



**DRAFT | AUGUST 2020**

# **Fontana Foothills Commerce Center Environmental Impact Report**

Prepared for:  
**City of Fontana**

Submitted by:

**Michael Baker**  
INTERNATIONAL



# CITY OF FONTANA

## FOOTHILLS COMMERCE CENTER

### DRAFT ENVIRONMENTAL IMPACT REPORT

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SCH No. 2020040155

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**AUGUST 2020**

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## **1.0 EXECUTIVE SUMMARY**

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## 1.0 Executive Summary

### 1.1 Project Location

The proposed Fontana Foothills Commerce Center Project (project or proposed project) is located in the City of Fontana (City), which is located in the southwestern portion of San Bernardino County (County). The project consists of two sites, the development site and the upzone site. The development site consists of 12 contiguous parcels located on approximately 33.55 acres at the northeast quadrant of the intersection of Juniper Avenue and Jurupa Avenue. The second component of the project site is the upzone site, which consists of 19 parcels located on approximately 13.76 acres in the southwest quadrant of Merrill Avenue and Catawba Avenue.

### 1.2 Project Summary

The project involves the development of a new logistics warehouse facility consisting of two warehouse and distribution buildings totaling 754,408 square feet, as well as associated infrastructure and utility improvements, parking, and landscaping. Pursuant to Senate Bill (SB) 330 requirements, 13.76 acres of land would be “upzoned” to offset the development site’s lost dwelling unit potential. No development is proposed currently at the upzone site. Related project components and entitlements further described in *Section 3.0, Project Description*.

#### DEVELOPMENT SITE

The development site would be developed with two warehouse buildings totaling 754,408 square feet, inclusive of approximately 18,000 square feet of office space. The area of Building 1 would be 432,569 square feet with 57 dock doors and the area of Building 2 would be 321,839 square feet with 45 dock doors. The maximum building height for either building would be 60 feet. The exterior building colors would include shades of gray with white and orange accents, while the project’s exterior building materials would include painted concrete tilt-up panels, glass with blue reflective glazing and clear anodized mullions, and painted metal awnings. Other associated facilities and improvements would include a guard booth, landscaping, security gates, lighting, perimeter fencing/walls, and drainage facilities. Project characteristics are described in further detail below and *Section 3.4.1, Development Site*.

#### ***Development Site Landscaping***

Ornamental landscaping would be planted throughout the development site and would encompass approximately 15 percent of the development site (not including building area). Planting materials would include a mix of trees, shrubs, accents, and groundcover. Specifically, proposed trees would include western redbud, chitalpa, Italian cypress, Canary Island pine, Afghan pine, European olive, California sycamore, African sumac, and Brisbane box. Shrubs would include dwarf bottlebrush, pineapple guava, toyon, California rush, Texas ranger, Texas privet, Mexican feather grass, Oriental fountain grass, compact California coffeeberry, Bee’s bliss sage, Autumn sage, feathery cassia, and coast rosemary. Proposed accents include blue glow agave, coral aloe, octopus agave, desert spoon, red yucca, and variegated Caribbean agave. Groundcover would include low boy trailing acacia, myoporum, Hall’s honeysuckle,

pink rock rose, blue chalksticks, and Huntington carpet rosemary. The development site will be maintained with automatic irrigation system for its entire landscaped areas.

#### ***Development Site Access and Circulation***

A total of four driveways would provide access the development site. Two driveways are proposed on Juniper Avenue and two driveways are proposed on Jurupa Avenue. Main truck access would be available on Juniper Avenue, with a secondary access on Jurupa Avenue. The driveways on Jurupa Avenue would be restricted to right in/right out access only. To accommodate the ingress and egress of heavy trucks, the following curb radius and driveway improvements would be implemented as conditions of approval prior to project occupancy:

- Driveway 1 on Juniper Avenue. Driveway 1 would be modified to provide a 50-foot curb radius on the southeast corner;
- Driveway 2 on Juniper Avenue. Driveway 2 would be modified to provide a 45-foot curb radius on the southeast corner; and
- Driveway 4 on Jurupa Avenue. Driveway 4 would be modified internally and the driveway would be widened by 20 feet to the west in conjunction with a 45-foot curb radius on the northwest corner and 30-foot curb radius on the northeast corner in order to accommodate concurrent ingress and egress truck turns.

Driveway 3 would not be required to be modified for truck access as it will serve passenger vehicles only. Access to the loading areas would be restricted through either automatic or manually operated gates.

#### ***Development Site Parking***

A total of 337 passenger vehicle parking spaces would be provided for employees and visitors in surface parking lots generally located around the building perimeters. In addition, 152 trailer parking spaces would also be provided.

#### ***Development Site Utilities***

Existing utility connections are available on or adjacent to the development site, and include electricity, water, sewer, storm drains, cable, telephone and natural gas.

#### ***Development Site Construction***

It is anticipated that the project would be constructed in a single phase over a duration of approximately 12 months, anticipated to begin June 2021 and last through June 2022.

#### ***Development Site Operations***

Tenants for the proposed project have not been identified for the two warehouse and distribution buildings and are considered speculative at the time of this writing. Operations are assumed to involve passenger vehicle and truck traffic to and from the development site, with hours of operation estimated to be 24 hours a day, 7 days a week. There would be no refrigerated uses associated with the operation of the two warehouse buildings upon completion. Refer to [\*Section 4.2, Air Quality\*](#), for additional discussion regarding refrigerated uses.

## UPZONE SITE

Pursuant to SB 330 requirements, the upzone site was selected to offset the proposed project's lost dwelling unit potential of 155 units and "upzone" 13.76 acres of land located at the southwest corner of Merrill Avenue and Catawba Avenue from Single Family Residential (R-1), which permits up to 5 dwelling units per acre, to Medium Density Residential (R-2), which permits up to 12 dwelling units per acre. Applying the R-2 designation on the 13.76-acre site would accommodate the future development of 165 units, resulting in no net loss of the residential capacity for the City with the rezoning of the development site.

### 1.3 Project Objectives

Pursuant to Section 15124(b) of the CEQA Guidelines, the EIR project description must include "[a] statement of objectives sought by the proposed project....The statement of objectives should include the underlying purpose of the project." The goals and objectives established for the project are as follows:

- **Objective 1:** Implement the City of Fontana's desire to attract high-quality industrial businesses by developing a light industrial facility that stimulates employment and that will contribute towards the City's economic development goals.
- **Objective 2:** Entitle a light industrial facility that provides employment for skilled construction and labor trades while improving the local balance of housing and jobs.
- **Objective 3:** Uphold the City of Fontana's goal of revitalizing vacant and underutilized lands that are appropriate for infill development.
- **Objective 4:** Entitle a light industrial use that is adjacent to existing infrastructure and available public services and existing facilities.
- **Objective 5:** Develop a light industrial facility with an architectural design, landscaping, and signage that is consistent with the Southwest Industrial Park Specific Plan.
- **Objective 6:** Preserve the City of Fontana's goal to provide a wide variety of housing sizes and types to meet the needs of residents through all life stages and ranges of affordability that will contribute towards the City's housing goals.

## 1.4 Environmental Issues/Mitigation Summary

**Table 1.0-1: Mitigation Summary**, below, summarizes the impacts, mitigation measures, and unavoidable significant impacts identified and analyzed in **Section 4.0, Introduction to Environmental Analysis** of this EIR. Refer to the appropriate EIR section for detailed information.

**Table 1.0-1: Mitigation Summary**

Impact	Mitigation Measure	Level of Significance After Mitigation
<b><i>Aesthetics</i></b>		
In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	AES-1 Construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site to the extent practical. Staging areas shall be screened from view from residential properties with solid wood fencing or green fence. Construction worker parking may be located off-site with approval of the City; however, on-street parking of construction worker vehicles on residential streets shall be prohibited. Vehicles shall be kept clean and free of mud and dust before leaving the project site. Surrounding streets shall be swept daily and maintained free of dirt and debris.	Less than significant.
Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	None required.	Less than significant.
Cumulative Impacts: Would the project create a cumulative impact to aesthetics?	Refer to Mitigation Measure AES-1.	Less than significant.
<b><i>Air Quality</i></b>		

Impact	Mitigation Measure	Level of Significance After Mitigation
Would the project conflict with or obstruct implementation of the applicable air quality plan?	Refer to Mitigation Measure AQ-2.	Significant and unavoidable.
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?	Refer to Mitigation Measure AQ-2. AQ-1 Prior to issuance of building permits, the City Planning Department shall confirm on the project site plans that cold storage and facilities for Transport Refrigeration Units (TRUs) are not proposed. If it is determined that the proposed project would require TRUs or cold storage in the future, an amendment would be required to the project's entitlements to ensure such uses are analyzed in compliance with applicable laws and regulations.	Significant and unavoidable.
Would the project expose sensitive receptors to substantial pollutant concentrations?	AQ-2 During the site preparation phase, the construction contractor shall ensure that off-road diesel construction equipment greater than 150 horsepower shall comply with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications.	Less than significant.
Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	None required.	Less than significant.
<b>Cumulative Impacts:</b> Would the project create a cumulative air quality impact?	Refer to Mitigation Measures AQ-1 and AQ-2.	Significant and unavoidable.
<b>Biological Resources</b>		
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	BIO-1 Prior to the issuance of the first grading or building permits, a focused burrowing owl survey shall be conducted no more than 45 days prior to ground disturbance within the development site, within a 500-foot survey area surrounding the development site, pursuant to the requirements of the 2012 CDFG Staff Report on Burrowing Owl Mitigation. After completion of appropriate surveys, a final report shall be submitted to the City of Fontana Planning Division within 14 days following completion. The report shall detail survey methods, transect width,	Less than significant.

Impact	Mitigation Measure	Level of Significance After Mitigation																							
regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	duration, conditions, results of the survey, and any actions required to avoid impacts to burrowing owl.																								
	If burrowing owls are detected, no ground-disturbing activities shall be permitted within the distances listed below in Table 1, titled “Burrowing Owl Burrow Buffers,” unless otherwise authorized by California Department of Fish and Wildlife (CDFW). Burrowing owls shall not be moved or excluded from burrows during the breeding season.																								
	Mitigation Table 1: Burrowing Owl Burrow Buffers (CDFG Staff Report, 2012)																								
	<table><tr><th rowspan="2">Location</th><th rowspan="2">Time of Year</th><th colspan="3">Level of Disturbance</th></tr><tr><th>Low</th><th>Medium</th><th>High</th></tr><tr><td>Nesting Sites</td><td>April 1-Aug 15</td><td>656 ft</td><td>1,640 ft</td><td>1,640 ft</td></tr><tr><td>Nesting Sites</td><td>Aug 16-Oct 15</td><td>656 ft</td><td>656 ft</td><td>1,640 ft</td></tr><tr><td>Any Occupied Burrow</td><td>Oct 16-Mar 31</td><td>164 ft</td><td>328 ft</td><td>1,640 ft</td></tr></table>	Location	Time of Year	Level of Disturbance			Low	Medium	High	Nesting Sites	April 1-Aug 15	656 ft	1,640 ft	1,640 ft	Nesting Sites	Aug 16-Oct 15	656 ft	656 ft	1,640 ft	Any Occupied Burrow	Oct 16-Mar 31	164 ft	328 ft	1,640 ft	
	Location			Time of Year	Level of Disturbance																				
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	Any Occupied Burrow	Oct 16-Mar 31	164 ft	328 ft	1,640 ft																				
	If avoidance of active burrows is infeasible, the owls can be passively displaced from their burrows according to recommendations made in the 2012 CDFG Staff Report on Burrowing Owl Mitigation. Burrowing owls shall not be excluded from burrows unless or until:																								
a. Occupied burrows shall not be disturbed during the nesting season, generally defined as February 1 through August 31.																									
b. Before excluding owls during the non-nesting season, generally defined as September 1 through January 31, a qualified biologist meeting the Biologist Qualifications set forth in the May 2012 CDFG Staff Report, shall verify through noninvasive methods that either: (1) the owls have not begun egg-laying and incubation; or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival.																									
c. A Burrowing Owl Exclusion Plan is developed and approved by the applicable local CDFW office and submitted to the City Planning Department. The plan shall include, at a minimum:																									
i. Confirm by site surveillance that the burrow(s) is empty of burrowing owls and other species preceding burrow scoping;																									



Impact	Mitigation Measure	Level of Significance After Mitigation
	<ul style="list-style-type: none"> <li>ii. Type of scope and appropriate timing of scoping to avoid impacts;</li> <li>iii. Occupancy factors to look for and what will guide determination of vacancy and excavation timing (one-way doors shall be left in place a minimum of 48 hours to ensure burrowing owls have left the burrow before excavation, visited twice daily, and monitored for evidence that owls are inside and can't escape (i.e., look for sign immediately inside the door);</li> <li>iv. How the burrow(s) will be excavated. Excavation using hand tools with refilling to prevent reoccupation is preferable whenever possible (may include using piping to stabilize the burrow to prevent collapsing until the entire burrow has been excavated and it can be determined that owls do not reside in the burrow);</li> <li>v. Removal of other potential owl burrow surrogates or refugia on-site;</li> <li>vi. Photographing the excavation and closure of the burrow to demonstrate success and sufficiency;</li> <li>vii. Monitoring of the site to evaluate success and, if needed, to implement remedial measures to prevent subsequent owl use to avoid take;</li> <li>viii. How the impacted site will continually be made inhospitable to burrowing owls and fossorial mammals (e.g., by allowing vegetation to grow tall, heavy disking, or immediate and continuous grading) until development is complete. BIO-2 If vegetation removal is scheduled within the avian nesting season (generally from February 1 through August 31), a pre-construction clearance survey for nesting birds shall be conducted by a qualified biologist within seven days of anticipated vegetation removal at the development site.</li> </ul> <p>The qualified biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the development site during the clearance survey with a brief letter report indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest; for raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activities. Results of the pre-construction survey and any subsequent monitoring shall be provided to the California Department of Fish and Wildlife and other appropriate agency.</p>	

Impact	Mitigation Measure	Level of Significance After Mitigation
Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	None required.	No impacts.
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?	None required.	No impacts.
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?	None required.	No impacts.
Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<p>BIO-3 Prior to construction, a tree inventory and replacement plan shall be prepared by the applicant in compliance with the City's tree ordinance and submitted to the City of Fontana Planning Division for review and approval. The plan, at a minimum, shall include:</p> <p>a. Listing of trees recommended for preservation by a qualified arborist, including criteria for recommendation such as species, height, circumference and overall health;</p>	Less than significant.

Impact	Mitigation Measure	Level of Significance After Mitigation
	<p>b. Any tree recommended for preservation that is removed as part of construction shall be replaced at the appropriate ratio detailed in City of Fontana Municipal Code Section 28-67, <i>Tree Replacement or Relocation</i>, which is dependent on the existing tree's trunk diameter and health.</p> <p>c. The size of each replacement tree shall be a 15-gallon or larger specimen, measuring one inch or more in diameter at a point of twelve inches above the base.</p> <p>For removal of any protected tree species, including significant, or specimen trees, a tree report shall be prepared, and a tree removal permit obtained prior to tree removal in compliance with the City of Fontana Municipal Code Chapter 28, Article III.</p>	
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts to biological resources?	Refer to Mitigation Measures BIO-1, BIO-2, and BIO-3.	Less than significant.
<b><i>Cultural Resources</i></b>		
Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	None required.	Less than significant.
Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	None required.	Less than significant.
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts to cultural resources?	None required.	Less than significant.
<b><i>Energy</i></b>		
Would the project result in potentially significant environmental impact due to	None required.	Less than significant.

Impact	Mitigation Measure	Level of Significance After Mitigation
wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		
Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	None required.	Less than significant.
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts related to energy?	None required.	Less than significant.
<b><i>Geology and Soils</i></b>		
Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	GEO-1 Prior to issuance of a grading permit, the project applicant shall demonstrate, to the satisfaction of the City of Fontana Building Official, that the recommendations for design and construction identified in the Geotechnical Investigation, prepared by Southern California Geotechnical, Inc. on April 22, 2020 (or thereafter, if applicable), have been incorporated into the project design, grading plans, and building plans. The project's final grading plans, foundation plans, building loads, and specifications shall be reviewed by a State of California Registered Professional Geologist/Registered Professional Engineer to verify that the Geotechnical Investigation's recommendations have been incorporated and updated, as needed.	Less than significant.
Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	GEO-2 Prior to project grading activities, a paleontological resource mitigation program (PRMP) shall be prepared by a qualified paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for a Principal Investigator or Project Paleontologist, to monitor, salvage, and curate any recovered fossils associated with the proposed project area, should these be unearthed during ground disturbance within the project area. The proposed project's PRMP shall implement the following procedures: <ul style="list-style-type: none"> <li>A trained and qualified paleontological monitor shall perform spot-check and/or monitoring of any excavations on the project site that have the potential to impact paleontological resources in undisturbed native sediments below 5 feet in depth. The monitor shall have the ability to redirect construction activities to ensure avoidance of adverse impacts to paleontological resources.</li> </ul>	Less than significant.

Impact	Mitigation Measure	Level of Significance After Mitigation
	<ul style="list-style-type: none"> <li>The project paleontologist shall re-evaluate the necessity for paleontological monitoring after examination of the affected sediments during excavation, with approval from Lead Agency and project applicant.</li> <li>Any potentially significant fossils observed shall be collected and recorded in conjunction with best management practices (BMPs) and SVP professional standards.</li> <li>Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.</li> <li>A report documenting the results of the monitoring, including any salvage activities and the significance of any fossils, shall be prepared and submitted to the appropriate personnel.</li> </ul>	
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts to geology and soils?	Refer to Mitigation Measures GEO-1 and GEO-2	Less than significant.
<b><i>Greenhouse Gas Emissions</i></b>		
Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	No mitigation measures identified.	Significant and unavoidable.
Would the project conflict with conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No mitigation measures identified.	Significant and unavoidable.
Cumulative Impacts: Would the project result in cumulatively significant greenhouse gases emissions?	No mitigation measures identified.	Significant and unavoidable.
<b><i>Hazards and Hazardous Materials</i></b>		

Impact	Mitigation Measure	Level of Significance After Mitigation
Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	None required.	Less than significant.
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?	<p>HAZ-1 Prior to any demolition or building permit approval, an Asbestos Hazard Emergency Response Act) and California Division of Occupational Safety and Health certified building inspector shall conduct an asbestos survey to determine the presence or absence of asbestos containing-materials (ACMs). If the asbestos survey reveals ACMs, asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District Rule 1403 prior to any activities that would disturb ACMs or create an airborne asbestos hazard.</p> <p>HAZ-2 If paint is to be chemically or physically separated from building materials during structure demolition, the paint shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified lead specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulations Title 8, Section 1532.1, which specified exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City engineer.</p>	Less than significant.
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts to hazards and hazardous materials?	Refer to Mitigation Measures HAZ-1 and HAZ-2.	Less than significant.
<b><i>Hydrology and Water Quality</i></b>		
Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	None required.	Less than significant.

Impact	Mitigation Measure	Level of Significance After Mitigation
Would the project result in substantial erosion or siltation on- or offsite?	None required.	Less than significant.
Would the project substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	None required.	Less than significant.
Would the project create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	None required.	Less than significant.
Would the project impede or redirect flood flows?	None required.	Less than significant.
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts to hydrology and water quality?	None required.	Less than significant.
<b><i>Land Use and Planning</i></b>		
Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	None required.	Less than significant.
<b>Cumulative Impacts:</b> Would the project result in cumulative	None required.	Less than significant.

Impact	Mitigation Measure	Level of Significance After Mitigation
impacts to land use and planning.		
<b>Noise</b>		
Would the project generate 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?	None required.	Less than significant.
Would the project generate excessive groundborne vibration or groundborne noise levels?	None required.	Less than significant.
<b>Cumulative Impacts:</b> Would the project result in cumulative noise impacts?	None required.	Less than significant.
<b>Public Services</b>		
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:		
Fire protection?	None required.	Less than significant.
Police protection?	None required.	Less than significant.
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts to public services and recreation?	None required.	Less than significant.
<b>Transportation</b>		



Impact	Mitigation Measure	Level of Significance After Mitigation
<p>Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?</p>	<p>TR-1 Prior to issuance of any grading and/or demolition permits, whichever occurs first, the project applicant shall prepare a Construction Traffic Management Plan (TMP) to be submitted for review and approval by the City Engineer. The TMP shall, at a minimum, address the following:</p> <ul style="list-style-type: none"> <li>• Traffic control for any street closure, detour, or other disruption to traffic circulation.</li> <li>• Identify the routes that construction vehicles will utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.), to access the project site, traffic controls and detours, and proposed construction phasing plan for the project.</li> <li>• Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.</li> <li>• Require the project applicant to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt, as a result of its operations. The applicant shall clean adjacent streets, as directed by the City of Fontana Public Works Department, of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.</li> <li>• Hauling or transport of oversize loads shall be subject to the requirements of the City of Fontana Public Works Department and/or the County of San Bernardino.</li> <li>• Use of local streets shall be prohibited unless temporarily allowed by the City of Fontana Public Works Department.</li> <li>• Haul trucks entering or exiting public streets shall at all times yield to public traffic.</li> <li>• If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.</li> <li>• All construction-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site.</li> <li>• Should the project utilize State facilities for hauling of construction materials, the Construction Management Plan shall be submitted to the California Department of Transportation for review and comment.</li> <li>• Should project construction activities require temporary vehicle lane, bicycle lane, and/or sidewalk closures, the applicant shall coordinate with the City Engineer</li> </ul>	<p>Less than significant.</p>

Impact	Mitigation Measure	Level of Significance After Mitigation
	<p>regarding timing and duration of proposed temporary lane and/or sidewalk closures to ensure the closures do not impact operations of adjacent uses or emergency access.</p> <p>The TMP shall be monitored for effectiveness and be modified in conjunction with the City Engineer if needed to improve safety and/or efficiency.</p>	
Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	No feasible mitigation is available.	Significant and unavoidable.
Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	None required.	Less than significant.
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts to traffic and circulation.	Refer to Mitigation Measure TR-1.	Significant and unavoidable.
<b><i>Tribal Cultural Resources</i></b>		
Would the project 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:		
<p>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</p> <p>A resource determined by the lead agency, in its discretion and supported by substantial</p>	<p>TCR-1 In the event that potential tribal cultural resources are discovered while working on site, all work shall be suspended 50 feet around the resource(s) and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue outside of the 50-foot buffer during this period if the following steps are taken:</p> <ul style="list-style-type: none"> <li>Initiate consultation between the appropriate Native American tribal entity (as determined by a qualified archaeologist meeting Secretary of Interior standards) and the City/project applicant;</li> </ul>	Less than significant.

Impact	Mitigation Measure	Level of Significance After Mitigation
evidence, to be significant pursuant to criteria set forth in 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.	<ul style="list-style-type: none"> <li>• Allow for cultural resources investigations to be conducted by the appropriate Native American entity (as determined by the qualified archaeologist) as soon as possible; and</li> <li>• If the qualified archaeologist, in consultation with the Native American tribal entity, determines the resource(s) to be a “unique archaeological resource” consistent with Public Resources Code Section 21083.2 or a “tribal cultural resource” consistent with Public Resources Code Section 21074, a Cultural Resources Management Plan shall be prepared by the qualified archaeologist and submitted to the City Planning Division and South Central Coast Information Center at California State University Fullerton. This Cultural Resources Management Plan will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Work on the project site shall then be followed out consistent with the Cultural Resources Management Plan.</li> </ul>	
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts to tribal cultural resources?	Refer to Mitigation Measure TCR-1.	Less than significant.
<b><i>Utilities and Service Systems</i></b>		
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?	None required.	Less than significant.
Would the project have insufficient water supplies available to serve the project from existing entitlements and	None required.	Less than significant.

Impact	Mitigation Measure	Level of Significance After Mitigation
resources or require new or expanded entitlements?		
Would the project result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	None required.	Less than significant.
<b>Cumulative Impacts:</b> Would the project result in cumulative impacts to utilities and service systems?	None required.	Less than significant.

## 1.5 Significant and Unavoidable Impacts

A description of significant and unavoidable impacts associated with the project is provided below. This information is based on the analysis provided within *Section 4.1* through *Section 4.15* of this EIR.

- **Air Quality**
  - Project-level and cumulative operational nitrous oxide (NO<sub>x</sub>) emissions
  - Consistency with an applicable air quality plan
- **Greenhouse Gas (GHG) Emissions**
  - Project-level and cumulative GHG emissions
  - Consistency with an applicable GHG reduction plan
- **Transportation**
  - Project-level and cumulative vehicle miles traveled

## 1.6 Summary of Project Alternatives

### **“NO DEVELOPMENT” ALTERNATIVE**

The “No Development” Alternative assumes no new development would occur on the development site and the upzone site would not be rezoned to allow for higher density residential development in the future. Existing conditions on both the development site and upzone site would be maintained. Specifically, the 12 existing residential structures, out buildings, gravel parking areas, equestrian areas, corrals, vacant fields, irrigated pastures, nurseries, cultivated lawns, and agricultural uses would be preserved on the development site. The upzone site, currently developed with 16 residential structures, out buildings, parking areas, and vacant land, would also be maintained. No new development would occur beyond existing conditions. As concluded in *Section 8.4, “No Development” Alternative*, although this alternative would avoid the project’s significant and unavoidable air quality, greenhouse gas, and transportation impacts, this alternative would not achieve any of the project objectives.

### **“EXISTING GENERAL PLAN” ALTERNATIVE**

In accordance with the CEQA Guidelines, “the no project analysis shall discuss the existing conditions ..., as well as what would be reasonably 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.” The CEQA Guidelines continue to state that “in certain instances, the no project alternative means ‘no build’ wherein the existing environmental setting is maintained.” The “Existing General Plan” Alternative assumes the development site and upzone site would be developed under the City’s existing land use and zoning designations. As concluded in *Section 8.5, “Existing General Plan” Alternative*, although this alternative would avoid the project’s significant and unavoidable air quality, greenhouse gas, and transportation impacts, this alternative would only achieve two of the project objectives (Objective 3 and Objective 6).

## **“REDUCED DENSITY” ALTERNATIVE**

The “Reduced Density” Alternative would reduce the proposed development intensity of the warehouse facility on the development site by approximately 33 percent. Pursuant to SB 330 requirements, this alternative would similarly require rezoning the upzone site from R-1 to R-2 to offset the proposed project’s lost residential development potential. Similar to the project, applying the R-2 zone on the 13.76-acre upzone site would accommodate the future development of 165 units, resulting in no net loss of the residential capacity for the City with the rezoning of the development site. As concluded in *Section 8.6, “Reduced Density” Alternative*, selection of this alternative would reduce the project’s significant and unavoidable air quality impacts associated with project-level and cumulative operational NO<sub>x</sub> emissions, which are generated predominantly by heavy truck trips associated with the proposed warehouse use. However, this alternative would not reduce the project’s significant and unavoidable impacts related to greenhouse gas and transportation. The Reduced Density Alternative would achieve all of the project objectives but not to the extent of the proposed project. As concluded in *Section 8.7, Environmentally Superior Alternative*, the Reduced Density Alternative is identified as the environmentally superior alternative.

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## **2.0 INTRODUCTION**

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## 2.0 Introduction

### 2.1 Purpose of the EIR

This Draft Environmental Impact Report (Draft EIR) addresses the environmental effects of the proposed Fontana Foothills Commerce Center (the project or proposed project). The California Environmental Quality Act (CEQA) requires that government agencies consider the environmental consequences of projects over which they have discretionary approval authority.

The City of Fontana (City) is the lead agency under CEQA and has determined that an EIR is required for the proposed project (State Clearinghouse No. 2020040155). An EIR is an informational document that provides both government decision-makers and the public with an analysis of the potential environmental consequences of a proposed project. This Draft EIR has been prepared in accordance with the requirements of CEQA as set forth in Public Resources Code Section 21000 et seq., and the CEQA Guidelines set forth at 14 California Code of Regulations Section 15000 et seq. (CEQA Guidelines).

This EIR addresses the project's environmental effects, in accordance with CEQA Guidelines Section 151161 (Project EIR) and 15168 (Program EIR). As referenced in CEQA Guidelines Section 15121(a), the primary purposes of an EIR are to:

- Inform decision-makers and the public generally of the significant environmental effects of a project;
- Identify possible ways to minimize the significant effects of a project; and
- Describe reasonable alternatives to a project.

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

Where potentially significant impacts are identified, the EIR specifies mitigation measures that are required to be adopted as conditions of approval or may be incorporated into the project to avoid or minimize the significance of impacts resulting from the project. In addition, this EIR is the primary reference document in the formulation and implementation of the project's Mitigation Monitoring and Reporting Program.

The City of Fontana Planning Commission will consider the project and its EIR and will make recommendations to the City Council for the proposed legislative approvals. Prior to rendering its decision on the proposed project, the City Council is required to consider the Final EIR and certify that the document has been completed in compliance with CEQA, that it has reviewed and considered the information in the Final EIR, and that the document

reflects the lead agency's independent judgment and analysis (CEQA Guidelines Section 15090.) After certifying the Final EIR, the project will be considered by the City Council. A decision to approve the project must be accompanied by specific, written findings in accordance with CEQA Guidelines Section 15091 identifying how each significant impact identified in the Final EIR was addressed, and if there are significant impacts that cannot be mitigated to less than significant. If there are significant impacts that cannot be mitigated to less than significant, a specific, written statement of overriding considerations must be prepared, explaining the specific reasons in support of its decision in accordance with CEQA Guidelines Section 15093.

