the improved roadway segments. It should be noted as recommended by the TIA and as part of the Project, trucks would enter the Warehouse site via the full-movement east driveway on Casa Grande and the west driveway on Casa Grande would be limited to right-in and right-out movement.

Warehouse Project-related traffic was added to the existing traffic volumes, and the resulting traffic volumes at the study locations were calculated to arrive at the Existing Plus Project Conditions. An intersection LOS analysis was conducted for the morning and evening peak hours for these Existing Plus Project condition for the Warehouse site. Based on the traffic modeling as shown in **Table 4.14-4**, *Summary of Intersection Operation Existing Conditions Plus Warehouse Project*, below, three study area intersections would operate at an unacceptable LOS during the peak hours. This includes the following three intersections:

- #1 - Sierra Avenue at Casa Grande Avenue: AM – LOS E; PM – LOS E;
- D1 – Sierra Avenue at North Driveway: AM – LOS D; and
- D2 – Sierra Avenue at South Driveway: AM – LOS D; PM – LOS D

The LOS for an unsignalized intersection is reported based on the single approach movement with the highest delay, which in this case, would be the westbound approach for intersections #1, D1, and D2. The side street traffic at the unsignalized intersections experience delay during the peak hours while waiting for an acceptable gap in traffic on Sierra Avenue. While the side street approach operates at a deficient Level of Service based on the highest delay approach, the overall intersection delay would be acceptable. Any queuing that occurs on the side street is contained on the minor intersection approach or driveways and does not impact the progression of traffic on the main arterial.

Future Conditions

As discussed above, analysis of future traffic conditions with traffic that would be generated by the proposed Project, specifically the Warehouse site, includes certain improvements that would occur within Sierra Avenue and Casa Grande Avenue. Future conditions also account for other local roadway and intersection improvements that have been and would be conditioned on other projects or that are planned to be built within the City. The following analysis only considers future conditions. Further below, the cumulative analysis accounts for these future conditions as well as the contributions from the Warehouse site. This is described in the *Horizon Year 2040*, further below.

The analysis immediately following focusses on the Project Opening Year, which was anticipated to be 2021 in the TIA. For this analysis, local intersection improvements include the addition of a west leg (one left turn lane, one thru/right turn lane, and installation of a traffic signal at Sierra Avenue and Casa Grande Avenue, were accounted for.

Peak Hour Operating Conditions

To provide a comparison of the anticipated traffic with the additional of the Warehouse site and to determine if the proposed improvements are adequate or if additional improvements may be needed, an intersection LOS analysis was conducted for the morning and evening peak hours. This called the Existing Plus Project Conditions. With the addition of Warehouse Project traffic to the existing circulation network it was determined that Sierra Avenue at Casa Grande Avenue would operation at an AM LOS E, and a PM LOS E, Sierra Avenue at North Driveway would operate at an AM LOD, and the Sierra Avenue South Driveway would operate at an AM LOS D, and a PM LOS D. To improve the delays, it was recommended that that the developer build half of the roadway width along the project frontage on Sierra Avenue, including two northbound lanes and a two-way left-turn lane (TWLTL). A median on Sierra Avenue along the project frontage is assumed in Horizon Year analyses, which have been added to the proposed Project.

Project Opening Year 2021 Conditions

An ambient growth rate of 2% was added to existing traffic volumes to account for growth before operation of the Warehouse site begins. To obtain a full accounting of potential impacts, cumulative project traffic was also added to Project Opening Year 2021 volumes to ensure a conservative evaluation. The traffic volumes, and the resulting peak hour turning movement volumes at the study intersections

were calculated. **Table 4.14-5***, Summary of Intersection Operation - Project Opening Year 2021,* shows these values, below. Review of this table indicates that, with the addition of Project traffic, all study intersections would operate at an acceptable Level of Service, either LOS A or LOS B. **Table 4.14-6**, *Summary of Intersection Operation Project Opening Year 2021 Plus Project,* provides the delays and LOS for 2021 with the addition of Warehouse traffic. As shown, with the addition of Project traffic and in consideration of the improvements that would be made, all study intersections would operate at an acceptable LOS, as such, mitigation in this regard is not required.

Table 4.14-4 Summary of Intersection Operation Existing Conditions Plus Warehouse Project

Int #	Intersection	Traffic Control	AM Peak Hour						PM Peak Hour					
			Without Warehouse		With Warehouse		Impact Delay	Impact Significant?	Without Warehouse		With Warehouse		Impact Delay	Impact Significant?
			Delay	LOS	Delay	LOS			Delay	LOS	Delay	LOS		
1	Sierra Avenue at Casa Grande Avenue	U	--	--	47.2	**E**	-	-	--	--	45.6	**E**	--	--
2	Sierra Avenue at SR-210 WB Ramp	S	7.3	A	7.5	A	0.2	No	16.2	B	16.3	B	0.1	No
3	Sierra Avenue at SR-210 EB Ramp	S	13.5	B	13.4	B	0.1	No	14.3	B	14.3	B	0.0	No
D1	Sierra Avenue at North Driveway	U			26.2	**D**	--	No			24.7	C	--	No
D2	Sierra Avenue at South Driveway	U			27.5	**D**	--	No			27.7	**D**	--	No
D3	Casa Grande Avenue at West Driveway	U			8.7	A	--	No			8.7	A	--	No
D4	Casa Grande Avenue at East Driveway	U			8.7	A	--	No			8.6	A	--	No

Notes:
Bold and shaded values indicate intersections operating at an unacceptable Level of Service, or a significant impact to the intersection, per City standards.
At a signalized intersection, delay refers to the average control delay for the entire intersection, measured in seconds per vehicle.
At an unsignalized intersection, delay refers to the average delay per vehicle on the intersection approach with the highest delay.
Delay values are based on the methodology outlined in the Highway Capacity Manual (6th Edition).
- S = Signalized; U = Unsignalized

Table 4.14-5 - Summary of Intersection Operation -Project Opening Year 2021

Int. #	Intersection	Traffic Control	AM Peak Hour		PM Peak Hour	
			Delay	LOS	Delay	LOS
1	**Sierra Avenue at Casa Grande Avenue**	S	11.9	B	10.0	A
2	**Sierra Avenue at SR-210 WB Ramp**	S	8.4	A	17.5	B
3	**Sierra Avenue at SR-210 EB Ramp**	S	14.0	B	15.7	B

Bold and shaded values indicate intersections operating at an unacceptable Level of Service, or a significant impact to the intersection, per City standards; At a signalized intersection, delay refers to the average control delay for the entire intersection, measured in seconds per vehicle; At an unsignalized intersection, delay refers to the average delay per vehicle on the intersection approach with the highest delay; Delay values are based on the methodology outlined in the Highway Capacity Manual (6th Edition). S = Signalized; U = Unsignalized

Conflict with Applicable Alternative Transportation Plans

The Project would be required to adhere to applicable City standards that support or facilitate alternative modes of transportation. The City adopted the Fontana Active Transportation Plan (Fontana ATP) which proposes new bikeways and pedestrian walkways and goals to create a Bicycle Master Plan, Pedestrian Master Plan, and Trail Master Plan. According to the Fontana ATP Figure 5.1, Existing, Planned, and Recommended Bikeway Network, there is a planned shared bike lane along Sierra Avenue. The Project would construct any street frontage improvements to City standards, including improvements to facilitate a future shared bike lane. Additionally, Fontana ATP Figure 5.2, Pedestrian Priority Areas, does not identify the Project area as a pedestrian priority area. As such, the Project would not interfere with the development of future pedestrian or bicycle facilities or hinder with the improvement of existing facilities.

The closest OminTrans bus stop to the Warehouse site is at the intersection of Sierra Avenue at Sierra Lakes Parkway, approximately 1¼ mile south of the Warehouse site. OmniTrans Route 82 connects Fontana and Rancho Cucamonga and stops at the Fontana Metrolink Station approximately 5.0 miles south of the Project area. The Project would not alter any bus stop locations or frequency of OmniTrans' bus services.

As such, the Project would not conflict with adopted plans, programs, or policies related to alternative transportation. Impacts related to alternative transportation would be less than significant.

Table 4.14-6: Summary of Intersection Operation Project Opening Year 2021 Plus Project

Int #	Intersection	Traffic Control	AM Peak Hour						PM Peak Hour					
			Without Project		With Project		Project Impact	Impact Significant?	Without Project		With Project		Project Impact	Impact Significant?
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS		
1	Sierra Avenue at Casa Grande Avenue	S	11.9	B	12.0	B	0.1	No	10.0	A	10.6	B	0.6	No
2	Sierra Avenue at SR-210 WB Ramp	S	8.4	A	8.5	A	0.1	No	17.5	B	17.6	B	0.1	No
3	Sierra Avenue at SR-210 EB Ramp	S	14.0	B	14.1	B	0.1	No	15.7	B	15.7	B	0.0	No
D1	Sierra Avenue at North Driveway	U			17.1	C	--	No			16.4	C	--	No
D2	Sierra Avenue at South Driveway	U			20.2	C	--	No			20.8	C	--	No
D3	Casa Grande Avenue at West Driveway	U			9.1	A	--	No			9.0	A	--	No
D4	Casa Grande Avenue at East Driveway	U			9.1	A	--	No			8.9	A	--	No

Notes:
Bold and shaded values indicate intersections operating at an unacceptable Level of Service, or a significant impact to the intersection, per City standards; At a signalized intersection, delay refers to the average control delay for the entire intersection, measured in seconds per vehicle; At an unsignalized intersection, delay refers to the average delay per vehicle on the intersection approach with the highest delay; Delay values are based on the methodology outlined in the Highway Capacity Manual (6th Edition).
- S = Signalized; U = Unsignalized

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Both the Malaga and Palmetto sites, if they are used for replacement housing and redeveloped, would result in the generation of additional vehicle trips because more units would be located on the sites. **Table 4.14-7**, *Estimated Maximum Malaga Replacement Site Trip Generation*, **Table 4.14-8,** *Estimated Maximum Palmetto Replacement Site Trip Generation*, show the anticipated increased traffic volumes.

Table 4.14-7: Estimated Maximum Malaga Replacement Site Trip Generation

		Trip Generation Rates and Estimates						
			AM Peak Hour			PM Peak Hour		
	Land Use	Daily	IN	Out	Total	IN	Out	Total
Rate	Multifamily Housing (low-rise)	7.320	0.106	0.354	0.46	0.353	0.207	0.56
Estimate	Multifamily Housing (low-rise)	1,427	21	69	90	69	40	109
Daily Project Trips		**1,427**	**21**	**69**	**90**	**69**	**40**	**109**
Notes: ITE code 220 was used for trip estimates of 112 for that use.								

Table 4.14-8: Estimated Maximum Palmetto Replacement Site Trip Generation

		Trip Generation Rates and Estimates						
			AM Peak Hour			PM Peak Hour		
	Land Use	Daily	IN	Out	Total	IN	Out	Total
Rate	Multifamily Housing (low-rise)	7.320	0.106	0.354	0.46	0.353	0.207	0.56
Estimate	Multifamily Housing (low-rise)	520	8	25	33	25	15	40
Daily Project Trips		**520**	**8**	**25**	**33**	**25**	**15**	**40**
Notes: ITE code 220 was used for trip estimates of 71 for that use.								

The Palmetto site is surrounded by R-SF: Single Family Residential land use to south, east, and west, R-M: Medium Density Residential to the north, and P-PF: Public Facilities and WMXU-1: Walkable Mixed-Use Corridor & Downtown designations to the northwest. Re-designation of the Palmetto site from R-SF: Single Family Residential to R-MF: Multi-Family Residential (12.1-24 du/ac) or WMXU-1: Walkable Mixed-Use Corridor & Downtown (0.2-2 FAR, 3-39 du/ac) would be consistent with the surrounding land-use designations and walkable residential nature of the proposed replacement site.

The Malaga site is surrounded by R-SF: Single Family Residential land use to the north and east, and WMXU-1: Walkable Mixed-Use Corridor & Downtown designations to the south and west. Re-designation of the site from R-SF: Single Family Residential to RMF: Multi-Family Residential or WMXU-1: Walkable Mixed-Use Corridor & Downtown would be consistent with the surrounding land-use designations and walkable residential nature of the proposed replacement site.

According to Appendix B of San Bernardino County's Congestion Management Plan (CMP), "TIA Reports shall be prepared by local jurisdictions when local criteria and thresholds indicate they are necessary. However, TIA Reports must be prepared to satisfy CMP requirements, except as noted below, when a proposed change in land use, development project, or at local discretion, a group of projects are forecast to equal or exceed the CMP threshold of 250 two-way peak hour trips generation, based on trip generation rates published for the applicable use of uses in the Institute of Transportation Engineers' Trip Generation or CMA-approved data source."

The sum of the two-way peak hour trips for the both the Malaga site and Palmetto sites are estimated to be less than the 250-trip threshold set forth by the County of San Bernardino, therefore, a traffic study would not be warranted for this element of the proposed project in regard to the San Bernardino County's CMP thresholds. Therefore, based on the relatively small volume of traffic that would be generated, project proximity to existing and planned future transit and mass transit corridors, and the consistency with surrounding land uses, impacts in this regard, for the Malaga and Palmetto sites would be less than significant and mitigation is not required.

Conflict With Applicable Alternative Transportation Plans

Development of these sites would be required to adhere to applicable City standards that support or facilitate alternative modes of transportation. According to the Fontana ATP there are no planned shared bikeways on Malaga or Palmetto Streets. Additionally, Fontana ATP Figure 5.2, Pedestrian Priority Areas, does not identify the RUR sites as within a pedestrian priority area. As such, the Project would not interfere with the development of future pedestrian or bicycle facilities or hinder with the improvement of existing facilities.

OmiTrans bus Routes 67 and 82 operate on Sierra Avenue with bus stops within 0.2-mile of the site Malaga site. OmniTrans bus Route 15 has bus stops about 0.1 miles from the Palmetto site. The Project would not alter any bus stop locations or frequency of OmniTrans' bus services.

As such, future development of the RUR sites would not conflict with adopted plans, programs, or policies related to alternative transportation. Impacts related to alternative transportation would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.14-2: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Level of Significance: Less than Significant Impact

WAREHOUSE SITE

The design features of the Warehouse site do not incorporate any hazardous or incompatible features. The extension of Casa Grande Avenue would not include sharp turns, dangerous intersections, or introduce any incompatible uses. Improvements to the Casa Grande and Sierra Avenue roadways including widening, installation of bike lanes, lighting, and a signal improvement at the intersection would be used to improve the roadways and intersection. The traffic control devices and turns lanes are incorporated to the design of the Warehouse site to enhance the safety of the roadways for vehicles, pedestrians, and cyclists. In addition, all lane improvements, the ingress and egress points to the Warehouse site including the drive aisles/fire lanes, etc. have been designed to all appropriate standards and would be approved by the City engineering department prior to approve. This would ensure they are efficient and safe for all vehicular traffic prior to any approvals. Therefore, the Warehouse site would not be an incompatible use, improvements are not incompatible, would not be hazardous due to its design, and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Neither the Malaga or Palmetto sites are proposed to be developed nor are their applications filed related to their redevelopment. The proposed Project includes upzoning of the sites to account for SB 330 regulations. Similar to the discussion related to the Warehouse site above, all designs for the Malaga and Palmetto sites, should they ever be redeveloped, would be required to conform to existing roadways design standards as verified by the City engineer. In addition, all adjacent roadways that would be used to access either site are straight road and do not contain any sharp curves or other inherently dangerous design features. As part of the memorandums prepared for the sites, it was recommended that driveway access to any future development at the Palmetto site be at least 200 feet from Arrow Boulevard. This would reduce conflicts with the northbound left-turn lane at the signalized intersection. As part of future developments, should they occur, additional traffic studies would be required, and all access improvements would be reviewed by City staff to ensure conformance with City street design standards to ensure safe and efficient operations. As such, potential impacts are less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.14-3: Would the Project result in inadequate emergency access?

Level of Significance: Less than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

For the purposes of this impact evaluation, an impact would be significant if the project design impedes emergency access during construction or after construction adequate access to the sites is not provided. Several factors determine whether a project has sufficient access for emergency vehicles and can include elements such as the following:

1. Number of access points (both public and emergency access only)
2. Width of access points
3. Width of internal roadways

Construction

None of the Project sites, the Warehouse site, or Malaga or Palmetto sites (should they be redeveloped) would result in any significant access impacts during construction. Roadway improvements could result in temporary disruption or slowing of traffic flows, but all roadways would remain open to emergency vehicle traffic at all times. This would ensure that all emergency vehicles would be able to pass the Warehouse site using either Sierra Avenue or Casa Grande should the need arise. Similarly, if the Malaga and Palmetto sites are developed, emergency access using Malaga Avenue, Mango Avenue, Palmetto Avenue, and Valencia Avenue would be maintained. In case of an on-site emergency at any of the site, the construction manager would have assigned staff to flag emergency response vehicles and direct them to the emergency location. Emergency vehicle access to the interior of the Malaga and Palmetto sites is not anticipated to be needed, due to their relatively minimal size and adjacency to the previously listed roadways.

Emergency access to the Warehouse site is not constrained due to its size and overall construction footprint. If the need would arise, all emergency vehicles would have unimpeded access to the Warehouse site and mobility through the site as is feasible prior to installation of the interior driveways and drive isles. Because access for construction equipment and construction vehicles carrying supplies and materials would be provided, it is anticipated the same access points and interior roads would be used by emergency vehicles should the need arise. Further, construction equipment and materials would not be parked or placed in a manner that would impede access for emergency response vehicles. Site conditions, during and after the work day, would be maintained or left in a condition that adheres to Division of Occupational Safety and Health (better known as Cal/OSHA) safety standards to prevent hazardous conditions for construction staff and emergency responders. Thus, impacts in this regard are less than significant and mitigation is not required.

Operations

The Warehouse site would provide four vehicle access points, two on Sierra Avenue and two on Casa Grande Avenue. This provides for redundancy for both ingress and egress for emergency vehicles and should the site need to be evacuated or abandoned. For example, if one or two the driveways were blocked or obstructed, emergency vehicles would have two alternative route to access the site. Similarly, on site workers could leave the site via the other two accesses. Based on preliminary site plan information,

project driveways and drive aisles provide approximately between 30 and 40-feet clear travel area which is sufficient for emergency vehicle access and circulation. All interior fire lanes, emergency turn-arounds, and other requirements also would be included and would be paved to accommodate the weight of emergency vehicles. Improvement Plans require review and approval by the City fire department and engineer prior to issuance of any construction or building permit. The City Fire Department would review the plans for adequate emergency access for emergency vehicles. As a result, no impediments related to emergency vehicle access are anticipated.

Because neither the Malaga site or Palmetto sites are planned for development and there are no applications or site plans submitted, it is not possible to evaluated potential constraints to emergency access. Nonetheless, both sites are adjacent to two existing roadways which would provide emergency vehicles direct access to two sides of each redevelopment site should they be uses. In addition, prior to any project approval all plans would be reviewed by the City fire department and City engineer to ensure all site access standards and internal emergency access circulation requirements are included to future plans. This would ensure needed emergency access is maintained. Impact in this regard for all sites are therefore considered less than significant, and no mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.14.6 CUMULATIVE IMPACTS

WAREHOUSE SITE

Development of the Warehouse site would not result in traffic beyond what was contemplated at the site and in the surrounding areas. Information about Cumulative Projects in the area was provided by the City of Fontana. Cumulative Projects consist of any project that has been approved, but is not yet constructed or occupied, and projects that are in various stages of the application and approval process but have not yet been approved. Trip generation information for Cumulative Projects was derived either from approved traffic studies, where available. Ambient growth and Cumulative Project trips were added to existing traffic to develop Project Opening Year 2021 forecasts, discussed above, as well as the horizon year 2040 conditions, discussed below. The cumulative projects used for the analysis of the Warehouse site include the following projects:

- 856 units single-family detached housing project;
- 28-acre public park;
- 44,000-sf multipurpose recreation facility;
- An elementary school for capacity for 400 students.

Horizon Year 2040 Conditions

The Horizon Year 2040 intersection turning movement forecasts used the San Bernardino Transportation Analysis Model (SBTAM) Base Year 2012 and Horizon Year 2040. Future growth rates were used in

conjunction with the future model year and applied to existing count volumes. The Federal Highway Administration (FHWA) methodology was used translate the volumes into peak hour turning movements. As a conservative approach, if a turning movement volume produced by the model was less than Project Opening Year 2021 volumes for that movement, a value equal to or greater than the Project Opening Year 2021 turning movement volume was used instead. The SBTAM Model plots and B-Turns analysis worksheets are provided in Appendix H to this EIR.

Peak Hour Operating Conditions Without Project

Intersection LOS analysis was conducted for the morning and evening peak hours for the Horizon Year 2040 condition. The results of the intersection analysis are shown on **Table 4.14-9,** *Summary of Intersection Operation Horizon Year 2040* and indicates that under Horizon Year 2040 conditions, the study intersections would operate at an acceptable Level of Service.

Table 4.14-9 Summary of Intersection Operation Horizon Year 2040

Int. #	Intersection	Traffic Control	AM Peak Hour		PM Peak Hour	
			Delay	LOS	Delay	LOS
1	**Sierra Avenue at Casa Grande Avenue**	S	12.1	B	10.5	B
2	**Sierra Avenue at SR-210 WB Ramp**	S	9.0	A	17.6	B
3	**Sierra Avenue at SR-210 EB Ramp**	S	13.6	B	15.8	B

Notes:
Bold and shaded values indicate intersections operating at an unacceptable Level of Service, or a significant impact to the intersection, per City standards; At a signalized intersection, delay refers to the average control delay for the entire intersection, measured in seconds per vehicle; At an unsignalized intersection, delay refers to the average delay per vehicle on the intersection approach with the highest delay; Delay values are based on the methodology outlined in the Highway Capacity Manual (6th Edition). S = Signalized; U = Unsignalized

Horizon Year 2040 Plus Project Conditions

Project-related traffic was added to the Horizon Year 2040 traffic volumes shown in **Table 4.14-9***,* above. Horizon Year 2040 Plus Project peak hour volumes at study intersections are shown **Table 4.14-10,** *Summary of Intersection Operation Horizon Year 2040 Plus Project*. Peak Hour Operating Conditions Intersection LOS analysis was conducted for the morning and evening peak hours for the Horizon Year 2040 Plus Project condition, which shows the study intersections would operate at an acceptable LOS.

As part of the TIA completed for the Warehouse site, certain recommendations were made regarding site access in terms of driveways, vehicle usage, etc., and other improvements such as additional of signalization and turn lanes were suggested. All such components have been or would be incorporated to the Warehouse site design, and a fair share contrition from the project applicant to make improvements called for in the FCGP related to Sierra Avenue and Casa Grande Avenue would be made. In addition, based on the City of Fontana's LOS standards and significant impact criteria, the impacts from the Warehouse site would be less than significant at the study intersections and no mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Both the Malaga and Palmetto sites would be upzoned to enable potential future use of the sites for redevelopment with higher density residential development. As discussed above, development of neither site taken individually or together would require performance of a traffic study. In addition, the surrounding areas are largely built out with predominantly residential uses and new projects in proximity that would substantially contribute to the cumulative traffic conditions are not anticipated. Therefore, if either site is redeveloped or used to account for replacement housing for the Warehouse site, the cumulative impacts related to transportation and traffic would be less than significant. In addition, payment of all required development impact fees would contribute to the City's transportation impact fee program which is designed to fund traffic improvements throughout the City accommodate City-wide cumulative traffic growth.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Table 4.14-10: SUMMARY OF INTERSECTION OPERATION HORIZON YEAR 2040 PLUS PROJECT

Int #	Intersection	Traffic Control	AM Peak Hour						PM Peak Hour					
			Without Project		With Project		Project Impact	Impact Significant?	Without Project		With Project		Project Impact	Impact Significant?
			Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS		
1	Sierra Avenue at Casa Grande Avenue	S	12.1	B	12.7	B	0.6	No	10.5	B	11.4	B	0.9	No
2	Sierra Avenue at SR-210 WB Ramp	S	9.0	A	9.2	A	0.2	No	17.6	B	17.7	B	0.1	No
3	Sierra Avenue at SR-210 EB Ramp	S	13.6	B	13.8	B	0.1	No	15.8	B	15.9	B	0.1	No
D1	Sierra Avenue at North Driveway	U			10.9	B	--	No			14.7	B	--	No
D2[1]	Sierra Avenue at South Driveway	U			14.7	B	--	No			17.0	C	--	No
D3	Casa Grande Avenue at West Driveway	U			9.2	A	--	No			9.1	A	--	No
D4	Casa Grande Avenue at East Driveway	U			9.2	A	--	No			9.0	A	--	No

Notes:
[1]Right-in/right-out operation at Sierra Ave Driveways under Horizon Year conditions
Bold and shaded values indicate intersections operating at an unacceptable Level of Service, or a significant impact to the intersection, per City standards.
At a signalized intersection, delay refers to the average control delay for the entire intersection, measured in seconds per vehicle.
At an unsignalized intersection, delay refers to the average delay per vehicle on the intersection approach with the highest delay.
Delay values are based on the methodology outlined in the Highway Capacity Manual (6th Edition).
- S = Signalized; U = Unsignalized

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4.15 UTILITIES AND SERVICE SYSTEMS

4.15.1 INTRODUCTION

This section evaluates potential impacts of the proposed Project on utilities and service systems by identifying anticipated demand and evaluating its relationship to existing and planned utilities services facilities and availability. For abbreviation purposes, the general term "public services" in this Draft EIR includes the following: water, sewer, stormwater, electricity and natural gas, and solid waste. This section identifies potential impacts that could result from the proposed Project, which includes construction and operation of the Warehouse site and upzoing of the Malaga and Palmetto sites. This chapter discusses the existing conditions in terms of land use designations, existing land uses on the Project sites, characteristics of the surrounding land uses, and potential conflicts resulting in impacts to the environment that could occur should the proposed Project be implemented.