## 2.2 EIR Scope, Issues, and Concerns

### 2.2.1 Initial Evaluation

In April 2020, the City prepared an Initial Study (included in *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters* of this Draft EIR) for the project in compliance with CEQA. The Initial Study is an informational document intended for use by the City to determine whether to prepare an EIR for a proposed project, and assist the lead agency in the preparation of the EIR by focusing the EIR on the effects determined to be significant, identify the effects determined not to be significant, and facilitate environmental assessment early in the design of a project (CEQA Guidelines Section 15063.) The Initial Study concluded that the proposed project would potentially result in significant environmental effects in the issue areas of 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, transportation, tribal cultural resources, and utilities and service systems. Therefore, these subjects were recommended for further evaluation in an EIR.

### 2.2.2 Notice of Preparation of Environmental Impact Report

In accordance with CEQA Guidelines Section 15082, the Notice of Preparation (NOP) was distributed to initiate the City's CEQA review process for the project, identify and seek public input for the project's potential environmental effects, and identify a date for the project's public scoping meeting. The NOP is included in *Appendix A* to this Draft EIR. The NOP was distributed on April 14, 2020, for a 30-day public review period that concluded on May 14, 2020.

Consistent with the Initial Study, the NOP identified the following environmental issues as having a "potentially significant impact" to be addressed in the Draft EIR. The list of potentially significant impacts listed below includes those outlined in the NOP.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Public Services
- Transportation

- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Tribal Cultural Resources
- Utilities and Service Systems

### 2.2.3 Scoping Results

**Table 2.0-1: Scoping Comments Summary** summarizes the primary issues raised in the NOP comment letters and identifies the EIR section where they are addressed. Refer to **Appendix A** for a copy of the NOP comment letters.

**Table 2.0-1: Scoping Comments Summary**

Agency, Organization, or Name	Comments
California Air Resources Board	The California Air Resources Board expressed concern that the project would expose nearby disadvantaged communities to elevated levels of air pollution and could result in cumulative health impacts during construction and operation. The commenter requested that the Draft EIR quantify and discuss potential cancer risks from on-site transportation refrigeration units and assess the health risks associated with construction emissions; refer to <b>Section 4.2, Air Quality</b> , and <b>Appendix B, Air Quality, Health Risk, and Greenhouse Gas Emissions</b> .
South Coast Air Quality Management District	The South Coast Air Quality Management District (SCAQMD) provides information regarding air quality analysis methodology, recommended mitigation measures, alternatives to consider, and permit requirements. SCAQMD also requests all Draft EIR appendices and technical documents related to air quality, health risk, and greenhouse gas analyses and electronic versions of all modeling files; refer to <b>Section 4.2</b> and <b>Appendix B</b> .
San Bernardino County Department of Public Works	The San Bernardino County Department of Public Works provided information related to the Declez Channel and storm drains around the project site and noted that the project is subject to the City of Fontana Master Plan of Drainage. Additionally, the commenter noted that page 45 of the Initial Study did not address stormwater during construction and the requirements of a stormwater pollution prevention plan for the site in accordance with the State General Construction Permit; refer to <b>Section 4.9, Hydrology and Water Quality</b> , and <b>Appendix G, Water Quality Management Plan</b> .

## 2.3 Environmental Review Process

This Draft EIR, with an accompanying Notice of Completion, is being circulated to the State Clearinghouse, trustee agencies, responsible agencies, other government agencies, and interested members of the public for a 45-day review period in accordance with CEQA Guidelines Sections 15087 and 15105. The review period for this Draft EIR will begin the day the document is released for public review and will end 45 calendar days later. During this period, public agencies and members of the public may submit written comments on the analysis and content of the Draft EIR. The City will hold a public meeting on the Draft EIR during the review period identified above. All interested parties are invited to attend the public hearing to provide either verbal or written comments on this Draft EIR. In reviewing a Draft EIR, readers should focus on the sufficiency of the document in identifying and analyzing the

possible impacts on the environment and on ways in which the significant effects of the proposed project might be avoided or mitigated.

Comment letters should be sent to:

Fontana Foothills Commerce Center Project EIR  
Attn: DiTanyon Johnson  
City of Fontana  
8353 Sierra Avenue  
Fontana, CA 92335  
Email: [djohnson@fontana.org](mailto:djohnson@fontana.org)

Following the close of the public comment period, a Final EIR will be prepared and will include responses to all substantive comments related to environmental issues surrounding the proposed project, and any revisions or corrections to the Draft EIR.

## 2.4 Report Organization

The Draft EIR is organized as follows:

- **Section 1.0, Executive Summary.** Summarizes the description and background of the proposed project, addresses the format of this Draft EIR, identifies alternatives to the proposed project, and includes a summary of the potential environmental impacts, any mitigation measures identified for the proposed project, and the level of significance of the impact after mitigation.
- **Section 2.0, Introduction.** Describes the purpose of the Draft EIR, the background of the proposed project, the NOP and scoping process, the use of incorporation by reference, and the Final EIR certification.
- **Section 3.0, Project Description.** Describes the proposed project, the objectives of the proposed project, the proposed project area and location, approvals anticipated to be included as part of the proposed project, the necessary environmental clearances for the proposed project, and the intended uses of the EIR.
- **Section 4.0, Environmental Analysis.** Contains a detailed environmental analysis of the existing (baseline) conditions, potential project impacts, recommended mitigation measures, and possible unavoidable adverse impacts for the following environmental issue areas:
  - Aesthetics (Section 4.1)
  - Air Quality (Section 4.2)
  - Biological Resources (Section 4.3)
  - Cultural Resources (Section 4.4)
  - Energy (Section 4.5)
  - Geology and Soils (Section 4.6)
  - Greenhouse Gas Emissions (Section 4.7)

- Hazards and Hazardous Materials (Section 4.8)
  - Hydrology and Water Quality (Section 4.9)
  - Land Use and Planning (Section 4.10)
  - Noise (Section 4.11)
  - Public Services (Section 4.12)
  - Transportation (Section 4.13)
  - Tribal Cultural Resources (Section 4.14)
  - Utilities and Service Systems (Section 4.15)
- **Section 5.0, Effects Found Not to Be Significant.** Summarizes effects found not to be significant or to be less than significant, or less than significant with mitigation, based on information contained in the Initial Study previously prepared for the proposed project.
  - **Section 6.0, Other CEQA Considerations.** Summarizes the project's significant and unavoidable impacts and significant irreversible environmental changes.
  - **Section 7.0, Growth-Inducing Impacts.** Analyzes the potential environmental consequences of the foreseeable growth and development that could be induced by implementation of the proposed project.
  - **Section 8.0, Alternatives.** Analyzes any alternatives to the proposed project and their potential environmental effects.
  - **Section 9.0, References.** Identifies reference resources utilized during the preparation of the EIR.
  - **Section 10.0, Preparers and Persons Consulted.** Identifies the lead agency, preparers of the EIR, and all Federal, State, and local agencies and other organizations and individuals consulted during the preparation of the EIR.
  - **Appendices.** Contains the project's technical documentation.

## 2.5 Incorporation by Reference

The documents outlined below, which were utilized during preparation of this Draft EIR and are a matter of public record, are hereby incorporated by reference. These documents are available for review on the City's website and by contacting DiTanyon Johnson, Senior Planner, at (909) 308-2806.

**“Fontana Forward” City of Fontana General Plan Update 2015-2035**, November 2018. The City Council comprehensively adopted the City of Fontana General Plan Update 2015-2035 (General Plan) on November 13, 2018. The General Plan is the primary source of long-range planning and policy direction that is used to guide the City's growth, as well as preserve and enhance the community's quality of life.

The General Plan's chapters or "elements" include a 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 General Plan includes these elements, stand-alone or combined, as required by California Government Code Section 65302: land use; circulation; housing; conservation and open space combined; noise and safety combined; and environmental justice as aspects of several other elements. In addition, the General Plan includes optional elements on health, economic development, infrastructure, sustainability and resilience, and a Downtown Area Plan.

The Housing Element of the General Plan requires review and approval by the California Department of Housing and Community Development (HCD). The document must be prepared in accordance with a State-mandated timeline and must contain State-mandated information. As such, Fontana's Housing Element was completed and approved in 2014, prior to the latest General Plan. The Housing Element will be updated again in 2021, as required by HCD.

**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 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's effect on the physical environment as it is now, and the impact on the environment that would exist under the proposed General Plan, including secondary and cumulative effects. The General Plan EIR identified potentially Significant Impacts to biological resources and transportation, but these impacts would be mitigated to less than significant with the identified mitigation measures incorporated. The General Plan EIR determined that cumulatively considerable impacts would not occur.

**City of Fontana Municipal Code**, current through Ordinance No. 1825, adopted March 24, 2020. The City of 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.

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## **3.0 PROJECT DESCRIPTION**

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### 3.0 Project Description

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 Fontana Foothills Commerce Center (the project or proposed project).

The project description is provided in conformance with CEQA Guidelines Section 15124. As required by CEQA Guidelines Section 15124, this section discusses the geographic setting, project location, project setting, current County and City General Plan land use designations and zoning, project objectives, a general description of the project's technical and environmental characteristics, and discretionary actions required to implement the proposed project. This information is the basis for analyzing the proposed project's impacts on the existing physical environment in **Section 4.0** of this EIR.

#### 3.1 Overview

The project applicant, REDA Development, proposes the construction of a warehouse facility on the northeast quadrant of the intersection of Juniper Avenue and Jurupa Avenue (development site). The existing zone of the development site is Residential-Planned Community, and as such requires a change of zone to allow for light industrial development.

Pursuant to Senate Bill (SB) 330, also known as the Housing Crisis Act of 2019, which was signed into law on October 9, 2019, a local agency is prohibited from disapproving, or conditionally approving in a manner that renders infeasible, a housing development project for very low-, low-, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based on a preponderance of the evidence in the record. Further, Government Code Section 66300(b)(1)(A) stipulates that agencies 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.” For purposes of Government Code Section 66300(b)(1)(A), a “less intensive use” includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any changes that would lessen the intensity of potential housing development. Pursuant to SB 330, replacement capacity for any displaced residential units must be provided at the time of project approval. Thus, the project also includes a residential upzone (upzone site) located at the southwest quadrant of Merrill Avenue and Catawba Avenue to replace the displaced dwelling unit potential at the proposed warehouse development site.

The project description, as well as the following environmental analysis, includes a description and analysis of both major project components. Thus, the upzone site, along with the development site, is included in the overall project site and is discussed in the pertinent environmental impact discussions throughout this EIR. However, because the project would not involve any physical construction or improvements to the upzone site, a project-specific environmental analysis would be conducted at the time that such future development is proposed for the upzone site by the respective project applicant.

## 3.2 Project Objectives

A clear statement of project objectives allows the analysis of reasonable alternatives to the project, both on- and off-site, that would feasibly attain most of the basic project objectives while avoiding or substantially lessening the significant effects of the proposed project, which must be analyzed pursuant to CEQA Guidelines Section 15126.6.

The project is intended to meet the following objectives:

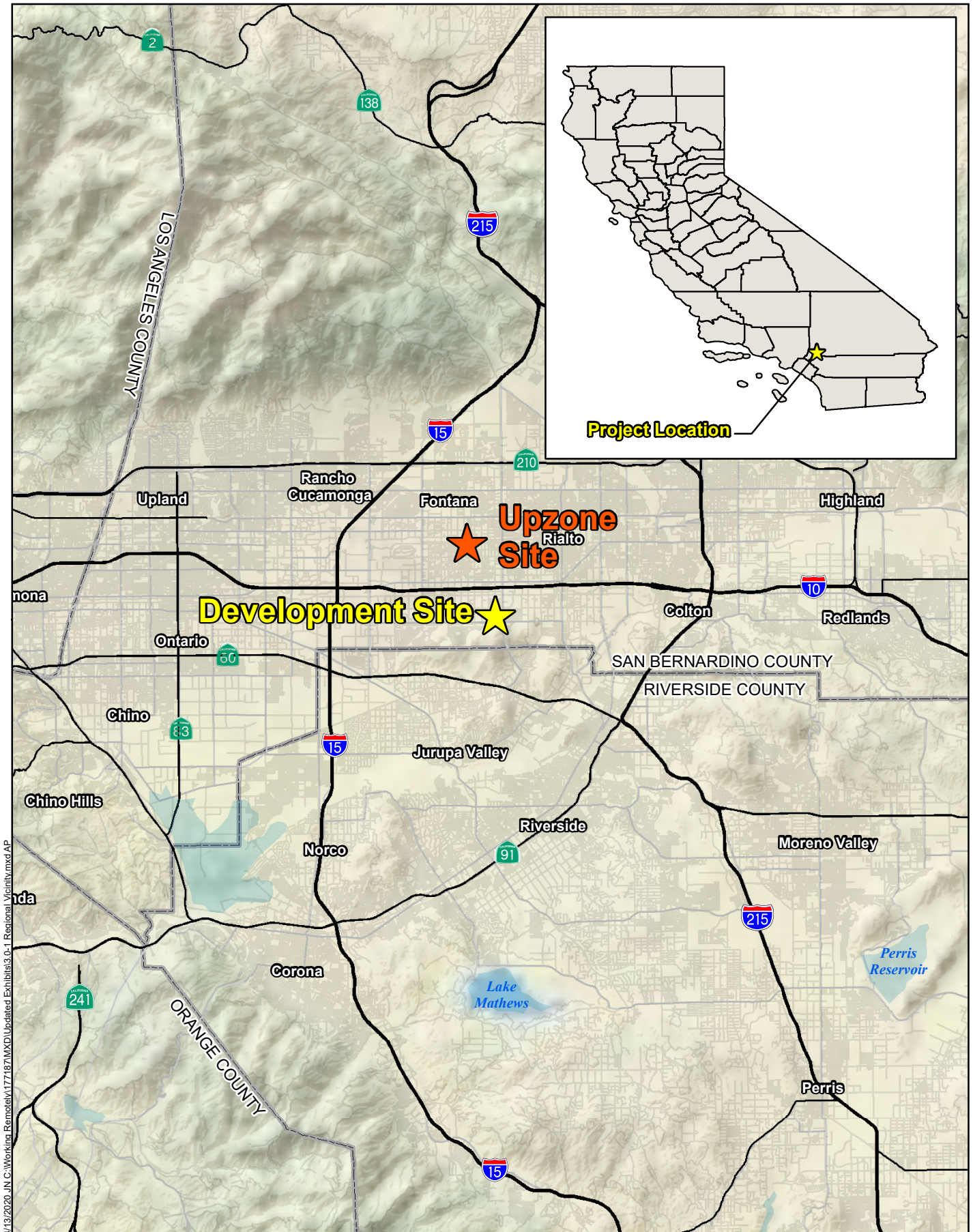
- **Objective 1:** Implement the City of Fontana's desire to attract high-quality industrial businesses by developing a light industrial facility that stimulates employment and that will contribute towards the City's economic development goals.
- **Objective 2:** Entitle a light industrial facility that provides employment for skilled construction and labor trades while improving the local balance of housing and jobs.
- **Objective 3:** Uphold the City of Fontana's goal of revitalizing vacant and underutilized lands that are appropriate for infill development.
- **Objective 4:** Entitle a light industrial use that is adjacent to existing infrastructure and available public services and existing facilities.
- **Objective 5:** Develop a light industrial facility with an architectural design, landscaping, and signage that is consistent with the Southwest Industrial Park Specific Plan.
- **Objective 6:** Preserve the City of Fontana's goal to provide a wide variety of housing sizes and types to meet the needs of residents through all life stages and ranges of affordability that will contribute towards the City's housing goals.

## 3.3 Project Setting and Surrounding Land Uses

### 3.3.1 Project Location

The City is located in the southwestern portion of San Bernardino County, bounded by the San Bernardino National Forest to the north, the city of Rialto and the unincorporated San Bernardino County community of Bloomington to the east, unincorporated Riverside County to the south, and the cities of Rancho Cucamonga and Ontario to the west. Refer to *Exhibit 3.0-1: Regional Vicinity*.

As noted previously, the project site consists of two distinct components. The first component is the development site, which is located on approximately 33.55 acres located in the northeast quadrant of the intersection of Juniper Avenue and Jurupa Avenue. The second component of the project is the upzone site, which is located on approximately 13.76 acres in the southwest quadrant of Merrill Avenue and Catawba Avenue. Refer to *Exhibit 3.0-2: Project Vicinity*.

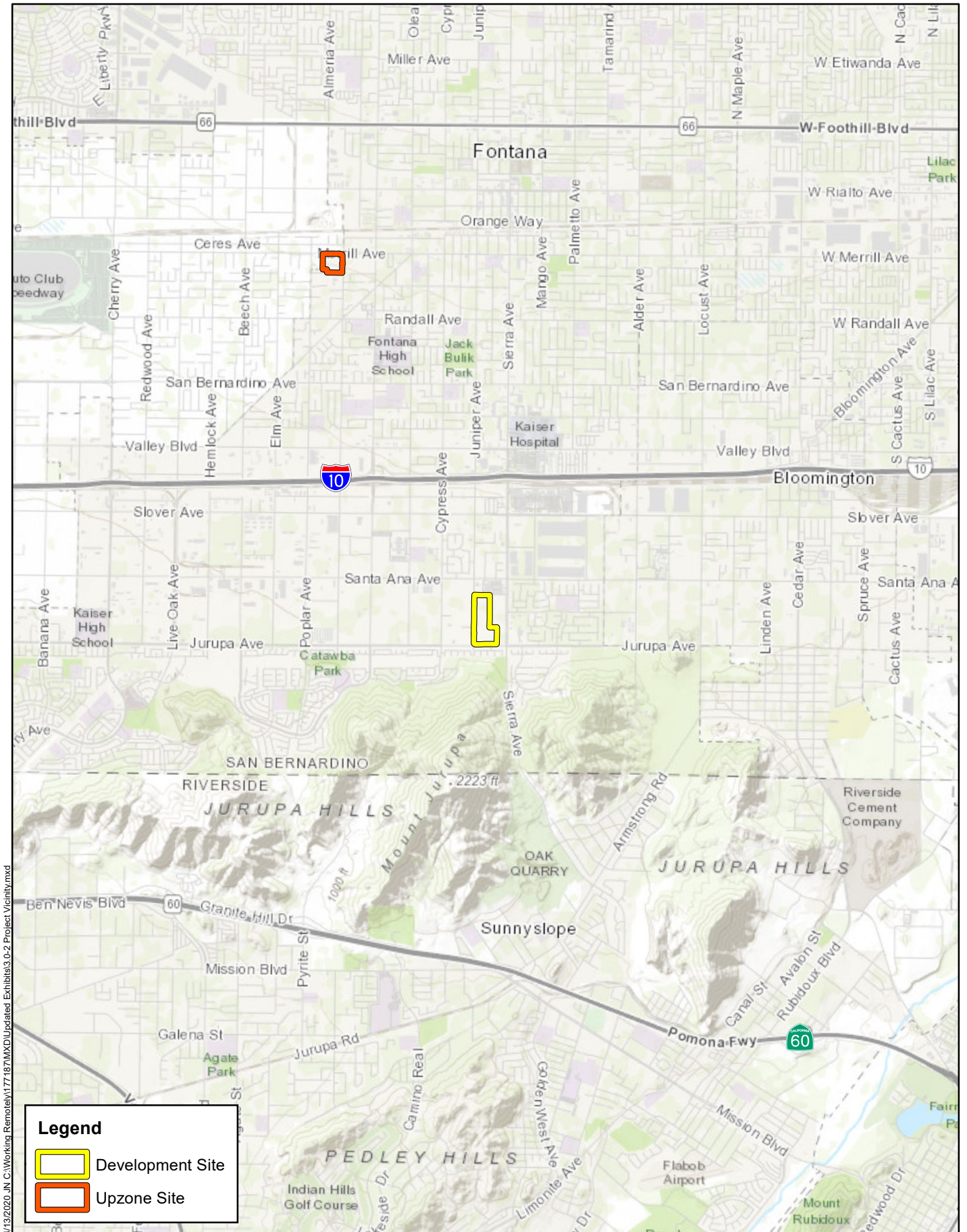


FONTANA FOOTHILLS COMMERCE CENTER  
ENVIRONMENTAL IMPACT REPORT (EIR)

## Regional Vicinity



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FOOTHILL COMMERCE CENTER PROJECT  
ENVIRONMENTAL IMPACT REPORT (EIR)  
**Project Vicinity**

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The development site consists of 12 contiguous parcels (Assessor's Parcel Numbers [APN] 025510111, 025510112, 025510114, 025510120, 025510121, 025511122, 025511116, 025511117, 025511118, 025511119, 025511121, and 025511125), as depicted on *Exhibit 3.0-3: Development Site* and *Table 3.0-1: Development Site Parcel Numbers with Zoning and Land Use*.

**Table 3.0-1: Development Site Parcel Numbers with Zoning and Land Use**

APN	Acreage	Address	Zone	Land Use	Existing Use on Parcel
025510114	4.80	11011 Juniper Avenue	R-PC (Residential Planned Community)	R-PC (Residential Planned Community)	Residential structure (occupied), several outbuildings, and a storage yard
025510121	3.75	11055 Juniper Avenue	R-PC	R-PC	Residential structure (unoccupied), outbuildings, and a large yard
025510120	1.00	11097 Juniper Avenue	R-PC	R-PC	Residential structure (occupied) and outbuildings
025510112	4.80	11145 Juniper Avenue	R-PC	R-PC	Residential structure (occupied) and outbuildings, and a large undeveloped lot
025510111	4.78	11193 Juniper Avenue	R-PC	R-PC	Residential structure (occupied), outbuildings, and a large undeveloped lot (partially landscaped)
025511122	1.20	11219 Juniper Avenue	R-PC	R-PC	Residential structure (occupied) and a large yard
025511121	0.98	11229 Juniper Avenue	R-PC	R-PC	Residential structure (occupied) and a storage yard
025511116	0.99	11259 Juniper Avenue	R-PC	R-PC	Residential structure (occupied) and paving company (Mendoza Paving), offices, covered maintenance and storage areas, and a yard used to park heavy equipment/trucks
025511117	0.87	16716 Jurupa Avenue	R-PC	R-PC	Residential structure (occupied) and vacant land
025511118	2.88	16756 Jurupa Avenue	R-PC	R-PC	Residential structure (occupied) and large vacant land
025511119	2.87	16756 Jurupa Avenue	R-PC	R-PC	Residential structure (occupied) and former horse stable structures (north portion used by adjoining nursery)
025511125	4.63	16820 Jurupa Avenue	Form Based Code	Walkable Mixed Use 1	Residential structure (occupied) and a commercial nursery (Delta Nursery), storage buildings, greenhouses, outbuildings, and open grounds

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The upzone site consists of 19 contiguous parcels (APNs 023312208, 023312211, 023312212, 023312213, 023312214, 023312216, 023312217, 023312218, 023312219, 023312220, 023312221, 023312222, 023312223, 023312224, 023312283, 023312284, 023312270, 023312271, and 023312265), as depicted on *Exhibit 3.0-4: Upzone Site* and *Table 3.0-2: Upzone Site Parcel Numbers with Zoning and Land Use*.

**Table 3.0-2: Upzone Site Parcel Numbers with Zoning and Land Use**

APN	Acreage	Address	Zone	Land Use	Existing Use on Parcel
023312208	2.43	15795 Merrill Ave, Fontana, CA 92335	R-1	Single-Family Residential	Two residential structures, vacant land behind.
023312211	1.40	n/a	R-1	Single-Family Residential	Vacant.
023312212	1.72	n/a	R-1	Single-Family Residential	Vacant.
023312213	0.43	15837 Merrill Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312214	0.31	15855 Merrill Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312216	0.24	15893 Merrill Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312217	1.10	8946 Catawba Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure, paved area, outbuildings.
023312218	0.52	8946 Catawba Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312219	0.66	8962 Catawba Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312220	0.24	8972 Catawba Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312221	0.22	8972 Catawba Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312222	0.72	n/a	R-1	Single-Family Residential	Vacant.

APN	Acreage	Address	Zone	Land Use	Existing Use on Parcel
023312223	1.20	9010 Catawba Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure with vacant land behind.
023312224	0.75	9014 Catawba Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312283	0.53	n/a	R-1	Single-Family Residential	Vacant.
023312284	0.54	15807 Merrill Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312270	0.22	15855 Merrill Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312271	0.22	5879 Merrill Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.
023312265	0.31	15879 Merrill Ave, Fontana, CA 92335	R-1	Single-Family Residential	Residential structure.

### 3.3.2 Existing Conditions

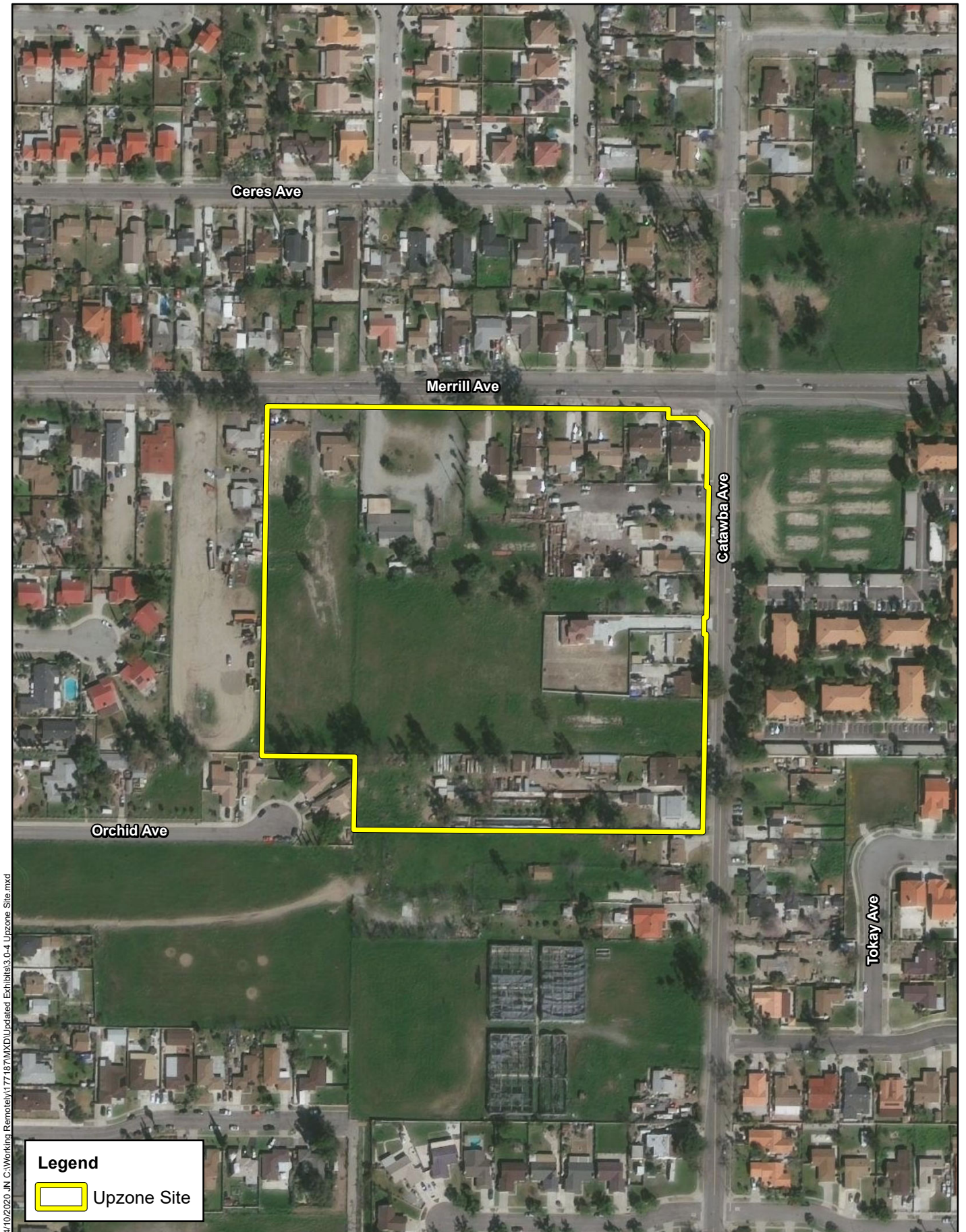
#### **Development Site**

As depicted on *Exhibit 3.0-3*, the development site is currently developed with a mix of commercial and residential land uses and vacant land. Twelve residential structures (11 of which are occupied and one of which is unoccupied), out buildings, gravel parking areas, equestrian areas, corrals, vacant fields, irrigated pastures, nurseries, cultivated lawns, and agricultural uses occur throughout the site. Extensive debris dumping is evident throughout the site. The development site is surrounded by commercial and public facilities to the north; single-family residential and vacant land to the east; single-family residential and a park/open space uses to the south; and single-family residential uses, a church, vacant land, and the proposed three-building industrial park containing 1,118,460 square feet of building area known as Goodman Logistics Center Fontana III to the west.

#### **Upzone Site**

As depicted on *Exhibit 3.0-4*, the upzone site is currently developed with residential land uses including out buildings, parking areas, and vacant land. Sixteen residential structures, and associated ancillary structures, occur throughout the site, twelve of which were constructed prior to 1950. The upzone site is surrounded by single-family residential uses to the north, vacant land, multi-family residential, and single-family residential uses to the east, single-family residential uses to the south, and large lot single-family residential uses to the west.





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**Legend**

Upzone Site

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### **3.3.3 Land Use**

#### ***Development Site - Existing Land Use***

Based on the City of Fontana General Plan Update 2015-2035 (General Plan), 28.92 acres of the development site is designated Residential – Planned Community (R-PC). However, the southeastern 4.63 acres of the development site is designated Walkable Mixed-Use Downtown and Corridors (WMXU-1); refer to ***Exhibit 3.0-5: General Plan Land Use Designations - Development Site***. Areas to the north, south, and west of the development site are designated R-PC and areas to the east are designated WMXU-1.

The General Plan specifies that the R-PC designation has a residential density of up to 3 dwelling units (du) per acre. This land use category is used for master-planned communities with specific plans and requires a minimum of 145 acres or minimum 10,000-square-foot (SF) lots. The General Plan explains that because most vacant development sites of that size have already been developed, additional residential specific plans are not anticipated. R-PC will continue as a “legacy” land use category linked to the zoning and density approved.

The General Plan WMXU-1 land use designation allows for medium- to high-density residential uses, retail and services, office, entertainment, education and civic uses, with a maximum 2.0 floor area ratio.

#### ***Development Site - Proposed Land Use***

The project proposes a General Plan Amendment to designate the development site as General Industrial (I-G). The General Plan I-G land use designation provides for uses such as manufacturing, warehousing, fabrication, assembly, processing, trucking, equipment, automobile and truck sales and services. Refer to ***Exhibit 3.0-5***.

#### ***Upzone Site - Existing Land Use***

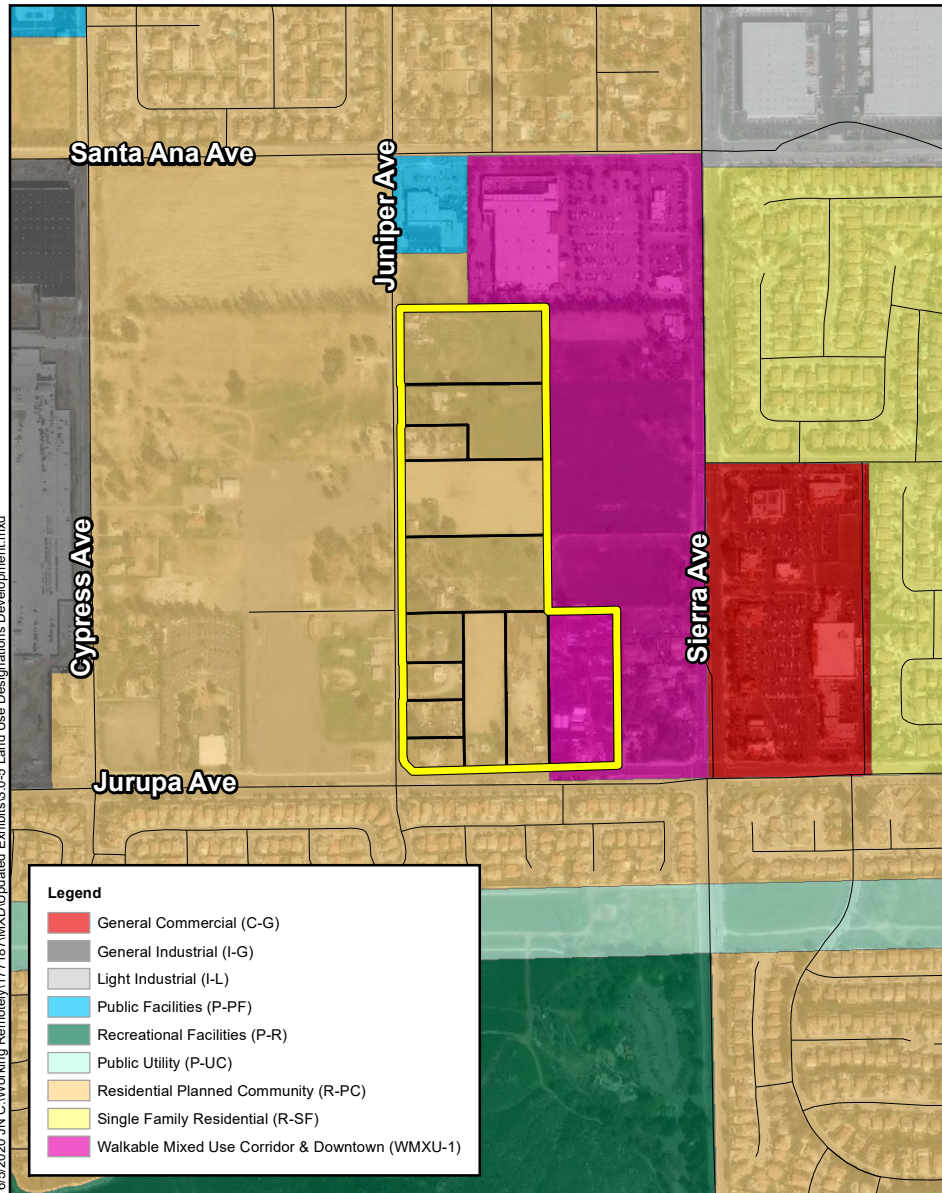
Based on the General Plan, the upzone site is designated Single Family Residential (R-SF), which generally allows for detached, single-family housing at 2.1 to 5 du per acre. Areas to the north, west, and south of the upzone site are designated R-SF, while areas to the east are designated Multifamily Residential (R-MF); refer to ***Exhibit 3.0-6: General Plan Land Use Designations - Upzone Site***.

#### ***Upzone Site - Proposed Land Use***

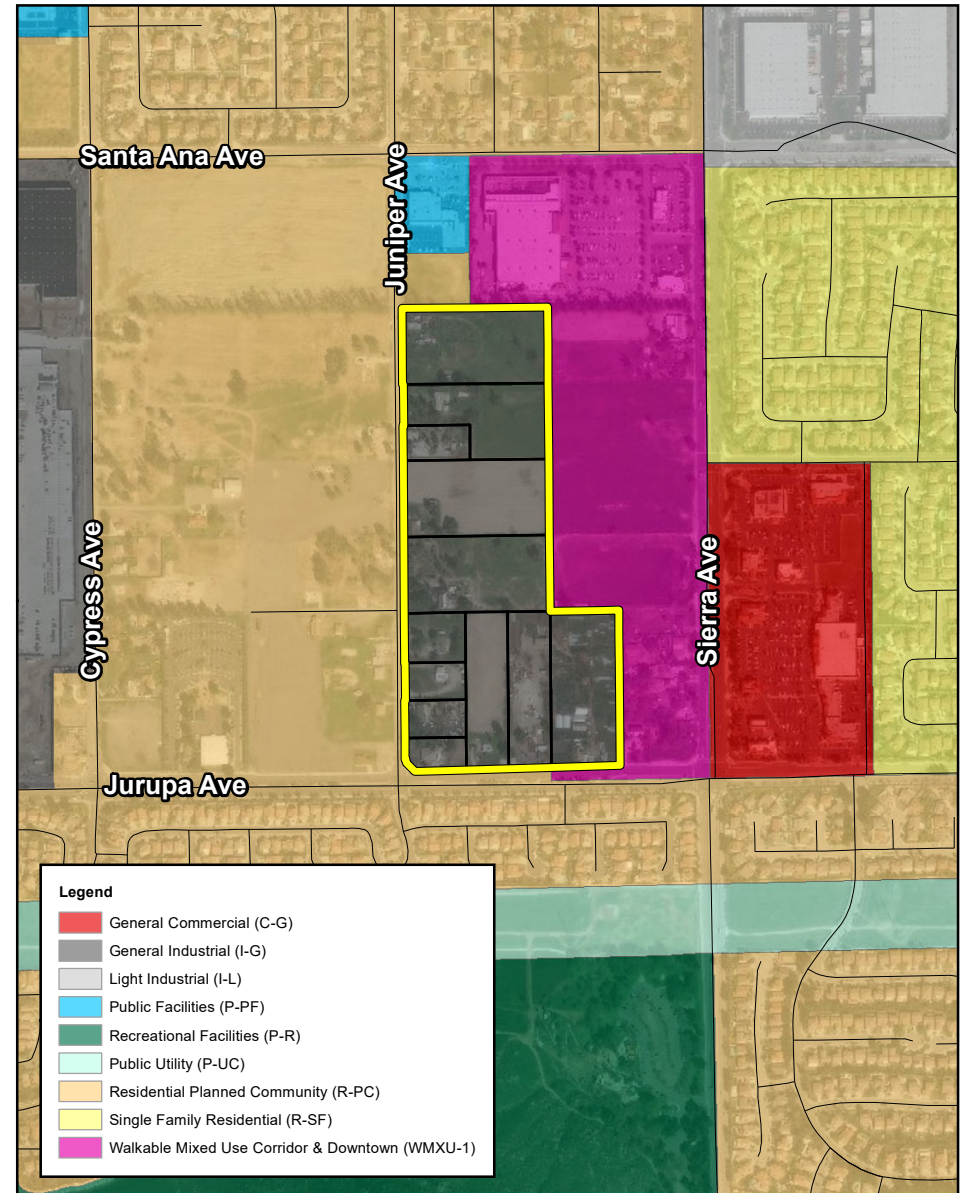
As part of the project, the upzone site would have a new land use designation of Medium Density Residential. (R-M). The General Plan R-M land use designation accommodates single-family detached housing up to 7.6 dwelling units per acre and single-family attached or multi-family housing up to 12 dwelling units per acre. Refer to ***Exhibit 3.0-6***.

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## Existing Land Use



## Proposed Land Use



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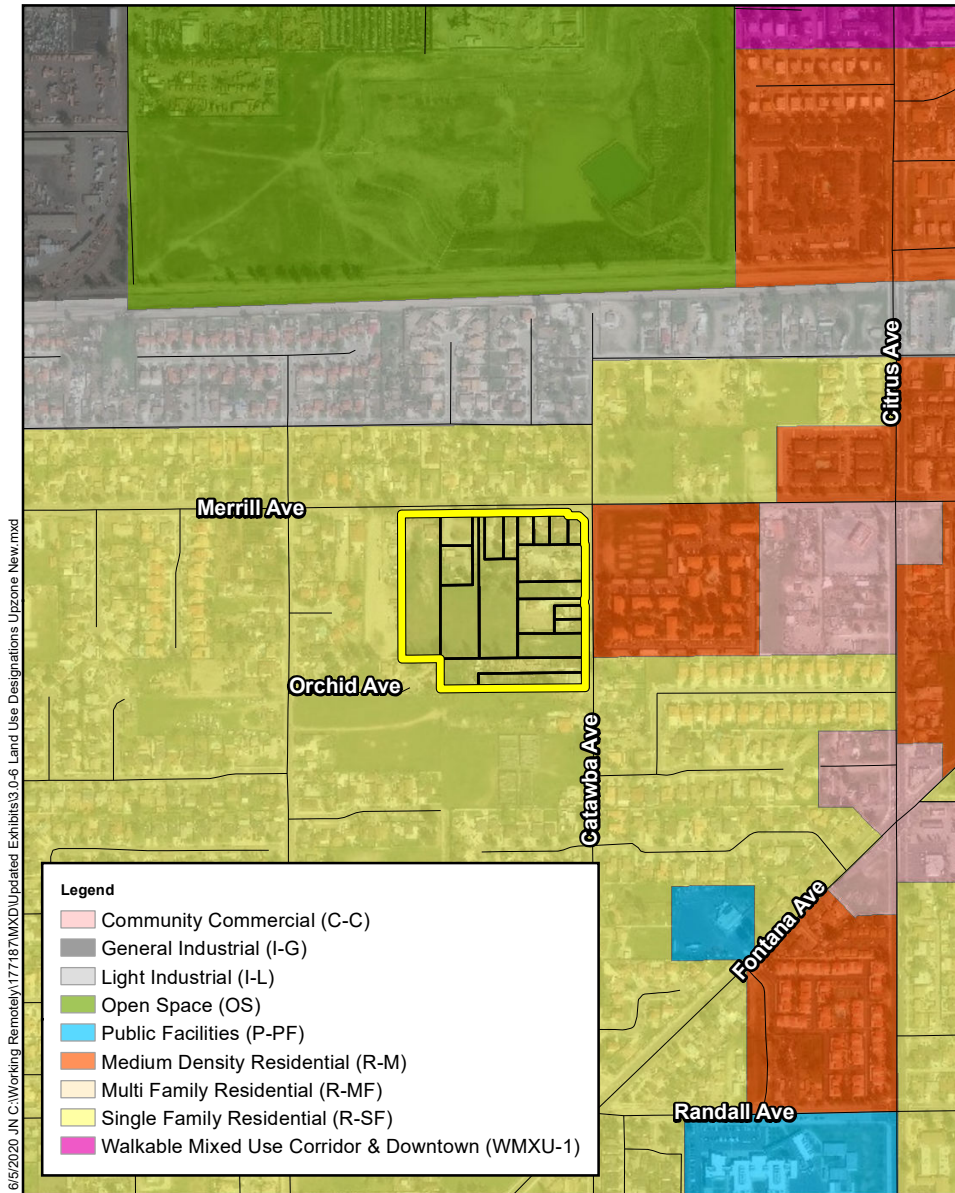
## General Plan Land Use Designations – Development Site



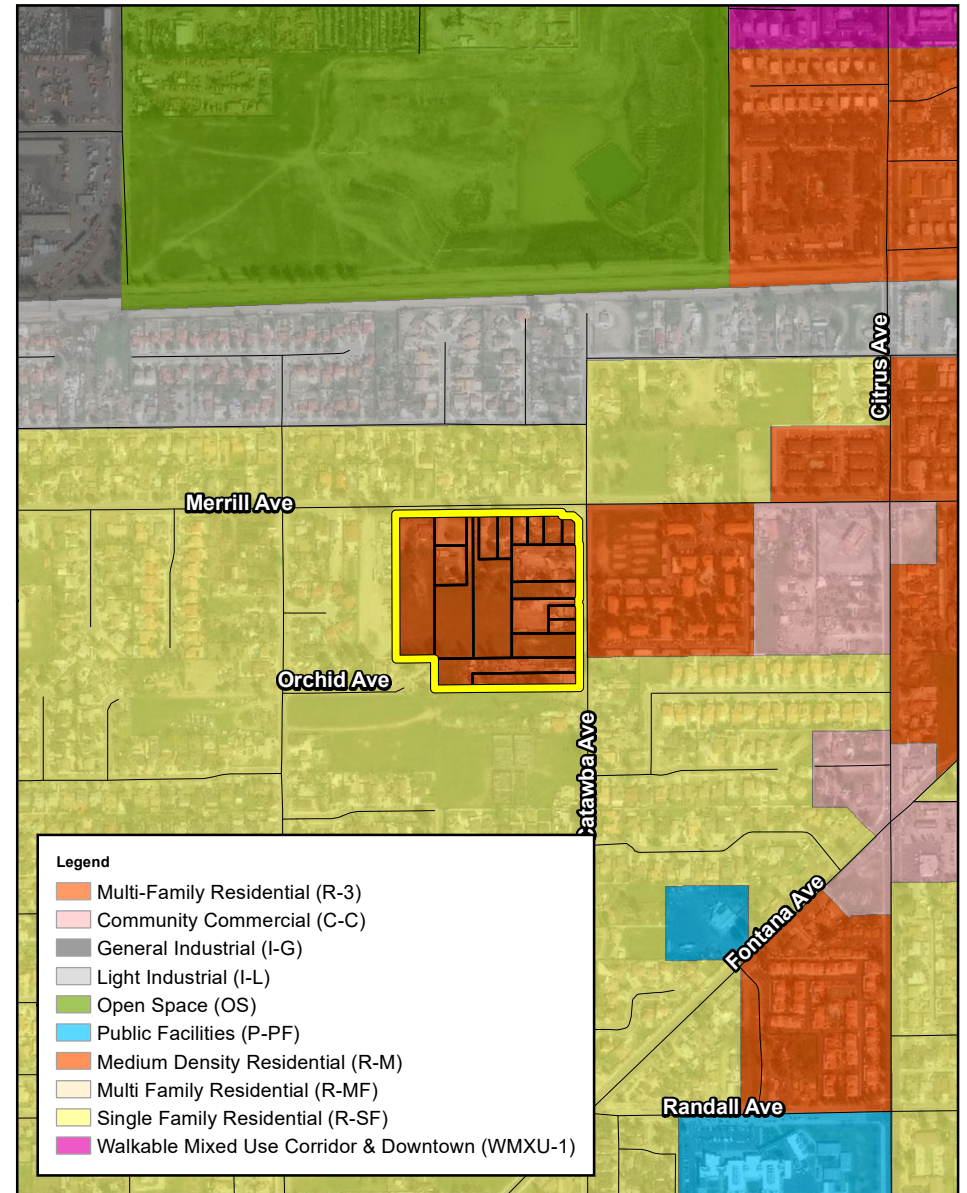
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## Existing Land Use



## Proposed Land Use



FONTANA FOOTHILLS COMMERCE CENTER  
ENVIRONMENTAL IMPACT REPORT (EIR)

## General Plan Land Use Designations – Upzone Site



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**Table 3.0-3: Existing Land Use Designations**

Location	Land Use
<b>Development Site</b>	Residential Planned Community and Walkable Mixed Use 1
North	Residential Planned Community and Walkable Mixed Use 1
South	Residential Planned Community
East	Walkable Mixed Use 1
West	Residential Planned Community
<b>Upzone Site</b>	Single Family Residential
North	Single Family Residential
South	Single Family Residential
East	Medium-Density Residential
West	Single Family Residential

### 3.3.4 Zoning

**Table 3.0-4: Existing Zoning** provides an overview of the existing on-site and surrounding zoning for the development site and upzone site.

#### **Development Site - Existing Zoning**

The development site is currently zoned Residential – Planned Community (R-PC) and Form Based Code (FBC); refer to **Exhibit 3.0-7: Zoning - Development Site**. Areas to the north and west of the development site are zoned R-PC, while areas to the east are zoned FBC and areas to the south are zoned Southridge Village Specific Plan.

#### **Development Site – Proposed Zoning**

The project proposes annexation of the development site into the Southwest Industrial Park (SWIP) Specific Plan. The SWIP Specific Plan comprises nine land use districts covering approximately 3,110 acres of industrial, manufacturing, office, commercial, research and development, and flex-tech development. Most industrial activity within the SWIP Specific Plan is oriented toward the transportation industry, such as trucking facilities, warehousing/distribution centers, automobile, and/or truck storage lots.

The development site is to be incorporated into the “Slover East Industrial District” (District) of the SWIP. This District is intended to provide opportunities for light and heavy manufacturing activities that are supported by trucking routes and the existing rail spur. In addition, this District intended to promote the continued use and expansion of existing industrial, distribution and logistics-based warehousing developments, and strategically located service commercial facilities. Warehousing facilities are permitted by right in this District.<sup>1</sup> Refer to **Exhibit 3.0-7**.

<sup>1</sup> City of Fontana, Southwest Industrial Park Specific Plan, Chapter 10: Slover East Industrial District, 2012.

### **Upzone Site - Existing Zoning**

The upzone site is currently zoned Single-Family Residential (R-1); refer to ***Exhibit 3.0-8: Zoning - Upzone Site***. Areas to the north, west, and south of the upzone site are also zoned R-1, while areas to the east are zoned Medium Density Residential (R-2).

### **Upzone Site - Proposed Zoning**

The project proposes for the upzone site to be rezoned as Medium Density Residential (R-2). Applying the R-2 designation to the upzone site would accommodate the future development of 165 dwelling units. Refer to ***Exhibit 3.0-8***.

**Table 3.0-4: Existing Zoning**

Location	Zoning
Development Site	Residential Planned Community and Form Based Code
North	Residential Planned Community
South	Southridge Village Specific Plan
East	Form Based Code
West	Residential Planned Community
Upzone Site	Single Family Residential (R-1)
North	Single Family Residential (R-1)
South	Single Family Residential (R-1)
East	Medium Density Residential (R-2)
West	Single Family Residential (R-1)

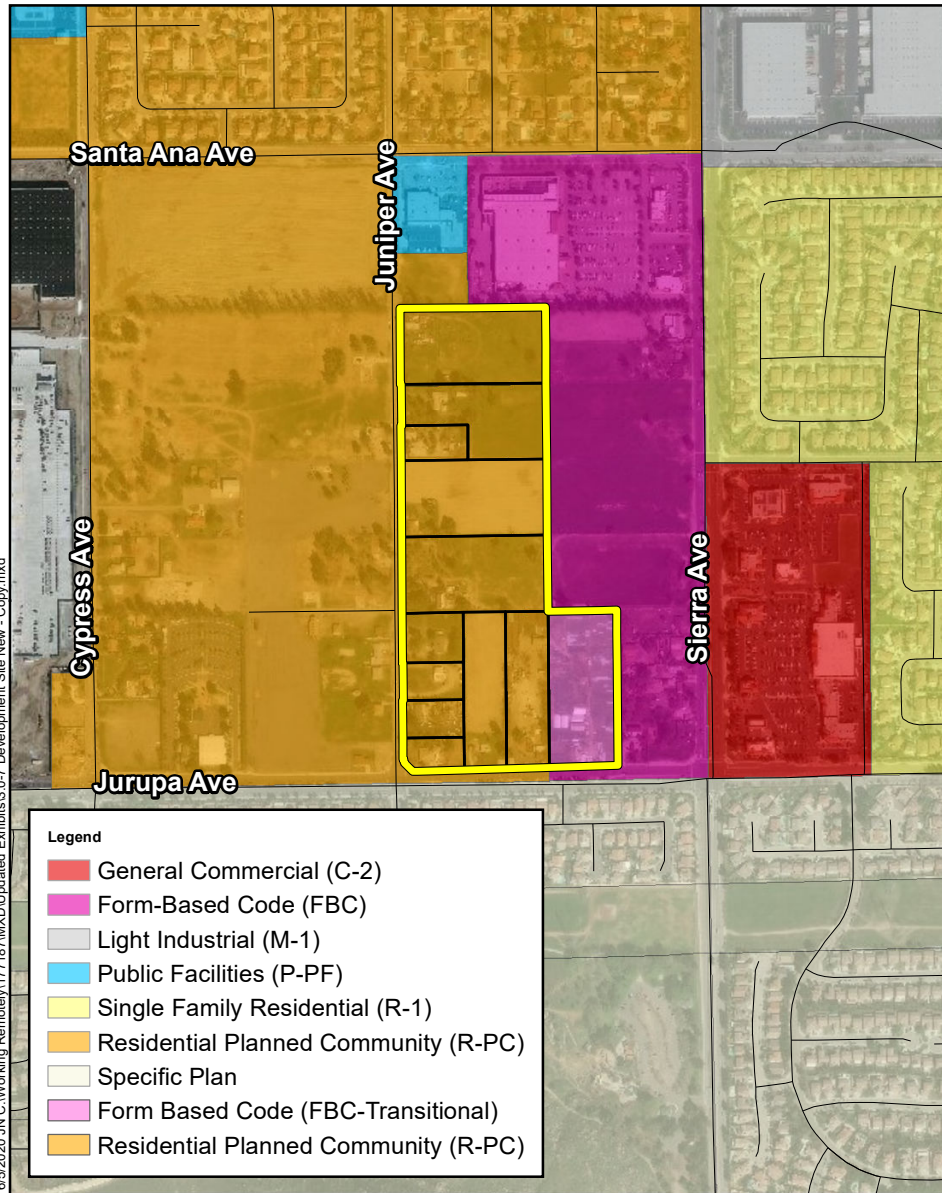
## **3.4 Proposed Project**

### **3.4.1 Development Site**

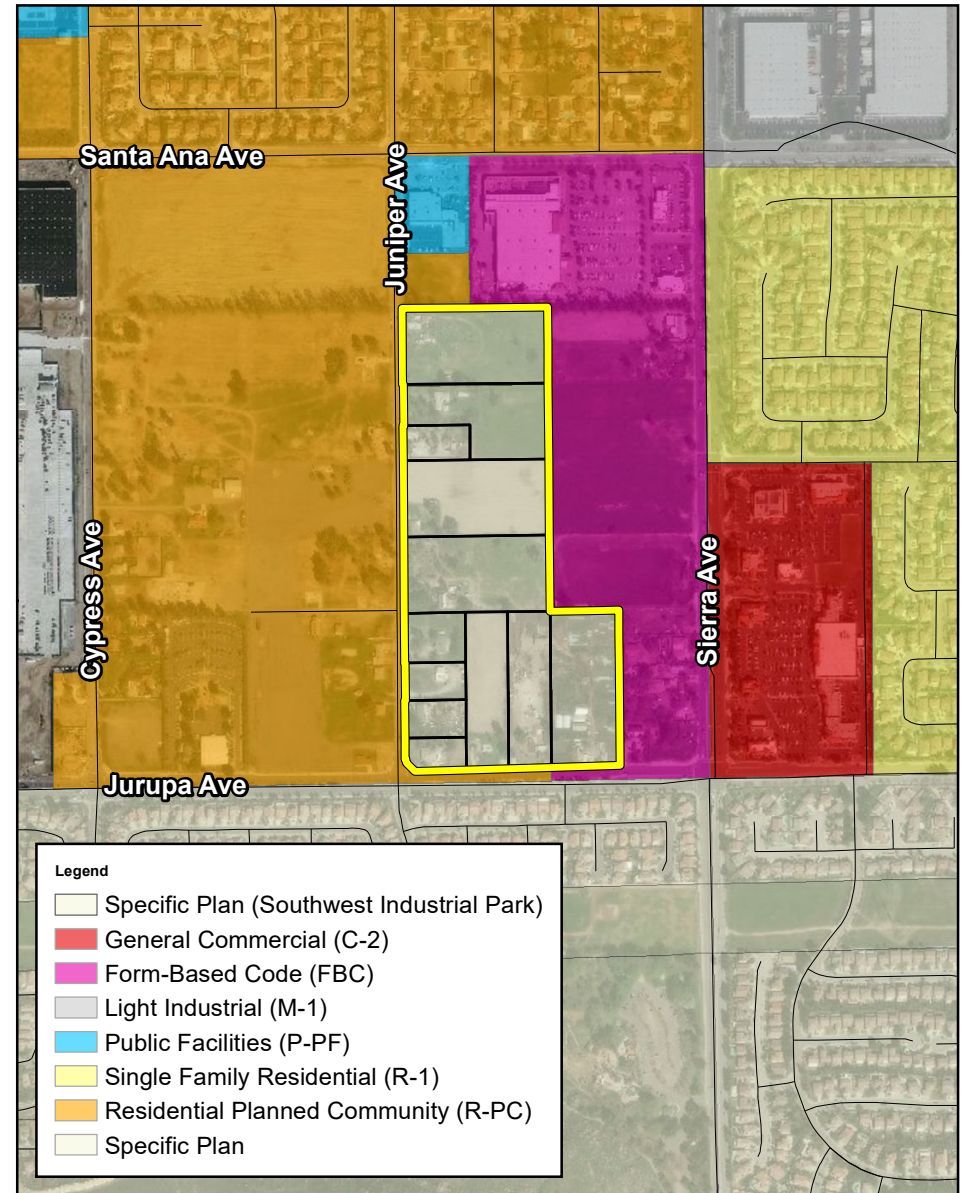
The project proposes the development of a 754,408 SF warehouse facility consisting of two warehouse and distribution buildings (Building 1 and Building 2). Refer to ***Exhibit 3.0-9: Conceptual Site Plan***. Buildings 1 and 2 would include approximately 18,000 SF of office uses to support warehousing and distribution uses, with associated surface parking, landscaping, and truck loading docks for loading/unloading equipment and supplies. The area of Building 1 would be 432,569 SF with 57 dock doors and the area of Building 2 would be 321,839 SF with 45 dock doors. The project would have a maximum building height of 60 feet. The exterior building colors would include shades of gray with white and orange accents, while the project's exterior building materials would include painted concrete tilt-up panels, glass with blue reflective glazing and clear anodized mullions, and painted metal awnings. Other associated facilities and improvements would include a guard booth, landscaping, security gates, lighting, perimeter fencing/walls, and drainage facilities. Project characteristics are described in further detail below.