It should be noted that the proposed Project is unique in that it includes three different sites but only one site, the Warehouse site is proposed to be developed. The Malaga Site and Palmetto site would be upzoned but no development is proposed. This creates a unique situation in that some of the Project elements, existing setting, and impacts are applicable to the sites together, but in some instances an individual discussion is required. Therefore, the subsequent discussion of some of the proposed Project components, the existing environment, and impacts, where applicable are discussed as one and in some instances they will be discussed separately.

This section evaluates the existing public utilities and service systems that would be used by the proposed Project and analyses associated environmental impacts from implementation. Information herein is derived from the following:

- City of Fontana General Plan Update 2015-2035
- San Gabriel Valley Water Company Fontana Water Company Division 2015 Urban Water Management Plan, Amended December 2017
- West Valley Water District and San Bernardino Valley Regional Urban Water Management Plan

4.15.2 ENVIRONMENTAL SETTING

WAREHOUSE SITE

The Warehouse site approximately 16.09 gross acres with approximately 15.21 acre used for the warehouse, parking, internal circulation, landscaping, etc., and 0.86 acres dedicated to the City for use as right-of-way and is within the northeastern portion of the City of Fontana. Most of the property now consists of rock and dirt with some habitat consisting of coastal sage scrub and chamise chaparral mixed with dense non-native grasses and native annuals and perennials. The Warehouse site is undeveloped and vacant; however, a concrete pad is located in the western Warehouse site area which is all that remains of a residential dwelling unit. The balance of the site is vacant and unimproved with piles of dirt and rock and household debris in other areas. The property is accessible on the south via Casa Grande Avenue, which is an existing dirt road and used by Southern California Edison (SCE) to reach its easement and access the adjacent high voltage towers. As part of the Warehouse development, Casa Grande Avenue would be improved and paved and provide access to the Warehouse site via two driveways. From the

west, the site is accessed via Sierra Avenue, which also would be improved, and would provide two driveways to the Warehouse site. The Warehouse site is in an area that is within the southwestern edge of a military reservation that was used from 1941-1945. It also should be noted there is an existing private residence adjacent to the northern Project boundary and Sierra Avenue which parallels the western site boundary.

MALAGA SITE

The Malaga site is approximately 5.69 acres and is located at the north side of Malaga Avenue, immediately west of Mango Avenue, approximately 0.3 miles north of Foothill Boulevard. The site is rectangular and contains 14 individual parcels which are mainly developed as with residential uses in an urbanized setting. The Malaga site consists of primarily single-family residential development and is surrounded by existing residential uses, a few undeveloped lots, and limited commercial development. As discussed, the site is bound by Mango Avenue on the east, single-family residential to the north, a vacant lot to the west, and Malaga Street to the south.

PALMETTO SITE

The Palmetto site occupies approximately 3.58 acres and contains three single-family residences and two vacant lots on the northerly half of the site and a church and parking lot on the southerly half. Immediately surrounding the Palmetto site are existing residential uses, lots used for storage, and a few undeveloped lots. In the immediately surrounding area, there are three apartment buildings, a school, and limited commercial development. The site is bound by Palmetto Avenue on the east, Valencia Avenue on the south, a quad-plex or five plex and single-family units and storage yard to the east, and a single-family unit, a small strip commercial use and area used for vehicle and boat storage to the north.

WATER

Water services for the proposed Project would be provided by two local water agencies, the Fontana Water Company (FWC) and the West Valley Water District (WVWD). The WVWD would provide service to the Warehouse Site, and the FWC would provide service to the Malaga and Palmetto sites. Each of the agencies is discussed individually below.

West Valley Water Company

Water services for the Warehouse site would be provided by the WVWD. The WVWD acquires forty-five percent of its water supply from its own groundwater wells, located in five local basins: Chino Basin, Bunker Hill Basin, Lytle Creek Basin, North Riverside Basin, and the Rialto-Colton Basin. Eighteen percent of additional groundwater is purchased from the San Bernardino Valley Municipal Water District (SBVMWD) through the Base Line Feeder Project. This water also comes from local wells in the Bunker Hill Basin. Eighteen percent of the water supply is obtained from Lytle Creek in the San Bernardino Mountains. This water is treated through the WVWD's Oliver P. Roemer Water Filtration Facility. The remaining nineteen percent is purchased surface water from the State Water Project (SWP) through San Bernardino Valley Municipal Water District (SBVMWD). This water is also treated through the District's Oliver P. Roemer Water Filtration Facility.

As of 2003, the WVWD had five treatment plants, 360 miles of pipeline, 25 reservoirs, 17 wells, 20,000 service connections, and served drinking water to approximately 66,000 residents. Today, WVWD

serves over 83,000 residents. In 2016, WVWD opened the nation's first perchlorate treatment facility to bring clean water directly to ratepayers using natural, bioremediation technology. The second perchlorate treatment facility was completed in 2017. In the future, WVWD is anticipating to open a hydroelectric generation plant that could serve increased housing developments in their service area.

San Bernardino Valley Regional Urban Water Management Plan

The WVWD is included to the SBVMWD Urban Water Management Plan (UWMP) adopted in 2015 and amended in 2017. This includes a total of 10 agencies including East San Bernardino Valley Municipal Water District; East Valley Water District; City of Loma Linda; City of Redlands; City of San Bernardino Municipal Water Department; West Valley Water District; City of Colton; City of Rialto; and Riverside Highland Water Company.

Based on information in the most recent UWMP, **Table 4.15-1,** *Demand for Raw and Potable Water*, shows the water demand for 2015 based on the area served by WVWD and the percentage change over the previous five years. In addition to past water usage, the SBVR UWMP provides projected water use to the year 2040. **Table 4.15-2,** *Projected Demands for Raw and Potable Water (in acre/feet/year)*, shows these values, below.

Table 4.15-1: Demand for Raw and Potable Water (in acre/feet/year)

Use Type	Year 2011	Year 2015	Increase/Decrease
Single-Family	12,017	9,786	-18%
Multi-Family	531	504	-5%
Commercial	1,450	1,453	+0.2%
Institutional	1,020	825	-19%
Industrial	886	709	-20%
Agricultural Irrigation	117	105	-10%
Landscape Irrigation	1,355	1,319	-02.7%
Golf Course	292	0	-100%
Fire Service	2	2	--
Hydrant	97	273	+64%
Transfers to other agencies	0	92	+100%
Nonrevenue	2,200	2,064	-7%
TOTAL:	19,966	17,131	-14.2%

Source: 2015 San Bernardino Valley Regional Urban Water Management Plan

Table 4.15-2 Projected Demands for Raw and Potable Water (in acre/feet/year)

Use Type	Year 2020	Year 2025	Year 2030	Year 2035	Year 2040
Single-Family	11,654	12,538	13,490	14,514	15,616
Multi-Family	600	646	695	747	804
Commercial	1,730	1,861	2,002	2,154	2,318
Institutional	982	1,057	1,137	1,223	1,316
Industrial	1,944	2,008	2,007	2,151	2,231
Agricultural Irrigation	100	80	40	20	0
Landscape Irrigation	1,571	1,691	1,819	1,957	2,105
Golf Course	0	0	0	0	0
Fire Service	2	3	3	3	3
Hydrant	325	349	376	404	435
Transfers to other agencies	0	0	0	0	0
Nonrevenue	1,891	2,023	2,164	2,317	2,483
TOTAL:	20,799	22,256	23,802	25,492	27,312

Source: 2015 San Bernardino Valley Regional Urban Water Management Plan

As part of the UWMP planning process, water suppliers are required to include projected water supplies for a 20-year period in not only normal water year conditions for, single dry year, two dry years, and three consecutive dry years. **Table 4.15-3***, Project Water Supply Through Year 2040*, shows these values below. It should be noted that the table also estimated demand totals and incorporates some drought restrictions and conservation efforts.

Table 4.15-3: Project Water Supply Through Year 2040 (acre/feet/year)

YEAR	2020	2025	2030	2035	2040
Normal Year					
Supply Total	36,400	41,900	45,400	48,400	48,400
Demand Total	20,799	22,256	23,802	25,492	27,312
Difference	*15,601*	*19,644*	*21,598*	*22,908*	*21,088*
Single Dry Year					
Supply Total	33,030	38,530	42,030	45,030	45,030
Demand Total	22,879	24,481	26,183	28,041	30,043
Difference	*10,151*	*14,049*	*15,847*	*16,989*	*14,987*
Second Dry Year					
Supply Total	33,030	38,530	42,030	45,030	54,030
Demand Total	20,799	22,256	23,802	25,492	27,312
Difference	*12,231*	*16,274*	*18,228*	*19,538*	*17,718*
Third Year					
Supply Total	33,030	36,530	42,030	45,030	45,030
Demand Total	18,719	20,030	21,422	22,943	24,580
Difference	*14,311*	*18,500*	*20,608*	*22,087*	*20,450*

Source: 2015 San Bernardino Valley Regional Urban Water Management Plan

Groundwater

WVWD extracts groundwater from five regional groundwater basins: Bunker Hill and Lytle Creek (which are both part of the SBBA), Rialto-Colton, Riverside North, and Chino Basins. All five basins have been adjudicated and are managed. As of 2015, the WVWD drew approximately 65 percent of its water supply from its wells. WVWD's normal operating practice is to pump water for 16 hours a day during off-peak hours but has the ability and right to pump its wells up to 24 hours per day. WVWD has approximately 36 million gallons per day (MGD) production capability from all of its wells if they were to operate 24 hours

per day. Some of WVWD, water is transported through the Baseline Feeder system, which consists of 25,000 feet of 48-inch transmission line and was completed in 1998. As part of the agreement for development of the systems, WVWD received an additional 5,000 AFY of supply through this transmission line.

Some of the WVWD's wells have been impacted by arsenic, perchlorate and volatile organic carbons (VOCs). WVWD has implemented wellhead treatment as needed and continues to monitor groundwater contamination and the movement of groundwater contaminant plumes. These past and ongoing groundwater treatment projects have demonstrated that treatment is an economically viable alternative for handling arsenic, perchlorate and VOCs. Based on current conditions, water quality is not anticipated to affect supply reliability. As needed, WVWD will take action to protect and treat supply when needed, to help to ensure supply is provided.

Recycled Water

WVWD does not currently have a recycled water distribution system. WVWD is completing a master plan for potential use of recycled water within its service area. WVWD's plans for recycled water are still preliminary, and the expected beneficial use has not been quantified.

Conservation

Soon after the passage of the Water Conservation Act of 2009 (SB X7-7), which seeks a twenty percent reduction in per capita water use by 2020, WVWD displayed its commitment to conservation by creating a Water Conservation Department. With the creation of this department the WVWD committed a full-time Water Conservation Coordinator. The District's conservation department over the last several years has continued to grow with the addition of a full-time Water Conservation Specialist in October 2014, a temporary office employee in July 2015, and a temporary field employee in August 2015 to help patrol and make sure watering restrictions are being followed.

WVWD's current per-capita consumption is less than its 2020 compliance target. WVWD expects to continue to implement its current conservation programs to encourage conservation and maintain per capita consumption below the compliance target.

Due to the drought conditions affecting the WVWD service area, and greater state of California in the recent years, water-saving regulations were utilized by the State Water Board and therefore led to water supply reduction in the year 2016. The West Valley Water District's Board of Directors adopted Stage II – Water Alert. These additional conservation measures are necessary to help the WVWD meet a standard of fifteen percent reduction in water use which is a California requirement.

According to the FCGP the City has 54,250,693 square feet (sf) of industrial space, of which the Warehouse site would account for 0.6% of the overall use (considering the 332,996 sf proposed for the Warehouse site). Water demand for the commercial/industrial sector in 2020 was projected to be approximately 7,251 acre-feet (AF) year. Based on the comparison of square footage, this would mean the Warehouse Project would require approximately 42.4 AF of water per year. Based on the UWMP projected water supplies of 40,140 AF/year, this would be 0.1% of the total City water supply. As the City water supply continues to increase in future years, the percentage allocated to industrial uses would further decrease.

Fontana Water Company

FWC has a service area of approximately 52 square miles and provides water utility service to a population of approximately 223,000 people within the City. FWC has a total of 38 wells, 17 storage reservoirs, and 3.5 million feet of water distribution mains ranging up to 36-inches in diameter. The water supply is produced from Lytle Creek surface flow, and from groundwater wells in the Lytle Basin, Rialto Basin, Chino Basin, and the "No Man's Land" basin. FWC purchases untreated and imported water from the SWP, Inland Empire Utilities Agency (IEUA), and SBVMWD. The imported surface water is treated at FWC's Sandhill Plan which has a current capacity of 29 million gallons per day (MGD).

In accordance with requirements, FWC prepared an UWMP. The UWMP provided historical water supplies from 1995 to 2015 as well as projected supplies for consecutive five-year periods between 2020 and 2040. **Table 4.15-4**, *FWC Water Supplies*, below shows these volumes from each of the respective sources.

Additionally, FWC also provides anticipated water supplies for a normal year, single dry year, multiple dry years. The UWMP plan developed for the SGVWC and FWC performed these calculations, which are shown in **Tables 4.15-5,** *SGVWC and FWC Normal Year Supply and Demand Comparison*, and **Table 4.15-6,** *SGVWC and FWC Single Dry Year Supply and Demand Comparison*, and **Table 4.15-7,** *SGVWC and FWC Multiple Dry Years Supply and Demand Comparisons*.

Table 4.15-4: FWC Water Supplies

Groundwater Supplies Basins							Surface Water	Imported Water		Recycled	Total
Year	Chino	Rialto-Colton	No Man's Land	Lytle	Subtotal	Percent		IEUA	SBVMWD	Recycled	
2015	14,504	2,728	4,523	3,768	25,523	73%	1,784	7,657	0	0	34,964
2020	9,920	2,520	4,000	5,000	21,440	53.4%	5,700	10,000	2,000	1,000	40,140
2025	10,416	2,520	4,000	9,400	26,336	55.4%	5,700	12,000	2,000	1,500	47,536
2030	13,153	2,520	4,000	9,400	29,073	57.3%	5,700	12,000	2,000	2,000	50,773
2035	15,591	2,520	4,000	9,400	31,511	58.7%	5,700	12,000	2,000	2,500	53,711
2040	17,942	2,520	4,000	9,400	33,862	59.9%	5,700	12,000	2,000	3,000	56,562

Tables 4.15-5: SGVWC and FWC Normal Year Supply and Demand Comparison

	2020	2025	2030	2035	2040
Supply Total	40,140	47,536	50,773	53,711	56,562
Demand Total	40,140	47,536	50,773	53,771	56,562
Difference	0	0	0	0	0
Note: Volumes are in AF; table references to DWR table numbers					

Table 4.15-6: SGVWC and FWC Single Dry Year Supply and Demand Comparison

	2020	2025	2030	2035	2040
Supply Total	29,998	35,526	37,945	40,141	42,272
Demand Total	29,998	35,526	37,945	40,141	42,272
Difference	0	0	0	0	0
Note: Volumes are in AF					

Table 4.15-7: SGVWC and FWC Multiple Dry Years Supply and Demand Comparisons						
		2020	**2025**	**2030**	**2035**	**2040**
First Year	Supply Totals	37,757	44,714	47,759	50,523	53,204
	Demand Totals	37,757	44,714	47,759	50,523	53,204
	Difference	0	0	0	0	0
Second Year	Supply Totals	36,462	43,180	46,120	48,790	51,379
	Demand Totals	36,462	43,180	46,120	48,790	51,379
	Difference	0	0	0	0	0
Third Year	Supply Totals	29,998	35,526	37,945	40,141	42,272
	Demand Totals	29,998	35,526	37,945	40,141	42,272
	Difference	0	0	0	0	0
Notes: Volumes are in AF						

FWC continued to optimize their supply through a number of actions with the intent to maximize the use of local water resources and minimize water importation. Two such projects include purchase of surplus Indian water supplies and use of the Lewis Homes' groundwater production well. In addition, FWC continues its water shortage contingency planning. One such measure includes the coordination with other cities and service providers including MWD, County of San Bernardino, CPUC, Department of Water Resources, IEUA, SBVMWD, and the Chino Basin Watermaster.

WASTEWATER

Regional domestic wastewater treatment services are provided under the Regional Sewer Service Contract in which seven agencies—Fontana, Cucamonga County Water District, Montclair, Upland, Chino, Chino Hills, and Ontario—currently contract with the IEUA. IEUA's service area is over 242 square miles serving a population of more than 830,000 people. Wastewater treatment is provided at one of four Regional Water Recycling Plants (RPs): RP-1, RP-4, RP-5 and the Carbon Canyon Water Recycling Facility (CCWRF) with a total treatment capacity of 86 MGD. RP-4 treats wastewater from Fontana at and is compliant with Title 22 regulations. Locally, the City of Fontana maintains more than 250 miles of 6- to 42-inch sewer lines and six sewage pump stations, as well as provides industrial wastewater permitting and enforcement pursuant to the Clean Water Act of 1972.

IEUA's RP-4 is responsible for treating local wastewater generated by the City of Fontana and is located near the intersection of Etiwanda Avenue and 6th Street in the City of Rancho Cucamonga to the west of the City. In 2016 RP-4 treated an average wastewater flow of 5 million gallons per day (MGD) of and currently treats approximately 10 MGD. RP-4 has a total capacity of 14 MGD.[1] [2] The Warehouse site is currently undeveloped and does not have any uses that would generate wastewater. Current uses on the Malaga and Palmetto sites that would generate wastewater currently include approximately 14 on the Malaga site and 8 units on the Palmetto site. In addition, there is the small church on the Palmetto site. Based on wastewater generation rates for residential uses provided by IEUA, an average flow rate of 270 gallons per residential unit was used. A conservative wastewater generation rate for the church at the Palmetto site of 5 gallons per seat per day was used and based on the size of the church it was estimated there were approximately 100 seats. **Table 4.15-8,** *Estimated Wastewater Generation Rates for*

[1] SGVWC and FWC, 2016, Urban Water Management Plan. Available: https://www.fontanawater.com/wp-content/uploads/2018/10/San-Gabriel-Fontana_Amended-Final-December-2017-1.pdf Accessed: March 13, 2020.
[2] IEUA, 2020 – Regional Water Recycling Plant No. 4. Available: https://www.ieua.org/facilities/regional-water-recycling-plant-no-4/ Accessed: March 13, 2020.

Malaga and Palmetto Sites, shows these values and approximate wastewater volumes currently generated from these sites.

Table 4.15-8: Estimated Wastewater Generation Rates for Malaga and Palmetto Sites

Land Use Category	Unit Count	Gallons per day per acre	Wastewater Generation (gpd)
Malaga Site			
Residential	14	270/unit	3,780gpd
Palmetto Site			
Residential	8	270/unit	2,160 gpd
Church	100	5 gal/seat	500 gpd
		TOTAL	**6,440 gpd**

STORMWATER DRAINAGE

The proposed Project Areas including the Warehouse site, Malaga site, and Palmetto site, are located within the boundaries of the San Sevaine Channel Watershed. This is within the San Bernardino County Flood Control District (SBCFCD) Zone 1. The San Sevaine Channel is located near the western boundary of Fontana and City of Rancho Cucamonga and flows to the south. Zone 1 covers an area of 275 square miles includes the cities of Fontana, Rancho Cucamonga, Ontario, Upland, Montclair, Chino, and Chino Hills. Both the City and the SBCFCD provide flood control facilities for Fontana. SBCFCD is responsible for the construction of dams, containment basins, channels, and storm drains to intercept and convey flood flows through and away from developed areas. The City constructs and maintains local storm drains that feed into the county's area-wide system. Stormwater from the City generally flows westerly through a combination of overland and underground facilities and outfalls to the San Sevaine Channel. In addition, the City has adopted a Master Drainage Plan.

As a permittee in the Santa Ana Regional Water Quality Control Board (RWQCB) Basin Plan, the City implements a Municipal Storm Water Management Plan, which prohibits certain discharges, and regulates flows and mandates inspections and public education. This also allows for the City to place controls on new development and redevelopment, and specifies site-specific and construction site maintenance practices. Stormwater controls and water quality management strategies are included in additional detail in **Chapter 4.9***, Hydrology and Water Quality.*

GROUNDWATER RECHARGE

Groundwater recharge depends on numerous factors and but occurs largely through snowmelt and rainwaters that are able to enter the aquifer after entering the ground and seeping to lower depths within the ground. Impervious surfaces introduced from development such as roofs, streets, and parking lots, induce runoff and impede infiltration and can keep water from reaching the aquifer. Artificial groundwater recharge is increasingly used where natural sources are insufficient and many projects include designs that incorporate detention basis and timed release of runoff to facilitate infiltration. As discussed above, the City's groundwater supplies come in part from Chino Basin, which encompasses 235 square miles, 80% of which is in San Bernardino County. Groundwater is also extracted from the Rialto and Lytle Basins along with an unnamed basin.

Several agencies, including the IEUA, sponsor the Chino Basin Recycled Water Groundwater Recharge Program, a network of pipelines that direct stormwater runoff, imported water from the State Water

Project, and IEUA-recycled water to 16 recharge sites. Most of these are basins designed to hold the water and allow it to percolate into the ground. Other agencies such as the SBVMWD have a system which includes 28 service connections to deliver both native and SWP water for direct delivery or groundwater recharge within the District's boundary. Groundwater recharge is conducted to lessen the impact of increasing well production from the various groundwater basins within the District's boundary and to help the District meet certain legal obligations.[3] This program helps ensure the availability of local groundwater supplies and has become a nationally acclaimed, award-winning program because it relies on local resources, natural organic cycles, innovative treatment techniques and energy-saving methods.

RECYCLED WATER

The IEUA is a municipal water district that was formed in 1950, with the mission to supply supplemental water to the Chino Basin. IEUA has expanded its areas of responsibility from a supplemental water supplier to a regional wastewater treatment agency with domestic and industrial disposal systems and energy recovery/production facilities. In addition, IEUA has become a recycled water supplier, compost provider and continues as a leader in water quality management and protection. IEUA provides these services to over 830,000 people within a 242-square mile area.[4]

To increase recycled water delivery, FWC established an agreement with the City of Fontana for the direct use of recycled water in the southern portion of FWC's service area known as IEUA's 1158 Zone. Recycled water will be provided by IEUA's RP-4. This Project will provide up to approximately 2,000 AFY of recycled water within the City of Fontana to schools, parks, and commercial customers as part of a multi-phased program. FWC also has an agreement with IEUA and CPUC approval to provide recycled water service to California Steel Industries and California Speedway. IEUA is responsible for the infrastructure improvements and satisfying the necessary recycled water credits and FWC will be responsible for meter installations and monthly billing.

The estimated potable water savings from these two customers is 500 AFY. The 1158 Zone Recycled Water Project began delivering recycled water to customers in late 2016. Additional facilities are required to accept delivery of recycled water from IEUA for delivery to FWC's customers in other portions of the City of Fontana. These facilities will include additional pipelines, and possibly booster stations and reservoirs. In addition, the City of Fontana is entitled to use up to approximately 12,000 AFY of tertiary treated recycled water as part of an existing agreement with IEUA. [5]

CONSERVATION

The Metropolitan Water District (MWD), one of the larger agencies from which the local water providers receive some of their water, imports about half of the region's overall supply from the Colorado River and Northern California and holds water in storage in case of drought. During an extraordinary drought cycle, MWD will limit water supplied and mandatory conservation is required. The district created a Water Supply Allocation Plan to approach drought in a regional and fair manner designed to minimize impacts. The governor called for a 25% reduction in urban water use starting in June 2015, which California

[3] SBVMWD, 2015 – Change in Groundwater Storage for the San Bernardino Basin, Rialto-Colton and Yucaipa Basin areas. Available: https://www.sbvmwd.com/Home/ShowDocument?id=4216 Accessed:

[4] IEUA, 2020. Regional Water Recycling. Available: https://18x37n2ovtbb3434n48jhbs1-wpengine.netdna-ssl.com/wp-content/uploads/2014/09/IEUA_recycle14_5.6.14.pdf Accessed: March 12, 2020.