## Existing Zoning



## Proposed Zoning



FONTANA FOOTHILLS COMMERCE CENTER  
ENVIRONMENTAL IMPACT REPORT (EIR)

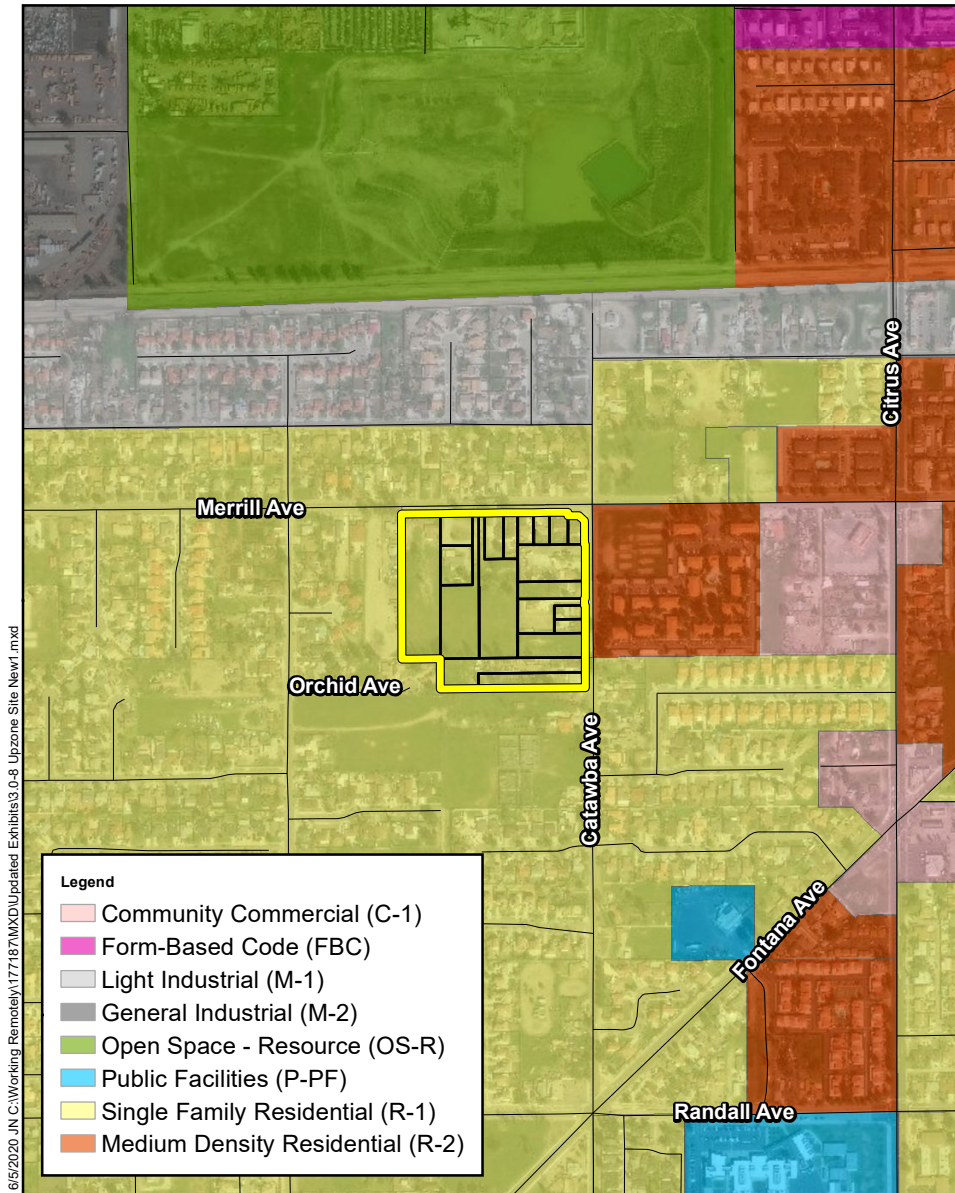
## Zoning – Development Site



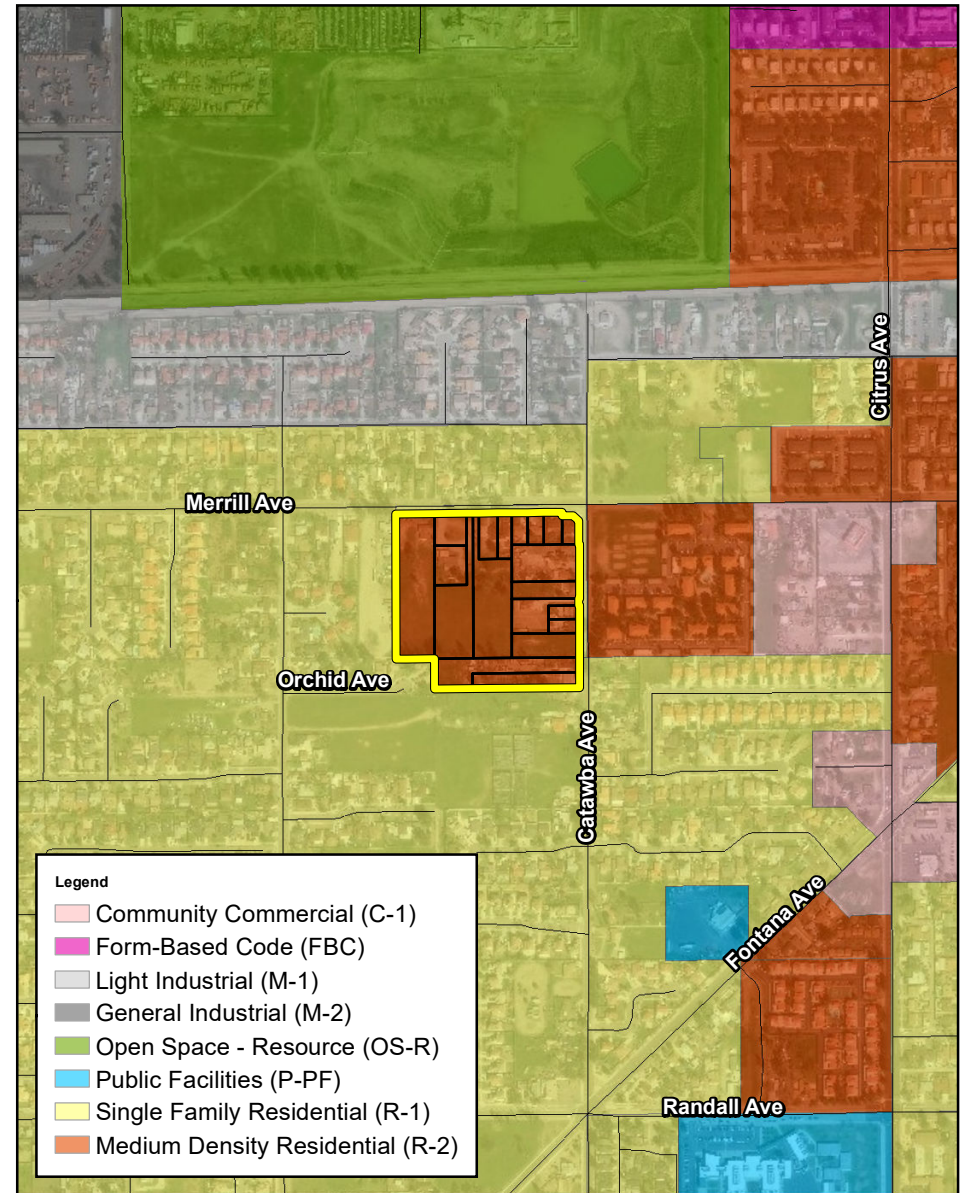
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## Existing Zoning



## Proposed Zoning

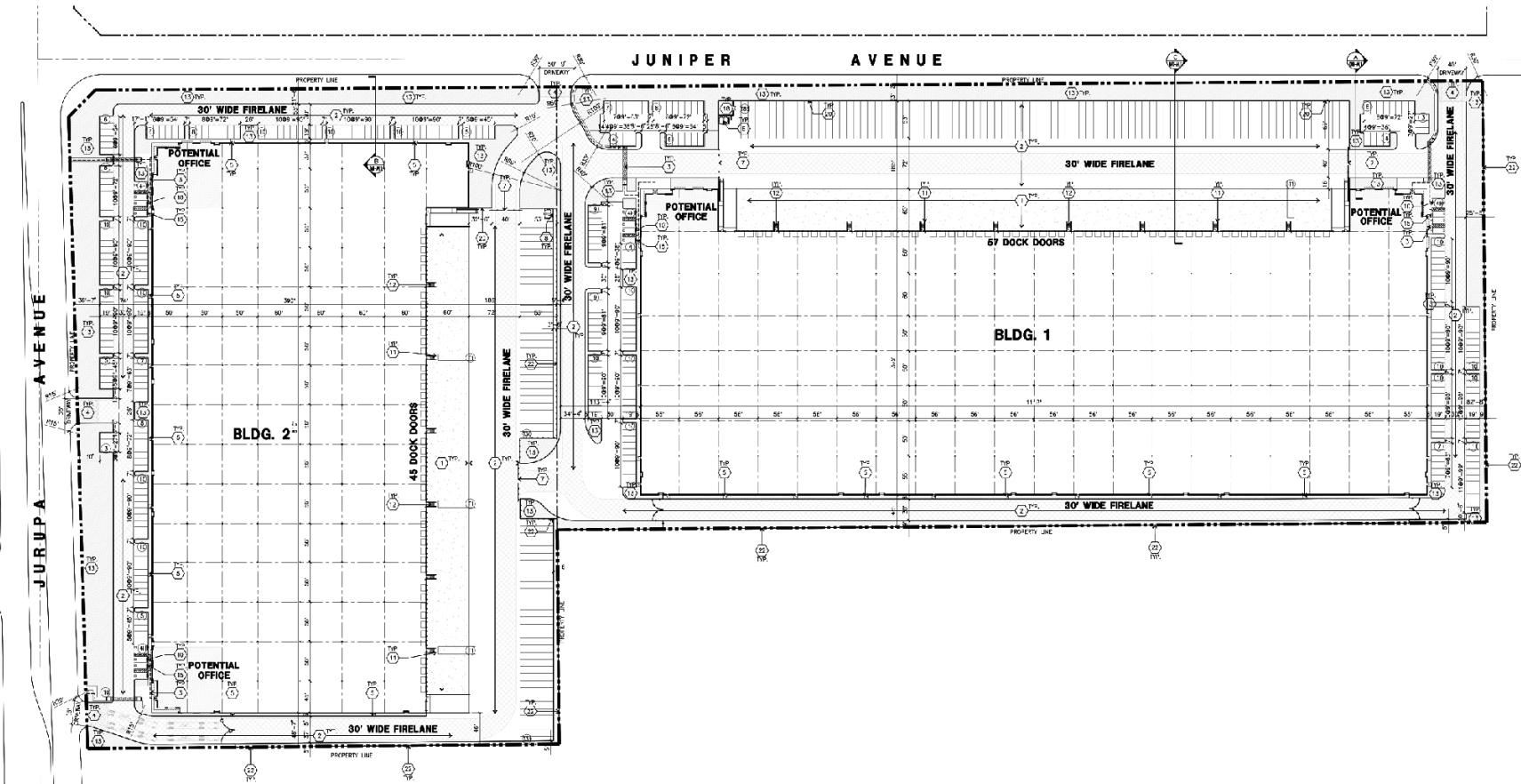


FONTANA FOOTHILLS COMMERCE CENTER  
ENVIRONMENTAL IMPACT REPORT (EIR)

## Zoning – Upzone Site



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FONTANA FOOTHILLS COMMERCE CENTER  
ENVIRONMENTAL IMPACT REPORT (EIR)  
**Conceptual Site Plan**

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### ***Development Site Landscaping***

As depicted on *Exhibit 3.0-10: Conceptual Landscape Plan*, ornamental landscaping would be planted throughout the development site and would encompass approximately 15 percent of the development site (not including building area). Planting materials would include a mix of trees, shrubs, accents, and groundcover. Specifically, proposed trees would include western redbud, chitalpa, Italian cypress, Canary Island pine, Afghan pine, European olive, California sycamore, African sumac, and Brisbane box. Shrubs would include dwarf bottlebrush, pineapple guava, toyon, California rush, Texas ranger, Texas privet, Mexican feather grass, Oriental fountain grass, compact California coffeeberry, Bee's bliss sage, Autumn sage, feathery cassia, and coast rosemary. Proposed accents include blue glow agave, coral aloe, octopus agave, desert spoon, red yucca, and variegated Caribbean agave. Groundcover would include low boy trailing acacia, myoporum, Hall's honeysuckle, pink rock rose, blue chalksticks, and Huntington carpet rosemary. The development site will be maintained with automatic irrigation system for its entire landscaped areas.

### ***Development Site Access and Circulation***

A total of four driveways would provide access the development site (referred to as "Driveways 1 through 4"); refer to *Exhibit 3.0-9*. Two driveways are proposed on Juniper Avenue and two driveways are proposed on Jurupa Avenue. Main truck access would be available on Juniper Avenue, with a secondary access on Jurupa Avenue. The driveways on Jurupa Avenue would be restricted to right in/right out access only. To accommodate the ingress and egress of heavy trucks, the following curb radius and driveway improvements would be implemented as conditions approval prior to project occupancy:

- *Driveway 1 on Juniper Avenue*. Driveway 1 would be modified to provide a 50-foot curb radius on the southeast corner;
- *Driveway 2 on Juniper Avenue*. Driveway 2 would be modified to provide a 45-foot curb radius on the southeast corner; and
- *Driveway 4 on Jurupa Avenue*. Driveway 4 would be modified internally and the driveway would be widened by 20 feet to the west in conjunction with a 45-foot curb radius on the northwest corner and 30-foot curb radius on the northeast corner in order to accommodate concurrent ingress and egress truck turns.

Driveway 3 would not be required to be modified for truck access as it will serve passenger vehicles only. Access to the loading areas would be restricted through either automatic or manually operated gates.

### ***Development Site Parking***

A total of 337 passenger vehicle parking spaces would be provided for employees and visitors in surface parking lots generally located around the building perimeters; refer to *Exhibit 3.0-9*. In addition, 152 trailer parking spaces would also be provided.

### ***Development Site Utilities***

Existing utility connections are available on or adjacent to the development site. The utility purveyors are as follows:

- Electricity – Southern California Edison
- Water – Fontana Water Company
- Sewer – City of Fontana/Inland Empire Utility Agency
- Storm Drain – City of Fontana
- Cable – Charter Communications
- Telephone – AT&T
- Natural Gas – Southern California Gas Company

Two underground infiltration systems (one for each building) are proposed for water quality and storm drainage; refer to ***Exhibit 3.0-11: Preliminary Water Quality Management Plan***. Storm water drainage will flow through site and will be intercepted by inlets located at low points on-site. All drainage collected from the inlets will be routed to the two underground storage chambers (BMPs). BMP-1 will be located between Buildings 1 and 2 and have a volume of 58,114 cubic feet (cf). BMP-2 will be located between Juniper Avenue and Building 1 and have a volume of 79,798 cf. All impervious areas will be directed to the BMPs, which will provide volume storage and infiltration at the bottom of each chamber. New on-site water and sewer lines would connect to existing water and sewer lines in Jurupa Avenue and Juniper Avenue.

#### ***Development Site Construction Methods and Schedule***

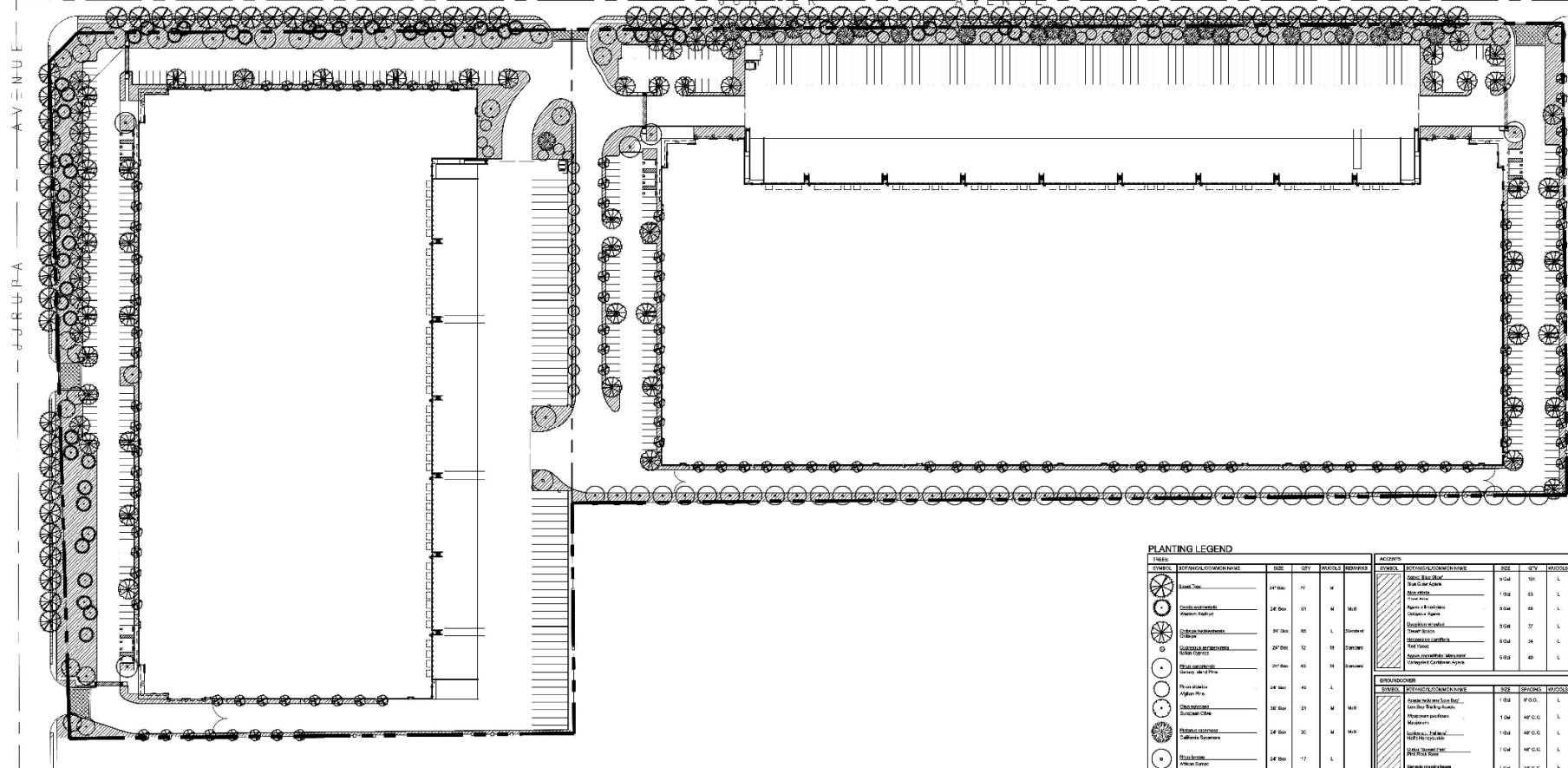
It is anticipated that the project would be constructed in a single phase over a duration of approximately 12 months, anticipated to begin June 2021 and last through June 2022. Construction equipment is expected to include excavators, rubber-tired dozers, crawler tractors, graders, scrapers, cranes, forklifts, pavers and rollers. The project's earthwork activities are expected to be balanced and no import or export of soils would be required. Construction activities could actively disturb approximately 1.0 acre per day during demolition, 3.5 acres per day during site preparation, and 4.0 acres per day for grading activities.

The development site is currently occupied by a mix of vacant land as well as existing structures with asphalt/concrete; the total material to be demolished is approximately 16,136 SF. At the end of construction, approximately 51.5 percent of the development site (754,408 SF) will be covered by warehouse facilities, and 37.8 percent (132,592 SF) of the development site will be permeable, landscaped surfaces. The remaining 577,544 SF of the development site will be covered by parking stalls, driveways, and fire lanes. In total, the increase in impermeable surfaces on the development site is expected to be 1,315,816 SF.



'DEVELOPMENT BY OTHERS'

JUNIPER AVENUE



## PLANTING LEGEND

SYMBOL	SPACING/CONTAINER SIZE	QTY	ANNUAL	PERMANENT
	14" DIA.	77	M	
	24" DIA.	61	M	
	24" DIA.	85	L	
	24" DIA.	12	M	
	24" DIA.	43	M	
	14" DIA.	41	L	
	24" DIA.	21	M	
	24" DIA.	30	M	
	24" DIA.	17	L	
	10" DIA.	118	M	

SYMBOL	SPACING/CONTAINER SIZE	QTY	ANNUAL	PERMANENT
	14" DIA.	100	L	
	14" DIA.	60	M	
	14" DIA.	250	L	
	14" DIA.	104	L	
	14" DIA.	204	L	
	14" DIA.	204	L	
	14" DIA.	204	L	
	14" DIA.	204	L	
	14" DIA.	204	L	
	14" DIA.	204	L	

SYMBOL	SPACING/CONTAINER SIZE	QTY	ANNUAL	PERMANENT
	14" DIA.	100	L	
	14" DIA.	60	M	
	14" DIA.	250	L	
	14" DIA.	104	L	
	14" DIA.	204	L	
	14" DIA.	204	L	
	14" DIA.	204	L	
	14" DIA.	204	L	
	14" DIA.	204	L	
	14" DIA.	204	L	

NOTES: 1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF FONTANA'S LANDSCAPE DESIGN STANDARDS. 2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF FONTANA'S LANDSCAPE DESIGN STANDARDS. 3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF FONTANA'S LANDSCAPE DESIGN STANDARDS.

SCALE: 1" = 60'-0"

0 30' 60' 120'

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### **Development Site Operations**

Tenants for the proposed project have not been identified for the two warehouse and distribution buildings and are considered speculative at the time of this writing. Operations are assumed to involve passenger vehicle and truck traffic to and from the development site, with hours of operation estimated to be 24 hours a day, 7 days a week. As proposed, there would be no refrigerated uses associated with the operation of the two warehouse buildings upon completion. Refer to **Section 4.2, Air Quality**, for additional discussion regarding refrigerated uses.

#### **3.4.2 Upzone Site**

Pursuant to SB 330 requirements, the upzone site was selected to offset the proposed project's lost dwelling unit potential of 155 units and "upzone" 13.76 acres of land located at the southwest corner of Merrill Avenue and Catawba Avenue from R-1, which permits up to 5 du per acre, to Medium Density Residential (R-2), which permits up to 12 du per acre; refer to **Exhibit 3.0-4**. Applying the R-2 designation on the 13.76-acre site would accommodate the future development of 165 units, resulting in no net loss of the residential capacity for the City with the rezoning of the development site.

### **3.5 Discretionary Actions and Approvals**

#### **3.5.1 City of Fontana Discretionary Actions**

- Master Case Number No. 19-109 to include the following discretionary actions for the proposed project:
- General Plan Amendment (GPA 19-000007) to amend the existing land use designation for all parcels within the development site from R-PC/WMXU-1 to General Industrial (I-G).
- Specific Plan Amendment (SPA 19-000011) to amend the SWIP Specific Plan Land Use Plan and expand the SWIP boundary to include the development site. The development site would be incorporated into the SWIP Specific Plan's Slover East Industrial District.
- Zone Change (ZCA 19-000005) to amend the Zoning District Map to change the zoning designation for all parcels in the development site from R-PC and FBC - Transitional to Specific Plan (Southwest Industrial Park).
- Design Review (DPR 19-000036) to approve the specific development plan, including a physical site layout, architectural design, and landscaping plan for the development site to include two warehouse and distribution buildings with a total of 754,408 SF, inclusive of approximately 18,000 SF of office space. The area of Building 1 would be 432,569 SF with 57 dock doors and the area of Building 2 would be 321,839 SF with 45 dock doors.
- Tentative Parcel Map (TPM 19-000018) to consolidate all 12 parcels on the development site and re-subdivide the site into two legal parcels.

- Development Agreement pursuant to California Government Code Sections 65864-65869.5. The EIR will evaluate the reasonably foreseeable environmental impacts, if any, associated with implementation of the Development Agreement.
- Zone Change (ZCA 20-008) to amend the Zoning District Map to change the zoning of 13.76 acres of land at the upzone site from R-1 to R-2 to offset the potential loss of housing units resulting from the Zone Change from the R-PC to Specific Plan (Southwest Industrial Park), in compliance with the requirements of SB 330.
- General Plan Amendment (GPA 20-009) to amend the existing land use designation for all parcels within the upzone site from R-SF to R-M.

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## **4.0 INTRODUCTION TO ENVIRONMENTAL ANALYSIS**

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## 4.0 Introduction to Environmental Analysis

This Draft Environmental Impact Report (EIR) analyzes those environmental issue areas identified during project scoping as having the potential for significant impacts.

### 4.1 Section Content and Definition of Terms

This Draft EIR examines the following environmental topic areas outlined in the California Environmental Quality Act (CEQA) Guidelines Appendix G Environmental Checklist Form:

- 4.1 Aesthetics
- 4.2 Air Quality
- 4.3 Biological Resources
- 4.4 Cultural Resources
- 4.5 Energy
- 4.6 Geology and Soils
- 4.7 Greenhouse Gas Emissions
- 4.8 Hazards and Hazardous Materials
- 4.9 Hydrology and Water Quality
- 4.10 Land Use and Planning
- 4.11 Noise
- 4.12 Public Services and Recreation
- 4.13 Traffic and Circulation
- 4.14 Tribal Cultural Resources
- 4.15 Utilities and Service Systems

The following environmental issue areas are addressed in ***Section 5.0, Effects Not Found to Be Significant***:

- Agriculture and Forestry Resources
- Mineral Resources
- Population and Housing
- Recreation
- Wildfire

Each potentially significant environmental issue is addressed in a separate section of the Draft EIR (***Sections 4.1*** through ***4.15***) and includes the following general subsections:

- “Existing Conditions” describes the physical conditions that exist at this time and that may influence or affect the issue under investigation.
- “Regulatory Framework” describes the laws, ordinances, regulations, and standards that apply to the project.
- “Thresholds for Determination of Significance” describes the thresholds that are the basis of conclusions of significance, which are primarily the criteria in the CEQA Guidelines Appendix G Environmental Checklist (California Code of Regulations, Sections 15000–15387).
- “Impact Analysis and Mitigation Measures” describes potential environmental changes to the existing physical conditions that may occur if the project is implemented. Evidence, based on factual and scientific data, is presented to show the cause and effect relationship between the project and the potential changes in the environment. The exact magnitude, duration, extent, frequency, range or other parameters of a potential impact are ascertained, to the extent possible, to determine whether impacts may be significant; all of the potential direct and reasonably foreseeable indirect effects are considered.

Impacts are generally classified as potentially significant impacts, less than significant impacts, or no impact. The "Level of Significance After Mitigation" identifies the impacts that would remain after the application of mitigation measures, and whether the remaining impacts are or are not considered significant. When these impacts, even with the inclusion of mitigation measures, cannot be mitigated to a level considered less than significant, they are identified as "unavoidable significant impacts."

"Mitigation Measures" are measures that would be required of the project to avoid a significant adverse impact; to minimize a significant adverse impact; to rectify a significant adverse impact by restoration; to reduce or eliminate a significant adverse impact over time by preservation and maintenance operations; or to compensate for the impact by replacing or providing substitute resources or environment.

“Cumulative Impacts” describes potential environmental changes to the existing physical conditions that may occur as a result of the project together with all other reasonably foreseeable past, present, and probable future projects producing related or cumulative impacts.

## 4.2 Cumulative Impact Evaluation

Cumulative impacts are defined in the CEQA Guidelines (Section 15355) as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.” A cumulative impact occurs from a “change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor, but collectively significant, projects taking place over a period of time.” Consistent with CEQA Guidelines Section 15130(a), the discussion in this EIR focuses on the identification of any significant cumulative impacts and, where

present, the extent to which the proposed project would constitute a considerable contribution to the cumulative impact. CEQA Guidelines Section 15130(b) states the following:

The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, 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 the 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.

To identify the projects to be analyzed in the evaluation of cumulative impacts, CEQA Guidelines Section 15130(b) requires that an EIR employ either:

- **The List Approach** – entails listing past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or
- **The Projection Approach** – uses a summary of projections contained in an adopted general plan or related planning document, or in a prior environmental document that has been adopted or certified, which described or evaluated regional or area-wide conditions contributing to the cumulative impact.

This EIR evaluates the project's potential cumulative impacts using both the list and summary of projections approaches depending upon which approach is appropriate/relevant for each environmental issue area. The geographic area considered for cumulative impacts varies depending on the environmental issue area. For example, the project's operational effects have geographic scopes that are global (such as greenhouse gases, addressed in **Section 4.7, Greenhouse Gas Emissions**), regional (such as air quality, addressed in **Section 4.2, Air Quality**), and local (such as aesthetics, addressed in **Section 4.1, Aesthetics**).

**Exhibit 4.0-1: Cumulative Projects** and **Table 4.0-1: Cumulative Projects** identify the related projects and other possible development in the area determined as having the potential to interact with the project to the extent that a significant cumulative effect may occur. The following list of past, present, and probable future projects was developed based on data provided by the City and known development in the cities located in the project area as of January 2020. The implementation of each project represented in **Table 4.0-1** was determined to be reasonably foreseeable.