[5] City of Fontana, 2017 – UWMP. Available: https://www.fontanawater.com/water-quality-supply/2015-urban-water-management-plan/ Accessed: March 12, 2020.

communities have been meeting and exceeding. Some of the measures used to reduce potable water consumption includes limiting water use for landscaping, use of drought-tolerant vegetations, use of recycled water by municipalities, and encouraging extension of recycled water lines.

SOLID WASTE

Solid waste and recycling services are provided to the City through Burrtec Waste Industries, Inc. For waste generated within the City, Burrtec transports the waste to the Mid-Valley Sanitary Landfill in Rialto for disposal[6]. The landfill has a capacity of 7,500 tons of solid waste per day and a total capacity of 101,300,000 cubic yards. As of June 30, 2019, the landfill had 61,219,377 cubic yards of capacity available. The facility has a cease operation date of April 1, 2045.[7] As of October 2017, the landfill accepted an average of 3,475 tons per day leaving a daily capacity of approximately 4,025 tons per day.[8]

GAS AND ELECTRICITY

The proposed Project would be served by Southern California Gas Company (SoCalGas) and Southern California Edison (SCE). SCE currently owns and operates a service road adjacent to the south side of the Warehouse site which provides access to their easement that extends northerly on the eastern side of the Warehouse site and westerly from the substation. As part of the Warehouse improvements, Casa Grande Avenue would be improved and gas and electricity would be included as needed.

Gas and Electricity also is provided by SCE to the Malaga and Palmetto sites. Utility services are currently provided and would be used to serve any future redevelopment of the sites.

4.15.3 REGULATORY SETTING

FEDERAL

Safe Drinking Water Act

The EPA administers the Safe Drinking Water Act (SDWA), the primary federal law that regulates the quality of drinking water and establishes standards to protect public health and safety. The Department of Health Services (DHS) implements the SDWA and oversees public water system quality statewide. DHS establishes legal drinking water standards for contaminants that could threaten public health.

Clean Water Act

In 1972, the Federal Water Pollution Control Act Amendments were enacted to address water pollution problems. After an additional amendment in 1977, this law was re-named the Clean Water Act (CWA). Thereafter, it established the regulation of discharges of pollutants into waters of the United States by the EPA. Under the Clean Water Act, the EPA can implement pollution control programs and set water quality standards. Additionally, the CWA makes it unlawful for any person to discharge any pollutant from a point source into navigable waters unless a permit is obtained pursuant to its provisions.

[6] City of Fontana, 2020. Trash and Recycling Services. Available: https://www.fontana.org/541/Trash-and-Recycling-Services Accessed: March 13, 2020.
[7] CalRecycle, 2020. SWIS Facility Detail – Mid-Valley Sanitary Landfill (36-AA-0055). Available: https://www2.calrecycle.ca.gov/swfacilities/Directory/36-AA-0055/ Accessed: March 13, 2020.
[8] City of Pasadena, 2017. ArtCenter Master Plan. Available: https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2017/10/IV.M.3-Utilities-and-Service-Systems-Solid-Waste.pdf Accessed: March 13, 2020.

STATE

California Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, which was passed in California in 1969 and amended in 2013, the State Water Resources Control Board (SWRCB) has authority over State water rights and water quality policy. This Act divided the state into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Board (RWQCB) to oversee water quality on a day-to-day basis at the local and regional level. RWQCBs engage in a number of water quality functions in their respective regions. RWQCBs regulate all pollutant or nuisance discharges that may affect either surface water or groundwater. Fontana is overseen by the Santa Ana Area RWQCB.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB) is the California (State) agency focused on providing and ensuring clean sustainable water for all state residents. This State agency works alongside other federal programs like the Clean Water Act to regulate water sources and uses. The SWRCB regulates water consumption for irrigation and drinking, as well as water discharges from construction, municipal uses, storm water, and other sources.

Urban Water Management Planning Act

In 1983, the California legislature enacted the Urban Water Management Planning Act (California Water Code, Sections 10610–10656), which requires specified urban water suppliers within the state to prepare an UWMP and update it every 5 years. Specifically, section 10610.04 et seq. as amended, of the California Urban Water Management Planning Act specifies that "Urban Water Suppliers shall be required to develop water management plans to actively pursue the efficient use of available supplies. As such, UWMPs serve as an important element in documenting water supply availability and reliability for purposes of compliance with Senate Bills 610 and 221, which link water supply sufficiency to large land-use development Project approvals. Urban water suppliers also must prepare UWMPs, pursuant to the Urban Water Management Planning Act, in order to be eligible for state funding and drought assistance.

On June of 2016, the EMWD Board of Directors adopted the District's 2015 UWMP. This plan details EMWD's demand projections and provides information regarding EMWD's supply. The majority of EMWD's existing and future planned demand is met through imported water delivered by MWD. EMWD's 2015 UWMP relies heavily on information and assurances included in the 2010 MWD RUWMP when determining supply reliability. Demand for EMWD included in the 2015 UWMP is calculated across the District and is not project-specific.

Sustainable Groundwater Management Act (2014)

The Sustainable Groundwater Management Act of 2014 (SGMA) consists of three legislative bills, Senate Bill (SB) 1168 (Pavley), AB 1739 (Dickinson), and SB 1319 (Pavley). The legislation provides a framework for long-term sustainable groundwater management across California. Under the roadmap laid out by the legislation, local and regional authorities in medium and high priority groundwater basins will form Groundwater Sustainability Agencies that oversee the preparation and implementation of a local Groundwater Sustainability Plan. Local stakeholders have until 2017 to organize themselves in Groundwater Sustainability Agencies. Groundwater Sustainability Plans will have to be in place and

implementation will begin between 2020 and 2022. Groundwater Sustainability Agencies will have until 2040 to achieve groundwater sustainability.

California Senate Bills 610 and 221

SB 610 and SB 221 amended State law to (1) ensure better coordination between local water supply and land use decisions and (2) confirm that there is an adequate water supply for new development. Both statutes require City and County decision-makers to receive detailed information regarding water availability prior to approval of large development projects. SB 610 requires the preparation of a Water Supply Assessment (WSA) for certain types of projects subject to the California Environmental Quality Act (CEQA). Projects that would be required to prepare a WSA include, but are not limited to, residential developments of more than 500 dwelling units and shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor area.

Water Conservation in Landscaping Act of 2006 (AB 1881)

The Water Conservation in Landscaping Act of 2006 (AB 1881) required the State Department of Water Resources to update the State Model Water Efficient Landscape Ordinance (WELO) by 2009. The State's model ordinance was issued on October 8, 2009. Under AB 1881, Cities and Counties are required to adopt a State updated model landscape water conservation ordinance by January 31, 2010, or to adopt a different ordinance that is at least as effective in conserving water as the updated Model Ordinance (MO).

2015 Update of the State Model Water Efficient Landscape Ordinance (per Governor's Executive Order B-29-15)

To improve water savings in the landscaping sector, the California Department of Water Resources (DWR), updated the Model Ordinance in 2015 (in accordance with Executive Order B-29-15). The Model Ordinance promotes efficient landscapes in new developments and retrofitted landscapes. The Executive Order calls for revising the Model Ordinance to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, and on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf. New development projects that include landscape areas of 500 square feet or more are subject to the Ordinance. This applies to residential, commercial, industrial, and institutional projects that require a permit, plan check, or design review.

Local agencies had until December 1, 2015 to adopt the Ordinance or adopt their own ordinance, which must meet or exceed effectiveness. The Fontana City Council adopted an ordinance on November 10, 2015, amending Municipal Code Article IV of Chapter 28 regarding Landscaping and Water Conservation, to incorporate updates consistent with the Executive Order B-29-15, as well as AB 1881.

Assembly Bill (AB) 1668 and Senate Bill (SB) 606 – May 31, 2018

AB 1668 and SB 606 build on Governor Brown's ongoing efforts to make water conservation a way of life in California and create a new foundation for long-term improvements in water conservation and drought planning. SB 606 and AB 1668 establish guidelines for efficient water use and a framework for the implementation and oversight of the new standards, which must be in place by 2022.

The two bills strengthen the state's water resiliency in the face of future droughts with provisions that include:

- Establishing water use objectives and long-term standards for efficient water use that apply to urban retail water suppliers; comprised of indoor residential water use, outdoor residential water use, commercial, industrial and institutional (CII) irrigation with dedicated meters, water loss, and other unique local uses.
- Providing incentives for water suppliers to recycle water.
- Identifying small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and provide recommendations for drought planning.
- Requiring both urban and agricultural water suppliers to set annual water budgets and prepare for drought.

Solid Waste

Integrated Waste Management Act – AB 939

The Integrated Waste Management Act (AB 939) mandates that communities reduce their solid waste. AB 939 required local jurisdictions to divert 25 percent of their solid waste by 1995 and 50 percent by 2000, compared to a baseline of 1990. AB 939 also established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance.

Mandatory Commercial Recycling – AB 341

In 2011, AB 341 was passed that sets a State policy goal of not less than 75 percent of solid waste that is generated to be source reduced, recycled, or composted by the year 2020. CalRecycle was required to submit a report to the legislature by January 1, 2014 outlining the strategy that will be used to achieve this policy goal.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act require areas in development projects to be set aside for collecting and loading recyclable materials. The Act required CalRecycle (formerly the California Integrated Waste Management Board) to develop a model ordinance for adoption by any local agency relating to adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model, or an ordinance of their own, providing for adequate areas in development projects for the collection and loading of recyclable materials.

Mandatory Commercial Organics Recycling – AB 1826

In October of 2014 Governor Brown signed AB 1826 requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. 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. Greenhouse gas (GHG) emissions result from the decomposition of organic wastes in landfills. Mandatory recycling of organic waste is aimed at helping achieve California's aggressive recycling and GHG emission goals. The implementation schedule began in January 2016 and as of January 1, 2019, businesses that generate 4 cubic yards or more of commercial solid waste per week shall arrange for organic waste recycling services. In addition, future regulations include the following:

- Fall 2020: After receipt of the 2019 annual reports submitted on August 1, 2020, CalRecycle shall conduct its formal review of all jurisdictions.
- Summer/Fall 2021: If CalRecycle determines that the statewide disposal of organic waste in 2020 has not been reduced by 50 percent of the level of disposal during 2014, the organic recycling requirements on businesses will expand to cover businesses that generate two cubic yards or more of commercial solid waste per week. Additionally, certain exemptions, previously discussed, may no longer be available if this target is not met.

LOCAL

Fontana General Plan 2015-2035

Infrastructure and Green Systems Element

The Infrastructure and Green Systems Element of the Fontana GP includes the goals and policies that will responsible for water, wastewater, flood control, storm drainage, electricity, and natural gas systems in the City. This General Plan element addresses possible impacts to the utilities' infrastructure with policies intended to maintain and provide adequate service levels with new development projects.

Goal 1 **Fontana collaborates with public and private agencies for an integrated and sustainable water resource management program.**

Policy

- Support initiatives to provide a long-term supply of the right water for the right use through working with regional providers and the One Water One Watershed Plan.

Goal 2 **Fontana promotes use of non-potable water for uses where drinking water is not needed.**

Policies

- Encourage use of processed water from the Inland Empire Utility Agency (IEUA) systems using recycled water for all non-drinking water purposes.
- Promote laundry-to-landscape greywater systems for single-family housing units.

Goal 3 **The City continues to have an effective water conservation program.**

Policies

- Support landscaping in public and private spaces with drought-resistant plants.
- Continue successful city water conservation programs and partnerships.

Goal 4 **The City of Fontana consistently seeks reasonable rates from the city's drinking water providers.**

Policy

- Support City negotiations to keep drinking water rates reasonable for residents and other users.

Goal 5 **Fontana collaborates closely with the inland Empire Utilities Agency to promote innovative and resource-efficient systems and reduce sewer fees.**

Policies

- Support and participate in IEUA programs that help Fontana be more resource-efficient.
- Support incorporation of greywater systems in new developments.

Goal 6 **Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional One Water One Watershed standards.**

Policies

- Continue to implement the water-quality management plan for stormwater management that incorporates low-impact and green infrastructure standards.
- Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.

Goal 7 **Fontana is becoming an energy-efficient community.**

Policy

- Promote renewable energy and distributed energy systems in new development and retrofits of existing development to work towards the highest levels of low-carbon energy-efficiency.

Goal 8 **All residences, businesses, and institutions have a dependable, environmentally safe means to dispose of solid waste.**

Policies

- Continue to use best practices for environmentally safe collection, transport and disposal of hazardous wastes.
- Continue to maximize landfill capacity by supporting recycling innovations, such as organic waste recycling for compost.

Goal 8 **Up-to-date telecommunications technology is available to all developed areas in the city.**

Policy

- Ensure that Fontana remains competitive as a place to live, work, and learn in terms of available telecommunications and other technology.

City of Fontana Municipal Code

Waste Management

The City's Municipal Code Section 24 explains in detail the City's regulations regarding waste management. This includes the guidelines for service and requirements for both the collectors of waste and the owners of the waste-generating properties. This section also details the unlawful acts associated with trash collection, such as prohibited containers and refuse burning.[9]

Utilities

The City's Municipal Section 27 is responsible for the City's regulations regarding utilities. This includes underground utility districts and permitted and unlawful acts regarding the use of utilities.

4.15.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

State CEQA Guidelines Appendix G contains the Initial Study Checklist, which includes questions concerning aesthetics. The questions presented in the Initial Study Checklist have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- 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 (issues related to storm water drainage facilities are addressed in *Section 4.9, Hydrology and Water Quality)*;
- Have sufficient water supplies available to serve the Project and reasonable foreseeable future development during normal, dry and multiple dry years;
- 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;
- 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;
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

METHODOLOGY AND ASSUMPTIONS

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact level of significance concerning utilities and service systems. In addition to the Project and its design features, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards (LORS)) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory

[9] City of Fontana, 2020 – Section 24 – Solid Waste and Recycling. Available: https://library.municode.com/ca/fontana/codes/code_of_ordinances?nodeId=CO_CH24SOWARE Accessed: March 13, 2020.

framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

This analysis of impacts on utilities examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. Each criterion is discussed in the context of the Warehouse site, and Malaga Site and Palmetto sites and the surrounding characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: field observations conducted by Kimley-Horn; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component will or will not result in "substantial" adverse effects on land use and planning standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

IMPACTS FOUND TO HAVE NO IMPACT

- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

No Impact – The proposed Project, including the Warehouse, and Malaga and Palmetto sites, during both construction and operation would employ all applicable waste reductions measures to reduce, reuse, and recycle materials removed from sites, used during construction, and the waste stream generated once the Warehouse site is operational and if the Malaga and Palmetto sites are constructed. No impacts would occur.

4.15.5 IMPACTS AND MITIGATION MEASURES

Impact 4.15-1: 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?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

The Warehouse site is currently undeveloped. Adjacent and nearby uses including residential and industrial developments are served by existing utilities, including electricity, natural gas, wet and dry facilities but they have not been extended into the Warehouse Project site.

Utilities necessary for the Warehouse site to operate and the associated service providers are as follows:

- Electricity – SCE
- Water – WVWD

- Sewer – City of Fontana
- Cable – Charter Communications
- Telephone – AT&T
- Gas – SoCalGas Company

Existing utilities would be extended and upgraded as needed during construction of Warehouse Project to serve the anticipated demands and to accommodate operation of the Warehouse. All required improvements to existing electrical, natural gas, or telecommunications utilities would occur within the existing right-of-way or areas adjacent to Sierra Avenue. In addition, if utility extensions occur in Casa Grande Avenue these would be made in conjunction with the proposed improvements that include paving and extension of the roadway to the boundary with the City of Rialto. All areas adjacent to the existing two roadways also are heavily disturbed and are within the overall footprint of Warehouse Project and any impacts are therefore, discussed and disclosed as part of this Draft EIR within the various sections of this document. As such, upgrades to existing utilities are already evaluated as part of the overall project. Therefore, impacts associated with extension of services in these areas and within the Warehouse site, are less than significant. Services provided by each utility is discussed in additional detail below.

Construction and Operations

Water

Water to the Warehouse site would be provided by WVWD. As discussed above, and as part of the UWMP process for WVWD, existing and projected water demand as well as projected water supply in normal, single, second, and multiple dry years was evaluated. Based on existing and projected supply, demand in all conditioned though year 2040, would be less than the total water allocation. **Table 4.15-3,** *Project Water Supply Through Year 2040*, above, shows these values. In all cases through year 2040, even in the three dry year conditions, water supply would be at least 10,000 af/year greater than anticipated demand.

More specifically, based on water use rates, the Warehouse Project would be anticipated to consume water at a rate of approximately 0.33 acre-feet per acre per year for industrial uses. Considering the Project site area of 15.21 acres (16.02 gross acres minus 0.86 acres for right-of-way dedication), overall water use is anticipated to be approximately 5.02 acre-feet per year.[10] Based on the Warehouse sites water usage rate, the Warehouse site would represent a nominal percentage of WVWD's present and future water supplies for both single- and multiple- dry-year scenarios. As such, the project's future water demands would be met through projected future water supplies and would be conveyed and treated via existing infrastructure without the need for new or expanded facilities.

Therefore, based on the projected yearly water surplus and the incremental increase in demand that would result from implementation of the Warehouse project, impacts would be less than significant.

Wastewater

Construction of the Warehouse site would result in an additional 322,996 sf of industrial warehouse use at the northeastern corner of Sierra Avenue and Casa Grande Avenue. Prior to construction or operations

[10] Dudek, 2019 – Addendum to the Program Environmental Impact Report for the Southwest Industrial Park Specific Plan Update Annexation (State Clearinghouse No. 2009091089).

of the Warehouse site, the permitting process would ensure adequate capacity to treat the anticipated wastewater occurs before the warehouse Project is implemented. The applicant would file a Commercial/Industrial Wastewater Survey and Permit Application with the City. This includes information pertaining to the nature and frequency of discharge including types of wastewater and what on-site systems would be used, if any (i.e., numbers of personnel, processes used and chemicals that may be added to the wastewater flows, and pretreatment measures employed, etc.).

The IEUA has previously used wastewater generation rates for industrial uses of approximately 2,500 gallons per day per acre. [11] Based on this value, wastewater generated by the Warehouse Project site (considering the square feet*/ (7.4/7.3 acres)* of the facility) would be approximately *18,525/18,250* gallons per day or based on total acres of the site, 38,025 gallons per day. Using the smaller value, this represents approximately 0.14% of the total capacity or using the larger value for a conservative estimate, approximately 0.27% of the total capacity. Similarly, using these wastewater flow rates, this would represent approximately 0.45% of the daily remaining capacity or conservatively 0.95% of remaining wastewater treatment capacity. Therefore, the increase in the daily wastewater generated by the Warehouse site would be minimal and result in a less than significant impact. Improvements to facilitate service to the Warehouse site would consist of tie-ins to the existing wastewater lines and privately maintained lift station within the site. All areas needed for improvement would occur in previously disturbed or areas already proposed to be disturbed. Impacts would be less than significant.

Electric Power

SCE currently operates electric power in the City and operates a High Voltage Tower corridor adjacent to the eastern boundary of the Warehouse site. The existing residential dwelling unit located on the northeast corner of the site is currently occupied and is provided electricity by SCE. The existing Warehouse site is vacant and would; therefore, require electricity service to an area where there is not a current demand. The Warehouse Project would tie into the existing SCE lines which would enable extension of services to the site. Although some new utility infrastructure may be required on the site, extension of services is not anticipated to require the construct of any new off-site electric power facilities in order to serve the Warehouse site. At most, it is anticipated that SCE would provide more electricity to the Warehouse site compared to what is currently consumed. This would represent a less than significant impact and mitigation is not required.

Natural Gas

The SoCalGas Company provides gas services to most of southern California. It is anticipated that the proposed Warehouse site would require some amount of natural gas to support future operations. Similar to electrical services, natural gas lines already exist in the area to enable service to surrounding uses. Existing natural gas lines exist within current rights-of-way adjacent to or within the vicinity of the Warehouse site. These areas are anticipated to be heavily disturbed and would not contain any pristine resources. Additionally, it is not anticipated that new or expanded gas supply facilities would be required to serve the Warehouse site. As such, all required improvements would be made as part of the proposed

[11] City of Fontana, 2019 – Almond Avenue Warehouse Project EIR Addendum. Available: https://www.fontana.org/DocumentCenter/View/30847/Almond-Avenue-Warehouse-Project---Almond-Addendum-and-Appendices Accessed: March 16, 2020.

improvements in areas that would be disturbed as part of Project implementation or in the aforementioned previously disturbed areas. Therefore, these impacts would be less than significant.

Telecommunication

The Project site would require telecommunication services to be provided by AT&T. As discussed above, existing telecommunication lines would be located within existing adjacent right off-ways needed to serve the existing surrounding development. Service to the Warehouse site would require tying into these lines but these improvements would occur within existing areas of disturbance such as those adjacent to existing roadways. The construction of substantial new telecommunication infrastructures would not be required. These impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

Water

Water to the Malaga and Palmetto Sites site would be provided by FWC. As discussed above, and as part of the UWMP process for FWC, existing and projected water demand as well as projected water supply in normal, single, second, and multiple dry years was evaluated. Based on existing and Project supply, demand in all conditioned though year 2040, would be less than the total water allocation. These values are shown on the above tables: **Table 4.15-4,** *FWC Water Supplies***, Table 4.15-5,** *SGVWC and FW Normal Year Supply and Demand Comparison***, Table 4.15-6,** *SGVWC and FWC Single Dry Year Supply and Demand Comparison*, and **Table 4.15-7,** *SGVWD and FWC Multiple Dry Years Supply and Demand Comparisons*. In all cases through year 2040, even in the three dry year conditions, water supply is projected to meet demand. In addition, with the existing contingency planning efforts and conservation measures, it is anticipated demand would not be greater than supply.

According to a study entitled Water Use in the Multi-Family Housing Sector prepared for the sustainable water management conference of 2018 in Seattle Washington, multifamily uses averages approximately 152 gallons per unit per day. Considering the Malaga and Palmetto, should they be developed, would have a total of 241 units, this would be a total of 36,632 gallons per day, or 0.11-acre feet/day or 40.15-acre feet per year. Based on the overall way supply, this would account for approximately 0.1% of the FWC supply. Therefore, the demand from implementation of the Malaga and Palmetto sites, should they eventually be developed would not result in greater demand than previously planned. Impacts would be less than significant.

Wastewater

Construction of the Malaga and Palmetto sites would result in the upzoning of the site resulting in a total unit count of 219 medium density units, should they be developed. The sites are currently occupied by 14 single-family units (Malaga Site) and 8 residential units (Palmetto Site).

To estimate the wastewater generated by the Malaga and Palmetto sites, wastewater generation rate from the IEUA of 270 gallons per day were used. Based on this value and the total 241 residential units that could be constructed, should they be redeveloped, on the Malaga and Palmetto sites, it is estimated to be approximately 65,070 gpd. This would be approximately 1.1% of the remaining capacity of the treatment plant.

Prior to construction or operations of the Malaga or Palmetto sites, the permitting process would help ensure adequate wastewater capacity exists. The applicant would file a Commercial/Industrial Wastewater Survey and Permit Application with the City. This includes information pertaining to the nature and frequency of discharge including types of wastewater and what system will be used to treat, numbers of personnel, processes used and chemicals that may be added to the wastewater flows, and pretreatment measures employed, etc. Therefore, the increase in the daily wastewater generated by this Project are anticipated to be minimal and a less than significant impact would result.

The proposed Project including the Warehouse site and Malaga and Palmetto sites would not require the construction or expansion of water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities beyond the boundaries of the Project sites or within adjacent roadways or already heavily disturbed areas. All impacts associated with needed utility improvements are considered and disclosed within the various chapters of this EIR. Therefore, impacts would be less than significant, and no mitigation is required.

Electric Power

SCE currently operates electric power in the City and currently serves the Malaga and Palmetto sites. Both sites would tie into the existing SCE lines which would enable extension of services to the uses on the sites, should they eventually be developed. Although some new utility infrastructure may be required on the site, extension of services is not anticipated to require the construction of any new off-site electric power facilities in order to expand service. At most, it is anticipated that SCE would provide more electricity to the Malaga and Palmetto sites compared to what is currently consumed. This would represent a less than significant impact and mitigation is not required.

Natural Gas

The SoCalGas Company provides gas services to most of southern California and would provide services to the Malaga and Palmetto sites, should they be redeveloped. Similar to electrical services, natural gas lines already exist in the area to enable service to surrounding uses. Existing natural gas lines exist within current right-of-ways adjacent to or within the vicinity of the sites. It is not anticipated that new or expanded gas supply facilities would be required to serve either the Malaga or Palmetto site. As such, all required improvements would be made as part of the proposed improvements in areas that would be disturbed as part of Project implementation in previously disturbed areas. Therefore, these impacts would be less than significant.