**Table 4.0-1: Cumulative Projects**

Map No.	Project Name	Project Type	Size	Unit of Measurement
1	PDEV14-007	Industrial	910.119	TSF
2	PDEV14-010	Industrial	21.726	TSF
3	PCUP13-034	Hotel	122	RMS
4	PCUP13-028	Body Shop	0.79	AC
5	PDEV13-019	Industrial	569.200	TSF
6	PDEV13-014	Residential Condo	139	DU

Map No.	Project Name	Project Type	Size	Unit of Measurement
7	PDEV13-012	Residential Condo	20	DU
8	PDEV13-007	General Industrial	618.536	TSF
9	PDEV13-008	Residential Condo	52	DU
10	Southwest Industrial Park (SWIP) <sup>1</sup>	Freeway Industrial Commercial (Central)		
		Warehousing	761.067	TSF
		Office	147.786	TSF
		Office Park	152.213	TSF
		Commercial Retail	456.640	TSF
		Freeway Industrial Commercial (East)		
		Warehousing	886.410	TSF
		Office	172.125	TSF
		Office Park	177.282	TSF
		Commercial Retail	531.846	TSF
		Freeway Industrial Commercial (North)		
		Warehousing	335.885	TSF
		Office	65.223	TSF
		Office Park	67.177	TSF
		Commercial Retail	201.531	TSF
		Freeway Industrial Commercial (West)		
		Warehousing	747.959	TSF
		Office	145.241	TSF
		Office Park	149.592	TSF
		Commercial Retail	448.776	TSF
		Jurupa North Research & Development (West)		
		Light Industrial	1344.901	TSF
		Office	478.407	TSF
		Office Park	847.485	TSF
		Research & Development	677.988	TSF
		Jurupa North Research & Development (Central)		
		Light Industrial	964.045	TSF
		Office	342.930	TSF
		Office Park	607.490	TSF
		Research & Development	485.992	TSF
		Jurupa North Research & Development (East)		
		Light Industrial	917.459	TSF
		Office	326.358	TSF
		Office Park	578.134	TSF
		Research & Development	462.506	TSF
		Jurupa South Industrial		
		Light Industrial	70.985	TSF
		Warehousing	1799.899	TSF
			1113.002	TSF
			2597.004	TSF
			719.464	TSF
			1006.149	TSF
			503.074	TSF

Map No.	Project Name	Project Type	Size	Unit of Measurement
		Slover Central Manufacturing/Industrial		
		Manufacturing	1384.886	TSF
		Warehousing	3518.167	TSF
		Slover East Industrial		
		Light Industrial	930.121	TSF
		Warehousing	762.191	TSF
		Office Park	13.264	TSF
		Slover West Industrial		
		Light Industrial	84	DU
		Warehousing		
		Speedway Industrial		
		Light Industrial		
		Warehousing		
		Office Park		
		SWIP Residential Trucking (1,3 and 4)		
		Single Family Detached Residential		
11	Citrus Center	Office Retail	47.000	TSF
		Fast Food	44.500	TSF
		w/ Drive-Thru	8.658	TSF
12	ASP 16-018	Retail w/ Gas Station	18.800	TSF
13	Southwest Fontana Logistics Center Project	Warehousing	1,628.936	TSF
		City Park	17.45	AC
14	Walmart Shopping Center	Free-Standing Discount Superstore	200.000	TSF
		Specialty Retail Center	9.490	TSF
		Fast Food w/o Drive-Thru	9.490	TSF
15	Country Village Shopping Center	Shopping Center	140.894	TSF
16	PM 19612	Industrial	30000.000	TSF
		Commercial Retail	1130.000	TSF
		Multi-Family	800	DU
		Hotel	600	RMS
17	PDEV16-001	Industrial	109.197	TSF
18	Pacific Freeway Center	High-Cube Warehouse / Distribution Center	477.500	TSF
		Manufacturing	44.500	TSF
19	First Redwood Logistics	High-Cube Warehouse / Distribution Center	360.000	TSF
		General Light Industrial	41.436	TSF
20	West Valley Logistics Center	High-Cube Warehouse / Distribution Center	3,183.100	TSF
		Warehousing	290.590	TSF
21	Gateway Logistics Center	High-Cube Warehouse (Cold Storage)	38.558	TSF
		Warehousing	154.232	TSF
22	St. Mary's Catholic Church	Church	19.508	TSF
23	Avalon Court (Tentative Tract 33649)	SFDR	24	DU
24	Emerald Ridge South	SFDR	97	DU
		Condo/Townhomes	118	DU
25	Highland Park	SFDR	398	DU

Map No.	Project Name	Project Type	Size	Unit of Measurement
26	Tentative Tract Map 33373 (KR Land)	SFDR	97	DU
27	Palm Communities	Apartment	49	DU
28	New Rio Vista Specific Plan 243	SFDR Condo/Townhomes Apartment Active Park School (K-8)	579 290 346 22.2 600	DU DU DU AC STU
29	Flabob-River Springs Charter School	7th-12th Grade School	200	STU
30	Inland Empire Cold Storage	Cold Storage Facility	40.800	TSF
31	Country Village Shopping Center	Shopping Center	140.894	TSF
32	Market Street Commercial	High Turnover Sit-down Restaurant Fast Food w/ Drive-thru Gas station w/ Food Mart and Car Wash	4.750 2.860 16	TSF TSF VFP
33	Pedley Crossing Shopping Center	Shopping Center	255.978	TSF
34	Mission Pyrite Plaza	Shopping Center High Turnover Sit-down Restaurant Gas/Service Station w/ Food and Car Wash	21.600 3.000 20	TSF TSF VFP
35	Rubidoux Commercial Development LLC	General Light Industrial	306.894	TSF
36	99-Cent Only Store	Free Standing Discount Store	18.012	TSF
37	Monarch at the Quarry (Armada Armstrong)	SFDR	86	DU
38	Stone Avenue (Tentative Tract 36702)	SFDR	17	DU
39	Karaki-Western States	Gas/Service Station w/ Food and Car Wash	7.246	TSF
40	Boureston Medical Clinic	Medical Clinic	40.000	TSF
41	Northtown Housing Development Group	Apartments Commercial Retail	68 31.375	DU TSF
42	Agua Mansa Commerce Park Specific Plan	High-Cube Warehouse General Light Industrial Commercial Retail	4277.000 150.000 25.000	TSF TSF TSF
43	Philadelphia Subdivision (Tentative Tract 37214)	SFDR	44	DU
44	Galena Business Park Bldg.	General Light Industrial	47.500	TSF
45	Goodman Industrial Park Fontana III	Warehousing High-Cube Cold Storage Warehouse	894.768 223.692	TSF TSF

Map No.	Project Name	Project Type	Size	Unit of Measurement
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Source: Urban Crossroads, Traffic Study, January 2020. Included as part of Appendix I.  
TSF = Thousand Square Feet  
DU = Dwelling Unit  
AC = Acre  
STU = Students  
RMS = Rooms  
VFP = Vehicle Fuel Pump



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## 4.1 Aesthetics

This section assesses the potential for aesthetic impacts using accepted methods of evaluating visual quality, as well as identifying the type and degree of change the project would likely have on the character of the landscape. The analysis in this section is primarily based on information provided by the City of Fontana (City) and verified through site reconnaissance conducted by Michael Baker International (Michael Baker) in April 2020. Photographic documentation and project-specific documentation are utilized to supplement the visual analysis and to fulfill the requirements of CEQA. In addition, the information and analysis in this section relative to existing on-site trees as a scenic resource are based on the Arborist Report prepared by Earthwise Arborists dated February 25, 2020 (see *Appendix C: Habitat Suitability Evaluation, Arborist Report, and Delhi Sands Flower-loving Fly Habitat Suitability Evaluation*).

### 4.1.1 Existing Conditions

The approximately 33.55-acre development site is located in the northeast quadrant of the intersection of Juniper Avenue and Jurupa Avenue; refer to *Exhibit 3.0-2: Project Vicinity*. The development site is currently developed with a mix of commercial and residential land uses and vacant land. Twelve residential structures (11 of which are occupied and one of which is unoccupied), out buildings, gravel parking areas, equestrian areas, corals, vacant fields, irrigated pastures, nurseries, cultivated lawns, and agricultural uses occur throughout the site. Extensive debris dumping is evident throughout the site.

The development site is surrounded by commercial and public facilities to the north; single-family residential and vacant land to the east; single-family residential and a park/open space uses to the south; and single-family residential uses, a church, vacant land, and the proposed Goodman Logistics Center Fontana III to the west.

The approximately 13.76-acre upzone site is located in the southwest quadrant of Merrill Avenue and Catawba Avenue; refer to *Exhibit 3.0-2*. The upzone site is currently developed with residential land uses including out buildings, parking areas, and vacant land. Sixteen residential structures, and associated ancillary structures, occur throughout the site.

The upzone site is surrounded by single-family residential uses to the north, vacant land, multi-family residential, and single-family residential uses to the east, single-family residential uses to the south, and large lot single-family residential uses to the west.

Topographically, both the development site and the upzone site are relatively flat with an elevation of approximately 1,050 feet above mean sea level (amsl) on the development site and approximately 1,200 amsl on the upzone site. There are no rock outcroppings or unique topographic features on either site.

### Visual Character/Quality

Photographic inventories of both the development site and upzone site were conducted to document the existing visual character/quality of the sites and their surroundings; refer to

***Exhibit 4.1-1a: Existing Conditions Photographs (Development Site)*** and ***Exhibit 4.1-1b: Existing Conditions Photographs (Upzone Site)***. The most prominent factors influencing the visual character and quality of the development site and its surroundings include vacant land, 12 existing single-story residences, and approximately 410 trees (the majority of which are eucalyptus [*E. globulus*]), which are located sporadically throughout the site and most of which are in poor health. The heights of the trees vary, but the majority are approximately 50 to 60 feet tall. Surrounding single- and two-story residential uses and commercial uses vary in building heights and setbacks. Views of St. Mary's Catholic Church, located just west of the development site, are readily available from the southwest corner of the development site. The City approved plans in 2020 to expand the existing church facility. Once constructed, the main church building will be one story tall and 35 feet in height with a bell tower that will be approximately 58 feet tall.

The most prominent factors influencing the visual character and quality of the upzone site and its surroundings include vacant land, fifteen existing residences comprising a mix of single- and two-story units, a parking lot, multiple trees of various species and heights (the majority of which are citrus, palm and eucalyptus) located sporadically throughout the site, and overhead utilities. Surrounding single- and two-story residential uses vary in building heights and setbacks; however, the majority of the residences are single-story units averaging approximately 12 feet in height. There are no industrial or commercial land uses in the surrounding area.

### **Light and Glare**

Lighting effects are associated with the use of artificial light during the evening and nighttime hours. There are two primary sources of light: light emanating from building interiors passing through windows and light from exterior sources (i.e., street lighting, building illumination, security lighting, parking lot lighting, and landscape lighting). Light introduction can be a nuisance to adjacent residential areas, diminish the view of the clear night sky, and if uncontrolled, can cause disturbances. Uses such as residences and hotels are considered light sensitive, since occupants have expectations of privacy during evening hours and may be subject to disturbance by bright light sources. Light spill is typically defined as the presence of unwanted light on properties adjacent to the property being illuminated. With respect to lighting, the degree of illumination may vary widely depending on the amount of light generated, height of the light source, presence of barriers or obstructions, type of light source, and weather conditions.

Glare is primarily a daytime occurrence caused by the reflection of sunlight or artificial light by highly polished surfaces such as window glass or reflective materials and, to a lesser degree, from broad expanses of light-colored surfaces. Perceived glare is the unwanted and potentially objectionable sensation as observed by a person as they look directly into the light source of a luminaire. Daytime glare generation is common in urban areas and is typically associated with buildings with exterior facades largely or entirely composed of highly reflective glass. Glare can also be produced during evening and nighttime hours by the reflection of artificial light sources such as automobile headlights. Glare-sensitive uses include residences, hotels, transportation corridors, and aircraft landing corridors.





1. Northern view of existing residential uses on the development site from Jurupa Avenue



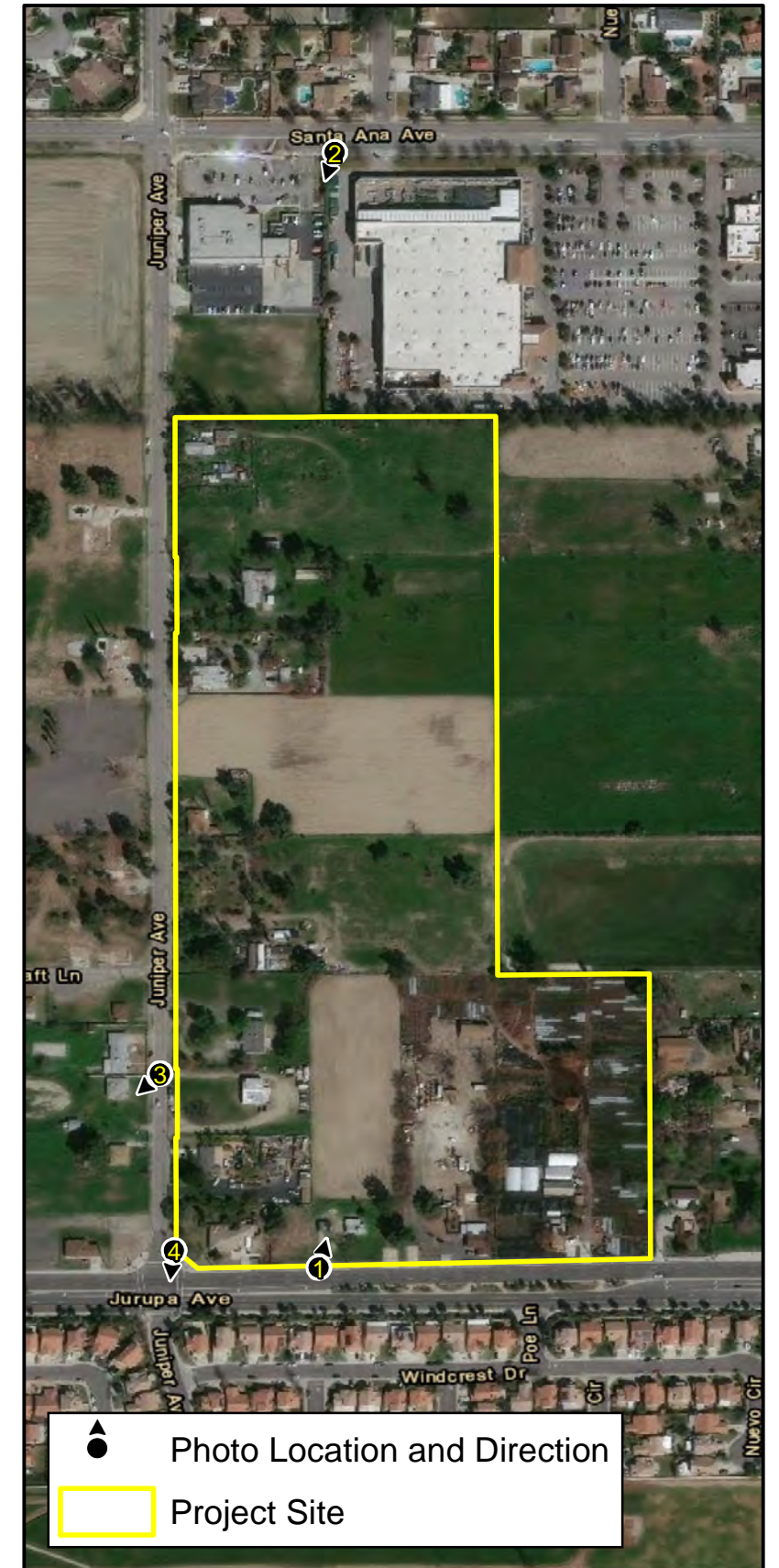
2. View of a vacant lot with previous disturbance on the development site, looking southwest



3. Southwestern view of Juniper Avenue and existing residential uses to the west of the development site



4. Southern view of Jurupa Avenue and existing residential uses to the south of the development site





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1. Western view of existing residential uses on the upzone site from Catawba Avenue



2. View of vacant uses to the east of the site



3. Southern view of existing residential uses on the upzone site from Merrill Avenue



4. Eastern view of existing multi-family residential uses to the east of the upzone site from Catawba Avenue





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### ***Development Site***

The project area and surrounding vicinity currently have ambient nighttime levels typical for an urban area. Artificial light in the area is produced by many sources, including automobile headlights and interior and exterior lighting from existing houses on the development site, a residential development to the south of the development site, and commercial buildings located near the development site including a church facility located 0.15 miles to the west and a shopping center located 0.25 miles to the east. The main sources of existing glare in the project area include the existing on-site residences and the church located in the vicinity to the west of the development site. There are currently no existing industrial uses in the immediate vicinity that would produce glare at the development site, although an industrial warehouse is planned for development to the west of the site.

### ***Upzone Site***

Because the upzone site and the surrounding areas consist predominately of vacant land and residential uses, the main sources of existing light and glare in the vicinity of the upzone site include automobile headlights and interior and exterior lighting from existing houses. There are no industrial uses, hotels, transportation corridors or uses associated with aircraft in the vicinity of the upzone site.

## **4.1.2 Regulatory Framework**

### **Federal**

#### ***National Scenic Byways Program***

The National Scenic Byways (NSB) program is part of the U.S. Department of Transportation, Federal Highway Administration. The NSB program was established under the Intermodal Surface Transportation Efficiency Act of 1991, and was reauthorized in 1998 under the Transportation Equity Act for the 21st Century. Under the program, the U.S. Secretary of Transportation recognizes certain roads as National Scenic Byways or All-American Roads based on their archaeological, cultural, historic, natural, recreational, and scenic qualities. No National Scenic Byways or All-American Roads occur within the project area.

### **State**

#### ***California Scenic Highway Program***

The California Department of Transportation manages the California Scenic Highway Program, which was created in 1963 by the California legislature to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. The program includes a list of highways that have been designated as scenic highways or that are eligible to be designated as such. A highway may be designated as scenic based on certain criteria, including how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes on the traveler's enjoyment of the view. State laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263. No scenic highways occur within the project area.

## Local

### ***City of Fontana General Plan***

The purpose of the City's General Plan Conservation, Open Space, and Parks and Trails 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 purpose of the City's General Plan Land Use, Zoning, and Urban Design Element is to set forth the policy framework over the next 20 years for the physical development of the City and guide decision makers on the pattern, distribution, density and intensity of land uses. The goals and policies of both elements applicable to the proposed project are listed below.

#### ***Conservation, Open Space, Parks and Trails Element***

Goal 3	Fontana has a healthy, drought-resistant urban forest.
Policy	Support tree conservation and planting that enhances shade and drought resistance.
Strategy L	Promote tree preservation and drought-tolerant planting (xeriscaping) on private property.

#### ***Land Use, Zoning, and Urban Design Element***

Goal 7	Public and private development meets high design standards.
Policy	Support high-quality development in design standards and in land use decisions.

### ***Fontana Municipal Code***

#### ***Chapter 30. Zoning and Development Code.***

The City's zoning and development code is found in the 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 is 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.

Development Code Article VII, *Industrial Zoning Districts*, establishes development policies, use regulations, development standards, performance standards, and design guidelines specific to

industrial development, such as the development site, including those relative to light and glare.

Development Code Article V, *Residential Zoning Districts*, establishes development policies, use regulations, development standards, performance standards, and design guidelines specific to residential development, such as the upzone site, including those relative to light and glare.

### **City of Fontana Tree Ordinance**

#### **Chapter 28, Article III, Preservation of Heritage, Significant, and Specimen Trees**

The City's tree preservation ordinance (Municipal Code Chapter 28, Article III, *Preservation of Heritage, Significant, and Specimen Trees*) describes the preservation of heritage, significant, and specimen trees, as defined below:

- Heritage Tree – Any tree which is:
  - 1) Of historical value because of its association with a place, building, natural feature or event of local, regional or national historical significance as identified by City Council resolution;
  - 2) Representative of a significant period of the City's growth or development (e.g., windrow tree or European Olive tree);
  - 3) A protected or endangered species as specified by Federal or State statute; or
  - 4) Is deemed historically or culturally significant by the City manager or his or her designee because of size, condition, location or aesthetic qualities.
- Protected Tree – Any heritage, significant, or specimen tree subject to this article or other such tree identified by a Federal or State agency as endangered or sensitive species.
- Significant Tree – Any tree that is one of the following species: Southern California black walnut (*Juglana californica*), coast live oak (*Quercus agrifolia*), deodora cedar (*Cedrus deodora*), California sycamore (*Plantanus racemosa*), and London plane (*Plantanus acerifolia*).

The ordinance requires preparation of a tree report for removal of any protected tree species. The ordinance also requires a permit for removal of heritage, significant, or specimen trees. Specifically, Chapter 28-67, *Tree Replacement or Relocation*, specifies the City's requirements for replacement and/or relocation of heritage, significant, or specimen trees.

### **Southwest Industrial Park (SWIP) Specific Plan**

The SWIP Specific Plan includes nine land use districts with approximately 3,110 acres of industrial, manufacturing, office, commercial, research and development, and flex-tech development. The project entails a Specific Plan Amendment that would expand the boundary of the SWIP Specific Plan to include the project site; the project site would be incorporated into the SWIP Specific Plan's Slover East Industrial District (District). The SWIP Specific Plan

includes a set of detailed design guidelines for new development within the District that establish a design framework for well-planned and well-designed industrial development to fit properly within the context of its surroundings. The SWIP Specific Plan District design guidelines regulate site design, architecture, and landscaping and, also, include provisions regulating outdoor lighting to ensure that lighting includes hoods or other design techniques to reduce glare and light pollution, especially along major streets and adjacent to residential zones, and to prevent light spill over onto adjacent properties.

#### 4.1.3 Thresholds for Determination of Significance

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters*, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on aesthetics and visual resources if it would do any of the following:

1. Have a substantial adverse effect on a scenic vista (refer to *Appendix A*).
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway (refer to *Appendix A*).
3. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality (refer to Impact 4.1-1).
4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (refer to Impact 4.1-2).

#### 4.1.4 Impact Analysis and Mitigation Measures

##### **VISUAL CHARACTER**

<b>Impact 4.1-1</b>	<b>The project would potentially substantially degrade the existing visual character or quality of public views of the site and its surroundings and would potentially conflict with applicable zoning and other regulations governing scenic quality.</b>
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##### **Development Site**

##### **Short-Term Construction Impacts**

The development site is located in an urbanized area. Although an industrial warehouse and associated facilities would replace existing residences on the project site currently designated and zoned for residential land uses, construction activities are a common occurrence in the developing Inland Empire region of Southern California and are not considered to substantially degrade the area's visual character or quality. Consistent with standard industry practices, construction equipment, vehicles, and materials would be staged within a designated

area (or areas) on the development site. Although equipment staging activities on-site could potentially be viewed from adjacent properties and roadways, views of staged construction equipment, vehicles, and materials would be temporary and would cease upon completion of construction.

Furthermore, during construction, the project would be required to comply with the applicable Fontana Municipal Code regulations governing scenic quality. For example, Section 5-11 of the Municipal Code includes regulations requiring the completion of construction activities within a specified timeframe from the time a construction permit is issued. Additionally, Section 5-12 of the Municipal Code requires a construction site be maintained in a reasonably clean and well-kept manner. No component of the project's construction would conflict with these applicable regulations. The project includes a General Plan Amendment and zone change to categories consistent with the proposed warehouse use.

Although the project would result in a less than significant impact to local visual quality and character during construction, Mitigation Measure AES-1 below from the Fontana General Plan EIR, considered as best practices to be applied to future projects, would apply to project construction activities to minimize potential aesthetics effects at adjacent residential uses during construction.

#### Arborist Report Results

The City's tree preservation ordinance (Municipal Code Chapter 28, Article III, *Preservation of Heritage, Significant, and Specimen Trees*) describes the preservation of heritage, significant, and specimen trees. Due to the substantial number of trees located on-site which have the potential to function as an aesthetic resource relative to public views and visual character, the discussion below provides an analysis of existing on-site trees as a scenic resource and relies on information contained in the Arborist Report that was prepared for the project in order to support the City's tree preservation ordinance.

According to the Arborist Report, approximately 410 trees including 35 different species, the majority of which are blue gum (*Eucalyptus globulus*), exist on the development site (an arborist evaluation was not conducted for the upzone site as no development or tree removal is proposed as part of the project and any impacts would be speculative at this time). The trees that were evaluated are located sporadically throughout the property, a majority of which were planted by homeowners on their own properties with the exception of a small row of eucalyptus trees that were most likely planted as a wind break and/or as a property border. The majority of the trees throughout the development site are in decline. Many of them are dead and a few are in fair condition. None of the eucalyptus trees on the property have been properly maintained. Some have been improperly pruned in the past (topped) and have not had a consistent water supply. There are also multiple eastern black walnut (*Juglans nigra*) trees on-site and most of them are in poor condition. The majority of these walnut trees are dead and the rest are in severe decline, most likely due to no irrigation and improper maintenance which led to the infestation of pests.

The Fontana Municipal Code (Article III, Section 28-63 Definitions) addresses protected trees in the City. There are two types of trees that may fall under the definition of a protected tree, as noted below:

- Heritage tree - (2) Is representative of a significant period of the city's growth or development (windrow tree, European Olive tree); ...
- Significant tree - the Southern California black walnut (*Juglana californica*) is listed.

The development site contains 49 eucalyptus trees, some of which could be considered to be windrow trees. As discussed above, these trees have not been properly maintained nor have they had a consistent water supply, and some have been improperly pruned (topped). As a result, none of the eucalyptus trees are in a condition to be preserved. There are also 10 European olive (*Olea europaea*) on-site which could be considered heritage trees due to them representing a period of the city's growth or development. These olive trees have not been properly maintained nor have proper irrigation, and as a result, none of these trees are in a condition to be preserved. The site also contains 14 black walnut trees; however, these are eastern black walnut (*Juglan nigra*) trees, not Southern California black walnut (*Juglana californica*) trees. Therefore, the black walnut trees on the site do not qualify as significant trees.

The vast majority of the trees on-site are currently not viable to be maintained in place, primarily due to the fact that they have been neglected for years. The lack of irrigation and proper tree maintenance has resulted in numerous dead trees. Most of the remaining other trees are showing signs of decline in health. The Arborist Report recommends, removal of all trees that are in a state of severe decline and all trees that are dead. The project applicant proposes to remove all existing trees (including those that are dead and in decline) prior to grading and construction of the warehouse project. No heritage trees or trees protected by the City under the Fontana Municipal Code were identified onsite, therefore, removal will not conflict with applicable City regulations. The existing onsite trees will be replaced with ornamental landscaping planted throughout the development site, including a mix of trees, shrubs, accents, and groundcover. Specifically, the proposed trees include western redbud, chitalpa, Italian cypress, Canary Island pine, Afghan pine, European olive, California sycamore, African sumac, and Brisbane box. Installation of healthy trees as part of site landscaping is expected to benefit the visual quality of the area.

Based on the above analysis, the project would not conflict with applicable zoning and regulations governing scenic quality, and short-term construction impacts associated with the existing visual character and quality of the development site would be less than significant.

### **Long-Term Operational Impacts**

The development site currently includes 12 residential structures, out buildings, gravel parking areas, equestrian areas, corals, vacant fields, irrigated pastures, nurseries, cultivated lawns, and agricultural uses. The proposed project would alter the site's existing visual character by demolishing the existing on-site residences and constructing a warehouse logistics building with associated office spaces and surface parking areas. As a result, the project would alter the land use and increase the site's development density, and additional hardscapes would be visible as a result of the project, which in turn could result in a change of visual character. However, development of the proposed project would be consistent with existing and planned development on surrounding properties. Specific Plan Amendment (SPA 19-000011) is proposed as part of the project to amend the SWIP Specific Plan Land Use Plan and expand the SWIP boundary to include the warehouse site. The warehouse site would be incorporated



into the SWIP Specific Plan District. The vast majority of the developments within the SWIP Specific Plan area are oriented toward the transportation industry (trucking facilities, warehousing/distribution centers, automobile, and/or truck storage lots).

The City of Fontana's Zoning and Development Code (Chapter 30 of the Code of Ordinances) includes design standards related to building size, height, floor area ratio, and setbacks, as well as landscaping, signage, and other visual considerations. These design standards help adjacent land uses to be visually consistent with one another and their surroundings and reduce the potential for aesthetic conflicts. The design specifications of all development proposals submitted to the City are reviewed for compliance with applicable provisions set forth in the Zoning and Development Code. ***Exhibit 4.1-2: Elevation Building 1, Exhibit 4.1-3: Elevation Building 2, and Exhibit 4.1-4: Material Board*** show elevation and material board renderings for the proposed buildings. As depicted in these exhibits, the buildings would be constructed of concrete tilt-up panels and low-reflective, blue glass. The building's exterior color palette would feature various shades of white and gray with ochre accents. Decorative building elements include panel reveals, mullions, and awnings at office entries. These project design features are consistent with design standards related to scenic quality as provided in City of Fontana's Zoning and Development Code (Chapter 30 of the Code of Ordinances). As part of the City's development review process, the proposed project's architectural plans will be reviewed by City staff, the Development Advisory Board, and the Planning Commission to confirm that the project design conforms to the Zoning and Development Code and promotes the visual character and quality of the surrounding area.

Therefore, based on compliance with the proposed General Plan land use designations and the City's Development Code requirements related to design and compatibility, impacts associated with visual character and quality as experienced from public views of the project site would be less than significant. Additionally, landscaping associated with future development of the development site would help visually soften public views of the site and enhance the site's visual character; refer to ***Exhibit 3.0-10: Conceptual Landscape Plan***. Impacts associated with scenic vistas would be less than significant.

### ***Upzone Site***

#### **Short-Term Construction Impacts**

The upzone site is located in an urbanized area. Similar to construction on the development site, future development and construction on the upzone site would adhere to standard industry practices, as well as regulations regarding scenic quality contained in the General Plan, Fontana Municipal Code, Tree Ordinance, and SWIP Specific Plan. As such, construction impacts would cease upon completion of construction. In addition, a site-specific aesthetic impact analysis would be conducted at such time that a development application for the upzone site is submitted to the City.

#### **Long-Term Operational Impacts**

The upzone site includes existing housing, outbuildings, and associated parking that would be demolished to accommodate future construction of new housing. As such, the upzone site does not presently contain any significant scenic resources. The proposed project would change the rezone site's existing zoning designation from Single Family Residential (R-1),



which accommodates a density of up to 5 du/ac, to Medium Density Residential (R-2), which accommodates a density of up to 7.6 du/ac and single-family attached or multi-family housing up to 12 du/ac. Future development of this site under the density permitted under the R-2 zoning designation would generate 165 new residential units, resulting in higher density residential development on the site compared to the existing density permitted under the R-1 zoning designation (2.1 to 5 du/ac), which would generate approximately 28 to 68 new residential units. Therefore, a change in the visual character or quality of public views of the upzone site and its surroundings would occur.