Telecommunication

The Malaga and Palmetto sites would require telecommunication services. As discussed above, existing telecommunication lines would be located within existing adjacent rights-of-way needed to serve the existing surrounding development. Expanded service to these sites would require tying into these lines but these improvements would occur within existing areas of disturbance such as those in or adjacent to existing roadways. The construction of substantial new telecommunication infrastructures would not be required. These impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.15-2: Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Level of Significance: Less Than Significant Impact

WAREHOUSE, MALAGA, AND PALMETTO SITES

See Discussion in on Impact 4.15-1. The Project's water service providers are anticipated to have adequate capacity to serve the projected demands. The proposed Project would result in less than significant impacts on services provided by the water service providers.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.15-3: Would the Project result in a determination by the waste water 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?

Level of Significance: Less Than Significant Impact

See the discussion in Impact 4.15-1. The Project's wastewater service provider is anticipated to have adequate capacity to treat the projected demand. The Project is anticipated to cause a less than significant impact on services provided by the wastewater service provider.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.15-4: 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?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction and Operations

Solid waste generated by construction and operation of the Warehouse site would be collected and handled in compliance with any applicable regulation including those in Section 24 of the City's Municipal Code, through service provided by Burrtec. All solid wastes will be deposited at the Mid Valley Landfill, operated by the San Bernardino County Department of Public Works. The Warehouse site is anticipated to generate solid waste during the temporary, short-term construction phase, as well as the operational phase, but it is not anticipated to result in inadequate landfill capacity. According to CalRecycle's Estimated Solid Waste Generation Rates[12], a warehouse facility is estimated to produce 13.82 pounds of waste per employee per day. The estimated number of employees to operate the warehouse would be approximately 157 people. This equates to approximately 6,537 pounds (3.3 tons) of waste per day from the Warehouse site. That is approximately 0.04 percent of the Mid-Valley Sanitary Landfill's maximum daily throughput. Solid waste service for the City is provided by the Mid-Valley Sanitary Landfill located in the northern portion of the City. This facility handles solid waste from mixed municipal, construction/demolition, industrial, and tires. According to CalRecycle, the landfill has a maximum throughput of 7,500 tons per day. This landfill has a maximum permitted capacity of approximately 101.3 million cubic yards, and the landfill has a remaining capacity of approximately 67.52 million cubic yards. The landfill has an expected operational life through year 2033 with the potential for vertical, or downward expansion.[13] For these reasons, the proposed Project's solid waste disposal needs can be met by the Mid-Valley Sanitary Landfill and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

[12] CalRecycle. 1992. *Estimated Solid Waste Generation Rates*. Available at https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates, accessed June 2019.
[13] CalRecycle. 2019. *Mid-Valley Sanitary Landfill Detail (36-AA-0055).* Available at https://www2.calrecycle.ca.gov/SWFacilities/Directory/36-AA-0055/Detail, accessed on April 2019.

MALAGA AND PALMETTO SITES

Construction and Operations

Solid waste generated by construction and operation of the Malaga and Palmetto sites, should it occur would be collected and handled in compliance with any applicable regulation including those in Section 24 of the City's Municipal Code, through service provided by Burrtec. All solid wastes will be deposited at the Mid Valley Landfill, operated by the San Bernardino County Department of Public Works. The Malaga and Palmetto sites are anticipated to generate solid waste during the temporary, short-term construction phase, as well as the operational phase, but neither is not anticipated to result in inadequate landfill capacity should either site, or both, eventually be redeveloped. According to CalRecycle's website, in Riverside County there were a total of 148,617 multi-family units (5+ units per site) that generated a total of 103,897 tons of waste.[14] This calculates to approximately 0.74 tons per year per unit. Considering the total unit count between both the Malaga and Palmettos sites, this element of the Project, should the site be redeveloped with 192 total new units. This value subtracts out the existing on-site single-family units that would already be contributing to the waste stream. Based on these values, the Malaga and Palmetto sites would generate approximately 142.08 tons per year, or 0.39 tons per day. This is approximately .09% of daily remaining capacity. For these reasons, the solid waste generated by the Malaga and Palmetto sites would be met by the Mid-Valley Sanitary Landfill and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.15.6 CUMULATIVE IMPACTS

For purposes of public utilities and service systems, cumulative impacts are considered for projects located within Fontana and Rialto. As discussed above, all impacts from both the Warehouse site and Malaga and Palmetto sites to public services and utilities systems would be less than significant in consideration of compliance with existing laws, ordinances, regulations and standards, in addition to the Warehouse site would recycle and implement measures on-site to reduce the waste stream to landfill(s), and the Malaga and Palmetto sites would do the same should the site be redeveloped. All Project would pay the applicable development impact and service fees. Impacts related to storm water drainage facilities are addressed in **Chapter 4.9***, Hydrology and Water Quality*. Although temporary significant impacts during construction could occur, these impacts would only occur during development of the sites, would be typical of construction, would be localized, would occur at different times, and would be required to implement site-specific erosion control plans. Therefore, impacts are not anticipated to be cumulatively considerable. In addition, the City's General Plan 2015-2035 Final Program EIR did not identify any unavoidable significant cumulative impacts regarding public utilities and service systems, which was confirmed as discussed above in relation to the provision and associated extension of services related to this Project and its elements. Similarly, other past, present, and reasonably foreseeable projects would be

[14] Cal Recycle, 2020. Residential Waste Stream by Material Type. Accessible. https://www2.calrecycle.ca.gov/WasteCharacterization/ResidentialStreams Accessed: April 6, 2020.

anticipated to implement similar measures, or implement mitigation to fully mitigates their contribution to cumulative impacts. Therefore, there are no significant cumulative impacts anticipated relative to public utility and service systems, and the Project's contribution toward potential future utility and service system impacts in the City is not cumulatively considerable.

4.15.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable utility impacts have been identified.

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4.16 WILDFIRE

4.16.1 INTRODUCTION

This section evaluates potential wildfire hazard impacts that may result from the implementation of the proposed Project at the Warehouse site, Malaga site, and Palmetto site. This section identifies existing wildfire hazard conditions of the Warehouse site, Malaga site, and Palmetto site and surrounding areas; considers applicable federal, state, regional and local goals and policies; identifies and analyzes environmental impacts; and recommends measures to minimize or avoid potential adverse impacts as a result of Project implementation.

Information presented in this wildfire hazards impact analysis is derived largely from the following:

- General Plan Update 2015-2035
- Fontana Local Hazard Mitigation Plan (LHMP)
- City of Fontana Municipal code (MC)

4.16.2 ENVIRONMENTAL SETTING

NATURAL SETTING

Warehouse site

The Warehouse site is located in San Bernardino County within the northeastern portion of the City of Fontana. The site is surrounded by existing development including industrial, residential, as well as undeveloped, and undeveloped disturbed areas. The undeveloped areas consist of coastal sage scrub communities, non-native ruderal grasses generally to the north and south of the Warehouse site. There is an approximate 330-foot-wide Southern California Edison Utility easement to the east of the site separating the warehouse project area from a residential subdivision in the City of Rialto. Sierra Avenue is an undivided two-lane road adjacent to the west. The site is approximately 1.5 miles south of the Sierra Avenue intersection with Interstate 15 (I-15) and is approximately 1.5 miles north of the Sierra Avenue intersection with SR-210. The elevation of the central portion of the warehouse site is approximately 1750 feet above mean sea level (AMSL) and is generally flat, but slopes slightly from northwest to southeast. The property has been subject to disturbances related to surface erosion, weed abatement, demolition of a previously existing residential unit, and disposal of minor amounts of materials and debris. Local rainfall ranges from 5 to 15 inches annually.

The Malaga Site

The Malaga site occupies approximately 5.6 acres, is at approximately 1,350 feet amsl, and is located in San Bernardino County within the central portion of the City of Fontana. The site is currently built primarily with single-family residential development. The Malaga site is surrounded by existing urbanized residential, a few undeveloped lots, and limited commercial development. The site is bound by Mango Avenue on the east and Malaga Street on the south. Other uses include single-family residential to the north and a vacant lot to the west.

Palmetto site

The Palmetto occupies approximately 3.587 acres, is at approximately 1,260 feet amsl, and is located in San Bernardino County within the central portion of the City of Fontana. The site contains three single-family residences and two vacant lots as well as and a church and parking lot occupying the southerly half of the site. The Palmetto site is surrounded by existing residential, lots used for storage, a few undeveloped lots, three apartment buildings, a school, and limited commercial development. The site is bound by Palmetto Avenue on the east, and Valencia Avenue on the south. There is a quad-plex structure and single-family units and storage yard to the east, and a single-family unit and a small strip commercial use and open storage area to the north.

Wildfire Designation and Mapping

According to the National Park Service (NPS), a wildfire, or wildland fire, is described as a non-structure fire that occurs in vegetation such as trees, grasses, and shrubs, and is not a prescribed fire.[1] Wildfires have differing causes including lightning strikes, lava flow, wind-blown embers, and most commonly, people. Wildfires may originate in undeveloped areas and spread to developed or urban areas where the landscape and structures are not designed and maintained to be ignition or fire-resistant. The International Association of Fire Chiefs' Ready, Set, Go! website defines a Wildland-Urban Interface (WUI) as areas where homes are built near or among lands prone to wildland fire.[2] The potential for wildland fires represents a hazard where development is adjacent to open space or in proximity to wildland fuels or designated high or very high (VH) fire hazard severity zones (FHSZ). Fires that occur in WUI areas may affect natural resources as well as life and property.

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped areas of significant fire hazards in the State through its Fire and Resources Assessment Program (FRAP). These maps place areas of the State into different FHSZ based on fuels, terrain, weather, and other relevant factors.

As part of this mapping system, land where CAL FIRE is responsible for wildland fire protection is classified as a State Responsibility Area (SRA). CAL FIRE defines a SRA as land that is not federally owned, not incorporated, does not exceed a housing density of three units per acre, contains wildland vegetation as opposed to agriculture or ornamentals, and has watershed value and/or has range/forage value (this effectively eliminates most desert lands). Where local fire protection agencies, such as the Fontana Fire Protection District (FFPD), are responsible for wildfire protection, the land is classified as a Local Responsibility Area (LRA). Lands classified as Federal Responsibility Areas (FRA) receive fire protection from a federal governmental agency.

EXISTING FIRE DESIGNATIONS

Warehouse Site

The Warehouse site is listed by CAL FIRE as a Very High Fire Hazard Severity Zone (VHFHSZ).[3] **Figure 4.16-1** - *Wildfire Hazard Severity Zones*, shows these designations in relation to the Project sites graphically. The

[1] National Park Service (2018). *Types of Wildland Fire*. https://www.nps.gov/subjects/fire/types-of-wildland-fire.htm. Accessed: March 6, 2020.
[2] International Association of Fire Chiefs (2020). *Wildland Urban Interface*. http://www.wildlandfirersg.org/about/wildland-urban-interface Accessed: March 6, 2020.
[3] CAL FIRE, 2008, Very High Fire Hazard Severity Zones in LRA – Fontana, Available: https://osfm.fire.ca.gov/media/5943/fontana.pdf Accessed: April 14, 2020.

existing vegetation within the Warehouse site consists of coastal sage scrub and similar habitat types, which are typically a dry brush and can be susceptible to wildfires. Emergency services to the Warehouse site would be the Fontana Fire Department (FFD) since Fontana is listed as a Local Responsibility Area (LSA) by CAL FIRE. The Warehouse project site is immediately accessible via Sierra Avenue and this element of the Project would improve Casa Grande Avenue to the existing boundary with the City of Rialto.

Malaga and Palmetto Sites

Both the Malaga and Palmetto sites are within completely urbanized areas and are not prone to direct impacts from wildfire. The nearest VHWFHZ is located approximately 5 and 6 miles to the north, respectively.

4.16.3 REGULATORY SETTING

FEDERAL

Federal Emergency Management Act (FEMA)

In March 2003, FEMA became part of the U.S. Department of Homeland Security. FEMA's continuing mission is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

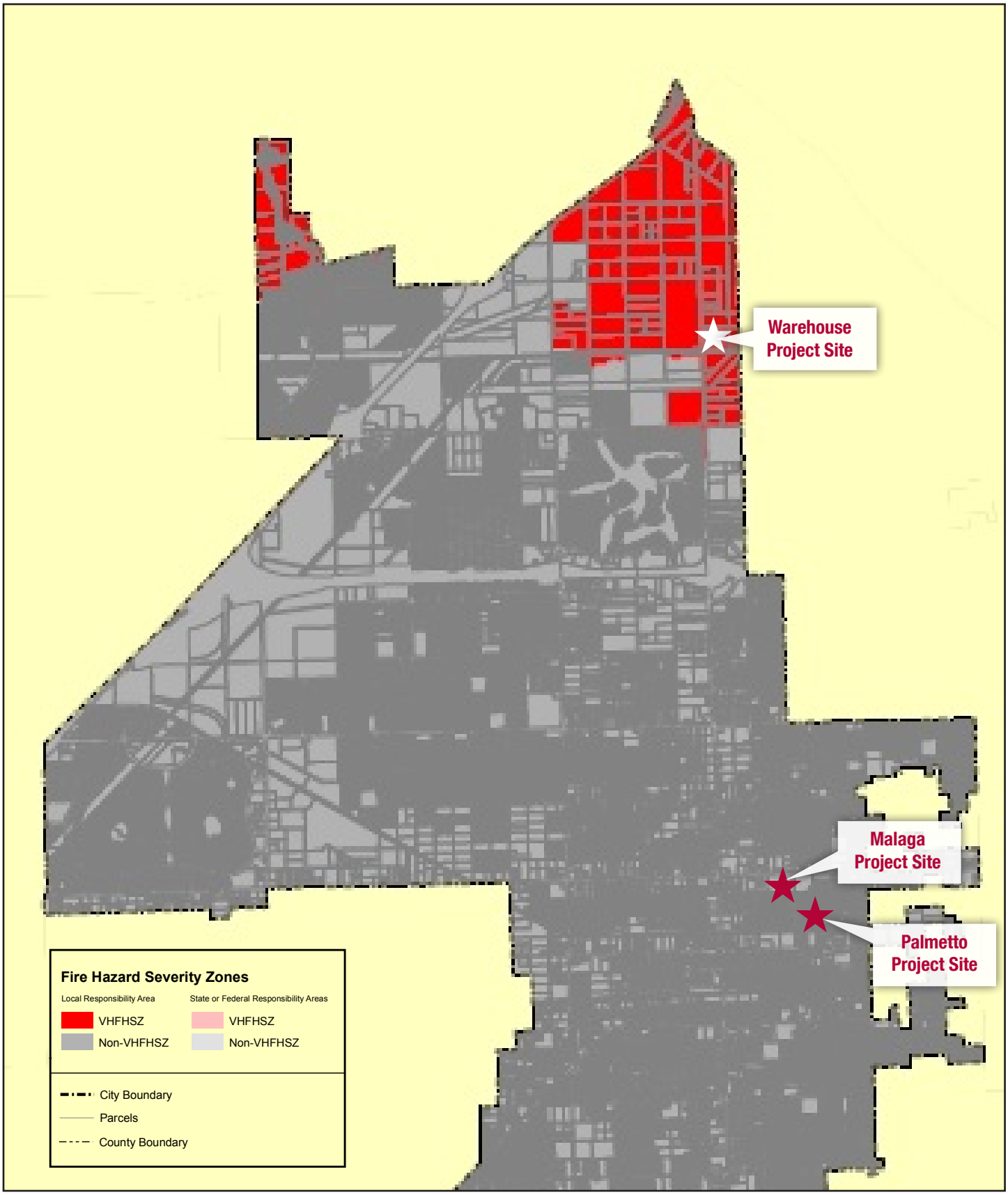
Disaster Mitigation Act of 2000

This Act (42 United States Code [U.S.C.] §5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 U.S.C. §5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

i) Funding pre-disaster mitigation activities;
ii) Developing experimental multi-hazard maps to better understand risk;
iii) Establishing state and local government infrastructure mitigation planning requirements;
iv) Defining how states can assume more responsibility in managing the hazard mitigation grant program; and
v) Adjusting ways in which management costs for projects are funded.

The mitigation planning provisions outlined in §322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation [AIM]) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the chance of a reduced federal share of damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

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Not to scale

Source: CalFire, 2008

FIGURE 4.16-1: Widlfire Hazard Severity Zones

Sierra Avenue/Casa Grande Avenue Warehouse Project
City of Fontana

Kimley»Horn

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Federal Fire Safety Act (FFSA)

The 1992 FFSA is different from other laws affecting fire safety as the law applies to federal operations, and there is no requirement for local action unless a private building owner leases space to the federal government. The FFSA requires federal agencies to provide sprinkler protection in any building, whether owned or leased by the federal government that houses at least 25 federal employees during the course of their employment.[4]

STATE

California Public Resources Code (PRC) 4290 and 4291

These regulations, which implement minimum fire safety standards related to defensible space, apply to the perimeters and access to all commercial, industrial, and residential building construction with a SRA (approved after January 1, 1991), and within lands classified and designated as very high FHSZ (after July 1, 2021). §, The person(s) who control, lease, maintain, operate, or own said building in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable materials is required to preserve a defensible space of 100 feet from the perimeter of the building. The regulations include the following:

1. Road standards for fire equipment access.
2. Standards for signs identifying streets, roads, and buildings.
3. Minimum private water supply reserves for emergency fire use.
4. Fuel breaks and greenbelts.

These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

2016 California Code of Regulations (CCR), Title 14 SRA Fire Safe Regulations

These regulations establish minimum wildfire protection standards in conjunction with building, construction and development in a SRA. The future design and construction of structures, subdivisions and developments in a SRA shall provide for basic emergency access and perimeter wildfire protection measures. These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification.

California Government Code 66474.02

This regulation states that before a county can approve a tentative map, or a parcel map for which a tentative map was not required, for an area (development) located in a SRA or a Very High FHSZ, the following findings must be made:

1. A finding supported by substantial evidence in the record that the subdivision is consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the PRC or consistent with local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations.

[4] Congress.gov. (August 1992). *H.R.3360 – Federal Fire Safety Act of 1992.* Available: https://www.congress.gov/bill/102nd-congress/house-bill/3360 Accessed: March 6, 2020.

2. A finding supported by substantial evidence in the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities:

    A. A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.

    B. The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the PRC.

Upon approving a tentative map, or a parcel map for which a tentative map was not required, for an area (development) located in a SRA or Very High FHSZ, the county shall transmit a copy of the findings and accompanying maps to the State Board of Forestry and Fire Protection.

2016 California Building Code (CBC), Chapter 7A

Chapter 7A of the CBC focuses primarily on preventing ember penetration into homes, a leading cause of structure loss from wildfires. Thus, it is an important component of the requirements of the FPTR especially for structures and projects within an area statutorily designated a high fire hazard severity zone (FHSZ) or very high FHSZ.

Fire hazard designations are based on topography, vegetation, and weather, amongst other factors with more hazardous sites including steep terrain, unmaintained fuels/vegetation, and WUI locations. Projects situated in high or very high FHSZ's require fire hazard analysis and application of fire protection measures that have been developed to specifically result in defensible communities in these WUI locations.

These codes have been developed through decades of after fire structure "save" and "loss" evaluations to determine what causes buildings to ignite or avoid ignition during wildfires. The resulting fire codes now focus on mitigating former structural vulnerabilities through construction techniques and materials so that the buildings are resistant to ignitions from direct flames, heat, and embers, as indicated in the 2016 CBC (Chapter 7A, Section 701A Scope, Purpose and Application).[5]

2016 California Fire Code, Chapter 49 Requirements for WUI Fire Areas

This code provides minimum standards to increase the ability of a building or structure to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in fire losses through the use of performance and prescriptive requirements. Buildings and structures located on unincorporated land designated as a SRA Moderate, High, and Very High FHSZ and land designated as Very High FHSZ by a city or other local agency shall maintain the required hazardous vegetation and fuel management standards.

2016 California Fire Code

CCR Title 24, Part 9 (2016 California Fire Code) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of WUI areas, among other issues. The California Fire Code is updated every three years by the California Building Standards Commission and was last updated in 2016 (adopted January 1, 2017). The Fire Code sets forth regulations regarding

[5] Dudek (2017). *Murrieta Hills Fire Protection Technical Report Plan No. SP 012-3164, TTM 35853*. Page 3. Encinitas, CA.

building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the proposed Project would be subject to applicable regulations of the California Fire Code.

Title 8 California Code of Regulations Sections 1270 and 6773

In accordance with CCR, Title 8 §1270 "Fire Prevention" and §6773 "Fire Protection and Fire Equipment," the California Occupational Safety and Health Administration (Cal-OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

2016 California Building Standards Code

California building standards are published in the CCR, Title 24, also known as the California Building Standards Code (CBSC). The CBSC, which applies to all applications for building permits, consists of 12 parts that contain administrative regulations for the California Building Standards Commission and for all state agencies that implement or enforce building standards. Local agencies must ensure the development complies with the guidelines contained in the CBSC. Cities and counties can adopt additional building standards beyond the CBSC including the CBSC Part 2, named the California Building Code which is based upon the 2016 International Building Code, and Part 11, named the California Green Building Standards Code, also called the CalGreen Code. The City of Murrieta adopted Title 24, Parts 1-12 in 2018.

California Health and Safety Code

State fire regulations are set forth in California Health and Safety Code §13000 et seq., and include provisions concerning building standards, fire protection and notification systems, fire protection devices, and fire suppression training, as also set forth in the 2016 CBSC and related updated codes.

Emergency Mutual Aid Agreements (EMAA)

The EMMA system is a collaborative effort between city and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center (REOC), local Emergency Operations Centers (EOCs), the Disaster Field Office (DFO), and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the EMAA, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

California Governor's Office of Emergency Management Agency (Cal-EMA)

In 2009, the State of California passed legislation creating the Cal-EMA and authorizing it to prepare a Standardized Emergency Management System (SEMS) program (Title 19 CCR §2400 *et seq.*), which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster.

Cal-EMA serves as the lead state agency for emergency management in the state. Cal-EMA coordinates the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with local government. Local jurisdictions first use their own resources and, as these are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the state through the statewide mutual aid system. In California, the SEMS provides the mechanism by which local government requests assistance. Cal-EMA serves as the lead agency for mobilizing the state's resources and obtaining federal resources; it also maintains oversight of the state's mutual aid system.

LOCAL

City of Fontana General Plan Update 2015-2035

The City of Fontana General Plan (CFGP) discusses fire hazards and uses the CAL FIRE fire threat potential mapping. Based on the location within the city and proximity to the fire threat areas, the City recognizes that some developments may be subject to significant risk from wildfire. Specifically, the City recognizes that some of its area, this includes the Warehouse site, are within the High and Very High Fire Hazard Severity Zone. The Warehouse site is within a Fire Hazard Overlay, which is shown in Figure 3-5(a)- *Warehouse Site General Plan Land Use Designations* in Section 3.0, *Project Description*.

Based on fire hazards and proximity of the wildland urban interface the City addresses Fire Access standards which notes that clear emergency vehicle access to buildings is important and is regulated by the adopted and amended California Fire Code (CFC), which the City has adopted, and Fontana Land Development Engineering standards. More specifically, the CFGP notes all potions of a building must be within 150 feet of a serviceable fire access road, road grades must be less than 12 percent grade, support 75,000 pounds; roads must be 26 feet wide, and project perimeters adjacent to fuel modification zones and fire hazard areas must have adequate vehicular access for fire fighting vehicles

In relation to vegetation management, the CFGP requires all new development within high fire severity zones to have a fire protection plan (FPP) approved by the fire code official. The FPP is required to include mitigation measures consistent with the unique problems within a given area and account for geology, topography, flammable vegetation, and localized climate. In addition, the FPPs must address water supply, access, building ignition and fire resistance, fire protection systems and equipment, defensible space, and vegetation management, and must be consistent with the requirements of California Building Code Chapter7A, the International Wildland-Urban Interface Code, and the City's Municipal Code.

In consideration of the above, the CFGP lists goals, policies, and actions related to wildland fire and fire safety. Although most of these items are related to actions on the part of the City, they are listed below

as a reference for the proposed Project and implementing and maintaining a project that is respectful of the potential for wildfire.

Public and Community Services Element

Goal 2 **Fontana's Fire Department meets or exceeds state and national benchmarks for protection and responsiveness.**

Policy

- Continue the City's successful partnership with the San Bernardino County Fire Department.

Actions

- Ensure continuing fire protection as the city's population grows and natural fire events may increase in number or intensity due to changing climate.
- Monitor population growth and development to ensure continuing protection through sufficient stations, equipment, training, and resources.
- Continue to provide public education about risks from fire, hazardous materials, and other hazards.

Noise and Safety Element

Goal 7 **Threats to public and private property from urban and wildland fire hazards are reduced in Fontana.**

Policies

- The City shall continue to require residential, commercial, and industrial structures to implement fire hazard-reducing designs and features.
- The City shall continue to ensure to the extent possible that fire services, such as fire equipment, infrastructure, and response times, are adequate for all sections of the city.
- The City shall monitor development or redevelopment in areas where fire zones have been mapped through the city.

Actions

- The City shall require all new development in areas with a high fire hazard to provide fire-retardant landscaping and project design to reduce their fire hazard, and the City shall take measures to reduce the risk of fire at the Wildland/Urban Interface.
- The City will continue to support the wildland fire expertise provided by the San Bernardino County Fire Department in the Fontana Fire District.

City of Fontana Local Hazard Mitigation Plan

The City's Local Hazard Mitigation Plan (LHMP) was last updated in June 2017. The intent of the LHMP is to demonstrate the plan for reducing and/or eliminating risk in the City of Fontana. The LHMP process

encourages communities to develop goals and projects that will reduce risk and build a more disaster resilient community by analyzing potential hazards. Section 4.4, Wildfire Hazard Profile, of the LHMP includes a discussion on the existing wildfire regulatory environment, past wildfire occurrences, location/geographic extent of wildfire, wildfire magnitude/severity, frequency/probability of future occurrences of wildfire, and information regarding future development within high fire hazard severity zones.[6]

4.16.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

The following thresholds of significance are based on CEQA Guidelines Appendix G. For the purposes of this EIR, implementation of the Project would be considered to have significant wildfire hazard impacts if the Project Area is located in or near state responsibility areas or lands classified as very high fire hazard severity zones and would do any of the following:

- Substantially impair an adopted emergency response plan or emergency evacuation plan?
- Due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- 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?
- 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?

METHODOLOGY AND ASSUMPTIONS

The Project sites including the Warehouse site, Malaga site, and Palmetto sites are evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning wildfire. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts at the Warehouse, Malaga, and Palmetto sites. Because the Malaga Site and Palmetto Site are not proposed to be developed, but would result in upzoning, impacts are evaluated based on the potential development footprint if an application for development was proposed, approved, and the site was redeveloped at some point in the future.

APPROACH TO ANALYSIS

This analysis of impacts from wildfire hazards examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary impacts; and (2) permanent impacts. Each criterion is discussed in the context of Project components that share similar characteristics/geography. The impact conclusions consider the

[6] City of Fontana, 2017. City of Fontana Local Hazard Mitigation Plan. Available: https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan Accessed: April 8, 2020.

potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on: field observations; review of project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on wildfire hazards standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

IMPACTS FOUND TO HAVE NO IMPACT

- 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?

Warehouse, Malaga, and Palmetto Sites

No Impact – The Warehouse site would include installation of utilities and roads within the project area. The project does not include any fuel breaks and does not require a fuel break. In addition, emergency water sources are not required beyond water supply needed to comply with applicable building codes. No elements of the warehouse project would exacerbate the risk of wildfire. The Malaga and Palmetto sites are completely surrounding by suburban and urban development. No elements of demolition or construction, should either occur, would exacerbate the risk of wildfire.

- 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?

Warehouse, Malaga, and Palmetto Sites

No Impact – The Warehouse site is on relatively flat ground and not adjacent to any steep slopes. The completed Project is not subject threats from wildfire and there is no potential for downslope or downstream flooding. The Malaga site and Palmetto sites are completely surrounding by urban and suburban development on relatively flat land. There are no slopes on-site or on adjacent properties. There is not impact associated with downslope of downstream flooding.

4.16.5 IMPACTS AND MITIGATION MEASURES

Impact 4.16-1: Due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Level of Significance: Less Than Significant with Mitigation Incorporated

WAREHOUSE SITE

Construction and Operations

The City identifies factors contributing to the high, widespread wildfire risk in the City; these include: Narrow and often one-lane and/or dead-end roads complicating evacuation and emergency response,

nature and frequency of ignitions and increasing population density leading to more ignitions; slope of the foothills; and residential development along the foothills.

The Warehouse site is not located in areas with steep slopes that can accelerate the spread of wildfire and although it is listed in an VHFHSZ, the site and surrounding areas do not contain tall or even a substantial number of tall trees that would experience a crown fire. The Warehouse site; however, may experience times with high winds from the east, that if they coincide with a fireplace, the structure at greater risk.

With the exception of the undeveloped area to the north, the approximately 330-foot-wide SCE easement to the east, and the approximate 20-acre undeveloped parcel to the south, the Warehouse site is predominantly surrounded by existing development including industrial uses, residential uses, Sierra Avenue to the west. It should be noted that to the north beyond the approximate 26-acre undeveloped parcel, is a newly constructed residential development. The dominant vegetation patterns on the Warehouse site and in this northerly area is that of undeveloped land with coastal sage scrub and similar habitat.

Therefore, while the Warehouse site is located in an area with vegetation that can be prone to fire, due to the presence of surrounding development, non-contiguous nature of the existing undeveloped areas, presence of area roadways, lack of steep slopes, and concrete construction of the Warehouse it is not likely to be affected by a wildfire during construction or operations. In addition, the undeveloped area to the north of the Warehouse structures would be separated from the warehouse structure by parking, the drive isle, and landscaping. This buffer would be approximately 62 feet in width at its narrowest point and approximately 146 feet at its widest point. Lastly, the warehouse structure would be predominantly concrete which is not typically susceptible to fire. Specifically, the warehouse would be built consistent with the California Building Code Chapter 7A requiring new buildings in Very High Fire Hazard Severity Zones to use ignition-resistant construction methods and materials. It is anticipated that these design elements would reduce exposure of the Warehouse site and structure to wildfire. Nonetheless, the City's General Plan requires a Fire Protection Plan (FPP), approved by the fire code official, for all new development within the high fire severity area. Therefore, with the implementation of **MM-WLD-1**, would ensure the General Plan requirements are implemented and that potential impacts from development within a high fire severity area are less than significant.

MITIGATION MEASURE

MM-WLD-1 Prior to issuance of a building permit, the applicant shall show to the satisfaction of the fire code official that the Warehouse site would conform to all requirements and standards needed to reduce the risk of wildfire. A fire protection plan (FPP) shall be developed in consideration of the existing topography, geology, flammable vegetation, and climate of the Warehouse site. The FPP shall include a description of the Warehouse design, distances from areas with wildland vegetation, show adequate water supply and fire and emergency access, measures used to reduce building ignition, defensible space, and any other applicable fire control measures. The FPP shall be consistent with the California Building Code Chapter 7A, International Wildland Urban Interface Code, and Fontana Municipal Code.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

MALAGA AND PALMETTO SITES

Construction and Operations

Both the Malaga and Palmetto sites are surrounded by urban/suburban development. There are no wildlands surrounding these areas and there is no potential to be directly affected by wildfire. Impact are less than significant in this regard and no mitigation is required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.16-2: Will the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

Level of Significance: Less Than Significant Impact

WAREHOUSE SITE

Construction and Operations

The Warehouse site is within a Very High Fire Hazard Severity Zone (VHFHSZ) due to being within an area containing coastal sage scrub and similar habitat types. Emergency services to the Warehouse site would be the Fontana Fire Department (FFD) since Fontana is listed as a Local Responsibility Area (LSA) by CAL FIRE. The Warehouse project site is immediately accessible via Sierra Avenue and this element of the Project would improve Casa Grande Avenue to the existing boundary with the City of Rialto. Neither construction not operation of the Warehouse site would impede emergencies responses or impede evacuation of the site or surrounding areas. This element of the Project actually would improve Sierra Avenue and would improve access along the southern project border at Casa Grande Avenue. Both improvements would result in increased emergency access to the site and surrounding areas, as well as enhance egress through the area should an evacuation be needed. This improved access would aid any needed fire response should the surrounding and currently undeveloped areas experience a fire. These factors are discussed in additional detail below.

To ensure these impacts remain less than significant, the Warehouse project would conform to the Local Hazard Mitigation Plan (LHMP) which is intended to protect life, property, and the environment; protect the continuity of government; and improve emergency management preparedness, collaboration and outreach. The LHMP recognizes that historically, northern Fontana has the biggest percentage of wildfires. To help respond to this and help ensure adequate resources are supplied and responses planned for, the City has established a Fire Hazard Overlay District (FHOD) in sections of Fontana to identify areas with increased exposure to wildfire, and require additional screening and project features to reduce risk from wildfire. The Warehouse site area is included in this overlay and would include required design and

measures and would submit an FPP for review and approval by fire code official in accordance with **MM-WLD-1**, above.

Evacuation during a wildfire is not necessarily directed by the fire agency, except in specific areas where fire personnel may enact evacuations on-scene. The Fontana Police Department, San Bernardino County Sheriff's Department, California Highway Patrol, and other cooperating law enforcement agencies have primary responsibility for evacuations. These agencies work closely within the Unified Incident Command System, the County Office of Emergency Services, and responding fire department personnel who assess fire behavior and spread, which should ultimately guide evacuation decisions.

It is recognized that wildfire and other emergencies are often fluid events and that the need for evacuations are typically determined by 1) on-scene first responders, 2) a collaboration between first responders, law enforcement, and designated emergency response teams, including Office of Emergency Services and the Incident Command established for larger emergency events. As such, and consistent with all emergency evacuation plans, this Plan is to be considered a tool that supports existing pre-plans, as available for the area, and provides for citizens who are familiar with the evacuation protocol but is secondary to emergency event-specific directives provided by agencies managing the incident.

Because the Warehouse element of the proposed Project would conform to all emergency and evacuation requirements and comply with the San Bernardino County Fire and Rescue Mutual Aid Operation Plan (Regional Plan), it would be consistent with and would not impair and actual evaluation or evacuation planning involving local or regional agencies and would not impede receiving support from any such agency including the San Bernardino County Fire and Police and Fontana fire and police. Impacts in this regard would be less than significant.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

MALAGA AND PALMETTO SITES

Construction and Operations

Both the Malaga and Palmetto sites are located in urbanized and built up land and would not be directly affected by wildfire. Should either site be redeveloped, neither would impede the implementation of an emergency response or evacuation plan.

Both the Malaga and Palmettos sites are located adjacent to existing roadways on two sides of their respective areas. During both construction and operations, emergency access to the sites would be planned for and designed to ensure both police and fire services have adequate access should it be needed. Redevelopment of either site would impair either a local or regional emergency response plan or impede any evacuation or impede the egress of people or vehicles along an evacuation route. Impacts in this regard would be less than significant and mitigation beyond required emergency planning efforts is not required.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.16.6 CUMULATIVE IMPACTS

The incremental effects of the proposed Project for the Warehouse site would be negligible. While the Warehouse site would be located adjacent to lands that are susceptible to fire, it would not exacerbate or substantially increase the danger of wildfire. The cumulative effects of wildfire associated with the Malaga and Palmetto sites related to wildfire would not occur. Neither site is adjacent to any lands susceptible to nor mapped in a wildfire hazard zone. These sites do not have the ability to increase these hazards because they are surrounded by existing urban development. Accordingly, all site-specific impacts associated with all three sites were found to be less than significant.

Like the proposed Project, cumulative development occurring within FHSZs would be subject to risk of wildfire hazards. Development of cumulative projects occurring within FHSZs would be subject to compliance with the 2016 California Building Code (or the most current version) and the 2016 Edition of the California Fire Code (Part 9 of Title 24 of the California Code of Regulations), the City's General Plan requirement for a Fire Protection Plan for all new development within the high fire severity area.

All proposed construction would be required to meet minimum standards for fire safety. Development occurring within the City of Fontana would be subject to review by the City and FFPD to ensure cumulative development is designed to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. Implementation of these plans and policies, in conjunction with compliance with the Fire Code and City and FFPD, would ensure cumulative impacts with respect to wildfire hazards are less than significant.

Additionally, all other past, present, and reasonably foreseeable projects would be required to conform to the same guidelines and also include site-specific measure that would ensure emergency access and evacuation are unimpeded. Therefore, the proposed Project would not result in incremental effects to wildfire that could be compounded or increased when considered together with similar effects from other past, present, and reasonably foreseeable probable future projects.

4.16.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable wildfire impacts have been identified.

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5.0 ALTERNATIVES TO THE PROPOSED PROJECT

5.0.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that "an Environmental Impact Report (EIR) shall describe a range of reasonable alternatives to the Project, or to the location of the Project. The alternatives should feasibly attain most of the basic objectives of the Project, avoid or substantially lessen any of the significant effects of the Project and evaluate the comparative merits of the alternatives" (State CEQA Guidelines §15126.6). The State CEQA Guidelines require that the EIR include sufficient information about each Alternative to allow meaningful evaluation, analysis, and comparison with the Project. If an alternative would cause one or more significant effects in addition to those that would be caused by the Project as proposed, the significant effects of the Alternative must be discussed, but these effects may be discussed in less detail than the significant effects of the Project as proposed (CCR §15126.6[d]). The EIR is not required to consider every conceivable Alternative to a project but is guided by a rule of reason. An EIR is not required to consider alternatives which are infeasible. Section 15126.6[d]) states that the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. Key provisions of the State CEQA Guidelines on alternatives (§15126.6(a) through (f)) are summarized below to explain the foundation and legal requirements for the Alternative's analysis in the Draft EIR.

- "The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly" (§15126.6(b)).
- "The specific alternative of 'no project' shall also be evaluated along with its impact" (§15126.6(e)). "The no project analysis shall discuss the existing conditions at the time the Notice of Preparation (NOP) is published, and at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior Alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives" (§15126.6(e)(2)).
- "The range of alternatives required in an EIR is governed by a 'rule of reason' that require the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project" (§15126.6(f)).
- "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)" (§15126.6(f)(1)).

- For alternative locations, "only locations that would avoid or substantially lessen any of the significant effects of the project need be considered for inclusion in the EIR" (§15126.6(f)(2)(A)).
- "An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative" (§15126.6(f)(3)).

5.0.2 RANGE OF ALTERNATIVES

The lead agency is responsible for selecting this range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. This Chapter describes three Alternatives to the Project. These alternatives include the No Project Alternative (existing zoning and general plan alternative), Reduced Warehouse Footprint and Habitat Preservation Alternative, and Increased Housing Density Alternative. Two alternatives, the Community Commercial Use, and Mixed Housing and Industrial Alternative were conceptualized but removed from further consideration due to conflicting with project objects, conflicts between land use, and overall demand, and feasibility. The four alternatives are discussed in more detail below.

Alternatives were developed based on the following: information provided by the project applicant, and the City; input received from comments on the NOP. At first a larger group of alternatives was developed and after an initial review, the Alternative was either retained for further analysis or discarded. Among the factors that may be taken into account when addressing the feasibility of alternatives, as described in §15126.6(f)(1) of the CEQA Guidelines, are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the project proponent could reasonably acquire, control, or otherwise have access to an alternative site.

As discussed above, one of the main purposes of the range of alternatives is to discuss different projects that are capable of avoiding or substantially lessening significant effects, especially effects that are found to be significant and unavoidable. In the case of the proposed Project, significant impacts were identified to with respect to air quality and greenhouse gas emissions. With regard to air quality, NOx emissions exceeded the thresholds of the South Coast Air Quality Management District (only when all three sites were considered together) Greenhouse gas emissions were exceeded only when the Palmetto and Malaga sites were considered together. For this reason, the alternatives analyzed were selected to evaluate the potential to further reduce impacts on air quality and greenhouse gas emissions; specifically, mobile emissions as those constitute the majority of NOx pollutants and greenhouse gas emissions.

Lastly, an EIR need not consider an alternative whose effects could not be reasonably identified, whose implementation is remote or speculative, and that would not achieve the basic project objectives. The alternatives that were selected for additional consideration were chosen in accordance with the above-listed CEQA Guidelines, represent a reasonable range of alternatives, are feasible, and will encourage discussion in a manner to foster meaningful public participation and informed decision making.

5.0.3 PROJECT OBJECTIVES

As discussed above, one of the evaluation criteria for the alternative discussion is the ability of a specific alternative to attain most of the basic project objectives. The basic project objectives as listed in Chapter 3, Project Description are as follows:

Objective 1 Increase employment and create a revenue-generating use consistent with market opportunities.

Objective 2 Develop a warehouse use in proximity to nearby transportation corridors and truck routes.

Objective 3 Provide new land uses consistent with the designed flexibility of the City's General Plan and Zoning Code.

Objective 4 Provide potential replacement housing sites in areas that are consistent with surrounding uses and community structure.

Objective 5 Avenue vicinity to enhance aesthetics as well as improve safety and traffic flow.

Objective 8 Develop a warehouse use in proximity to other similar uses.

Objective 9 Facilitate goods movement for the benefit of local and regional economic growth.

Objective 10 Provide new development that will generate a positive fiscal balance for the City moving forward.

Objective 11 Provide additional temporary and permanent employment opportunities while improving the local balance of housing and jobs.

5.0.4 CRITERIA FOR SELECTING ALTERNATIVES

Per §15126.6 (b) of the State CEQA Guidelines, the discussion of alternatives shall focus on alternatives to a project, or its location that are capable of avoiding or substantially lessening significant impacts of a project, even if the alternatives would impede to some degree the attainment of the project objectives or would be more costly. This alternatives analysis; therefore, focuses on project alternatives that could avoid or substantially lessen environmental impacts of the proposed Project related to the environmental categories listed in Appendix G of the State CEQA Guidelines.

Comments received during the NOP process included issues related to noise generation, increased truck traffic especially on local roadways; decrease in aesthetic value of the area and the visibility of the site from the nearby Rialto neighborhood; air quality impacts from truck traffic; increased noise at night; access to recreation; extended hours of construction and operation. While all of these considerations are addressed throughout this DEIR and in the respective chapters, they also were considered to develop the reasonable range of alternatives and to address the concerns. As discussed above, alternatives were

selected based on alternative designs that could reduce the Project's significant impacts on air quality. The alternatives listed below, specifically those that are evaluated, represent a reasonable range, at least partially fulfill the objectives the City is seeking and/or alleviate some of the potential impacts that would occur upon implementation of the Project as proposed.

5.0.5 ALTERNATIVES TO THE PROPOSED PROJECT

This Project alternatives discussion consists of four project alternatives each of which is described briefly below.

ALTERNATIVE 1: NO PROJECT ALTERNATIVE (EXISTING ZONING AND GENERAL PLAN DEVELOPMENT)

Alternative 1 focuses on impacts that would occur if no zoning map amendment and no General Plan Amendment was proposed. This Alternative evaluates what development could occur if development under the existing zoning (R-2 and R-5) and General Plan (R-M and R-MFH) designations, were implemented. This Alternative would eliminate the need for the RUR Malaga and Palmetto sites for upzoning and not result in redevelopment of those areas.

ALTERNATIVE 2: REDUCED WAREHOUSE FOOTPRINT AND HABITAT PRESERVATION ALTERNATIVE

This Alternative would reduce the overall development footprint by approximately 50% with a warehouse area of approximately 158,910 sf and would concentrate development on the southerly/easterly end of the Project site. This Alternative would preserve the southerly end that has greater shrub habitat densities. This Alternative would reduce overall impacts to the site and decrease potential impacts to sensitive species and preserve some connectivity with pockets of undeveloped land and the utility corridor. To provide access to the new uses, this Alternative would include a reduced widening of Casa Grande Avenue and only include one lane in each direction to enable access to the new warehouse site. This Alternative would include three smaller warehouse sites and associated parking and landscaped area.

ALTERNATIVE 3: INCREASED HOUSING DENSITY ALTERNATIVE

This Alternative proposes to increase the allowable housing density on the Sierra Avenue site and not construct the warehouse. Alternative 3 was developed to increase housing availability and to eliminate the need for upzoning of the Malaga and Palmetto sites. This Alternative would develop the site with a greater number of housing and at a greater density than in the General Plan and zoning ordinance. This Alternative would be responsive to the housing crisis and housing needs addressed by SB 330 because it would provide a larger number of units but at a higher density. This Project would require a zone change to R-3 and the General Plan designation R-MF which would allow 12.1-24 du/acre. This Alternative would result in the construction of approximately 219 units depending on the approved plan. Development within the R-3 zones allows residential development such as garden apartments, condominiums and townhouses.

5.0.6 ALTERNATIVES REMOVED FROM FURTHER CONSIDERATION

The analysis of alternatives to the proposed Project must also address "whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location" (CEQA Guidelines, §15126.6(f)(2)(A). Only those locations that would avoid or substantially lessen any of the significant effects of the Project need be considered. If no feasible alternative locations exist, the agency must disclose the reasons for this conclusion (§15126.6(f)(2)(B). In this case, while it is feasible that an alternative site could be selected for the Project, an alternative site would entail either the same or new significant environmental effects as the Project site. For example, development of the proposed Project on any suitable alternative site in or around the City may not avoid or substantially lessen the proposed Project's impacts. This generally applies to impacts such as air quality emissions or greenhouse gas impacts that occur over a wider area than generally site specific impacts such as those to aesthetic or biological resources. Additionally, impacts such of these could be greater if the alternative site is located further away from a major transportation corridor or in areas with existing unacceptable traffic levels. Moreover, an alternative site that is adjacent to undeveloped lands could result in increased impacts on aesthetics and utilities due to increased service capacity and incongruous development, than a site, such as the proposed Project site that is surrounded by existing development.

Furthermore, viable alternative locations for the Project are limited to those that would feasibly attain most of the Project objectives. There are no other lots appropriately located and sufficient sized and owned by the applicant in the City of Fontana and along a major transportation corridor that would satisfy the Project objectives and eliminate or reduce impacts from the Project. The Project would offer an industrial use adjacent Sierra Avenue with direct connections to two transportation corridors including Interstate-15 (I-15) to the north and the 210-Freeway to the south. Furthermore, the site is located in direct proximity to other similar uses and would be a northerly extension of this area.

In developing the Project and alternatives, consideration was given to the density of development that could meet Project objectives and reduce significant impacts. Many of the anticipated significant impacts would result from the intensity of the development proposed. In developing a reasonable range of Alternatives two other alternatives were considered but removed from consideration for a variety of reasons. These alternatives and the reasons are discussed briefly below:

MIXED HOUSING INDUSTRIAL ALTERNATIVE

This Alternative was considered to satisfy the need for a revenue and employment producing use while still providing for housing and to reduce or eliminate the need for upzoning of the Malaga and Palmetto sites. This Alternative, as its name implies, would include both residential and industrial uses onsite. The Mixed Housing and Industrial Alternative would use approximately half the site for residential and the balance for industrial uses. This would result in residential densities or approximately 26 du/acre. To account for spacing between uses, it is anticipated the warehouse building would be reduced by approximately 60% and resulting in a structure approximately 190,692 sf in area. This Alternative would generate a similar, if not more, number of traffic trips which would not reduce any impacts associated with significant NOx emissions from mobile sources and air quality impacts would remain significant.

COMMUNITY COMMERCIAL

This Alternative was considered to account for potential noise, air quality, land use, and visual impacts that would result if the warehouse is developed on the site. This Alternative would require a zone change to C-1 (local) of C-2 (Community) and a GPA to Community Commercial (C-C). Under this Alternative the site would be developed with community serving uses that would create jobs and increase economic benefit the City. This Alternative would still require the use of the Malaga and Palmetto sites to replace the housing zoning of the Project site. This Alternative would generate a similar, if not more, number of traffic trips which would not reduce any impacts associated with significant NOx emissions from mobile sources and air quality impacts would remain significant.

Per the State CEQA Guidelines §15126.6(d), additional significant effects of the alternatives are discussed in less detail than the significant effects of the Project as proposed. For each Alternative, the analysis below describes each Alternative, analyzes the impacts of the Alternative as compared to the proposed Project, identifies significant impacts of the proposed Project that would be avoided or lessoned by the Alternative, assesses the Alternative's ability to meet most of the Project objectives, and evaluates the comparative merits of the Alternative and the proposed Project. The following sections provide a comparison of the environmental impacts associated with each of the Project alternatives, as well as an evaluation of each Project alternative to meet the Project objectives.

5.0.7 COMPARISON OF PROJECT ALTERNATIVES

Per the State CEQA Guidelines §15126.6(d), additional significant effects of the alternatives are discussed in less detail than the significant effects of the Project as proposed. For each Alternative, the analysis below describes each Alternative, analyzes the impacts of the Alternative as compared to the Project, identifies significant impacts of the Project that would be avoided or lessoned by the Alternative, assesses the Alternative's ability to meet most of the Project objectives, and evaluates the comparative merits of the Alternative and the Project. The following sections provide a comparison of the environmental impacts associated with each of the Project alternatives, as well as an evaluation of each Project alternative to meet the Project objectives.

ALTERNATIVE 1: NO PROJECT ALTERNATIVE

Consistent with State CEQA Guidelines §15126.6, the No Project Alternative assumes that the existing land uses and condition of the Project sites (including the Warehouse site, and Malaga and Palmetto sites) at the time the NOP was published (February 2020) would continue to exist without the proposed Project. The setting of the Project sites at the time the NOP was published is described as part of the existing conditions throughout Chapter 4 of this Draft EIR with respect to individual environmental issues and forms the baseline of the impact assessment of the Project.