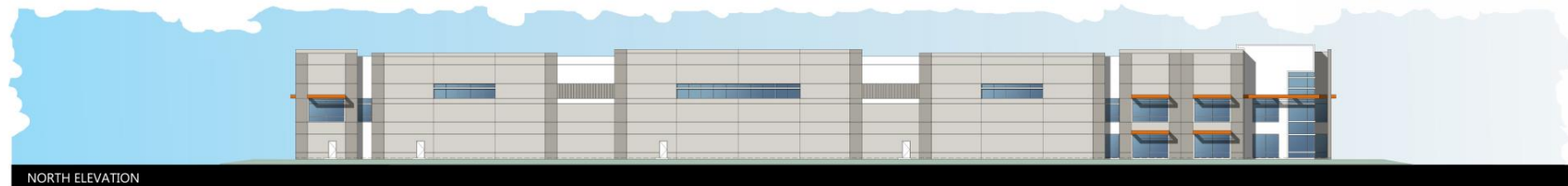
The upzone site is located in an urbanized area of the City that represents predominately residential uses. Future development of the upzone site would be required to adhere to design standards in the City of Fontana's Zoning and Development Code (Chapter 30 of the Code of Ordinances) and incorporate architectural elements that are similar to other residential uses in the vicinity, thereby mirroring existing development in the area. Additionally, landscaping associated with future residential development on the upzone site would help visually soften views into the site and enhance the visual character of the site. Overall, future development of the upzone site would improve the visual quality and character of the site, compared with the existing residential structures that currently exist on-site. However, because the proposed project would not involve any physical construction or improvements to the upzone site, a project-specific aesthetic impact analysis would be conducted at the time that such future development is proposed for the upzone site by the respective project applicant. Therefore, impacts associated with visual character or quality of public views of the upzone site and its surroundings relative to the change of zoning from R-1 to R-2 would be less than significant.

### **Mitigation Measures**

AES-1            Construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site to the extent practical. Staging areas shall be screened from view from residential properties with solid wood fencing or green fence. Construction worker parking may be located off-site with approval of the City; however, on-street parking of construction worker vehicles on residential streets shall be prohibited. Vehicles shall be kept clean and free of mud and dust before leaving the project site. Surrounding streets shall be swept daily and maintained free of dirt and debris.

### **Level of Significance After Mitigation**

Impacts would be less than significant.



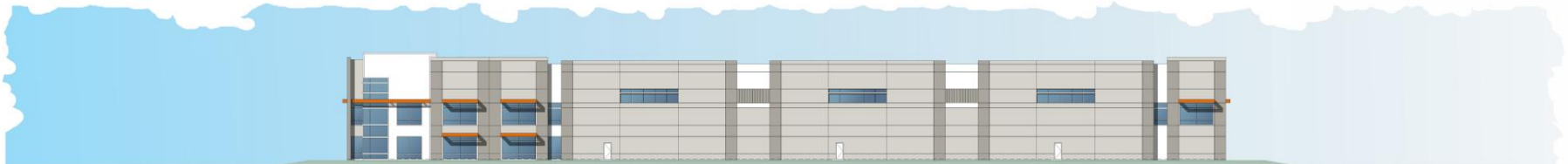
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WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

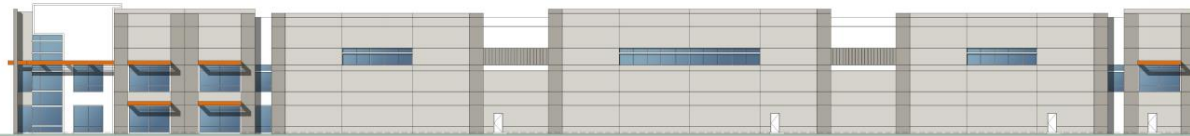


NORTH ELEVATION

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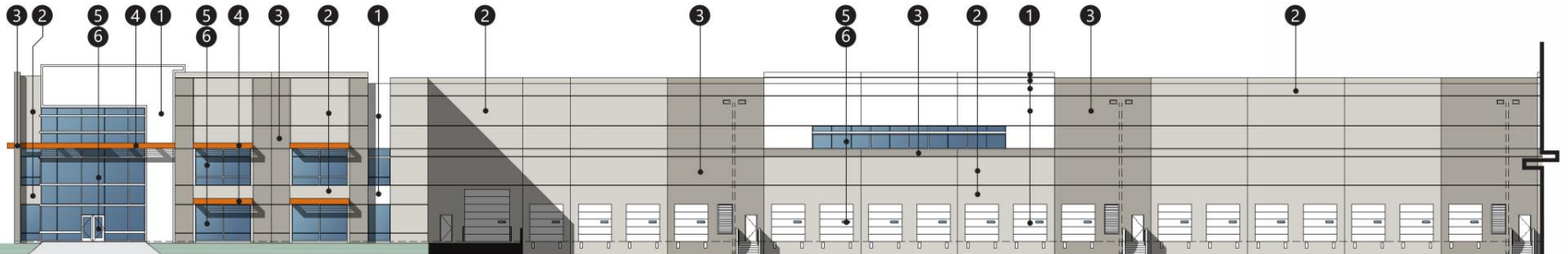


WEST ELEVATION



SOUTH ELEVATION

- |   |   |   |  |   |   |   |
|---|---|---|--|---|---|---|
| 1   | 2   | 3   | 4  | 5   | 6   | 7   |
|  |  |  |  |  |  |  |
| SHERWIN-WILLIAMS<br>SW7005<br>PURE WHITE  | SHERWIN-WILLIAMS<br>SW7674<br>CRUSHED ICE   | SHERWIN-WILLIAMS<br>SW7017<br>DORIAN GRAY   | SHERWIN-WILLIAMS<br>CUSTOM<br>CLARION CP OCHRE                                     | CLEAR ANODIZED<br>MULLIONS  | BLUE REFLECTIVE<br>GLAZING  | METAL AWNING PAINTED<br>SW7005  |



ENLARGED VIEW OF WEST ELEVATION

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## **LIGHT OR GLARE**

<b>Threshold 4.1-2</b>	<b>The project would potentially create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.</b>
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A significant impact may occur if lighting, as part of the proposed project, exceeds adopted thresholds for light and glare, including exterior lighting or light spillover, or if the proposed project creates a substantial new source of light or glare. The existing residential uses located immediately to the east of the site along Sierra Avenue, the south of the site along Jurupa Avenue, and to the west of the site along Juniper Avenue of the site, as well as St. Mary's Catholic Church located 0.15 miles to the west of the site, represent the closest light-sensitive uses to the development site.

The upzone site is bounded by residential uses in all directions, which represent the closest light-sensitive uses to the upzone site.

### ***Development Site***

#### **Short-Term Construction Impacts**

Construction activities associated with the development site could involve temporary light and glare impacts as a result of construction equipment and materials. Project construction on the development site and upzone site would be required to comply with the City's Noise Ordinance (Chapter 18, Article II, Noise, of the Fontana Municipal Code), which prohibits construction between the hours of 6:00 p.m. and 7:00 a.m. on weekdays and 5:00 p.m. and 8:00 a.m. on Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector. Thus, as no construction activities would be permitted after 6:00 p.m. on weekdays or after 5:00 p.m. Sundays, short-term construction-related impacts to lighting and glare would be less than significant.

#### **Long-Term Operational Impacts**

Nighttime illumination and glare impacts are the effects of a project's exterior lighting upon adjoining uses. Operation of the proposed warehouse facilities could result in impacts related to nighttime lighting, including towards sensitive residential uses to the east, south, and west to the south of the project site.

In its undeveloped condition, the existing on-site residences on the development site generate minimal light or glare. However, in the immediate vicinity of the development site, nighttime illumination is currently generated by the surrounding residential developments to the east, south, and west and the associated vehicle traffic on adjacent roadways, as well as nearby commercial uses.

The proposed project would require nighttime lighting for safety and security. Consistent with the City's Zoning and Development Code (Section 30-544), all lighting used on-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. All exterior lighting used on the development site would be shielded/hooded to prevent light

trespass onto nearby properties, including the adjacent residential development to the south. The warehouse building would also include a 30-foot setback from Jurupa Avenue and a 20-foot setback from Juniper Avenue that would limit light exposure. Additionally, the project would be subject to the design guidelines within the SWIP Specific Plan, specifically the guidelines for development within the District. The design guidelines for the District include detailed lighting standards that are intended to reduce glare and light pollution. The City would verify the project's consistency with the performance and design standards outlined in the SWIP Specific Plan and that neighboring uses are not exposed to substantial daytime glare as part of the project's design review process. Therefore, long-term impacts associated with light and glare would be less than significant.

### ***Upzone Site***

#### **Short-Term Construction Impacts**

Construction activities associated with the upzone could involve temporary light and glare impacts as a result of construction equipment and materials. Similar to the development site, future construction on the upzone site would be required to comply with construction hours pursuant to the City's Noise Ordinance (Chapter 18, Article II, Noise, of the Fontana Municipal Code), and short-term construction-related impacts to lighting and glare would be less than significant.

#### **Long-Term Operational Impacts**

The General Plan EIR previously determined that, given the City's urbanized character and associated light and glare sources that currently exist, and given that future development in the City would largely be adjacent to existing development with light and glare sources, development under the General Plan, including development of the upzone site, would represent a continuation of existing lighting conditions that would be substantially similar to existing conditions. Additionally, since lighting is considered important for a sense of security and safety, the installation of lighting in parks and transit shelters, and the addition of lighting on neighborhood streets, could be considered a beneficial amenity, rather than an adverse impact.

Future development of the upzone site may result in potential operational light and glare impacts, particularly since a density increase would result upon future project implementation. However, since no specific development is currently proposed for the upzone site and any impacts would be speculative at this point, light and glare impact analysis of future development would be conducted at the time of development application submittal in accordance with the City's Zoning and Development Code. Impacts would be less than significant.

#### **Mitigation Measures**

None required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

## CUMULATIVE IMPACTS

### **Impact 4.1-3                    The project would potentially create a cumulative impact to aesthetic and visual resources.**

The analysis below focuses on cumulative impacts to aesthetic and visual resources resulting from development of the area surrounding the development site. The following projects from *Table 4.0-1: Cumulative Projects*, in *Section 4.0, Introduction to Environmental Analysis*, may be located within the same viewshed as the proposed project:<sup>1</sup>

- Goodman Industrial Park Fontana III
- St. Mary's Catholic Church
- Southwest Industrial Park
- Southwest Fontana Logistics Center Project
- Citrus Center
- Gateway Logistics Center
- Walmart Shopping Center

The geographic scope of the cumulative analysis for aesthetics is focused on public views from which the proposed project is visible, as well as surrounding areas that would have the potential to visibly change the existing visual character of the project area and immediately surrounding areas. In the project vicinity, the site is surrounded by commercial and public facilities to the north; single-family residential and vacant land to the east; single-family residential and a park/open space uses to the south; and single-family residential uses, a church, vacant land, and the proposed Goodman Logistics Center Fontana III to the west. The project site currently includes 12 single-family residences that would be demolished with project implementation. As discussed above, seven development projects have been identified within the viewshed of the project site, which will change the visual character of the project vicinity over time.

Development of the area surrounding the development site would change the character of the area from an area comprising mostly widely dispersed houses, to a more urbanized area with commercial/industrial buildings as planned under the latest General Plan. Development of the area surrounding the upzone site would change the character of the area from an area comprising widely dispersed homes to a more urban/suburban community with tract homes, with a higher density that would occur with the approval of an upzone from the R-1 to R-2 zoning designation. However, based on the project's compliance with General Plan land use designations and zoning and existing local code requirements related to design and compatibility, including design standards in the City's Zoning and Development Code (Chapter 30 of the Code of Ordinances) and the SWIP Specific Plan, future development

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<sup>1</sup> The list of cumulative projects was obtained from the Traffic Impact Analysis prepared for the proposed project; refer to the list of references.

projects including both the development site and upzone site would not conflict with applicable zoning and other regulations governing scenic quality. Impacts associated with visual character and quality would be less than significant.

Future development at both the development site and the upzone zone, and of surrounding cumulative projects in the area, would be subject to a formal development review process including site and architectural plan review. Such discretionary review would ensure consistency with existing and proposed land use designations and zoning mandated by the City's General Plan and Zoning and Development Code. Additionally, over time, it is anticipated that the visual character of the area in the vicinity of the proposed project will change as industrial development is contemplated for the surrounding area. The proposed project would be consistent with the development contemplated by the City and planned for under the General Plan. As a result, the proposed project in combination with future proposed projects would result in views from surrounding areas that are consistent with the aesthetic goals and policies envisioned by the City for the project area. A less than significant cumulative aesthetic impact would occur.

With regard to cumulative light and glare impacts, implementation of the proposed project and future proposed projects would increase the amount of light and glare in the surrounding areas of both the development site and the upzone site, as it would increase the amount of development compared to existing conditions. It is anticipated that lighting would include exterior wall-mounted light fixtures and lighting in the on-site surface parking areas to ensure public safety and safe pedestrian and vehicular circulation. To ensure cumulative light and glare impacts are reduced to levels that are less than significant, future proposed projects—including the proposed project—would be required to adhere to existing City policies for community design and aesthetics.

The proposed project would be designed in compliance with the City's Zoning and Development Code and the applicable SWIP Specific Plan design guidelines, which require that all lighting used on site to be directed and/or shielded to prevent the light from adversely affecting adjacent properties and that no structures or features that create adverse glare effects are permitted. The City would verify the consistency of future development projects with the performance and design standards outlined in the SWIP Specific Plan and that neighboring uses are not exposed to substantial daytime glare as part of the project's design review process. Therefore, the project would not result in cumulatively considerable light and glare impacts since impacts would be less than significant.

### **Mitigation Measures**

None required.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## 4.2 Air Quality

This section examines the air quality in the project area, includes a summary of applicable air quality regulations, and analyzes potential air quality impacts associated with the proposed project. Air quality impacts were assessed in accordance with methodologies recommended by the California Air Resources Board (CARB) and the South Coast Air Quality Management District (SCAQMD). Where quantification was required, emissions were modeled using the California Emissions Estimator Model (CalEEMod). The information and analysis herein rely on the following reports and technical data:

- *Fontana Foothills Commerce Center Air Quality Impact Analysis* (Air Quality Analysis), Urban Crossroads, May 4, 2020;
- *Fontana Foothills Commerce Center Mobile Source Health Risk Assessment* (Health Risk Assessment), Urban Crossroads, May 4, 2020;
- *Fontana Foothills Commerce Center Greenhouse Gas Analysis*, Urban Crossroads, May 4, 2020;
- *Residential Upzone Project Focused Air Quality and Greenhouse Gas Emissions Memo*, Urban Crossroads, March 30, 2020;
- *Fontana Foothills Commerce Center Traffic Impact Analysis* (Traffic Impact Analysis), Urban Crossroads, April 23, 2020;

Collectively, these investigations have been included in **Appendix B**.

### 4.2.1 Existing Conditions

Air quality and dispersion of air pollution in an area are determined by such natural factors as topography, meteorology, and climate, coupled with atmospheric stability. The factors affecting the dispersion of air pollution with respect to the air basin are discussed below.

#### Topography

The project area lies within the South Coast Air Basin (Basin). The Basin covers a 6,600-square-mile area bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto mountains to the north and east. The Basin includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the San Geronio Pass Area in Riverside County. The Basin's terrain and geographical location (i.e., a coastal plain with connecting broad valleys and low hills) determine its distinctive climate.

#### Meteorology and Climate

The general region is in the semi-permanent high-pressure zone of the eastern Pacific. The climate is mild and tempered by cool sea breezes. The usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds. The extent and severity of the air pollution problem in the Basin 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 pollutants throughout the Basin.

### Sensitive Receptors

Sensitive receptors are more susceptible to the effects of air pollution than is the general population. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes or other persons who exercise outdoors, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health-care facilities, rehabilitation centers, convalescent centers, and retirement homes. The nearest sensitive receptor is a residence located approximately 15 feet east of the eastern project site boundary.

### Air Pollutants of Concern

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by Federal and State laws. These regulated air pollutants are known as criteria air pollutants and are categorized into primary and secondary pollutants. Primary air pollutants are those that are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>), coarse particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), lead, and fugitive dust are primary air pollutants. Of these, CO, SO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are criteria pollutants. ROG and NO<sub>x</sub> are criteria pollutant precursors and go on to form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere (for example, ozone [O<sub>3</sub>] is formed by a chemical reaction between ROG and NO<sub>x</sub> in the presence of sunlight). Ozone and nitrogen dioxide (NO<sub>2</sub>) are the principal secondary criteria pollutants.

Sources and health effects commonly associated with criteria pollutants are summarized in *Table 4.2-1: Criteria Air Pollutants Summary of Common Sources and Effects*.

**Table 4.2-1: Criteria Air Pollutants Summary of  
Common Sources and Effects**

Pollutant	Major Man-Made Sources	Human Health and Welfare Effects
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 <sub>2</sub> )	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 ozone and acid rain. Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.

**Table 4.2-1: Criteria Air Pollutants Summary of  
Common Sources and Effects (continued)**

Pollutant	Major Man-Made Sources	Human Health and Welfare Effects
Ozone (O <sub>3</sub> )	Formed by a chemical reaction between volatile organic compounds (VOC) and nitrous oxides in the presence of sunlight. VOCs are also commonly referred to as reactive organic gases. Common sources of these precursor pollutants include 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. Damages rubber, some textiles, and dyes.
Particulate Matter (PM <sub>10</sub> and PM <sub>2.5</sub> )	Produced by 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; aggravated asthma; development of chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility (haze).
Sulfur Dioxide (SO <sub>2</sub> )	A colorless, nonflammable gas formed when fuel containing sulfur is burned; when gasoline is extracted from oil; or when metal is extracted from ore. 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.

Source: CAPCOA 2020

### Ambient Air Quality

Ambient air quality in Fontana, and thus at the project area, can be inferred from ambient air quality measurements conducted at air quality monitoring stations. Existing levels of ambient air quality and historical trends in the region are documented by measurements made by the SCAQMD, the air pollution regulatory agency in the Basin that maintains the air quality monitoring stations which process ambient air quality measurements.

O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are the primary pollutants affecting the SCAQMD. The nearest air quality monitoring site to the project area that monitors ambient concentrations of O<sub>3</sub> and airborne particulates is the Central San Bernardino Valley 1 monitoring station located approximately 4.45 miles northwest of the project site. **Table 4.2-2: Ambient Air Quality Monitoring Data** summarizes the published data for 2016 to 2018 that the monitoring data is provided.



**Table 4.2-2: Ambient Air Quality Monitoring Data**

Pollutant	Standard	Year		
		2016	2017	2018
O <sub>3</sub>				
Maximum Federal 1-Hour Concentration (ppm)	-	0.139	0.137	0.141
Maximum Federal 8-Hour Concentration (ppm)	-	0.105	0.118	0.111
Number of Days Exceeding State 1-Hour Standard	> 0.09 ppm	34	49	38
Number of Days Exceeding State/Federal 8-Hour Standard	> 0.070 ppm	52	49	69
CO				
Maximum Federal 1-Hour Concentration	> 35 ppm	1.7	1.6	1.9
Maximum Federal 8-Hour Concentration	> 20 ppm	1.0	1.3	1.1
NO <sub>2</sub>				
Maximum Federal 1-Hour Concentration	> 0.100 ppm	0.072	0.069	0.063
Annual Average	NA	18.2	18.3	18.3
PM <sub>10</sub>				
Maximum Federal 24-Hour Concentration (µg/m <sup>3</sup> )	> 150 µg/m <sup>3</sup>	94	75	64
Annual Federal Arithmetic Mean (µg/m <sup>3</sup> )	NA	38.1	39.3	34.1
Number of Days Exceeding Federal 24-Hour Standard	> 150 µg/m <sup>3</sup>	0	0	0
Number of Days Exceeding State 24-Hour Standard	> 50 µg/m <sup>3</sup>	15	7	9
PM <sub>2.5</sub>				
Maximum Federal 24-Hour Concentration (µg/m <sup>3</sup> )	> 35 µg/m <sup>3</sup>	30.45	39.2	29.2
Annual Federal Arithmetic Mean (µg/m <sup>3</sup> )	> 12 µg/m <sup>3</sup>	12.0	12.0	11.1
Number of Days Exceeding Federal 24-Hour Standard	> 35 µg/m <sup>3</sup>	0	1	0

Source: Urban Crossroads, *Fontana Foothills Commerce Center Air Quality Impact Analysis*, May 4, 2020; refer to Appendix B.

Notes: ppm = parts per million; PM<sub>10</sub> = particulate matter 10 microns in diameter or less; µg/m<sup>3</sup> = micrograms per cubic meter; PM<sub>2.5</sub> = particulate matter 2.5 microns in diameter or less; NA = not applicable

### Toxic Air Contaminants

In addition to the criteria pollutants discussed above, toxic air contaminants (TACs) are another group of pollutants of concern. TACs are considered either carcinogenic or noncarcinogenic based on the nature of the health effects associated with exposure to the pollutant. For regulatory purposes, carcinogenic TACs are assumed to have no safe threshold below which health impacts would not occur, and cancer risk is expressed as excess cancer cases per one million exposed individuals. Noncarcinogenic TACs differ in that there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels are determined on a pollutant-by-pollutant basis.

There are many different types of TACs, with varying degrees of toxicity. Sources include industrial processes, such as petroleum refining and chrome-plating operations; commercial operations, such as gasoline stations and dry cleaners; and motor vehicle exhaust. Public exposure to TACs can result from emissions from normal operations, as well as from accidental releases of hazardous materials during upset conditions. The health effects associated with TACs are quite diverse and generally are assessed locally, rather than regionally. TACs can cause long-term health effects such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage, or short-term acute affects such as eye watering, respiratory irritation (a cough), running nose, throat pain, and headaches.

To date, CARB has designated nearly 200 compounds as toxic air contaminants. Additionally, CARB has implemented control measures for a number of compounds that pose high risks

and show potential for effective control. Most of the estimated health risks from TACs can be attributed to a relatively few compounds.

CARB identified diesel particulate matter (DPM) as a TAC. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particles and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. Diesel particulate matter poses the greatest health risk among the TACs because of its extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

## 4.2.2 Regulatory Framework

### Federal

#### ***Clean Air Act***

Air quality is Federally protected by the Clean Air Act (CAA) and its amendments. Under the Federal CAA, the US Environmental Protection Agency (EPA) developed the primary and secondary National Ambient Air Quality Standards (NAAQS) for the criteria air pollutants including O<sub>3</sub>, NO<sub>2</sub>, CO, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and lead. Proposed projects in or near nonattainment areas could be subject to more stringent air-permitting requirements. The CAA requires each state to prepare a State Implementation Plan (SIP) to demonstrate how it will attain the NAAQS within the Federally imposed deadlines.

The EPA can withhold certain transportation funds from states that fail to comply with the planning requirements of the act. 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.

### State

#### ***California Clean Air Act***

In 1988, the California Clean Air Act (CCAA) was adopted and led to the establishment of California Ambient Air Quality Standards (CAAQS) for the same major pollutants as the NAAQS. ***Table 4.2-3: Air Quality Standards*** lists both the CAAQS and NAAQS standards for O<sub>3</sub>, CO, NO<sub>2</sub>, SO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, and lead. In addition, the State of California has set standards for sulfates, hydrogen sulfide, vinyl chloride, and visibility-reducing particles. These standards are designed to protect the health and welfare of the populace with a reasonable margin of safety.

Table 4.2-3: Air Quality Standards

Pollutant	Averaging Time	California Standards	National Standards
Ozone (O <sub>3</sub> )	8 Hour	0.070 ppm (137 µg/m <sup>3</sup> )	0.070 ppm (137 µg/m <sup>3</sup> )
	1 Hour	0.09 ppm (180 µg/m <sup>3</sup> )	—
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m <sup>3</sup> )	9 ppm (10 mg/m <sup>3</sup> )
	1 Hour	20 ppm (23 mg/m <sup>3</sup> )	35 ppm (40 mg/m <sup>3</sup> )
Nitrogen Dioxide (NO <sub>2</sub> )	1 Hour	0.18 ppm (339 µg/m <sup>3</sup> )	100 ppb
	Annual Arithmetic Mean	0.030 ppm (57 µg/m <sup>3</sup> )	53 ppb (100 µg/m <sup>3</sup> )
Sulfur Dioxide (SO <sub>2</sub> )	24 Hour	0.04 ppm (105 µg/m <sup>3</sup> )	N/A
	3 Hour	—	N/A
	1 Hour	0.25 ppm (665 µg/m <sup>3</sup> )	75 ppb
Particulate Matter (PM <sub>10</sub> )	Annual Arithmetic Mean	20 µg/m <sup>3</sup>	N/A
	24 Hour	50 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>
Particulate Matter – Fine (PM <sub>2.5</sub> )	Annual Arithmetic Mean	12 µg/m <sup>3</sup>	12 µg/m <sup>3</sup>
	24 Hour	N/A	35 µg/m <sup>3</sup>
Sulfates	24 Hour	25 µg/m <sup>3</sup>	N/A
Lead	Calendar Quarter	N/A	1.5 µg/m <sup>3</sup>
	30 Day Average	1.5 µg/m <sup>3</sup> )	N/A
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m <sup>3</sup> )	N/A
Vinyl Chloride (chloroethene)	24 Hour	0.01 ppm (26 µg/m <sup>3</sup> )	N/A
Visibility-Reducing Particles	8 Hour (10:00 to 18:00 PST)	—	N/A

Source: Urban Crossroads, *Fontana Foothill Commerce Center Air Quality Impact Analysis*, May 4, 2020; refer to Appendix B.

Notes: mg/m<sup>3</sup> = milligrams per cubic meter; ppm = parts per million; ppb = parts per billion; µg/m<sup>3</sup> = micrograms per cubic meter

CARB is responsible for enforcing air pollution regulations in California. The CCAA requires all air pollution control districts in California to endeavor to achieve and maintain the CAAQS by the earliest practicable date and to develop plans and regulations specifying how they will meet this goal.

#### **California State Implementation Plan**

The Federal CAA (and its subsequent amendments) requires each state to prepare an air quality control plan referred to as the SIP, a living document that is periodically modified to reflect the latest emissions inventories, plans, and rules and regulations of air basins as reported by the agencies with jurisdiction over them. The CAA Amendments dictate that states containing areas violating the national ambient air quality standards revise their SIPs to include extra control measures to reduce air pollution. The SIP includes strategies and control measures to attain the NAAQS by deadlines established by the CAA. The SCAQMD is responsible for preparing and implementing the portion of the SIP applicable to the South Coast Air Basin. The EPA has the responsibility to review all SIPs to determine whether they conform to the requirements of the CAA.

#### **Air Quality Attainment Plan**

The SCAQMD and the Southern California Association of Governments (SCAG) are the agencies responsible for preparing the Air Quality Management Plan (AQMP) for the Basin pursuant to the Federal CAA in order to reduce emissions of criteria pollutants for which the Basin is in nonattainment. Drafted by the SCAQMD, 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 multiagency effort including the SCAQMD, CARB, SCAG, and the EPA. The 2016 AQMP pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's latest Regional Transportation Plan/Sustainable Communities Strategy, 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.)

The AQMP provides local guidance for the SIP, which sets the framework for air quality basins to achieve attainment of the State and Federal ambient air quality standards. Areas that meet ambient air quality standards are classified as attainment areas, while areas that do not meet these standards are classified as nonattainment areas. Areas for which there is insufficient data available are designated unclassified. The attainment status for the western portion of San Bernardino County is shown in **Table 4.2-4: Federal and State Ambient Air Quality Attainment Status for South Coast Air Basin**. The region is nonattainment for State O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> standards and nonattainment for Federal O<sub>3</sub> and PM<sub>10</sub>.

**Table 4.2-4: Federal and State Ambient Air Quality Attainment Status for South Coast Air Basin**

Pollutant	Federal	State
1-Hour Ozone (O <sub>3</sub> )	-	Nonattainment
8-Hour Ozone (O <sub>3</sub> )	Nonattainment	Nonattainment
Coarse Particulate Matter (PM <sub>10</sub> )	Attainment	Nonattainment
Fine Particulate Matter (PM <sub>2.5</sub> )	Nonattainment	Nonattainment
Carbon Monoxide (CO)	Unclassified/Attainment	Attainment
Nitrogen Dioxide (NO <sub>2</sub> )	Unclassified/Attainment	Attainment
Sulfur Dioxide (SO <sub>2</sub> )	Attainment	Attainment

Source: Urban Crossroads, *Fontana Foothill Commerce Center Air Quality Impact Analysis*, May 4, 2020; refer to Appendix B.

Notes: "-"= The national 1-hour O<sub>3</sub> standard was revoked effective June 15, 2005.

### **Toxic Air Contaminant Regulations**

In 1983, the California legislature enacted a program to identify the health effects of TACs and to reduce exposure to these contaminants to protect the public health. The California Health and Safety Code defines a TAC as "an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health." A substance that is listed as a hazardous air pollutant pursuant to subsection (b) of Section 112 of the Federal CAA (42 United States Code Section 7412[b]) is a TAC. Under State law, the California Environmental Protection Agency, acting through CARB, is authorized to identify a substance as a TAC if it determines the substance is an air pollutant that may cause or contribute to an increase in mortality or to an increase in serious illness, or may pose a present or potential hazard to human health.

California regulates TACs primarily through Assembly Bill (AB) 1807 (Tanner Air Toxics Act) and AB 2588 (Air Toxics "Hot Spot" Information and Assessment Act of 1987). The Tanner Air Toxics Act sets forth a formal procedure for CARB to designate substances as TACs. Once a TAC is identified, CARB adopts an "airborne toxics control measure" for sources that

emit designated TACs. If there is a safe threshold for a substance (a point below 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 to minimize emissions. To date, CARB has established formal control measures for 11 toxic air contaminants, all of which are identified as having no safe threshold.

Air toxics from stationary sources are also regulated in California under the Air Toxics “Hot Spot” Information and Assessment Act of 1987. 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, are required to communicate the results to the public in the form of notices and public meetings.

Since the last update to the TAC list in December 1999, CARB has designated 244 compounds as TACs. Additionally, CARB has implemented control measures for a number of compounds that pose high risks and show potential for effective control. The majority of the estimated health risks from TACs can be attributed to relatively few compounds, the most important being particulate matter from diesel-fueled engines. Because the project is proposing an industrial warehouse requiring daily visits from heavy-duty diesel trucks during operations, it would be a source of DPM concentrations during project operations.