The No Project Alternative assumes the Project would not be implemented and land uses and other improvements would not be constructed. This Alternative serves as the baseline against which the effects of the Project and other Project alternatives are evaluated. This Alternative serves as the baseline against which the effects of the Project and other Project alternatives are evaluated. Under this alternative none

of the proposed improvements would occur. However, development allowed by right under the existing (R-2) Medium Density Residential and (R-5) Multi-Family High Residential could occur. Each of the existing parcels would allow multi-family residential dwellings by right. The existing zoning would allow for up to a maximum of 219 multi-family units. Each of the existing three parcels has access to Sierra Avenue so multi-family residential development on each site is feasible. Under the No Project Alternative there would be no need for the upzoning of the Malaga and Palmetto sites because there would be no change in zoning on the Warehouse site. Infrastructure improvements including water, wastewater, drainage, extension of electrical and natural gas, and roadway improvements (including improvements to the City of Rialto border) identified in the Project would be constructed to accommodate up to 219 multi-family residences allowed by right.

IMPACTS COMPARED TO PROJECT IMPACTS

An evaluation of the potential environmental impacts of the No Project Alternative, as compared to those of the proposed Project, is provided below.

Aesthetics

Under the No Project Alternative, the Warehouse site could still be developed with multi-family residences allowed by right under the existing zoning. Residential development, similar to the proposed Project, would result in changes to the onsite topography, vegetation, and offsite view corridors. The visual changes to the site as seen from off-site viewers including residents to the east, drivers and on Sierra Avenue would be that of new development compared to the vacant property that currently exists. Although determined to be less than significant for the Project, impacts to views would be considered slightly less as the residential development would be more closely related to the other residential development in the surrounding area. It is anticipated that there would be a slight increase in nighttime lighting as the nighttime lighting from up to 219 residential units is expected to be more than the proposed warehouse because of the increased need for nighttime lighting associated with the residences and lighted parking areas. Therefore, under this Alternative, impacts regarding aesthetics, light, and glare would be less than significant; similar compared to the proposed Project.

Air Quality

Under this Alternative, short-term construction and long-term operational air emissions would be similar but likely slightly elevated compared to construction of the proposed Warehouse. This is due to the overall footprint on which structures would be developed, the additional time needed for construction, and complexity of constructing homes, utilities, interior roadways, etc., versus construction of a concrete tilt up warehouse facility and associated parking lot(s). Under this Alternative, the lack of warehouse operations would result in an increase in vehicle trips due to the housing that could be constructed and increased daily trips generation. Based on the acres of each zoning designation within the Warehouse site, up to 219 residential units could be developed. Similar to the proposed Project, construction impacts would be temporary and anticipated to be less than significant. The residential units allowed by right under the existing zoning would generate approximately 1,600 daily trips (219 units x 7.32 trips per unit [ITE Code 220]) this would generate a substantially greater number of daily trips compared to the 782

trips (including truck trips) of the proposed Project and would result in an increase in mobile source emissions of criteria pollutants and greater contribution to air quality impacts. While this Alternative would not require the upzoning of the Malaga and Palmetto sites, the lack of potential redevelopment of those locations would not offset increased emissions under this Alternative. Therefore, impacts under this Alternative could be incrementally greater than under the proposed Project, and still considered significant and unavoidable, as residents would drive cars to and from their homes. Other than requiring the applicant to provide charging stations for electric cars, there are no substantial mitigation measures that would reduce trips to a residential development and there are no high-quality transit stops (transit stops with 15 minute or less headways) within 0.25-mle of the site.

Biological Resources

Under the Existing Zoning and General Plan Designations Alternative, the Warehouse site would be developed with approximately 219 residential units on the same area with the same habitat. Development under the No Project alternative would require implementation the same mitigation as the proposed Project to protect biological resources. This would and result in the preservation of off-site habitat as part of the applicable HCP. The Malaga and Palmetto sites are urbanized and do not contain substantial biological resources. While there is a potential for nesting birds to use the ornamental landscaping, potential impacts would be reduced under the proposed Project. Therefore, this Alternative would result in the same potential impacts to special-status species, sensitive habitats, nesting birds, and use of the site as a migration or transitional habitat. Similar to the proposed Project, direct and indirect impacts on biological resources would be mitigated to less than significant under this Alternative.

Cultural Resources and Tribal Cultural Resources

Under the No Project Alternative, the existing zoning and general plan designations would remain applicable to the Warehouse site. Under this Alternative, instead of a warehouse, the Warehouse site would be developed with approximately 219 residential units over the same area. This Alternative has the same potential to contain known and unknown cultural and tribal resources. The Malaga and Palmetto sites are urbanized and due to existing development and previous disturbance, unlikely to contain buried unknown resources. However, because some of the existing structure are greater than 45 years in age, they have the potential to represent historic resources or contain elements considered as such. Mitigation requiring future evaluations should the sites require redevelopment is anticipated to reduce impacts, but until formal evaluations are completed as required in mitigation, the extent of potential impacts is not known. Other than these measures, development under the No Project Alternative would require implementation the same mitigation as the proposed Project to protect cultural and tribal resources. This would include construction monitoring in case unknown buried resources or human remains are found during construction. Similar to the proposed Project, direct and indirect impacts on unknown buried cultural resources would be mitigated to less than significant. But compared to the proposed Project, potential impacts to historic structures would be greater. Therefore, impacts would be less under this Alternative.

Geology/Soils

This Alternative would replace the Warehouse site with development of approximately 219 residential units. The No Project Alternative would not change the existing geologic conditions under which the residential units would be developed. Although this Alternative would result in more people living within an area that could experience ground shaking and associated hazards impacts would not be increased. Potential geologic hazards would still include seismic shaking from faults, liquefaction, subsidence, collapse, expansive soils, landslides, soil stability, or slopes. Implementation of this Alternative; however, would not exacerbate any of the listed existing geologic conditions. Similar to the proposed Project, direct and indirect impacts from geology and soils under this Alternative would conform to all required codes and where applicable, would be mitigated to less than significant. Impacts would be equivalent.

Greenhouse Gas Emissions

Under this Alternative, greenhouse gas emissions would be slightly elevated compared to the Warehouse project. Short-term construction and long-term operational emission of GHG would be similar but likely slightly elevated compared to construction and operation of the proposed Warehouse. This is due to the extended construction period needed to build the residential units, because vehicle traffic and trips would be increased, and because more energy resources would be consumed as electricity and natural gas used to power and heat and cool the homes. Accordingly, use of fossil fuels would be greater under this Alternative. Although operation of the Warehouse would include truck trips, use of the site for residences would generate a greater number of daily and peak trips and likely make a greater contribution to GHG emissions. Significant and unavoidable impacts associated with greenhouse gas emissions from the Palmetto and Malaga sites would be eliminated under this Alternative because the replacement housing site would not be required.

Hazards and Hazardous Materials

Under the No Project Alternative, the Warehouse site would be developed with approximately 219 residential units on the same area with the same potential to contain known and unknown hazards and hazardous materials. Development of the residential units instead of the Warehouse would include disturbance of the same area and similar construction techniques. Impacts associated with accidental upset of materials or disturbance of an unknown hazardous material site would be similar. Although operation of the both sites would be different, both residential and warehouse uses are anticipated to use some volume of materials such as cleaners, pesticides and fertilizers for landscaping, and other materials for machinery and equipment. These impacts also would be similar and substantial differences in the potential risk of upset would not occur. Impacts compared to the proposed Project would be similar.

Hydrology and Water Quality

This Alternative would replace the Warehouse site with development of approximately 219 residential units. The No Project Alternative would not substantially change the hydrologic conditions compared to development of the site with a warehouse. This Alternative would likely leave a greater area with permeable surfaces and facilitate more ground water infiltration within landscape and recreational areas, but each would be developed with measures to capture and control the timing of runoff. The Project site,

whether developed for use as a warehouse or for residential also would include a SWPPP with BMPs to minimize effects from erosion both on-site and off-site. Similarly, each would include drainage facilities to minimize the contribution of sediments and pollutants to downstream receiving water. Therefore, although use for development of residences would have more individual components, 219 residences, that could make contributions to water quality impacts, conformance with applicable regulations for both design and operation of the projects would result in impacts being similar.

Land Use

This Alternative would replace the Warehouse site with development of approximately 219 residential units which are permitted under the existing zoning. No changes to the existing zoning on the Malaga and Palmetto sites would occur. Therefore, the need for any zone changes would be eliminated under this Alternative. Implementation of the No Project Alternative would involve similar less than significant impacts related to the division of an established community and the potential to conflict with an applicable land use plan, policy, or regulation. While the development of the No Project Alternative would result in a development consistent with surrounding residential uses, the context of the Project site would not change, and similar to the proposed Project, would not physically divide a community. As a result, the No Project Alternative's impacts would be similar to the proposed Project concerning land use and planning.

Noise

Under this Alternative, short-term construction and long-term operational noise emissions would be less than the proposed Warehouse site. Construction noise associated with building the residential units under this Alternative would be similar to the construction of the Warehouse site and noise impacts as heard from adjacent land uses would similar. Operationally; however, the Warehouse site would likely generate similar volumes of noise compared to operation of the site with 219 residential units. Under the planned design for the Warehouse, there would be vehicle parking adjacent to the eastern Project boundary and 27 trailer stalls along the northeast side of the site. While some noise from these vehicles could be audible from the adjacent residential uses, it is anticipated that vehicle traffic from residential uses that would be constructed near the eastern Project boundary under the No Project Alternative would be similar. Additionally, because the weekend activities from residential uses would not be limited noise from the residential uses would likely be incrementally greater on Saturdays and Sundays. Nonetheless, a substantial increase in noise is not anticipated and overall impacts from noise would be similar.

Energy

The intensity of development with up to 219 residential units would be different compared to the proposed Project. However, the energy use from the residential units would be more than the proposed Project because of the increased demand for energy used in each of the residences, plus the increase in the number of daily traffic trips. As such, it is anticipated that 219 residential units would utilize more energy in the form of electricity, natural gas, and vehicle fuels, than the proposed Project.

Population and Housing

This Alternative would replace the Warehouse site with development of approximately 219 residential units. The overall increase in population from the direct provision of new housing would be roughly equivalent compared to the proposed Project because the Malaga and Palmetto sites would be upzoned under the proposed Project. In addition, if the warehouse is not constructed on this site, it would likely be constructed on another site to fulfill the demand for such a use. This would result in a similar demand for new workers potentially needing housing within the City. Therefore, this Alternative would have roughly equivalent impacts to population and housing and the proposed Project.

Public Services and Recreation

This Alternative would result in the development of the Warehouse site with approximately 219 residences and reduce the need for the potential use of the Malaga site and Palmetto site for replacement housing. Under this Alternative neither of those sites would be rezoned potentially resulting in the sites being redeveloped. Under both alternatives, the overall number of residential uses would be similar and result in a similar increased population. Although some demand for public services from development of the site as a warehouse would occur, this demand would be greater than under this Alternative. Because this Alternative would increase the number of residential units and number of people within the site the increased demand would be greater than the proposed Project. Therefore, increased demand for public services including fire protection and emergency medical services, law enforcement, schools, and other general governmental services under this Alternative would be more than the proposed Project. Accordingly, both alternatives would result in a similar number of new residents that would use park and recreational resources. Under the proposed Project and development by right under the existing zoning and general plan designations, both projects would pay applicable fees to provide an adequate amount of park acreage. Therefore, because a similar number of residences would be generated under this Alternative, increased demand for parks and recreation facilities under this Alternative would be similar to the proposed Project and impacts would be roughly equivalent.

Transportation and Traffic

This Alternative would result in direct changes to average daily vehicle trips (ADT) as the site would be developed with 219 residential uses instead of use as a warehouse. This Alternative would not result in the need to upzone the Malaga and Palmetto sites; however, and there would be no potential to result in any additional traffic at either of those sites. This Alternative would eliminate all potential trips from workers driving to and from the warehouse site and would eliminate all trucks trips to deliver and transport products from the warehouse. Ultimately, this Alternative would increase the impacts associated with transportation and traffic because the new anticipated 219 residential units would generate more daily trips than use as a warehouse. Therefore, impacts under this Alternative would be greater than under the proposed Project.

Utilities

This Alternative would result in the development of the Warehouse site with approximately 219 residences and reduce the need for the potential use of the Malaga site and Palmetto site for replacement housing. This Alternative; however, would be result in an increased demand for utilities due to the number of residential uses should this Alternative be implemented. This Alternative would eliminate any demand for utilities from development of the site as a warehouse but residential demands for services including natural gas, electricity, water, wastewater treatments, and solid waste disposal would be increased due to the increased population density. Although this Alternative would increase the overall demand for services, adequate capacity to serve this Alternative is anticipated to would remain. Therefore, while capacity to provide adequate services would remain, impacts under this Alternative would nonetheless be incrementally greater but would remain less than significant under both this Alternative and the proposed Project.

ALTERNATIVE 2: REDUCED WAREHOUSE FOOTPRINT AND HABITAT PRESERVATION ALTERNATIVE

This Alternative would reduce the overall development footprint within the Warehouse site by approximately 50% or approximately 166,498 square feet (sf) and would concentrate development on the southerly/easterly end of the Project site and preserve the southerly end with greater shrub habitat densities. This Alternative would reduce overall impacts to the site and decrease impacts to potentially occurring sensitive species and maximize connectivity with remaining undeveloped lands in the vicinity and to the existing SCE utility easement. To provide access to the new uses, this Alternative would include a reduced widening of Casa Grande Avenue and only include one lane in each direction to enable access to the new Warehouse site. This Alternative would include three smaller warehouses and associated parking and landscaped area. Because the site would not be able to be used for residential development, the RUR Malaga and Palmetto sites would still be required.

Aesthetics

Under the Reduced Warehouse Footprint and Habitat Preservation Alternative, approximately half the site would remain undeveloped. This would reduce visual impacts that would occur during construction and operation of the proposed Project as seen from off-site viewers including nearby residences and travelers along adjacent roadways. Although the development footprint would be reduced, this Alternative would still change the visual appearance of the site and would still interfere with views of the San Bernardino mountains. This Alternative would still require upzoning of the Malaga and Palmetto sites resulting in the potential redevelopment with higher density residential uses. Impacts in this regard would be the same as the proposed Project. Nonetheless, because the Warehouse site would not undergo as substantial development as under the proposed Project, impacts to aesthetic resources would be incrementally reduced.

Air Quality

This Alternative would reduce development on the Warehouse site by approximately 50% and thereby reduce construction and operational air emissions by a similar amount. Accordingly, emissions of criteria

pollutants from construction equipment and mobile sources (including cars and truck trips) would be reduced, dust emissions from ground disturbance during construction would be reduced, and the Project would conform to applicable air quality management plans. This Alternative would still require the upzoning of the Malaga and Palmetto sites for potential use for residential development and these impacts would remain the same. The NO_x emissions of the three sites combined together is anticipated to exceed South Coast Air Quality Management District thresholds and impacts would remain significant and unavoidable. However, overall impacts to air quality associated with this Alternative would be reduced compared to the proposed Project.

Biological Resources

Under the Reduced Warehouse footprint and Habitat Preservation Alternative, approximately half the Warehouse site would remain undeveloped. This would reduce impacts to biological resources and improve the habitat value of the site compared to the proposed Project. With approximately half the site remaining undeveloped impacts to sensitive species, disturbance to CSS and other habitats would be reduced. Under this Alternative less land also would have to be dedicated to the HCP. This Alternative would still require upzoning of the Malaga and Palmetto sites resulting in the potential redevelopment with higher density residential uses. Impacts in this regard would be the same as the proposed Project and significant impacts to biological resources would remain the same. Therefore, because the Warehouse site would not undergo as substantial development as under the proposed Project, impacts to biological resources would be incrementally reduced.

Cultural Resources and Tribal Cultural Resources

This Alternative would reduce the developable area by approximately 50% on the Warehouse site and reduce the potential for disturbance of unknown buried archaeological resources by an equivalent amount. Similarly, this would reduce the potential to damage or destroy unknown human remains. Overall, this would reduce potential impacts to cultural resources associated with the Warehouse site. Because development of the Warehouse site under this Alternative would preclude use of the remainder of the site for housing, the Malaga and Palmetto sites would still require upzoning and potential use for RUR purposes. Impacts in this regard would be the same as the proposed Project. Overall, however, impacts under the Reduced Warehouse Footprint and Habitat Preservation Alternative would be less than the proposed Project.

Geology/Soils

This Alternative would reduce the warehouse size by approximately 50%. Under this Alternative the building would be reduced in size by about half. Although this Alternative would reduce the area potentially affected by ground shaking and associated hazards including faults and seismicity, liquefaction, subsidence, collapse, expansive soils, landslides, soil stability, or slopes, this Alternative would not exacerbate any of the listed geologic conditions. Although reduced soil disturbance would occur, conformance with the approved SWPPP and implementation of BMPs would ensure these impacts are the same as and less than significant compared to the proposed Project. This Alternative would still require the upzoning and potential use and redevelopment of Malaga and Palmetto sites, but no changes to impacts associates with geology and soils would occur in that regard. Ultimately, this Alternative would

not change the existing geologic conditions on which the sites would be developed. Therefore, compared to the proposed Project, geology and soil impacts would be the same as under this Alternative.

Greenhouse Gas Emissions

This Alternative would reduce the developable area of the Warehouse site by approximately 50% and reduce greenhouse gas emissions from construction and operation by an equivalent amount. Project-related emissions associated with development of the entire Warehouse site were found to be less than significant with mitigation. While the impact conclusion would be the same under this Alternative, impacts would be incrementally reduced because fewer GHG's would be released. This Alternative would still require use of the Malaga and Palmetto sites to potentially be used for replacement housing and potential impacts in this regard associated with GHG emissions would remain significant and unavoidable. Therefore, overall, impacts to GHG emissions would be reduced compared to the proposed Project.

Hazards and Hazardous Materials

This Alternative would reduce the developable area on the Warehouse site by approximately 50% and reduce the potential for accidental upset of unknown hazardous materials by an equivalent amount. Similarly, this Alternative would reduce the potential area in which work would occurring or areas in which potentially hazardous materials are handled. Accordingly, this would reduce the potential for upset in these areas. All materials would still be required to be handled, stored, and used in conformance with all applicable rules and regulations. Depending on the nature of materials used, a Hazardous Materials Release Response Plan and Inventory would be required by the San Bernardino Certified Unified Protection Agency (CUPA). While it is not anticipated that any acutely hazardous materials would be stored on the Warehouse site, if they are all applicable rules and regulations regarding their storage, use, and handling would be followed. Because development of the Warehouse site under this Alternative would preclude use of the remainder of the site for housing, the Malaga and Palmetto sites would still require upzoning and potential use for RUR purposes. Impacts in this regard would be the same as the proposed Project. Overall, while the potential for impacts would be reduced, the impacts conclusion would remain the same and would be less than significant. There would be no appreciable difference in impacts related to hazards and hazardous materials.

Hydrology and Water Quality

This Alternative would reduce the developable area on the Warehouse site by approximately 50%. Because development of the Warehouse site under this Alternative would preclude the use of the remainder of the site for housing, the Malaga and Palmetto sites would still require upzoning for potential use for RUR purposes. Impacts to hydrology and water quality in this regard would be the same as the proposed Project. Less area of the Warehouse site would be developed under this Alternative and hence less area would be susceptible to erosion during construction. Similarly, less area would contain structures and parking lots which would reduce the area of impermeable surfaces and reduce the area that would require water treatment measures such as low impact development (LIDs). Under this Alternative a SWPPP and BMPs would be still be implemented and would still be anticipated to reduce potential effects

to downstream waters from sediments and other pollutants in stormwater runoff. All areas disturbed under this Alternative would still be required to implement needed measures in accordance with all RWQCB permitting procedures. Overall, while the potential for impacts would be reduced because less area would be used, the impacts conclusion would remain the same and would be considered less than significant. Therefore, there impacts would be similar between this Alternative and those of the proposed Project.

Land Use

As discussed above, this Alternative would reduce the overall developed area by approximately 50%. This Alternative would still locate the Warehouse on the same site and require the same land use entitlements. Both the Malaga and Palmetto sites would still be required because the Warehouse site would not be developed with residential uses. Land use impacts to those sites would be the same as under the proposed Project. Although this Alternative would reduce the developable area and overall Warehouse project footprint, it would not substantially reduce impacts associated with land use. Regardless of its size, under the proposed Project or under this Alternative, the warehouse would not be in a location that would physically divide an established community. The reduced size also would not conflict with any goals or policies of applicable plans leading to environmental impacts. Therefore, while the overall scope of the Project would be reduced there would not be an appreciable difference in the severity of the impacts related to land use. Impacts would remain less than significant.

Noise

This Alternative would reduce the developable area on the Warehouse site by approximately 50% but both the Malaga and Palmetto sites would still be required and would be upzoned for potential use as RUR sites. Potential impacts to noise should these sites be redeveloped under this Alternative, would be the same as the proposed Project. Regarding the Warehouse site, less area would be developed under this Alternative and there would be fewer short-term noise impacts from construction because it would take less time to build the structures and other project elements. Similarly, there would be fewer operational impacts because the number of vehicle and truck trips would be reduced and there would be less noise from loading and unloading activities. The warehouse also would be smaller so there would be less noise generated by the HVAC system. This Alternative would still include landscaping on the easterly Project boundary which would help buffer the adjacent residences from noise impacts from operations of the warehouse. Overall, while the potential for impacts would be reduced because less area would be used, the impacts conclusion would remain the same and would be considered less than significant. Therefore, noise impacts would be incrementally reduced compared to the proposed Project and impacts would remain less than significant.

Energy Conservation

The Reduced Warehouse footprint and Habitat Preservation Alternative would result in the construction of a warehouse approximately 50% less in size as would occur under the proposed Project. Both the Malaga and Palmetto sites would still be upzoned for potential use as RUR sites. Potential impacts associate with energy use should these sites be developed would be the same as the proposed Project.

Regarding the warehouse site, less area would be developed under this Alternative and there would be less energy used during construction. Less energy would be required because fewer vehicle trips would be needed and not as much machinery would be needed and the overall time of operation needed to complete construction would be less. Similarly, smaller warehouse would not be able to accommodate as many trucks, would require fewer employees, and would require less energy for heating and cooling to illumination. Under this alternative passive solar photovoltaic units are anticipated to be installed on the roof. While this measure would reduce energy demand from SCE, it would be at similar ratio as the proposed Project. Therefore, this because this Alternative would reduce energy use by approximately half, it would be considered a substantial reduction and impacts conclusion would remain less than significant.

Population and Housing

This Alternative would reduce the Warehouse size by approximately 50% but would still upzone the Malaga and Palmetto sites for potential use as RUR sites. Impacts to population and housing in this regard would be the same as the proposed Project. Because this Alternative would reduce the warehouse size by half, it is anticipated that the demand for employees would be similarly reduced. Although it is anticipated that most employees would come from within the City and surrounding areas, this would slightly reduce the potential demand for new housing and inducing people to move to the City or surrounding areas for work at the warehouse. These reductions, however, are anticipated to be incrementally small and would not have a substantial effect or appreciable change compared to the proposed Project in relation to population and housing. Analysis of the proposed Project found these impacts to be less than significant and the incremental reduction under the Reduced Warehouse footprint and Habitat Preservation Alternative does not change that conclusion. Impacts would remain less than significant.

Public Services and recreation

The Reduced Warehouse Footprint and Habitat Preservation Alternative would result in the construction of a warehouse approximately 50% less in size as would occur under the proposed Project. Both the Malaga and Palmetto sites would still be needed to be upzoned for use as RUR sites. Potential impacts associate with public service demand at these sites, should they be developed under this Alternative would be the same as the proposed Project.

Because this Alternative would reduce the warehouse size by half, it is anticipated that the demand for employees would be similarly reduced. This also would reduce the potential for increased calls for police and fire services. As discussed in population and housing above, although it is anticipated that most employees would come from within the City and surrounding areas, this Alternative would slightly reduce the potential demand for new housing and reduce the potential for inducing people to move to the City or surrounding areas for work at the warehouse. Because of this there also would be an incremental decrease in the potential for emergency services as well as other City municipal services and use of libraries, medical facilities, and parks. Again, because the change in population would be so small, these reductions would be incrementally small and would not have a substantial effect or appreciable change compared to the proposed Project. Analysis of the proposed Project found these impacts to be less than

significant and the change under this Alternative does not reduce the severity impact and it would remain less than significant.

Transportation and Traffic

The Reduced Warehouse footprint and Habitat Preservation Alternative would result in the construction of a warehouse approximately 50% less in size as would occur under the proposed Project. Both the Malaga and Palmetto sites would still be needed to be upzoned for use as RUR sites. Potential impacts associated with transportation and traffic at these sites, should they be developed would be the same as the proposed Project.

Regarding the Warehouse site, because a smaller building would be developed under this Alternative, the length of construction time would be reduced. This would reduce the length of time the construction workers would commute to the Project site. Similarly, with the warehouse being approximately half the size, fewer employees would be needed and this would result in fewer daily trips to and from the site. Also, because the warehouse would be able to accommodate less materials, fewer truck trips would be needed to deliver and remove goods. Therefore, under this Alternative the vehicle traffic including both personal vehicle and truck trips would be reduced by half. Impacts under the proposed Project were already found to be less than significant, and therefore, the impacts under this Alternative, while reduced, would remain less than significant.