#### ***California Diesel Risk Reduction Plan***

In September 2000, CARB adopted the Diesel Risk Reduction Plan, which recommends many control measures to reduce the risks associated with DPM and achieve the goal of an 85 percent reduction of DPM generated by 2020. The plan incorporates measures to reduce emissions from diesel-fueled vehicles and stationary diesel-fueled engines. CARB’s ongoing efforts to reduce diesel-exhaust emissions from these sources include the development of specific Statewide regulations. The goal of each regulation is to make diesel engines as clean as possible by establishing state-of-the-art technology requirements or emission standards to reduce DPM emissions.

Since the initial adoption of the Diesel Risk Reduction Plan, CARB has adopted numerous rules related to the reduction of DPM from mobile sources, as well as the use of cleaner-burning fuels. Transportation sources addressed by these rules include public transit buses, school buses, on-road heavy-duty trucks, and off-road heavy-duty equipment.

#### ***On-Road Heavy-Duty Diesel Vehicles (In Use) Regulation***

CARB’s On-Road Heavy-Duty Diesel Vehicles (In Use) Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Heavier trucks were required to be retrofitted with particulate matter filters beginning January 1, 2012, and replacement of older trucks was required starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. The regulation applies to nearly all privately and Federally owned diesel-fueled trucks and buses, as well as to privately and publicly owned school buses with a gross vehicle weight rating greater than 14,000 pounds.

## Local

### ***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 the NAAQS and CAAQS are attained and maintained in the Basin. 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, and conducting public education campaigns, as well as many other activities. All projects are subject to the SCAQMD rules and regulations in effect at the time of construction.

The following is a list of noteworthy SCAQMD rules that are required of the proposed project during construction activities:

- **Rule 402 (Nuisance)** – This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other materials 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 prohibits all forms of visible particulate matter from crossing any property line. Rule 403 is intended to reduce PM<sub>10</sub> emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. Examples of some PM<sub>10</sub> suppression techniques are summarized below.
  - Portions of the 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 in a manner acceptable to the City.
  - 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 the 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.
  - A wheel washing system will be installed and used to remove bulk material from tires and vehicle undercarriages before vehicles exit the site.



- Water will be applied to active portions of the site, including unpaved roads, in sufficient quantity.
- **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.

#### **City of Fontana General Plan**

The City of Fontana's General Plan contains goals, policies, and actions that are designed to protect and improve air quality. These goals and policies are in the Health and Wellness Element, and the Community Mobility and Circulation Element. The Health and Wellness Element provides strategies to promote healthy eating and physical activity as well as development patterns that support a healthy lifestyle. The Community Mobility and Circulation Element supports programs that improve travel by cars and trucks and provides guidance on expanding the options for transit and active transportation.

#### Health and Wellness

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 rates.

#### Community Mobility and Circulation

Goal 1, Action J              Continue to designate and enforce truck routes to provide freight access while mitigating air pollution impacts on neighborhoods.

Goal 7                          The City of Fontana participates in shaping regional transportation policies to reduce traffic congestion, pollution and greenhouse gas emissions.

Goal 7, Action D              Support the adoption the use of technologies that reduce emissions from passenger and transit vehicles.

### **4.2.3 Thresholds for Determination of Significance**

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as ***Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters***, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on air quality if it would do any of the following:

1. Conflict with or obstruct implementation of the applicable air quality plan (refer to Impact 4.2-1).
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 (refer to Impact 4.2-2).



3. Expose sensitive receptors to substantial pollutant concentrations (refer to Impact 4.2-3).
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people (refer to Impact 4.2-4).

#### 4.2.4 Impact Analysis and Mitigation Measures

Air quality impacts are analyzed below according to topic. Mitigation measures directly correspond with an identified impact.

##### **CONFLICT WITH AIR QUALITY PLAN**

<b>Impact 4.2-1</b>	<b>The project would potentially conflict with or obstruct implementation of the applicable air quality plan.</b>
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The project area is located in the South Coast Air Basin, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the Federal CAA, to reduce emissions of criteria pollutants for which the Basin is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 AQMP, which establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving State and national air quality standards.

According to the SCAQMD (1993) *CEQA Air Quality Handbook*, in order to determine a project's consistency with the AQMP, two main criteria must be addressed.

**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.**

The violations that Consistency Criterion No. 1 refers to are the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if regional or localized significance thresholds were exceeded.

##### Construction Impacts – Consistency Criterion 1

Consistency Criterion No. 1 refers to violations of the CAAQS and NAAQS. CAAQS and NAAQS violations would occur if localized significance thresholds (LSTs) or regional significance thresholds were exceeded. As evaluated, the project's regional and localized construction-source emissions would not exceed applicable regional significance threshold and LSTs after implementation of Mitigation Measure AQ-2. As such, a less than significant impact is expected.

##### Operational Impacts – Consistency Criterion 1

As evaluated, the project's regional and localized operational-source emissions would not exceed the LSTs but would exceed the applicable regional significance thresholds for emissions of NO<sub>x</sub>. As such, the project would have the potential to conflict with the AQMP.

On the basis of the preceding discussion, the project is determined to inconsistent with the first criterion.

**Consistency Criterion No. 2: The project will not exceed the assumptions in the AQMP based on the years of project build-out phase.**

The 2016 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the time frames required under Federal law. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in City of Fontana *General Plan* is considered to be consistent with the AQMP.

Construction Impacts – Consistency Criterion 2

Peak day emissions generated by construction activities are largely independent of land use assignments, but rather are a function of development scope and maximum area of disturbance. Irrespective of the site's land use designation, development of the site to its maximum potential would likely occur, with disturbance of the entire site occurring during construction activities.

Operational Impacts – Consistency Criterion 2

The City General Plan designates the project site as Residential Planned Community (R-PC) and Walkable Mixed-Use Corridor and Downtown (WMXU-1). The R-PC land use category is used for master-planned communities with specific plans and requires a minimum of 145 acres or minimum 10,000 square foot lots. The WMXU-1 designation is intended to provide an alternative to conventional subdivision development with a mixture of housing types, neighborhood-serving retail, open space and civic uses, and site design that provides for multimodal connectivity internal to the site and external to connect with adjacent areas. The project proposes the development of 758,020 square feet of warehouse/distribution center use across two buildings. The proposed project is inconsistent with the zoning designations of the General Plan. As such, the project would require a general plan amendment and zoning amendment. As the project would have the potential to conflict with the AQMP.

On the basis of the preceding discussion, the project is determined to be inconsistent with the second criterion.

**AQMP Consistency Conclusion**

The project would have the potential to cause NAAQS or CAAQS violations. The project would be inconsistent with the current general plan designation. The project would require a General Plan Amendment (GPA) to industrial warehousing, the GPA is not included in the current AQMP. Therefore, the project would have the potential to conflict with the AQMP.

**Mitigation Measures**

Refer to Mitigation Measure AQ-2 (see Impact 4.2-3).

### Level of Significance After Mitigation

As discussed above, the project is not consistent with the 2016 AQMP. Therefore, even with Mitigation Measure AQ-2, impacts would be significant and unavoidable.

#### **VIOLATE AIR QUALITY STANDARDS**

<b>Impact 4.2-2</b>	<b>The project would potentially 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.</b>
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### Development Site

#### **Short-Term Construction Emissions**

Construction associated with the proposed warehousing facility would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern in the project area include ozone-precursor pollutants (i.e., ROG and NO<sub>x</sub>) and PM<sub>10</sub>. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact.

Construction results in the temporary generation of emissions ensuing from site grading and excavation, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. 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 the appropriate application of water. Construction-related emissions are expected from demolition, site preparation, grading, building construction, paving, architectural coatings, and construction workers commuting. Earthwork activities are expected to be balanced on-site and no import or export of soils would be required.

The estimated maximum daily construction emissions are summarized in *Table 4.2-5: Development Site Construction-Related Emissions*. As previously stated, all construction projects in the Basin are subject to the SCAQMD rules and regulations in effect at the time of construction, including Rule 403 described above. The construction emissions summarized in *Table 4.2-5* account for the quantifiable PM-reducing requirements of SCAQMD Rule 403. Refer to specific detailed modeling inputs/outputs, including construction equipment assumptions, in *Appendix B*.

As shown in *Table 4.2-5*, unmitigated regional construction emissions would not exceed SCAQMD thresholds. Therefore, impacts would be less than significant in this regard. Although mitigation is not needed to reduce regional construction emissions, Mitigation Measure AQ-2 would be required to decrease localized emissions; refer to Impact 4.2-3. Implementation of Mitigation Measure AQ-2 would further reduce regional emissions as indicated in *Table 4.2-6: Development Site Construction-Related Emissions – With Mitigation*.

**Table 4.2-5: Development Site Construction-Related Emissions – Without Mitigation**

Year	Maximum Emissions (pounds per day)					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
<b>Summer</b>						
Year 1	6.86	60.84	48.01	0.75	11.34	6.52
Year 2	62.09	66.84	67.33	0.21	11.99	4.58
<b>Winter</b>						
Year 1	6.90	60.85	44.17	0.17	11.34	6.52
Year 2	62.14	66.69	62.85	0.20	11.99	4.58
<b>Maximum Daily Emissions</b>	<b>62.14</b>	<b>66.84</b>	<b>67.33</b>	<b>0.75</b>	<b>11.99</b>	<b>6.52</b>
SCAQMD Regional Thresholds	75	100	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No

Source: Urban Crossroads 2020; see Appendix B

**Table 4.2-6: Development Site Construction-Related Emissions – With Mitigation**

Construction Activities	Maximum Emissions (pounds per day) <sup>1</sup>					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
<b>Summer</b>						
Year 1	6.39	54.77	50.31	0.18	10.56	5.84
Year 2	61.70	63.84	69.79	0.21	11.88	4.49
<b>Winter</b>						
Year 1	6.43	54.62	46.48	0.17	10.56	5.84
Year 2	61.75	63.69	65.31	0.20	11.88	4.49
<b>Maximum Daily Emissions</b>	<b>61.75</b>	<b>63.84</b>	<b>69.79</b>	<b>0.21</b>	<b>11.88</b>	<b>5.84</b>
SCAQMD Regional Thresholds	75	100	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No

Source: Urban Crossroads 2020; see Appendix B

### ***Long-Term Operational Emissions***

Operational activities associated with the project will result in emissions of ROG, NO<sub>x</sub>, SO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. Operational emissions would be expected from the following primary sources: area source emissions, energy source emissions, mobile source emissions, and on-site cargo handling equipment emissions.

#### **Area Source Emissions**

Area source emissions include those generated by architectural coatings, consumer products, and landscape maintenance equipment as described below.

- *Architectural Coatings:* As part of project maintenance, architectural coatings on the project buildings would emit emissions from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings.

- Consumer Products: Consumer products include, but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products. Many of these products contain organic compounds, which when released in the atmosphere can react to form ozone and other photochemically reactive pollutants.
- Landscape Maintenance Equipment: Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the site.

### Energy Source Emissions

Energy source emissions would be generated as a result of electricity and natural gas (non-hearth) usage associated with the proposed project. However, because electrical generating facilities for the project area are located either outside the region (State) or offset through the use of pollution credits (RECLAIM) for generation within the Basin, criteria pollutant emissions from off-site generation of electricity is generally excluded from the evaluation of significance and only natural gas use is considered. It should be noted that the project would comply with the 2019 Title 24 standards.

### Mobile Source Emissions

Project related operational air quality impacts are derived predominantly from mobile sources. Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Mobile source air quality impacts are dependent on both overall daily vehicle trip generation and the effect of the project on peak hour traffic volumes and traffic operations in the site vicinity. The operational air quality impacts are derived primarily from vehicle trips generated by the project. According to the Traffic Impact Analysis, the development site would generate approximately 1,058 daily vehicle trips.<sup>1</sup>

Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> are all pollutants of regional concern (NO<sub>x</sub> and ROG react with sunlight to form O<sub>3</sub> [photochemical smog], and wind currents readily transport SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

It should be noted that the project would not include transport refrigeration units (TRUs). TRUs are refrigeration systems powered by diesel internal combustion engines designed to refrigerate or heat perishable products that are transported in various containers, including semi-trailers, truck vans, shipping containers, and rail cars. Although TRU engines are relatively small, ranging from 9 to 36 horsepower (hp), significant numbers of these engines congregate at distribution centers, truck stops, and other facilities resulting in the potential for air quality impacts.<sup>2</sup> Although the project would not include TRUs or cold storage, Mitigation Measure AQ-1 would be implemented to prohibit future tenants from utilizing TRUs and cold

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<sup>1</sup> It should be noted that the Traffic Impact Analysis only reports weekday trip rates, therefore the weekend (Saturday and Sunday) trip rates are based on data published by Institute of Transportation Engineers for weekend conditions.

<sup>2</sup> CARB, *Transport Refrigeration Unit (TRU or Reefer) Regulation*, <https://ww3.arb.ca.gov/msprog/truckstop/trus/trus.htm>, accessed June 9, 2020.

storage at the project site. If it is determined that the proposed project would require TRUs or cold storage in the future, an amendment would be required to the project's entitlements to ensure such uses are analyzed in compliance with applicable laws and regulations.

#### On-Site Cargo Handling Equipment Emissions

It is common for industrial warehouse buildings to require cargo handling equipment to move empty containers and empty chassis to and from the various pieces of cargo handling equipment that receive and distribute containers. The most common type of cargo handling equipment is the yard truck which is designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors, hustlers, yard hostlers, and yard tractors. The cargo handling equipment is assumed to have a horsepower range of approximately 175 hp to 200 hp. For example, based on the latest available information from SCAQMD, high-cube warehouse projects typically have 3.6-yard trucks per million square feet of building space. For the proposed project, based on the maximum square footage of each building space, on-site modeled operational equipment includes up to three 200 horsepower, compressed natural gas or gasoline-powered yard tractors operating four hours per day for 365 days per year.

#### Operational Emissions Summary

The project's long-term operational emissions estimates were calculated using the CalEEMod model; refer to **Appendix B**. This model predicts ROG, NO<sub>x</sub>, CO, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from area, energy, mobile traffic, and on-site equipment sources associated with the proposed land uses. **Table 4.2-7: Development Site Summary of Peak Operational Emissions** presents the anticipated operational source emissions for the project. CalEEMod utilizes summer and winter EMFAC 2017 emission factors in order to derive vehicle emissions associated with project operational activities, which vary by season. As such, operational activities for summer and winter scenarios are presented in **Table 4.2-7**. As shown in **Table 4.2-7**, the project would exceed the numerical thresholds of significance established by the SCAQMD for emissions of NO<sub>x</sub>. It should be noted that the majority of the project's NO<sub>x</sub> emissions are derived from vehicle usage. Since neither the project applicant nor the City have regulatory authority to control tailpipe emissions, no feasible mitigation measures exist that would reduce these emissions to levels that are less than significant. As such, impacts would be significant and unavoidable.

### **Upzone Site**

#### **Short-Term Construction Emissions**

Future development on the upzone site in accordance with the proposed rezone from Single-Family Residential (R-1) to Medium Density Residential (R-2) would accommodate additional residential units than allowed under the site's current R-1 zoning. However, no development is currently proposed on the upzone site as part of the project. Future residential development on the upzone site would require separate environmental review under CEQA, including potential short-term construction air quality analysis. As such, the proposed project would not result in any temporary construction impacts on the upzone site. No impact would occur in this regard.



Table 4.2-7: Development Site Summary of Peak Operational Emissions

Operational Activities	Pollutant (pounds per day) <sup>1</sup>					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
<b>Summer</b>						
Area Source	17.18	<0.01	0.17	<0.01	<0.01	<0.01
Energy Use	0.03	0.29	0.24	<0.01	0.02	0.02
Mobile Source (Passenger Cars)	1.98	1.45	25.07	0.07	7.65	2.05
Mobile Source (Trucks)	1.96	73.95	17.06	0.30	11.77	3.84
On-Site Equipment Source	0.37	3.80	2.28	0.01	0.13	0.12
<b>Total Maximum Daily Emissions</b>	<b>21.52</b>	<b>79.49</b>	<b>44.82</b>	<b>0.39</b>	<b>19.57</b>	<b>6.04</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
Exceed Daily Threshold?	No	Yes	No	No	No	No
<b>Winter</b>						
Area Source	17.18	<0.01	0.17	<0.01	<0.01	<0.01
Energy Use	0.03	0.29	0.24	<0.01	0.02	0.02
Mobile Source (Passenger Cars)	1.81	1.52	20.74	0.06	7.65	2.05
Mobile Source (Trucks)	1.86	76.33	14.61	0.30	11.75	3.84
On-Site Equipment Source	0.37	3.80	2.28	0.01	0.13	0.12
<b>Total Maximum Daily Emissions</b>	<b>21.24</b>	<b>81.94</b>	<b>38.04</b>	<b>0.38</b>	<b>19.56</b>	<b>6.03</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
Exceed Daily Threshold?	No	Yes	No	No	No	No

Source: Urban Crossroads 2020; see Appendix B.

### Long-Term Operational Emissions

The proposed zone change would change the zoning designation for the upzone site from R-1 to R-2 will generate capacity for 10 additional residential units within the City, taking into account the displaced units from the Development Site. Therefore, the net increase associated with the upzone site is 10 dwelling units. As the proposed zone change is being considered by the City as a legislative action only and no development would occur, the following analysis is based on the net increase of 10 dwelling units.

Operational activities associated with the project would result in emissions of CO, ROG, NO<sub>x</sub>, SO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Operational related emissions are expected from the following primary sources: area source emissions, energy source emissions, and mobile source emissions.

#### Area Source Emissions

Area source emissions include those generated by architectural coatings, consumer products, and landscape maintenance equipment as described below.

- Architectural Coatings: As part of project maintenance, architectural coatings on the project buildings would emit emissions from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings.
- Consumer Products: Consumer products include, but are not limited to detergents, cleaning compounds, polishes, personal care products, and lawn and garden products.

Many of these products contain organic compounds which when released in the atmosphere can react to form ozone and other photochemically reactive pollutants.

- *Landscape Maintenance Equipment:* Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the project.

#### Energy Source Emissions

Criteria pollutant emissions are emitted through the generation of electricity and consumption of natural gas. However, because electrical generating facilities for the project area are located either outside the region (State) or offset through the use of pollution credits (RECLAIM) for generation within the Basin, criteria pollutant emissions from off-site generation of electricity is generally excluded from the evaluation of significance and only natural gas use is considered.

#### Mobile Source Emissions

Project mobile source air quality emissions are primarily dependent on overall daily vehicle trip generation. The project related operational air quality impacts derive primarily from vehicle trips generated by the project. The trip generation rates utilized in this assessment are based on *Institute of Transportation Engineers* (ITE) 10th edition.

#### Operational Emissions Summary

***Table 4.2-8: Existing R-1 Zoning - Summary of Peak Operational Emissions*** summarizes the daily regional emissions from on-going operations that would occur under the existing R-1 zoning scenario. ***Table 4.2-9: Proposed Upzone Site R-2 Zoning - Summary of Peak Operational Emissions*** summarizes the regional emissions from operations that would occur under the project's proposed R-2 zoning scenario. ***Table 4.2-10: Existing R-1 Zoning vs. Proposed Upzone Site R-2 Zoning - Summary of Peak Operational Emissions*** summarizes the project's total net change when compared to the existing R-1 zoning scenario regional emissions from on-going operations. During operational activity, the project would not exceed any of the thresholds of significance, and accordingly would not 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. Thus, a less than significant impact would occur for regional project-related operation-sources emissions, and no mitigation is required.

#### **Health Impacts**

In December 2018, in the case of *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502 ("Friant Ranch"), California Supreme Court held that an EIR's air quality analysis must meaningfully connect the identified significant air quality impacts to the human health consequences of those impacts, or meaningfully explain why that analysis cannot be provided. As noted in the Brief of Amicus Curiae by the SCAQMD in the Friant Ranch case (April 6, 2015, Appendix 3.5) (Brief), 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.

**Table 4.2-8: Existing R-1 Zoning - Summary of Peak Operational Emissions**

Operational Activities	Pollutant (pounds per day) <sup>1</sup>					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
<b>Existing R-1 Zoning - Summer Scenario</b>						
Area Source	42.82	2.74	53.57	0.08	5.71	5.71
Energy Use	0.14	1.20	0.51	<0.01	0.10	0.10
Mobile Source	1.44	12.93	17.36	0.11	10.80	2.91
<b>Total Maximum Daily Emissions</b>	<b>44.40</b>	<b>16.87</b>	<b>71.44</b>	<b>0.20</b>	<b>16.61</b>	<b>8.72</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
Exceed Daily Threshold?	No	No	No	No	No	No
<b>Existing R-1 Zoning - Winter Scenario</b>						
Area Source	42.82	2.74	53.57	0.08	5.71	5.71
Energy Use	0.14	1.20	0.51	<0.01	0.10	0.10
Mobile Source	1.27	12.80	15.32	0.10	10.80	2.91
<b>Total Maximum Daily Emissions</b>	<b>44.23</b>	<b>16.74</b>	<b>69.39</b>	<b>0.20</b>	<b>16.61</b>	<b>8.72</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
Exceed Daily Threshold?	No	No	No	No	No	No

Source: Urban Crossroads 2020; see Appendix B.

**Table 4.2-9: Proposed Upzone Site R-2 Zoning - Summary of Peak Operational Emissions**

Operational Activities	Pollutant (pounds per day) <sup>1</sup>					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
<b>Proposed Upzone Site R-2 Zoning - Summer Scenario</b>						
Area Source	42.74	2.92	57.02	0.08	6.08	6.08
Energy Use	0.08	0.65	0.28	<0.01	0.05	0.05
Mobile Source	1.31	11.75	15.77	0.10	9.81	2.65
<b>Total Maximum Daily Emissions</b>	<b>44.12</b>	<b>15.32</b>	<b>73.07</b>	<b>0.19</b>	<b>15.95</b>	<b>8.78</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
Exceed Daily Threshold?	No	No	No	No	No	No
<b>Proposed Upzone Site R-2 Zoning - Winter Scenario</b>						
Area Source	42.74	2.92	57.02	0.08	6.08	6.08
Energy Use	0.08	0.65	0.28	<0.1	0.05	0.05
Mobile Source	1.16	11.62	13.91	0.10	9.81	2.65
<b>Total Maximum Daily Emissions</b>	<b>43.97</b>	<b>15.19</b>	<b>71.21</b>	<b>0.18</b>	<b>15.95</b>	<b>8.78</b>
SCAQMD Regional Threshold	55	55	550	150	150	55
Exceed Daily Threshold?	No	No	No	No	No	No

Source: Urban Crossroads 2020; see Appendix B.

**Table 4.2-10: Existing R-1 Zoning vs. Proposed Upzone Site R-2 Zoning – Summary of Peak Operational Emissions**

Operational Activities	Pollutant (pounds per day) <sup>1</sup>					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Sulfur Dioxide (SO <sub>2</sub> )	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
<b>Existing R-1 Zoning - Summer Scenario</b>						
Total Maximum Daily Emissions	44.40	16.87	71.44	0.20	16.61	8.72
<b>Proposed Upzone Site R-2 Zoning - Summer Scenario</b>						
Total Maximum Daily Emissions	44.12	15.32	73.07	0.19	15.95	8.78
Net Change	-0.27	-1.56	1.63	-0.01	-0.67	0.06
SCAQMD Regional Threshold	55	55	550	150	150	55
Exceed Daily Threshold?	No	No	No	No	No	No
<b>Existing R-1 Zoning - Winter Scenario</b>						
Total Maximum Daily Emissions	43.97	15.19	71.21	0.18	15.95	8.78
<b>Proposed Upzone Site R-2 Zoning - Winter Scenario</b>						
Total Maximum Daily Emissions	43.97	15.19	71.21	0.18	15.95	8.78
Net Change	-0.26	-1.55	1.82	-0.02	-0.67	0.06
SCAQMD Regional Threshold	55	55	550	150	150	55
Exceed Daily Threshold?	No	No	No	No	No	No

Source: Urban Crossroads 2020; see Appendix B.

The SCAQMD discusses that it may be infeasible to quantify health risks caused by projects similar to the proposed project, due to many 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 states that it may not be feasible to perform a health risk assessment for airborne toxics that will be emitted by a generic industrial building that was built on "speculation" (i.e., without knowing the future tenant(s)). Even where a health risk assessment can be prepared; however, the resulting maximum health risk value is only a calculation of risk--it does not necessarily mean anyone will contract cancer as a result of the project. The Brief also cites the author of the CARB methodology, which reported that a PM<sub>2.5</sub> 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<sub>3</sub>-related health impacts caused by NO<sub>x</sub> or 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.

On the other hand, for extremely large regional projects (unlike the proposed project), the SCAQMD states that it has been able to correlate potential health outcomes for very large emissions sources as part of its rulemaking activity, specifically 6,620 pounds (lbs) per day of

NO<sub>x</sub> and 89,180 lbs per day of VOC were expected to result in approximately 20 premature deaths per year and 89,947 school absences due to O<sub>3</sub>.

The proposed project does not generate anywhere near 6,620 lbs per day of NO<sub>x</sub> or 89,190 lbs per day of VOC emissions. The proposed project would generate 63.84 lbs per day of NO<sub>x</sub> during construction and 81.94 lbs per day of NO<sub>x</sub> during operations (0.96 percent and 1.24 percent of 6,620 lbs per day, respectively). The project would also generate 61.75 lbs per day of VOC emissions during construction and 21.52 lbs per day of VOC emissions during operations (0.07 percent and 0.02 percent of 89,190 lbs per day, respectively). Therefore, the proposed project's emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level. Notwithstanding, Impact 4.2-3 does evaluate the proposed project's localized impact to air quality for emissions of CO, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> by comparing the proposed project's on-site emissions to the SCAQMD's applicable LST thresholds. As evaluated in Impact 4.2-3, with incorporation of Mitigation Measure AQ-2, the proposed project would not result in emissions that exceeded the SCAQMD's LSTs. SCAQMD's LST thresholds are set at levels that are protective of human health. Therefore, the proposed project would not be expected to exceed the most stringent applicable Federal or State ambient air quality standards for emissions of CO, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. As shown in **Table 4.2-7**, the project would exceed regional ambient air quality standards for NO<sub>x</sub> during operations. However, as stated above, it is not possible to meaningfully estimate regional health impacts from relatively small projects such as the proposed project. Based on this information, a general description of the adverse health effects resulting from the project-level criteria pollutants, which is discussed previously, is all that can be feasibly provided at this time.

#### Mitigation Measures

- AQ-1 Prior to issuance of building permits, the City Planning Department shall confirm on the project site plans that cold storage and facilities for Transport Refrigeration Units (TRUs) are not proposed. If it is determined that the proposed project would require TRUs or cold storage in the future, an amendment would be required to the project's entitlements to ensure such uses are analyzed in compliance with applicable laws and regulations.

Refer to Mitigation Measure AQ-2 (see Impact 4.2-3).

#### Level of Significance After Mitigation

Impacts would be significant and unavoidable.

#### EXPOSE SENSITIVE RECEPTORS

**Impact 4.2-3 The project would not expose sensitive receptors to substantial pollutant concentrations.**

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 air quality impacts. The SCAQMD provides the LST screening

lookup tables for projects that disturb/grade 1, 2, or 5 acres per day emitting CO, NO<sub>x</sub>, PM<sub>2.5</sub>, or PM<sub>10</sub>. The LST methodology and associated mass rates are not designed to evaluate localized impacts from mobile sources traveling over the roadways. The SCAQMD recommends that any project over 5 acres in size should perform air quality dispersion modeling to assess impacts to nearby sensitive receptors from area source emissions. For LST analysis purposes, SCAQMD is divided into 38 Source Receptor Areas (SRAs), each of which contain specific localized air quality emission thresholds for CO, NO<sub>x</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub> to determine local air quality impacts. The project is located within SRA 34, Central San Bernardino Valley 1.

## Development Site

### ***Localized Significance Thresholds***

Sensitive receptors are defined as facilities or land uses that include members of the population who are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and day-care centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes and persons exercising outdoors, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health-care facilities, rehabilitation centers, convalescent centers, and retirement homes.

The SCAQMD recommends that the nearest sensitive receptor be considered when determining the project's potential to cause an individual and cumulatively significant impact. As such, the nearest receptor to evaluate localized impacts of PM<sub>10</sub>, PM<sub>2.5</sub>, NO<sub>x</sub>, and CO, is the existing residential home, which is located approximately 15 feet (5 meters) east of the project site. It should be noted that the LST methodology explicitly states that "It is possible that a project may have receptors closer than 25 meters. Projects with boundaries located closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters." As such, a 25-meter receptor distance will be used for evaluation of localized NO<sub>x</sub>, CO, PM<sub>10</sub> and PM<sub>2.5</sub> impacts.

### **Construction-Related Localized Air Quality Impacts**

The "acres disturbed" for analytical purposes are based on specific equipment type for each subcategory of construction activity and the estimated maximum area a given piece of equipment can pass over in an 8-hour workday; refer to ***Table 4.2-11: Maximum Daily Disturbed-Acreage***. The equipment-specific grading rates are summarized in the SCAQMD's *Fact Sheet for Applying CalEEMod to Localized Significance Thresholds* and CalEEMod User's Guide *Appendix A: Calculation Details for CalEEMod*. It should be noted that the disturbed area per day is representative of a piece of equipment making multiple passes over the same land area. In other words, one rubber-tired dozer can make multiple passes over the same land area totaling 0.5 acres in a given 8-hour day.