Utilities

The Reduced Warehouse Footprint and Habitat Preservation Alternative would reduce the warehouse size by approximately 50%. Both the Malaga and Palmetto sites would still be needed to be upzoned for use as RUR sites. Potential impacts associated with utility demand and infrastructure improvements at these sites, should they be developed under this Alternative, would be the same as the proposed Project.

Because this Alternative would reduce the warehouse size by approximately one half, it is anticipated that the demand for utility services, including electricity and natural gas, volume of water, and the amount of wastewater and waste materials produced, would be reduced by approximately half. This would have a corresponding reduction in demand on services providers. Under the proposed Project service providers would have an adequate capacity to serve the Warehouse site as designed and impacts would be less than significant. Under this Alternative, while the warehouse footprint would be reduced, on-site improvements and tie ins to existing utility lines would still be required. This would occur in the same areas, same rights-of-way, and same adjacent areas as under the proposed Project. As discussed, these areas are already heavily disturbed and impacts beyond those already assessed as part of Project implementation would not occur. Analysis of the proposed Project found these impacts to be less than significant. Although this Alternative would reduce the demand on utility services, it would not change the areas of disturbance needed to serve the Warehouse, Malaga, or Palmetto sites, and it would not result in a reduction of the impact severity determination. Nonetheless, impacts overall would be incrementally less than the proposed Project.

Wildfire

This Alternative would reduce the developable area on the Warehouse site by approximately 50% and leave approximately 50% of the site with the existing vegetation and habitat. Both the Malaga and Palmetto sites would still be needed to be upzoned for use as RUR sites. These sites would remain in an area unaffected by wildfire and would not affect any wildfire potential. Therefore, should these sites be developed under this Alternative, impacts in this regard would be the same as the proposed Project.

The Warehouse site is within an area that contains native vegetated habitat characterized by coastal sage scrub and other similar communities. Immediately adjacent to these areas are existing developments including roadways, residential, and industrial areas. The developed areas separate the Project site from large tracts of undeveloped land that could be prone to wildfire. To the northwest approximately 0.5 miles are undeveloped lands and habitat similar as found on the Project site. These areas are partially separated from the Project site by cleared land used for stockpiled dirt and water detention basins. The California Department of Forestry and Fire Protection (CAL FIRE) classified the Project site and surrounding undeveloped parcels as being within a very high fire hazard severity zone (VHFHSZ). Under the Reduced Warehouse Footprint and Habitat Preservation Alternative the Warehouse site Project footprint would be reduced by approximately 50% but it would still be located adjacent to undeveloped areas. Similarly, if the warehouse is developed under the proposed Project, the northerly boundary would be adjacent to undeveloped land in the VHWFHZ. Under both the proposed Project and under this Alternative, the warehouse would be developed with appropriate defensible space and buffers between undeveloped native habitat and project structures. Neither this Alternative nor the proposed Project would interfere with any emergency plan or evacuation plan. This Alternative also would not exacerbate any existing fire hazards associated with slopes or spreading of wildfire. Lastly, the neither proposed Project nor this Alternative would require construction of any infrastructure that could exacerbate fire hazards. Therefore, while the developable area of this Alternative would be less than the proposed Project, there would be no appreciable difference in impacts associated with wildfire between this Alternative and those of the proposed Project.

ALTERNATIVE 3: INCREASED HOUSING DENSITY ALTERNATIVE

Alternative 3 was developed to eliminate the need for upzoning of the Malaga and Palmetto sites that would be required should the Project as proposed be approved and the warehouse be developed. This Alternative proposes to not construct the proposed warehouse and increase the allowable housing density on the Sierra Avenue site to be responsive to the housing needs addressed by SB 330. This Project would require a zone change to R-3 and the General Plan designation R-MF which would allow 12.1-24 du/acre. Under this alternative residential development such as garden apartments, condominiums and townhouses would be anticipated. Because this is a higher density alternative the units per acre is anticipated to be between 16 units per acre (the mid-point of the minimum and maximum allowable) and 24 du/acre, the maximum in the range. This would result in a project with between 256 to 384 total units.

Aesthetics

Under this Alternative the residential development would occur on the same site with the same resources as would the Warehouse site. Therefore, impacts associated with changes or loss of on-site resources such as trees rock outcroppings, etc., would be the same. To accommodate the number of units needed to achieve an increased housing density, the residential structures are anticipated to be taller than the warehouse would be and would extend higher into the skyline as viewed from off-site locations. These visual changes could be considered more substantial to some viewers than the warehouse due to the scale and anticipated bulk of the housing units. It is likely that to some viewers would this would be an increased degradation of the existing views. Similarly, because of the scale and height would block more views of the San Gabriel Mountains and because it would be visible from more off-site locations, impacts in this regard also would be more intrusive. Lastly, this Alternative would produce more light and glare from the increased number of windows in apartments or condominiums and the light sources would be elevated in the skyline and visible to more viewers from greater distances. Therefore, although the potential for aesthetics impacts on the Malaga and Palmetto sites would be eliminated, the associated aesthetics impacts to the Warehouse site would be substantially greater and overall impacts would be greater than under the proposed Project.

Air Quality

Under this Alternative the residential development would occur on the same site with the same resources as would the Warehouse site. Because this Alternative would not remove land zoned for residential development from the City's future housing supply, the Malaga or Palemetto sites would not be needed and no impacts would occur.

Construction and operation of the Increased Housing Density Alternative would result in impacts to air quality that would be greater than construction and operation of the Warehouse site. This Alternative would require a longer construction period and more construction equipment. This would result in more air quality emissions than construction of the warehouse. In addition, due to the number of projected residential units the operational emissions would be greater than that of the warehouse. This would occur because the residential units would require the use of more energy, electricity and natural gas leading to more emissions. This Alternative also would substantially increase vehicle trips that would emit greater volumes of air contaminants. Under these circumstances, the Increased Housing Density Alternative would have a greater likelihood of violating air quality rules than that of the proposed Project. Therefore, although the potential for air quality impacts at the Malaga and Palmetto sites would be eliminated, the associated air quality impacts from construction and operation of residential units under this Alternative would be substantially greater. Overall impacts would greater than under the proposed Project and remain significant and unavoidable.

Biological Resources

Under the Increased Housing Density Alternative, the residential structures would occur on the same site as the Warehouse and would affect the same biological resources. Under this Alternative the same mitigation would be applicable, and the same impacts would occur. There would be no difference in

impacts between construction and operation of the warehouse compared to a higher density housing alternative. This Alternative would not require the upzoning and potential redevelopment of the Malaga or Palmetto sites for replacement housing and no impacts to biological resources would occur in these locations. Therefore, impacts under this Alternative would be substantially the same as under the proposed Project.

Cultural Resources and Tribal Cultural Resources

Under the Increased Housing Density Alternative, the residential structures would occur on the same site as the warehouse and would have the potential to affect the same cultural and tribal resources. Under this Alternative the same mitigation would be applicable, and the same impacts would occur. There would be no difference in impacts between construction and operation of the warehouse compared to a higher density housing alternative as it related to cultural and tribal resources. Impacts in this regard would be equivalent. This Alternative would not require the potential use and upzoning of the Malaga or Palmetto sites for replacement housing and no impacts to cultural and tribal resources would occur. Although under the proposed Project these sites could potentially be redeveloped, under this Alternative no impacts or potential impacts would occur. The Malaga and Palmetto sites do contain some structures greater than 45 years in age and they may be historic. This would result in incrementally smaller impacts to these resources than under the proposed Project.

Geology/Soils

Under the Increased Housing Density Alternative, the residential structures would occur on the same site as the proposed warehouse and would be subject to the same geologic conditions and would have the same potential to experience secondary seismic effects. Under this Alternative neither the Malaga or Palmetto sites would be rezones and neither site would have the potential to be redeveloped. Although impacts under the proposed Project in this regard would be less than significant, under this Alternative the potential for impacts would be eliminated.

Under this Alternative, housing would be constructed instead of the warehouse site but all applicable standards and codes related to seismic safety and building requirements would still be applied. Accordingly, a site-specific geotechnical engineering report would be required. The report would contain all design measures and standards needed to safely construct and ensure safe operation of the residential units. In terms of exacerbating geologic hazards, construction and operation of this Alternative would not increase the risk of or from hazards including faults and seismicity, liquefaction, subsidence, collapse, expansive soils, landslides, soil stability, or slopes, compared to future construction of the warehouse. This Alternative would not exacerbate any of the listed existing geologic conditions. In regard to soil disturbance and erosion, this Alternative also would implement an approved SWPPP and BMPs would ensure these impacts remain less than significant. Ultimately, this Alternative would not change the existing geologic conditions under which the sites would be developed. Therefore, compared to the proposed Project, geology and soil impacts would be the similar.

Greenhouse Gas Emissions

Under this Alternative the residential development would occur on the same site with the same resources as would the Warehouse site. Because this Alternative would not remove the potential for housing to be constructed neither the Malaga or Palmetto sites would be needed. Therefore, any GHG emissions associated with these sites would not occur under this Alternative.

Construction and operation of the Increased Housing Density Alternative would result in increased emission of pollutants related to air quality, and hence would increase emissions of GHG compared to the emission that would occur during construction and operation of the Warehouse site. This Alternative would require a longer construction period and more construction equipment. This would result in more GHG emissions than during construction of the warehouse. In addition, due to the number of projected residential units, increased vehicle trips, and increase use of electricity, natural gas, and other fuels the operational emissions would be greater than that of the proposed warehouse. Therefore, although the potential for GHG emissions from the Malaga and Palmetto sites would be eliminated, the associated GHG impacts from construction and operation of residential units on the Warehouse site would be substantially greater. Overall impacts would greater than under the proposed Project and anticipated to be significant and unavoidable.

Hazards and Hazardous Materials

Under the Increased Housing Density Alternative, the residential structures would be built on the same site as the proposed warehouse and would be required to implement the same measures to reduce potential effects from the potential presence of unknown hazardous materials. Under this Alternative neither the Malaga or Palmetto sites would be required to be rezoned and there would be no potential for redevelopment. Impacts associated with this aspect of the proposed Project would be eliminated.

Under this Alternative high-density housing would be constructed instead of the warehouse. The Project would be constructed on the same site and all the existing known and unknown hazardous materials would be the same. All findings of the Phase I ESA prepared for the proposed Project would be applicable. Operation of the site with residential uses would result in the use and handling of some hazardous materials needed for cleaning, maintenance, operation of grounds keeping equipment, etc. While operation of the Warehouse site could require heavier machinery and other equipment the risks associated with accidental upset or release of materials would be roughly equivalent. Both projects would have similar effects associated with exacerbating existing hazardous materials conditions. Ultimately, this Alternative would not result in substantial differences related to hazardous hazards and hazardous materials impacts would be the similar as under this Alternative.

Hydrology and Water Quality

Under the Increased Housing Density Alternative, the residential structures would be built on the same site as the proposed warehouse and would be required to implement the same measures to reduce potential impacts to hydrology and degradation of water quality. Under this Alternative neither the

Malaga or Palmetto sites would be rezoned and there would be no potential for redevelopment. Impacts associated with this aspect of the proposed Project would be eliminated.

Under this Alternative, high-density housing would be constructed instead of the warehouse. Although it would be constructed at a higher density, the housing project would be required to comply with all the same measures need to ensure water quality is not substantially degraded. This would include conformance with the RWQCB NPDES permit during construction which would require implementation of a SWPPP and associated BMPs. Similar to construction of the warehouse, these measures would include grading within the limits of the Project site, use of straw waddles, hay bales, silt fences and other erosion control measures. This Alternative also would result in the placement of impermeable surfaces over the majority of the site. The Project would be designed with LID measures to capture surface runoff which would provide pre-treatment and timed release so that downstream receiving waters do not overflow, and the downstream flush of pollutants and sediments is limited. Accordingly, both projects would have similar effects on changes to the existing flow regime and overall hydrologic conditions. Ultimately, this Alternative would not result in substantial differences related to hazardous hazards and hazardous materials impacts would be the similar as under this Alternative.

Land Use

This increased housing density alternative would not reduce the overall developable area. This Alternative would result in a high-density housing development instead of the warehouse. Accordingly, this Alternative would eliminate the need for both the Malaga and Palmetto sites because this Alternative would not eliminate the potential use of the Warehouse site for and eliminate the need for RUR sites in compliance with SB 330. Therefore, potential impacts at these sites would not occur.

Although this Alternative would result in residential development, it would be adjacent to the same uses as the warehouse and would include the same improvements to local roadways. This Alternative also would be located adjacent to an existing neighborhood in the City of Rialto and it also would not divide the community or reduce the mobility or ability of any residents to travel. This Alternative also would be constructed to be consistent with all applicable general plan goals and policies. Hence, there would be no greater environmental impacts resulting from non-conformance than if the warehouse was developed. Therefore, while the overall scope of the Project would be increased there would not be an appreciable difference in the severity of the impacts to land use and impacts would remain less than significant.

Noise

Under this Alternative the residential development would occur on the same site as would the Warehouse site. This Alternative would eliminate the need for replacement housing to be constructed on both the Malaga or Palmetto sites. Therefore, any impacts to noise from demolition and reconstruction that could have occurred would be avoided.

Construction and operation of the Increased Housing Density Alternative would result in increased noise compared to the noise generated by construction and operation of the Warehouse site. This Alternative would require a longer construction period and more construction equipment. This would result in a

longer period over which noise could exceed standards affecting residents to the east and other persons in the area. In addition, due to the number of projected residential units the operational noise from increased vehicle traffic on area roadways would increase compared to what would be experienced during operations of the warehouse. Although operation of the warehouse would include truck trips, due to the substantial number of vehicle trips from the approximate 256 to 384 total new residential units, the increase could be substantial. Therefore, although the potential for noise impacts at the Malaga and Palmetto sites would be eliminated, the associated noise impacts from construction and operation of residential units on the Warehouse site would be greater. Overall impacts would greater than under the proposed Project.

Energy Conservation

Under this Alternative the residential development would occur on the same site as would the Warehouse site. This Alternative would eliminate the potential need for replacement housing and any impacts associated with energy consumption at these locations would not occur.

Construction and operation of the Increased Housing Density Alternative would result in increased use of energy compared to construction and operation of the Warehouse site. This Alternative would require a longer construction period and more construction equipment that would use more energy in the form of natural gas, fuels, and electricity. In addition, due to the number of projected residential units the consumption of these energy sources for heating, cooling, other appliances, and gasoline for automobiles would be substantially greater than the demand for energy to fuel trucks and equipment needed to operate the Warehouse. Therefore, although the potential for energy consumption at the Malaga and Palmetto sites would be eliminated, the associated energy from construction and operation of residential units would be substantially greater overall than under the proposed Project.

Population and Housing

The increased housing density alternative would not change the overall developable area on the Warehouse site but would result in the construction of high-density residential units. Because this area is currently designated for use as housing. Under this Alternative; however, the Malaga and Palmetto sites would not be needed, no impacts would occur on those sites in this regard.

As shown above, this Alternative would result in housing and population growth. Although this would result in the provision of housing at a greater density than planned at this specific site, the growth is not out of conformance with expectations for the City and region overall. In addition, this Alternative would do more to help address the housing crisis and alleviate some of the current demand for residential. Accordingly, although construction of these units would result in an increased population it would be consistent with planning efforts and forecasted need. This Project would not extend infrastructure to currently undeveloped areas and would not require utility expansion such that future unplanned growth would be encouraged in undeveloped areas. Lastly, the site is currently undeveloped, and construction of housing would not displace any existing residents. This Alternative would be considered to reduce impacts to the existing residents of the Malaga and Palmetto sites as there would be no potential for displacement

in those locations. Therefore, this Alternative would reduce impacts associated with population and housing compared to the proposed Project and impacts would remain less than significant.

Public Services and Recreation

This Alternative would increase the number of available housing units in the city and result in an increase of the residents requesting assistance from and needing public services. It should be noted that there would be no increased demand for public services near the Malaga and Palmetto sites because these sites would not be upzoned and there would be no potential for redeveloped.

Although this would result in the provision of housing at a greater density than planned at the Project site, the growth with the City and region is not unplanned. Accordingly, although construction of these units would result in an increased population and demand for services including fire, police, schools, parks, and other public facilities, it would be consistent with the overall planning efforts and forecasted need. The City would be able to shift the focus of some resources toward this area to account for the population increase and associated increased demand for services. In addition, under this Alternative all required development impacts fees such as those needed to provide police services, fire services, schools and parks would be paid. This would include payment of fees to conform with Quimby Act requirements and payment of fees in accordance with Government Code §65996 which fully mitigates all impacts to school facilities. Lastly, while there would be a slight increased demand on existing neighborhood and regional park facilities, it is not anticipated that the increase would result in a physical deterioration of these facilities such that an unplanned expansion or an unplanned development of new facilities would be needed. Therefore, while this Alternative would incrementally increase demand for public services these demands are anticipated in existing planning efforts and city and regional growth projections. Thus, while demand and need would be increased, impacts would remain less than significant.

Transportation and Traffic

The Increased Housing Density Alternative would result in residential uses on the site compared to a warehouse under the proposed Project. This would eliminate the need for both the Malaga and Palmetto sites and there would be no potential impacts associated with Transportation and Traffic at those locations.

Under this Alternative, development of the high-density housing units is not anticipated to conflict with existing plans, programs, or ordinances regarding the provision of transportation resources. Under this Alternative, the existing roadways would still be improved, and bicycle and pedestrian facilities would be installed. This Alternative would not change the provision of any existing transit and potential future residents would have access to all city and regional transit alternatives. The City has not yet adopted thresholds related to vehicle miles traveled (VMT) but this Alternative would generate a greater number of daily and peak hour trips than would occur under the proposed Project. This Project area is in close proximity to numerous regional commercial shipping warehouses as well as area planned for new growth. Because this Alternative would result in a large number of residential units the level of service (LOS) of the local and area roadways would be reduced compared to use as a warehouse. It is anticipated; however, that some residents would work in areas close to the development but that that other residents

also would travel to more distant areas and areas outside the City. This would have the effect of increased trips compared to use as a warehouse and would decrease the LOS of roadways used.

The Project is located at the northeast corner of Sierra Avenue and Casa Grande Avenue. As part of this Alternative Casa Grande Avenue would be completed on the southern Project boundary at the intersection with Sierra Avenue and would occur with the proposed Project. This would not introduce any new curves or dangerous roadway segments and all intersections would be appropriately signalized and/or controlled to ensure safe vehicle movements. Lastly, this Alternative would conform to all design requirements ensuring safe access for emergency responses, fire lanes, and needed radius for turning large vehicles. Therefore, this Alternative would result in greater impacts associated with transportation and traffic, however, with appropriate planning and design it is anticipated that impacts would remain less than significant.

Utilities

This Alternative would increase the number of available housing units and result in an increases number of people and structures using utility services including, electricity, natural gas, sewer, water, and telecommunications infrastructure. It should be noted that there would be no increased demand for utilities within the Malaga and Palmetto sites because these sites would not be upzoned and no redevelopment would occur.

This Alternative would result in additional residential units which would be at a greater density than planned for the site. While growth at the site was not anticipated, the Increased Housing Density Alternative is planned for with the City and region overall. Accordingly, although construction of these units would result in an increased population and demand for the aforementioned services, it would be consistent with the overall planning efforts and forecasted demands. The incremental increase that would occur under this Alternative compared to the use of the site for a warehouse is within the service capacity of existing providers and unplanned off-site upgrades or expansion of existing facilities is not antedated as a result of new units under this Alternative. Similar to the proposed Project, this Alternative would tie into existing utility lines within the existing roadways and within the existing already disturbed rights-of-way adjacent to the site. No additional impacts to listed resources would occur. Therefore, while this Alternative would incrementally increase demand for utilities and service systems these demands are anticipated in existing planning efforts and city and regional forecasts. Thus, while demand, need and impacts to future service capacity would be incrementally increased, impacts would remain less than significant.

Wildfire

This Alternative would not increase the developable area and would not place any structures in an area susceptible to wildlife or at any greater risk than under the proposed Project. This Alternative would eliminate the need for both the Malaga and Palmetto sites would and no impacts would occur in this regard.

This Alternative would occur on the same site that contains native vegetated habitat characterized by coastal sage scrub and other similar communities. Immediately adjacent to these areas are existing developments including roadways, residential, and industrial areas. The developed areas separate the Project site from large tracts of undeveloped land that could be prone to wildfire. To the northwest approximately 0.5 miles are undeveloped lands with similar habitat as on the Project site. These areas are partially separated from the Project site by cleared land used for stockpiled dirt and water detention basins. The California Department of Forestry and Fire Protection (CAL FIRE) classified the Project site and surrounding undeveloped parcels as being within a very high fire hazard severity zone (VHFHSZ). Under this Alternative the Project footprint would be roughly equivalent to that of the Warehouse site and would be located adjacent to undeveloped areas. Under this Alternative, the residential structures would be developed with appropriate defensible space and buffers between undeveloped native habitat and Project structures. This Project would incorporate all required fire access routes and would not encroach into any emergency route or interfere with any emergency plan or evacuation plan. The site is relatively flat and this Alternative also would not exacerbate any existing fire hazards associated with slopes or spreading of wildfire. Lastly, the Project does not require construction of any infrastructure that would exacerbate hazards. Therefore, while this Alternative would result in a denser development than the proposed Project, there would be no appreciable difference in impacts associated with wildfire. Impacts would remain less than significant.

5.0.8 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

An EIR is required to identify the environmentally superior Alternative from among the range of reasonable alternatives that are evaluated. Section 15126.6 (e)(2) of the State CEQA Guidelines requires that an environmentally superior alternative be designated and states that if the environmentally superior Alternative is the No Project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Based on the summary of information presented in **Table 5.0-1**, *Comparison of Project Alternatives Environmental Impacts with the Proposed Project*, the environmentally superior Alternative is Alternative 1: No Project Alternative. Because Alternative 1 would leave the Project site essentially unchanged and would not have the operational effects that would be associated with any of the alternatives, this Alternative has fewer environmental impacts than the proposed Project or any of the other alternatives.

Section 15126.6(e)(2) of the State CEQA Guidelines states that if the “No Project” alternative is found to be environmentally superior, “the EIR shall also identify an environmentally superior alternative among the other alternatives. Aside from the No Project Alternative, the Alternative 2: Reduced Warehouse Footprint and Habitat Preservation Alternative would have the least environmental impacts because it would develop less of the Projects area, result in a reduction of vehicle trips and would incrementally reduce impacts to resource areas; such as aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions, noise, and traffic.

The context of an environmentally superior alternative is based on the consideration of several factors including the reduction of environmental impacts to a less than significant level, the Project objectives,

and an alternative's ability to fulfill the objectives with minimal impacts to the existing site and surrounding environment. According to Table 5.0-1, the No Project alternative would be the environmentally superior Alternative because it would eliminate all of the potentially significant impacts of the proposed Project. However, while the No Project alternative is the environmentally superior Alternative, it is not capable of meeting any of the basic objectives of the proposed Project.

After the No Project alternative, the environmentally superior Alternative to the proposed Project is the one that would result in the fewest or least significant environmental impacts. Based on the evaluation undertaken, Alternative 2: Reduced Warehouse Footprint and Habitat Preservation is the environmentally superior Alternative. This is an environmentally superior project alternative because it is a less intense development compared to the proposed Project. However, the development of reduced warehouse and use of the remainder of the site for habitat preservation would not preclude the need to the RUR sites and upzoning of those properties. Additionally, this Alternative would not satisfy all of the Project objectives, and some of the Project objectives would not be satisfied to the level of the proposed Project. Most critically, this Alternative would not meet the Project objectives or Implement the objectives of the General Plan to leverage use of the site to encourage investment, and ability to serve the area and region with additional distribution capacity. Accordingly, this Alternative would not support as much economic development as the proposed as proposed, would not provide as much contiguous habitat protection, would still require full potential redevelopment of the Malaga and Palmetto sites, and would not create as much tax revenue through the business of creation of jobs in the City enabling provision of City services to residents.

Table 5.0-1: Comparison of Project Alternatives Environmental Impacts with the Proposed Project

EIR Chapter	Alternatives			
	Proposed Project - Level of Impact After Mitigation	Alternative 1- No Project	Alternative 2- Reduced Warehouse Footprint and Habitat Preservation	Alternative 3- Increased Housing Density
4.1 – Aesthetics	Less Than Significant	=	-	+
4.2 – Air Quality	Less Than Significant	+	-	+
4.3 – Biological Resources	Less Than Significant	=	-	+
4.4 – Cultural Resources and Tribal Cultural Resources	Less Than Significant	-	-	=
4.5-- Energy	Less Than Significant	=	-	+
4.6 – Geology and Soils	Less Than Significant	=	=	=
4.7 – Greenhouse Gas Emissions	Less Than Significant	+	-	+
4.8 – Hazards and Hazardous Materials	Less Than Significant	=	=	=
4.9 – Hydrology and Water Quality	Less Than Significant	=	=	=
4.10 – Land Use	Less Than Significant	=	=	=
4.11 – Noise	Less Than Significant	=	-	+
4.12 – Population and Housing	Less Than Significant	=	=	=
4.13 – Public Services & Recreation	Less Than Significant	+	=	+
4.14 – Transportation	Significant and Unavoidable	+	-	+
4.15 – Utilities	Less Than Significant	+	-	+
4.16--Wildfire	Less than Significant	=	=	=
Attainment of Project Objectives	Meets all of the Project Objectives	Meets none of the Project Objectives	Meets some of the Project Objectives	Meets some of the Project Objectives

Notes:
A minus (-) sign means the Project Alternative has reduced impacts from the proposed Project.
A plus (+) sign means the Project Alternative has increased impacts from the proposed Project.
An equal sign (=) means the Project Alternative has similar impacts to the proposed Project.

6.0 ADDITIONAL CEQA CONSIDERATIONS

This section of the Environmental Impact Report (EIR) provides a discussion of additional CEQA impact considerations, including Significant Irreversible Environmental Changes, Growth-inducing Impacts, and any Mandatory Findings of Significance.

6.1 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

The CEQA Guidelines Section 15126.2(d), require that an EIR address any significant irreversible environmental changes that would occur should the proposed Project were implemented. As stated in CEQA Guidelines Section 15126.2(d):

> *".....Uses of nonrenewable resources during the initial and continued phases of the Project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter likely, Primary impacts and, particularly, secondary impacts [such as highway improvement which provides access to a previously inaccessible area] generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the Project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."*

Future development of the proposed Project, including the Warehouse site, would consume limited, slowly renewable, and non-renewable resources. The Malaga and Palmetto sites; however, would not be constructed but would be upzoned enabling future redevelopment of the sites. As such, approval of the proposed Project would not result in the direct consumption of resources related to these sites. Construction of the Warehouse site would result in the direct consumption of resources, and this would occur during the construction phase and would continue throughout its operational lifetime. Development of the Warehouse site would require a commitment of resources that would include: (1) building materials; (2) fuel and operational materials/resources; and (3) the transportation of goods and persons to and from individual development sites. Construction would require the consumption of resources that are not renewable or which may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: lumber and other forest products; aggregate materials used in concrete and asphalt; metals; and water. Fossil fuels such as gasoline and oil would also be consumed to power construction vehicles and equipment. However, the temporary use of these resources during the construction of the Warehouse site would be on a relatively small scale in a regional context and would not cause a permanent significant regional impact.

The Malaga and Palmetto sites be upzoned as part of the proposed Project to conform with the requirements of the Housing Crisis Act of 2019 and SB 330. There are no plans to develop either of the sites and there are no pending applications that would describe or enable a calculation of the resources needed to rebuild on the site at this time. Therefore, it is not possible to and would be speculative to guess at the amount of resources that would be consumed should the sites be redeveloped. Nonetheless, similar to the Warehouse site, because of the relatively small footprints the sites occupy, it is anticipated that resources during construction would be on such a small scale relative to regional resources, neither Project would cause a permanent significant reduction in the availability of resources.

Resources that would be permanently committed to consumption by the operation of the Warehouse, or of the Malaga and Palmetto sites, should they be redeveloped, would be consistent with those currently used in similar warehouses within the City, and with those currently used in multi-family housing units. The resources used by the proposed Project include water, electricity, natural gas, and fossil fuels. However, new construction in California is required to conform to energy conservation standards specified in Title 24 of the California Code of Regulations (CCR). The 2019 CBEES were adopted on May 9, 2018 and take effect on January 1, 2020. Under the 2019 standards, nonresidential buildings will use about 30 percent less energy than buildings under the 2016 standards. To conform to CCR Title 24, efficient energy use would be designed into all new buildings developed within the Project areas. In addition, all new development would be required to comply with all applicable building codes, development standards, and design requirements related to sustainability and energy conservation contained in the City's Municipal Code and required pursuant to then-current State legislation, executive orders, and regulatory guidance. Along with applicable City policies and State standards, mitigation measures contained in this EIR would help ensure that all affected natural resources are conserved or recycled to the maximum extent feasible, minimizing the impact significance on each resource to the lowest amount possible.

Energy resources and consumption is discussed in greater detail within **Section 4.5**, *Energy* and **Section 4.15**, *Utilities and Service Systems*.

6.2 GROWTH-INDUCING IMPACTS OF THE PROPOSED ACTION

CEQA Guidelines Section 15126.2(e), Growth Inducing Impact of the Proposed Project, requires that an EIR "discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." The CEQA Guidelines also indicate that it must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment. This section analyzes potential growth-inducing impacts, based on the criteria outlined below, as suggested in the CEQA Guidelines. In general terms, a project may foster spatial, economic, or population growth in a geographic area, if it meets any one of the following criteria:

- Directly or indirectly foster economic or population growth, or the construction of additional housing;
- Remove obstacles to population growth;
- Require the construction of new or expanded facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Should the proposed Project meet any or all of the above-listed stipulations, it may be considered growth-inducing under CEQA Guidelines.

6.2.1 DIRECT GROWTH-INDUCING IMPACTS OF THE PROPOSED ACTION

Growth-inducing impacts associated with the proposed Project have a geographical context with the surrounding area. Though rate of development can be imprecise to measure, CEQA Guidelines request

that the EIR analyze ways in which growth might be induced by the proposed Project. Growth can either be induced via planned growth effects, or induced via unplanned growth effects. Both variations should be discussed.

The specific growth-inducing impacts of the proposed Project will be discussed through the analysis of the four criteria stated above.

1. Does the proposed Project directly or indirectly foster economic or population growth, or the construction of additional housing?

The proposed Project's development would not foster significant economic and population growth within the City directly or indirectly. Any growth will also be indirect as the proposed Project is intended to be a warehouse facility though it does not have an intended owner.

Economic Growth

The proposed Project will not directly or indirectly create significant economic growth within the City. However, the Warehouse site may cause an indirect economic growth due to its development. While the Warehouse site would generate revenue to the City through taxes on its revenue, comparative to the City overall it is a relatively small increase. As previously stated, one aspect of the proposed Project is a warehouse facility. Construction of the Warehouse site will generate employment consistent with other similar construction activities, and only temporarily until construction activities are complete. Most construction workers would be anticipated to come from within the City or from the nearby region, which already has a population of substantial size to supply the needed workers. Upon completion of the warehouse, it will not cause a substantial permanent increase in employment. The warehouse would require approximately 188 new employees. Similar to the above, these jobs would likely be filled by local and regional residents. While a few new workers may relocate to the area, this number would be incrementally small compared to the existing working population.

Population Growth

Fontana has a population of approximately 212,078 people with a labor force of approximately 99,900 individuals. As of February 2020, 3,600 people were unemployed, creating an unemployment rate of 3.6% within the City.[1] The Warehouse Project, as previously stated, is estimated to indirectly produce approximately 188 new jobs after its completion. The unemployed population, approximately, 3,600, within the City is larger than the potential jobs indirectly generated by the Warehouse Project. The development will therefore not create a demand for increased population as the current employment demand will not be met by the proposed Project.

The Malaga and Palmetto Sites would not result in an increased employment upon the completion of construction. If the Malaga and Palmetto sites are constructed there would be a temporary increase in short-term employment but upon completion, because the Project would be a multi-family development, employment opportunities at the location would be minimal and not induce population growth.

[1] Employment Development Department (EDD), 2020. Current Monthly Unemployment Rate and Labor Force Summary. Available: https://www.labormarketinfo.edd.ca.gov/data/unemployment-and-labor-force.html Accessed: April 15, 2020.

Additional Housing

The warehouse does not directly or indirectly propose the creation of new housing stock within the City. As well, the warehouse would not create an increase in the City's population and therefore would not prompt the creation of additional housing stock. Refer to the above sections for further discussion of the proposed Project's employment generation and its relation to employment demand within the City.

The Malaga and Palmetto sites are considered replacement housing for the units that would not be constructed as designated and planned for in the FCGP on the Warehouse site. In this way, neither the Malaga or Palmetto site would result in created housing numbers that were not planned. Although the units would be in a different location, should they be built, it is not unforeseen.

2. Does the proposed Project remove obstacles to population growth?

The location of the warehouse is currently vacant and undeveloped. The development of the Warehouse site and any appurtenant improvements will not require the removal or demolition of existing structures.

The land on which the proposed Project will be developed is currently zoned for Regional Mixed-Use (R-MU) and Multi-Family High-Density Residential (R-5). The proposed Project involves the use of a General Plan Amendment (GPA) to transform the R-5 zone to a R-MU zone. Doing this will unspecify the zone from a residential focus and allow for other uses such as light manufacturing and offices, while retaining some allowance for residential developments. Changing a zone dedicated to residential use would create an obstacle for population growth since the zone change would reduce the amount of areas in the City that could develop housing, limiting the growth potential of the population.

The Malaga and Palmetto site would be, should the residential units be constructed, built in an area that currently is built with urbanized uses. Both sites are surrounded by existing urbanized development. Neither Project would introduce new utilities, structures, or roadways that would remove an obstacle to growth in another area.

3. Does the proposed Project require the construction of new or expanded facilities that could cause significant environmental effects?

The Warehouse site will involve the development of a 322,998 sf warehouse along with landscaping and other appurtenant improvements. The development of the entire proposed Warehouse site has the potential to create some significant environmental effects. However, any effects that projected or expected will be mitigated to remove or reduce their significance. In addition, the Warehouse site would not require expansion of utilities or infrastructure outside the scope of the proposed Project. Existing utility lines will be tied into within the surrounding roadways or associated right-of-ways. Sierra Avenue would be widened, and Casa Grande Avenue would be completed but stop and not provide connectivity to the City of Rialto. The area into which expansion of the roadways was evaluated in the EIR and impacts were disclosed. Each potentially significant environmental impact and their associated mitigations are fully discussed in the analysis chapters of this EIR. Refer to sections 4.1-4.16 for those discussions.

4. Does the proposed Project encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively?

Construction activities for the Warehouse site, Malaga site, and Palmetto site will be temporary in nature and properly mitigated in an effort to reduce their significance to the lowest possible levels. Activities associated with the operation of the Warehouse site, and the Malaga and Palmetto site should they be developed, would be similar to those of other similar projects in the City. This includes daily commutes for passenger vehicles and material trucks. As well, the use of the facilities will require the use of energy for lighting, heating, and cooling. The Malaga site and Palmetto site, if they are redeveloped, also would generate vehicle trips and use resources. These activities and their potential impacts are fully discussed and analyzed within the analysis chapters of this EIR. Refer to sections 4.1-4.16 for those analyses.

6.3 MANDATORY FINDINGS OF SIGNIFICANCE

CEQA requires preparation of an EIR when certain specified impacts may result from construction or implementation of a project. An EIR has been prepared for the proposed Project, which fully addresses all of the Mandatory Findings of Significance, as described below.

The Mandatory Findings of Significance analyzes the proposed Project's potential to:

Substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause the species population to drop below self-sustaining levels, 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.

All environmental impacts associated with the proposed Project are discussed fully in the analysis chapters of this EIR. As well, any significant impacts stemming from the proposed Project will be mitigated to levels that are less than significant. Detail discussion is provided in sections 4.1 through 4.16 of this document.

Currently, the Warehouse site is occupied by coastal sage scrub, other similar habitats, as well as upland vegetation and non-native grasses. There Warehouse site also could provide habitat for the San Bernardino Kangaroo Rat (SBKR), Los Angeles Pocket Mouse (LAPM), and California gnatcatcher (CAGN). Potential loss of habitat for these species will be mitigated by a minimum 1:1 contribution to the North Fontana Conservation Program (NFCP). Other mitigation requires surveys for the listed species, nesting bird surveys, and species relation. Therefore, while the Warehouse site has sensitive habitat and may provide habitat used by sensitive species, incorporation of mitigation, including off-site habitat protection within large contiguous areas would reduce impacts to less than significant. Thus, the Warehouse Project would not cause a notable decrease in species population would not eliminate an important example of any major period of Californian history or prehistory.

Neither the Malaga site or Palmetto site have any habitat that would be classified as sensitive. Both sites are built and surrounded by urbanized development and the redevelopment of neither would 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. These sites do have existing landscaped vegetation that may provide habitat for nesting birds. Mitigation requiring nesting bird surveys would be required and further ensure these impacts remain less than significant.

Have impacts that are individually limited, but cumulatively considerable.

The Warehouse site would result in impacts at the project level that were found to have no impact, be less than significant, or be less than significant with mitigation. With mitigation, the Project also would be found to reduce potential cumulative impacts to less than significant with the exception of air quality and greenhouse gas emissions.

Individually, the Warehouse site, Malaga site, or Palmetto site would not exceed the South Coast Air Quality Management District (SCAQMD) thresholds for Criteria Pollutants for either construction or operational phases. Although it is unlikely buildout of the three sites would occur at the same time, and it is unknown when, if ever, the Malaga and Palmetto sites would be constructed, the air quality analysis of the three sites is combined to provide a complete disclosure of air quality emissions that could occur from the residential development components. As discussed in Chapter 4.2, NOx emissions would exceed the SCAQMD thresholds for both construction and operations of the Warehouse site, Malaga site, and Palmetto site if they were to be constructed and operate over the same period of time. None of the other SCAQMD emission thresholds would be exceeded under this combined analysis scenario. No feasible mitigation measures have been identified that would reduce NOx emissions from the Warehouse site. The majority of the NOx emissions from the Warehouse site are from mobile emissions (transportation). Given that the nature of the proposed warehouse is to have trucks travel to and from the site, measures that would reduce trips to the site are not practical or feasible. As a result, operational emissions associated with the proposed Project would result in a cumulatively considerable contribution to significant cumulative air quality impacts.

In a similar fashion, each site individually would not generate any greenhouse gas emissions that would exceed SCAQMD's screening threshold of 3,000 MTCO2e/yr. The Malaga site and Palmetto sites both involve potential redevelopment with residential uses. Although it is unlikely buildout of the three sites would occur at the same time, and it is unknown when, if ever, the Malaga and Palmetto sites would be constructed, the analysis of the two sites is combined to provide a complete disclosure of GHG emissions that could occur from the residential development components. As discussed in Chapter 4.7, when the GHG emissions from the Malaga and Palmetto sites are combined, the operational emissions would exceed the 3,000 MTCO2e/year threshold. It should be noted that the Warehouse site was not included in the combined analysis because SCAQMD has different screening thresholds for industrial and residential uses. Because the only entitlement associated with the Malaga and Palmetto sites involves a zone reclassification, it is not possible to apply mitigation to this this component of the Project at this time that could be shown as effective and enforceable. If future multi-family development is proposed for the Malaga and/or Palmetto sites, a project-specific CEQA analysis would be required to consider the site-specific impacts on GHG emissions. Therefore, the proposed Project is considered to have a significant and unavoidable impact on GHG emissions in this regard.

Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The Warehouse, Malaga, and Palmetto projects have the potential to create impacts that could cause adverse effects on human beings. The majority of these effects are created during the construction phase of the proposed Project. All effects of the Warehouse site would be temporary in nature and would occur over the relatively short-term construction phase. Direct impacts to humans during the construction phase as well as effects associated with operation of the Warehouse site would be less than significant or

would be mitigated to less than significant levels. Mitigation measures created for the potential impacts of the proposed Project are detailed in Sections 4.1 through 4.16 of this EIR. Similarly, any operational impacts foreseen for the proposed Project will be mitigated to their lowest amount of significance.

The Malaga and Palmetto sites also has the potential to create impact that could cause adverse impacts to human being in the vicinity of the project sites. It should be noted that this Project does not include any construction of any new structures on either the Malaga or Palmetto site, but it would upzone the sites to enable future construction of replacement housing. If future redevelopment does occur, there is the potential for temporary impacts and long-term impacts to humans. Temporary short-term impacts would primarily come from increases noise from construction, and increase air emissions in proximity to adjacent uses. In addition, redevelopment of the site would temporarily displace existing residence and the use of the existing church. All these and other impacts would be reduced through mitigation, minimizing construction times and equipment use, as well as assistance for relocation provided by the City.

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7.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

7.1 INTRODUCTION

The California Environmental Quality Act (CEQA) provides that an Environmental Impact Report (EIR) shall focus on the significant effects on the environment, discussing the effects with emphasis in proportion to their severity and probability of occurrence. The environmental topics dismissed in an Initial Study (Environmental Checklist) as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless information inconsistent with the finding of the Environmental Checklist is subsequently received.

California Public Resources Code (PRC) Section 21100 (c) states that an EIR shall contain a statement briefly indicating the reasons that a project's various possible significant effects were determined not to be significant and were, therefore, not discussed in detail in the Draft EIR (PRC Section 21000 et. seq.). CEQA Guidelines Section 15128 adds, "Such a statement may be contained in an attached copy of an Initial Study (Environmental Checklist)" (14 CCR 15000 et. seq.). The environmental topics included in the Initial Study (Environmental Checklist) prepared with the Notice of Preparation (NOP) included determination of potential impact significance. The Draft EIR further evaluates all of the Project's possible significant effects in accordance with CEQA Guidelines.

The following environmental topics related to agriculture and forest resources, and mineral resources, provide an analysis of potential Project impacts found to result in no impacts or less than significant impacts during the Draft EIR analysis.

AGRICULTURE AND FORESTRY RESOURCES

Impact 7.2-1: Would the proposed 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-agriculture use?

Level of Significance: No Impact

Warehouse, Malaga, and Palmetto Sites

Prime Farmland, according to the Natural Resources Conservation Service (NRCS), is land that has a soil composition that makes it viable for food, feed, forage, fiber, and oilseed crop production. Prime Farmland areas also require adequate moisture supply from either precipitation or irrigation, and a climate allowing for a sufficient growing season.[1] Unique Farmland is land that has been designated for the production of specific, high-value food or fiber crops. These specific crops normally include: fruits, tree nuts, and vegetables. Farmland that is of Statewide Importance is land currently used for crops produced in Prime Farmland without the classification of Prime of Unique Farmland. The Warehouse site is located on land that the NRCS has determined to contain Soboba stony loamy sand (SpC), and Soboba gravelly loamy sand

[1] Natural Resources Conservation Service. (2019). *Soil Data Access (SDA) Prime and other Important Farmlands*. Retrieved from https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcseprd1338623.html#top.

(SoC). These soil types are classified as "Not prime farmland" by NRCS. [2] The Malaga and Palmetto sites are within an area having Tujunga gravelly loamy sand. The Warehouse site is currently vacant and undeveloped, and consists of coastal sage scrub and other similar habitat types. No farming activities are have occurred on the Warehouse site and none are active or planned for the Warehouse site. Both the Malaga and Palmetto sites are developed and in a highly urbanized areas. Because of the unsuitability of the soil, and the current status of the proposed Project Areas, no impacts would regarding Prime Farmland, Unique Farmland, or Farmland of Statewide Significance.

Impact 7.2-2: Would the proposed Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Level of Significance: No Impact

Warehouse, Malaga, and Palmetto Sites

The Williamson Act enables contracts between local governments and private landowners in order to create agricultural or open space parcels. The contract ensures that the landowners receive lower property tax assessments based on the agricultural and open space uses, instead of market value.[3] The City of Fontana (City) does not contain any parcels of land that have been attached to a Williamson Act contract and this include the Warehouse site, Malaga site, and Palmetto site. The nearest parcels with an attached Williamson Act contract are in the City of Hesperia, approximately 12 miles away.[4] Due to the absence of contracted Williamson Act land on the proposed Project site as well as the immediate area, no impact would occur.

Impact 7.2-3: Would the proposed Project conflict with existing zoning for, or cause rezoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220 (g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Level of Significance: No Impact

Warehouse, Malaga, and Palmetto Sites

Public Resources Code §12220 (g) designates "Forest Land" as land that has capable of sustaining a 10 percent tree cover, allowing also for the management of other forest resources such as timber, aesthetics, biodiversity, and recreation.[5] Timberland is a designation given to land that is capable of growing a stand of trees for commercial purposes.[6] Timberland production zones are areas that have been devoted to those timberland uses.[7]

[2] Natural Resources Conservation Service. (2019). *Soil Data Access (SDA) Prime and other Important Farmlands*. Retrieved from https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcseprd1338623.html#top.
[3] California Department of Conservation. (2020). *Williamson Act Program.* Retrieved from https://www.conservation.ca.gov/dlrp/wa
[4] California Department of Conservation. (2016). *San Bernardino County Williamson Act FY 2015/2016 Sheet 2 of 2.* Sacramento, CA: Department of Conservation. Available: https://www.conservation.ca.gov/dlrp/fmmp/Pages/SanBernardino.aspx Accessed: April 16, 2020
[5] California State Legislature. (2007). *Public Resources Code Section 12220 (g).* Retrieved from http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=12220.&lawCode=PRC
[6] California State Legislature. (2012). *Public Resources Code Section 4526*. Retrieved from http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=4526.&lawCode=PRC, Accessed: April 16, 2020.
[7] California State Legislature. (1976). *Government Code Section 51104(g).* Retrieved from http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=51104.&lawCode=GOV Accessed: April 16, 2020.

The parcels within the Warehouse site, Malaga site, and Palmetto sites are also not zoned as timberland or timber production. None of the sites contain resources that would fulfill the definition of timberland or Forest Land. The sites are zoned for high density residential and mixed use. No impact would occur in regard to timberland zoning or rezoning.

Impact 7.2-4: Would the proposed Project result in the loss of forest land or conversion of forest land to non-forest use?

Level of Significance: No Impact

Warehouse, Malaga, and Palmetto Sites

As previously stated, the parcels that make up the Warehouse site, Malaga site, and Palmetto site are undeveloped with coastal sage scrub and similar habitat types and vacant, or highly developed in an urbanized setting. The vegetation found on the Warehouse site consists of scattered brushes and the Malaga and Palmetto sites contain ornamental landscaping and vegetation. No trees or stands of trees that would constitute timber or forest land are present on any of the site. Additionally, due to the soils and climate, including typical rainfall patterns in the area are not suitable or present in quantities to facilitate agricultural production, or commercial tree growth. The land within the proposed Project sites is also not zoned for forest use. Therefore, no impact to forest lands will occur.

Impact 7.2-5: Would the proposed 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 land?

Level of Significance: Less Than Significant Impact

Warehouse, Malaga, and Palmetto Sites

As stated previously, the parcels included in the Warehouse site, Malaga site, and Palmetto site are zoned for high density residential and mixed-use developments. While the Warehouse site is currently undeveloped and vacant it is not conducive due to soil quality for agriculture. The Malaga and Palmetto sites are developed and surrounded by the urbanized development. The proposed Project would not require the land to be converted from farmland uses or forest land. Therefore, no impact is expected.

MINERAL RESOURCES

Impact 7.3-1: Would the proposed 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?

Level of Significance: No Impact

Warehouse, Malaga, and Palmetto Sites

As determined by the NRCS, the Warehouse site consists of Soboba stony loamy sand and Soboba gravelly loamy sand. Neither of these soils contain mineral resources with significant value to the region and residents of the State of California. The Malaga site and Palmetto site are built and in an urbanized areas. Even if the underlying materials constituted significant mineral resources, it would not be feasible to extract them. No impacts would occur.

Impact 7.3-2: Would the proposed 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?

Level of Significance: No Impact

Warehouse, Malaga, and Palmetto Sites

The Warehouse site will be developed on three undeveloped, vacant parcels within the City. These parcels contain soil that is not of a significant value to the region or residents and development of the Warehouse site would not result in the loss of a mineral resource recovery site recognized in the local general plan, specific plan, or other land use plan. The Malaga site and Palmetto site are not mapped as locally important resources and due to the existing development, site sizes, and surrounding urbanization, it would not be feasible to extract mineral resources. No impact would occur.

8.0 AGENCY CONTACTS AND PREPARERS

8.1 LEAD AGENCY

CITY OF FONTANA

- Cecily Session-Goins, Assistant Planner, Community Development

8.2 ENVIRONMENTAL DOCUMENT PREPARERS

KIMLEY-HORN AND ASSOCIATES

- Kari Cano, EIR Project Manager
- Alex Jewell, EIR Project Manager/ Environmental Planner
- Brad Stoneman, Environmental Analyst
- Maria Rodriguez, Environmental Analyst
- Trevor Briggs, Traffic
- Achilles Malisos, Air Quality, Noise, Greenhouse Gas Emissions
- Alex Pohlman, Air Quality, Greenhouse Gas Emissions
- Amanda McCallum, Document Production

8.3 TECHNICAL STUDY PREPARATION

BIOLOGICAL RESOURCES

- Jericho Systems, Inc.

CULTURAL RESOURCES

- BCR Consulting, LLC

HYDROLOGY AND WATER QUALITY

- Allard Engineering

PHASE I ENVIRONMENTAL SITE ASSESSMENT

- Partner Engineering and Science, Inc.
- S&S Commercial Environmental Services, Inc.

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