As indicated in **Table 4.2-11**, the proposed project's construction activities could actively disturb approximately 1.0 acre per day during demolition, 3.5 acres per day during site preparation, and 4.0 acres per day for grading activities.

**Table 4.2-11: Maximum Daily Disturbed - Acreage**

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Demolition	Rubber-Tired Dozers	2	0.5	8	1.0
Total acres disturbed per day during Demolition					1.0
Site Preparation	Crawler Tractors	4	0.5	8	2.0
	Rubber Tired Dozers	3	0.5	8	1.5
Total acres disturbed per day during Site Preparation					3.5
Grading	Crawler Tractor	2	0.5	8	1.0
	Graders	1	0.5	8	0.5
	Rubber-Tired Dozers	1	0.5	8	0.5
	Scrapers	2	0.5	8	1.0
Total acres disturbed per day during Grading					4.0

Source: Urban Crossroads 2020; see Appendix B.

As shown in **Table 4.2-11**, project construction is anticipated to disturb a maximum of 4 acres in a single day. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5 acres in size in one day.

**Table 4.2-12: Localized Significance of Emissions for Construction** shows the localized construction-related emissions for NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> compared to the LSTs for SRA 34. It is noted that the localized emissions presented in **Table 4.2-12** are less than those in **Table 4.2-5** and **Table 4.2-6** because localized emissions include only on-site emissions (i.e., from construction equipment and fugitive dust), and do not include off-site emissions (i.e., from hauling activities). As shown in **Table 4.2-12**, air pollutant emissions resulting from project construction would exceed the applicable LSTs for emissions of PM<sub>10</sub> and PM<sub>2.5</sub> during site preparation activities. However, emissions of PM<sub>10</sub> and PM<sub>2.5</sub> during site preparation would not exceed LSTs with implementation of Mitigation Measure AQ-2; refer to **Table 4.2-13: Localized Significance of Emissions for Construction - With Mitigation**. Mitigation Measure AQ-2 would require Tier 3 construction equipment during the site preparation phase of construction. Thus, impacts would be less than significant with implementation of Mitigation Measure AQ-2.

#### Operation-Related Localized Air Quality Impacts

The operational LST analysis generally includes on-site sources (area, energy, mobile, and on-site cargo handling equipment). However, it should be noted that CalEEMod outputs do not separate on-site and off-site emissions from mobile sources. As such, in an effort to establish a maximum potential impact scenario for analytic purposes, the emissions shown in **Table 4.2-14: Localized Significance of Operational Emissions** represent all on-site project-related stationary (area) sources and 5 percent of the project-generated mobile sources. Considering that the trip length used in CalEEMod for the project is approximately 14 miles for passenger cars and 36 miles for all trucks, 5 percent of this total would represent an on-site travel distance of approximately 0.70 miles for passenger cars and 1.80 miles for trucks. It

should be noted that the longest on-site distance is roughly 0.50 miles for both trucks and passenger cars. As such, the 5 percent assumption is conservative and would tend to overstate the actual impact. It is not likely that a passenger car or truck would drive on-site a distance of 0.70 miles or 1.80 miles, respectively. As depicted in **Table 4.2-14**, operational emissions would not exceed operational LSTs. Therefore, impacts would be less than significant in this regard.

**Table 4.2-12: Localized Significance of Emissions for Construction – Without Mitigation**

On-Site Demolition Emissions	Pollutant (pounds per day)			
	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
Maximum Daily Emissions	31.44	21.57	1.76	1.47
SCAQMD Localized Threshold	118	667	4	3
Threshold Exceeded?	No	No	No	No
On-Site Site Preparation Emissions	Pollutant (pounds per day)			
	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
Maximum Daily Emissions	60.79	21.85	11.14	6.46
SCAQMD Localized Threshold	220	1,359	11	6
Threshold Exceeded?	No	No	Yes	Yes
On-Site Grading Emissions	Pollutant (pounds per day)			
	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
Maximum Daily Emissions	56.54	31.23	1.47	3.57
SCAQMD Localized Threshold	237	1,488	12	7
Threshold Exceeded?	No	No	No	No

Source: Urban Crossroads 2020; see Appendix B.

**Table 4.2-13: Localized Significance of Emissions for Construction – With Mitigation**

On-Site Site Preparation Emissions	Pollutant (pounds per day)			
	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Coarse Particulate Matter (PM <sub>10</sub> )	Fine Particulate Matter (PM <sub>2.5</sub> )
Maximum Daily Emissions	44.69	25.66	10.36	5.78
SCAQMD Localized Threshold	220	1,359	11	6
Threshold Exceeded?	No	No	No	No

Source: Urban Crossroads 2020; see Appendix B.

**Table 4.2-14: Localized Significance of Operational Emissions**

Operational Activity	Pollutant (maximum pounds per day)			
	Nitrogen Oxide (NO <sub>x</sub> )	Carbon Monoxide (CO)	Fine Particulate Matter (PM <sub>10</sub> )	Coarse Particulate Matter (PM <sub>2.5</sub> )
Maximum Daily Emissions	7.99	4.80	1.13	0.44
SCAQMD Localized Screening Threshold (5 acres at 25 meters)	270	1,746	4	2
Exceed SCAQMD Threshold?	No	No	No	No

Source: Urban Crossroads 2020; see Appendix B.

## Upzone Site

Future development on the upzone site in accordance with the proposed rezone from Single-Family Residential (R-1) to Medium Density Residential (R-2) would accommodate additional residential units than allowed under the site's current R-1 zoning. However, no development is currently proposed on the upzone site as part of the project. Future residential development on the upzone site would require separate environmental review under CEQA, including potential short-term construction and long-term operational air quality impacts. As such, the proposed project would not result in any localized construction or operational air quality impacts on the upzone site. No impact would occur in this regard.

## Carbon Monoxide Hot Spots

Carbon monoxide emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (adversely affecting residents, schoolchildren, hospital patients, the elderly, etc.).

The SCAQMD requires a quantified assessment of CO hot spots when a project increases the volume-to-capacity ratio (also called the intersection capacity utilization) by 0.02 (2 percent) for any intersection with an existing level of service (LOS) D or worse. Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersections.

The Basin is designated as an attainment area for the Federal CO standards and an attainment area for State CO standards. There has been a decline in overall CO emissions in the United States even though vehicle miles traveled on urban and rural roads have increased. On-road mobile source CO emissions declined 24 percent between 1989 and 1998, despite a 23 percent rise in motor vehicle miles traveled over the same 10 years. California trends have been consistent with national trends; CO emissions declined 20 percent in California from 1985 through 1997 while vehicle miles traveled increased 18 percent in the 1990s. Three major control programs have contributed to the reduced per vehicle CO emissions: exhaust standards, cleaner burning fuels, and motor vehicle inspection and maintenance programs.

A detailed CO analysis was conducted in the Federal Attainment Plan for Carbon Monoxide (CO Plan) for the SCAQMD's 2003 Air Quality Management Plan. The locations selected for microscale modeling in the CO Plan are worst-case intersections in the Basin and would likely experience the highest CO concentrations. Thus, CO analysis in the CO Plan is utilized in a comparison to the proposed project, since it represents a worst-case scenario with heavy traffic volumes in the Basin. Of the locations analyzed by SCAQMD for the 2003 AQMP, the intersection of Wilshire Boulevard/Veteran Avenue in the City of Los Angeles experienced the highest CO concentration (4.6 parts per million [ppm]), which is well below the 35-ppm 1-hour CO Federal standard. The Wilshire Boulevard/Veteran Avenue intersection is one of the most congested intersections in Southern California, with an average daily traffic volume of approximately 100,000 vehicles per day. Based on the Traffic Impact Analysis, the intersection of Citrus Avenue and Jurupa Avenue was identified as having the greatest cumulative project buildout traffic volumes. Based on the Traffic Impact Analysis, the Citrus Avenue and Jurupa Avenue intersection would experience a total volume of 39,200 vehicle

trips per day during the opening year 2022, which is well below the 100,000 vehicles per day observed at Wilshire Boulevard/Veteran Avenue. Therefore, it can be inferred that CO hot spots would not occur at the intersection of Citrus Avenue and Jurupa Avenue, nor other intersections near the proposed project. Therefore, impacts would be less than significant in this regard.

### **Operational Health Risk Assessment**

The Health Risk Assessment (HRA) for the project operation is based off the *Fontana Foothills Commerce Center Mobile Source Health Risk Assessment* (HRA Study) prepared by Urban Crossroads (dated May 4, 2020). To present the potential worst-case conditions, the project is assumed to be operational 24 hours per day, seven days per week.<sup>3</sup> It is expected that the project business operations would primarily be conducted within the enclosed buildings, except for traffic movement, parking, as well as loading and unloading of trucks at designated loading bays. The HRA analyzed emission impacts associated with the expected typical industrial warehouse activities at the project site.

Per the Traffic Impact Analysis, the project is expected to generate a total of approximately 1,058 two-way vehicular trips per day (529 inbound and 529 outbound) which includes 342 two-way truck trips per day (171 inbound and 171 outbound). The HRA evaluated the potential impacts resulting from DPM emissions from the 171 two-way truck trips generated by the project.

Vehicle DPM emissions were estimated using emission factors for PM<sub>10</sub> generated with the 2017 version of EMFAC developed by CARB. EMFAC 2017 is a mathematical model that was developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by CARB to project changes in future emissions from on-road mobile sources. The most recent version of this model, EMFAC 2017, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled by speed, and number of starts per day.

### **Cancer and Noncancer Risk**

#### **Residential Exposure Scenario**

The residential land use with the greatest potential exposure to project DPM source emissions is located at an existing residential home immediately adjacent to the east of Building 2. As seen in ***Table 4.2-11: Summary of Cancer and Non-Cancer Risks – Scenario 1 – Interim Conditions***, at the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to project DPM source emissions is estimated at 5.86 in one million, which is less than the threshold of 10 in one million. At this same location, non-cancer risks were estimated to be 0.002, which would not exceed the applicable threshold of 1.0. As such, the project will not cause a significant human health or cancer risk to adjacent residences. All other residential locations in the vicinity of the project would be exposed to less emissions and therefore less risk than the MEIR identified herein.

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<sup>3</sup> It should be noted that the HRA Study analyzed a project warehouse footprint of 758,020 square feet compared to the proposed 754,408 square feet listed in Section 3.0. The extra 3,612 square feet modeled in the HRA Study presents a worst-case analysis and as such is more conservative. Furthermore, the anticipated number of truck trips (source of DPM emissions) is consistent within the HRA Study and Traffic Impact Analysis.

### Worker Exposure Scenario

The worker receptor land use with the greatest potential exposure to project DPM source emissions is located immediately adjacent to the west of Building 1. As shown in **Table 4.2-11**, at the MEIW, the maximum incremental cancer risk impact at this location is 0.25 in one million<sup>4</sup> which is less than the threshold of 10 in one million. Maximum non-cancer risks at this same location were estimated to be 0.001, which would not exceed the applicable threshold of 1.0. As such, the project will not cause a significant human health or cancer risk to adjacent workers. All other modeled worker locations in the vicinity of the project would be exposed to less emissions and therefore less risk than the MEIW identified herein.

### School Child Exposure Scenario

The school site land use with the greatest potential exposure to project DPM source emissions is at the Citrus High School located approximately 1,500 feet northwest of the project site, west of Cypress Avenue. As seen in **Table 4.2-11**, at the maximally exposed individual school child (MEISC), the maximum incremental cancer risk impact attributable to the project at this location is calculated to be an estimated 0.07 in one million which is less than the significance threshold of 10 in one million. At this same location, non-cancer risks attributable to the project were calculated to be 0.0001, which would not exceed the applicable significance threshold of 1.0. Any other schools near the project site would be exposed to less emissions and consequently less impacts than what is disclosed for the MEISC. As such, the project would not cause a significant human health or cancer risk to nearby school children.

As shown in the HRA Study, **Table 4.2-11**, and described above, the operations of the projects diesel truck trips would not cause a significant cancer or noncancer health risk impact to the nearby residential, worker, and school child sensitive receptors. Thus, the project would not have an overall significant health risk impact.

### **Mitigation Measures**

- AQ-2            During the site preparation phase, the construction contractor shall ensure that off-road diesel construction equipment greater than 150 horsepower shall comply with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

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<sup>4</sup> SCAQMD guidance does not require assessment of the potential health risk to on-site workers. Excerpts from the 2003 document OEHHA Air Toxics Hot Spots Program Risk Assessment Guidelines—The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

**Table 4.2-15: Summary of Cancer and Non-Cancer Risks – Scenario 1 – Interim Conditions**

Time Period	Location	Maximum Lifetime Cancer Risk (Risk per Million)	Significance Threshold (Risk Per Million)	Exceeds Significance Threshold?
30-Year Exposure	Maximum Exposed Sensitive Receptor	5.86	10	No
25-Year Exposure	Maximum Exposed Worker Receptor	0.25	10	No
9-Year Exposure	Maximum Exposed School Child Receptor	0.07	10	No
Annual Average	Maximum Exposed Sensitive Receptor	0.002	1.0	No
Annual Average	Maximum Exposed Worker Receptor	0.001	1.0	No
Annual Average	Maximum Exposed School Child Receptor	0.0001	1.0	No

Source: Urban Crossroads 2020. Refer to Appendix B.

#### **OBJECTIONABLE ODORS**

#### **Impact 4.2-4      The project would not create objectionable odors affecting a substantial number of people.**

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 psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache).

With respect to odors, the human nose is the sole sensing device. The ability to detect odors varies considerably among the population and overall is quite subjective. Some individuals have the ability to smell 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; in fact, an odor that is offensive to one person (e.g., from a fast-food restaurant) may be perfectly acceptable to another. It is also important to 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.

According to the SCAQMD 1993 CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The proposed project does not include any uses identified by the SCAQMD as being associated with odors. Moreover, while the project would generate diesel truck trips, those vehicles would be located a substantial distance from nearby receptors and trucks would be required to comply with mandatory operational emissions reduction standards, such as reducing idling, that would further minimize emissions and possible odors.

Construction activities associated with the project may generate detectable odors from heavy-duty equipment exhaust and architectural coatings. However, construction-related odors would be short term in nature and cease upon project completion. In addition, the project would be required to comply with the California Code of Regulations, Title 13, sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by shutting it off when not in use or by reducing the time of idling to no more than five minutes. This would further reduce the detectable odors from heavy-duty equipment exhaust. The project would also be required to comply with the SCAQMD Regulation XI, *Rule 1113 – Architectural Coating*, which would minimize odor impacts from ROG emissions during architectural coating. Additionally, construction-related odors dissipate rapidly as the nature of construction necessitates the need to move equipment around the construction site throughout a workday. Any impacts to existing adjacent land uses would be short term and are less than significant.

#### **Mitigation Measures**

No mitigation is required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

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#### **CUMULATIVE IMPACTS**

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<b>Impact 4.2-5</b>	<b>The project would potentially create a cumulative air quality impact.</b>
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As previously discussed, the CAAQS designate the project region as nonattainment for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> while the NAAQS designates the project region as nonattainment for O<sub>3</sub> and PM<sub>2.5</sub>. The SCAQMD has published a report on how to address cumulative impacts from air pollution: *White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution*. In this report the SCAQMD clearly states (Page D-3):

*“...the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for TAC emissions. The project specific (project increment) significance threshold is  $HI > 1.0$  while the cumulative (facility-wide) is  $HI > 3.0$ . It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts.*

*Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant.”*

Therefore, this analysis assumes that individual projects that do not generate operational or construction emissions that exceed the SCAQMD’s recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Alternatively, individual project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable.

### **Short-Term Construction Impacts**

The project-specific evaluation of emissions presented in the preceding analysis demonstrates that project construction-source air pollutant emissions would not result in exceedances of regional thresholds. Therefore, project construction-source emissions would be considered less than significant on a project-specific basis and less than cumulatively considerable on a cumulative basis.

### **Long-Term Operational Emissions**

Project operational-source  $\text{NO}_x$  emissions will exceed applicable SCAQMD regional thresholds. Per SCAQMD significance guidance, these impacts at the project level are also considered cumulatively significant and would persist over the life of the project.  $\text{NO}_x$  emissions are  $\text{O}_3$  precursors and would therefore contribute considerably to existing  $\text{O}_3$  non-attainment conditions within the Basin. Therefore, the project’s operational emissions would result in a cumulatively significant contribution to significant cumulative impacts and are significant and unavoidable.

### **Mitigation Measures**

Refer to Mitigation Measures AQ-1 and AQ-2.

### **Level of Significance After Mitigation**

Significant and Unavoidable Impact.

## 4.3 Biological Resources

This section evaluates the existing biological resources setting and the potential effects caused by implementation of the proposed project, including those on sensitive species and jurisdictional resources. The information and analysis herein rely on the following investigations and document the biological resources and conditions of the project site:

- *Results of a Habitat Suitability Evaluation, ±33-acre Site, City of Fontana, San Bernardino County, California* (Habitat Suitability Evaluation), Ecological Sciences, Inc., April 15, 2020;
- *City of Fontana Arborist Report – Jurupa Ave/Juniper Ave Tree Evaluation* (Arborist Report), Earthwise Arborists, February 25, 2020; and
- *Delhi Sands Flower-loving Fly Habitat Suitability Evaluation ±33-acre Fontana Site*, Ecological Sciences, Inc., October 20, 2019.

Collectively, these investigations have been included in ***Appendix C, Habitat Suitability Evaluation, Arborist Report, and Delhi Sands Flower-loving Fly Habitat Suitability Evaluation***. It should be noted that the technical studies listed above only analyze the development site and not the upzone site as no physical development is proposed on the upzone site as part of the project and any impacts would be speculative at this time. Future development on the upzone site would require separate environmental clearance, including any field surveys and investigations regarding biological resources. As such, this section only evaluates the project's impacts on existing biological resources on the development site.

### 4.3.1 Existing Conditions

#### Physical and Biological Setting

##### **Site Conditions**

The development site is currently developed with a mix of commercial and residential land uses and vacant land. Twelve residential structures (11 of which are occupied and one of which is unoccupied), out buildings, gravel parking areas, equestrian areas, corrals, vacant fields, irrigated pastures, nurseries, cultivated lawns, and agricultural uses occur throughout the development site. Extensive debris dumping is evident throughout the site. A review of soil maps indicate that the development site is located within an area mapped entirely as containing Delhi fine sands (Db). However, various long-standing anthropogenic site disturbances have significantly altered the site's mapped surface soil characteristics.

The upzone site is currently developed with 16 residential structures and associated out buildings. Several parcels within the upzone site are either entirely or partially vacant. Similar to the development site, the upzone site has been substantially altered by anthropogenic site disturbances and development.

##### **Vegetation**

Ruderal plants recorded included various non-native grasses and weedy species such as foxtail chess (*Bromus madritensis* spp. *rubens*), ripgut grass (*Bromus diandrus*), Russian thistle (*Salsola*

*tragus*), mustard (*Brassica/Hirschfeldia* spp.), cheeseweed (*Malva parviflora*), filaree (*Erodium* sp.), common sow thistle (*Sonchus oleraceus*), pigweed (*Amaranthus albus*), jimsonweed (*Datura wrightii*), castor bean (*Ricinus communis*), fleabane (*Conyza bonariensis*), and oleander (*Nerium oleander*).

Native species such as telegraph weed (*Heterotheca grandiflora*), California croton (*Croton californicus*), dove weed (*Croton setiger*), horseweed (*Conyza canadensis*), and common sunflower (*Helianthus annuus*) were also recorded.

Exotic or cultivars recorded on-site included eucalyptus gum trees and windrows (*Eucalyptus* spp.), California pepper (*Schinus molle*), olive (*Olea* sp.), palms (*Washingtonia* sp. and *Phoenix* sp.), pines (*Pinus* spp.), juniper (*Juniperus* spp.), salt cedar (*Tamarix* sp.), sweet gum (*Liquidambar styraciflua*), tree-of-heaven (*Ailanthus glandulosa*), and many other ornamental species.

Vegetative cover was mostly dense (approximately 90 to 100 percent) with the exception of the scraped and disced areas that were mostly barren.

### **Trees**

The Arborist Report evaluated approximately 410 trees of 35 different species scattered throughout the development site. The majority of on-site trees are blue gum (*Eucalyptus globulus*), likely planted as a wind break and/or as a property border. Several tree species seem to have been planted by homeowners, including citrus and palm trees. Other tree species include California pepper, palms, and carrotwood (*Cupaniopsis anacardioides*).

The majority of the trees throughout the site are in decline. Many of the trees are dead and a few are in fair condition. None of the blue gum on the property have been properly maintained; some have been improperly pruned in the past (topped) and have not had a consistent water supply.

There are multiple eastern black walnut trees (*Juglans nigra*) on-site; however, most are in poor condition. The majority of the eastern black walnut trees are dead and with the remaining in severe decline. This is due most likely to the lack of irrigation and improper maintenance, which led to pest infestations.

The condition of the remaining on-site trees ranges from fair to poor (or dead). The fruiting citrus trees planted by existing homeowners and California pepper trees are in fair condition. Overall, none of the on-site trees are candidates for relocation due to the conditions and locations they are in.

### **Nesting Birds**

The plant communities, including dense ruderal and ruderal fields, and ornamental trees on-site provide suitable habitat for nesting and foraging for a variety of year-round and seasonal avian residents, as well as for migrating songbirds that could occur in the area.

### **Migratory Corridors and Linkages**

Habitat linkages provide links between larger habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of

sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. It is possible for a habitat corridor to be adequate for one species, yet inadequate for others. Wildlife corridors are significant features for dispersal, seasonal migration, breeding, and foraging. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources. The development and upzone sites are surrounded by existing development, and therefore, do not occupy an important location relative to regional wildlife movement.

### **Jurisdictional Areas**

Three key agencies regulate activities in inland streams, wetlands, and riparian areas in California. The United States Army Corps of Engineers (USACE) Regulatory Branch regulates discharge of dredge or fill materials into waters of the United States pursuant to Section 404 of the Federal Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the Regional Water Quality Control Board (RWQCB) regulates discharges to surface waters pursuant to CWA Section 401 and the California Porter-Cologne Water Quality Control Act, while the California Department of Fish and Wildlife (CDFW) regulates alterations to streambeds and associated plant communities under Section 1600 et seq. of the California Fish and Game Code (CFGF).

In 2019, the State Water Resources Control Board (SWRCB) adopted the Statewide Wetland Definition and Procedures for Discharges of Dredged or Fill Material (Procedures) that codify and standardize the evaluation of impacts and protection of waters of the State from impacts due to dredge and fill activities. The Procedures, which became effective on May 28, 2020, provide a new definition for wetlands based on three criteria: wetland hydrology, wetland soils, and (if vegetated) wetland plants. Refer to Section 4.3.2, *Regulatory Framework*, below for discussion of the new wetland definition and criteria.<sup>1</sup>

According to the US Fish and Wildlife Service (USFWS) National Wetland Inventory, no wetland features have been documented within or adjacent to the development site or upzone site.<sup>2</sup> Further, the field visit did not identify resources that would meet the SWRCB definition of a wetland.

### **Special-Status Biological Resources**

The literature search conducted as part of the Habitat Suitability Evaluation identified 11 special-status plant species and 20 special-status wildlife species as having the potential to occur within the development site vicinity. Special-status plant and wildlife species were evaluated for their potential to occur on-site based on habitat requirements, availability and quality of suitable habitat, and known distributions.

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<sup>1</sup> State Water Resources Control Board. 2020. [https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/wrapp/dredge\\_and\\_fill\\_draft\\_procedures\\_fact\\_sheet\\_022519\\_update.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/wrapp/dredge_and_fill_draft_procedures_fact_sheet_022519_update.pdf). Accessed June 4, 2020.

<sup>2</sup> United States Fish and Wildlife Service. 2020. *National Wetlands Inventory*. <https://www.fws.gov/wetlands/Data/Mapper.html>. Accessed April 14, 2020.

### Special-Status Plants

No special-status plant species were detected on-site during the reconnaissance survey and none are expected due to lack of suitable habitat. Special-status plant species known from the region that potentially occur within the development site are presented in *Table 4.3-1: Special-Status Plant Species Known to Occur in the Development Site Vicinity*.

**Table 4.3-1: Special-Status Plant Species Known to Occur  
in the Development Site Vicinity**

Scientific Name Common Name	Status			Habitat Requirements	Potential to Occur
	Federal	State	CNPS		
<i>Atriplex coulteri</i> Coulter's saltbush	--	--	1.B	Coastal bluff scrub, coastal dunes, coastal scrub, and valley and foothill grassland; sometimes associated with alkaline low places and clay soil.	Not Expected: No suitable habitat present.
<i>Calochortus plummerae</i> Plummer's mariposa lily	FSC	--	1.B	Chaparral, cismontane woodlands, coastal scrub, Lower coniferous forests, and grasslands; associated with granitic soils.	Not Expected: No suitable habitat present.
<i>Calochortus weedii</i> var. <i>intermedius</i> intermediate mariposa lily	FSC	--	1.B	Chaparral, coastal scrub, grasslands; often associated with dry, rocky, open slopes.	Not Expected: No suitable habitat present.
<i>Chorizanthe parryi</i> ssp. <i>parryi</i> Parry's spineflower	FSC	--	3	Chaparral and coastal scrub; associated with sandy or rocky openings.	Not Expected: No suitable habitat present.
<i>Dudleya multicaulis</i> many-stemmed dudleya	FSC	--	1.B	Chaparral, coastal scrub, and grasslands; often associated with clay soils.	Not Expected: No suitable habitat present.
<i>Eriastrum densifolium</i> ssp. <i>sanctorum</i> Santa Ana River woollystar	FE	CE	1.B	Coastal scrub, chaparral, and alluvial scrub; associated with sandy soil in river floodplains or terraced fluvial deposits.	Not Expected: No suitable habitat present.
<i>Erigeron breweri</i> var. <i>bisanctus</i> pious daisy	--	--	1.B	Chaparral and lower montane coniferous forest.	Not Expected: No suitable habitat present.
<i>Hemizonia pungens</i> ssp. <i>laevis</i> smooth tarplant	FSC	--	1.B	Chenopod scrub, meadows, playas, riparian woodland, and valley and foothill grasslands; associated with alkaline areas.	Not Expected: No suitable habitat present.
<i>Lepidium virginicum</i> var. <i>robinsonii</i> Robinson's pepper-grass	--	--	1.B	Chaparral and coastal scrub; associated with dry soils; known to occur on roadsides.	Not Expected: No suitable habitat present.
<i>Muhlenbergia californica</i> California muhly	--	--	1.B	Chaparral, coastal scrub, lower montane coniferous forest, and meadows; associated with moist soils, seeps, and streambanks.	Not Expected: No suitable habitat present.
<i>Sidalcea neomexicana</i> salt spring checkerbloom	--	--	2	Chaparral, coastal scrub, lower montane coniferous forest, Mohavean desert scrub, coastal brackish marsh, and alkali playas, seeps, and marshes; associated with moist, alkaline soils.	Not Expected: No suitable habitat present.

Source: Ecological Sciences Inc. 2020, April 15. *Results of a Habitat Suitability Evaluation, ±33-acre Site, City of Fontana, San Bernardino County, California*; refer to *Appendix C*.

Notes:

Federal  
FE: Federally Endangered

State  
CE: California Endangered

California Native Plant Society (CNPS)

1B: Plants rare and endangered in California and elsewhere

2: Plants rare and endangered in California, but more common elsewhere

3: Taxa about which more information is needed



### Special-Status Wildlife

No special-status wildlife species were directly observed on-site, although several have the potential to occur (e.g., those with a moderate occurrence potential). Special-status wildlife species known from the region that potentially occur within the development site are presented in *Table 4.3-2: Special-Status Wildlife Species Known to Occur in the Development Site Vicinity*. As shown, Cooper's hawk and burrowing owl have moderate potential to occur on the development site. Most remaining potentially occurring sensitive wildlife species are not expected to occur on-site due to lack of suitable habitat and existing development.

**Table 4.3-2: Special-Status Wildlife Species Known to Occur in the Development Site Vicinity**

Scientific Name Common Name	Status		Habitat Requirements	Potential to Occur
	Federal	State		
INVERTEBRATES				
<i>Rhaphiomidas terminatus abdominalis</i> Delhi Sands flower-loving fly	FE	--	Open, sandy (Delhi) dune areas commonly supporting buckwheat, croton, telegraph weed, <i>Camissonia</i> , and <i>Oenothera</i> .	Not Expected: Habitat present not suitable for sustained population.
REPTILES				
<i>Phrynosoma coronatum blainvillii</i> San Diego horned lizard	FSC	CSC	Relatively open grasslands, scrublands, and woodlands with fine, loose soil.	Low Potential: Marginally suitable habitat present.
<i>Anniella pulchra</i> silvery legless lizard	FSC	CSC	Stabilized dunes, beaches, dry washes, pine, oak, and riparian woodlands, and chaparral; sparse vegetation with sandy or loose, loamy soils.	Not Expected: No suitable habitat present.
<i>Diadophis punctatus modestus</i> San Bernardino ringneck snake	FSC	--	Woodlands, grassland, chaparral, and scrub habitats; often found in mesic areas under rocks, logs, and debris.	Not Expected: No suitable habitat present.
BIRDS				
<i>Elanus leucurus</i> white-tailed kite	MNBMC	CFP	Open vegetation and uses dense woodlands for cover.	Low Potential: Possible foraging habitat; no suitable nesting habitat present.
<i>Circus cyaneus</i> northern harrier	--	CSC	Coastal salt marsh, freshwater marsh, grasslands, and agricultural fields.	Low Potential: Possible foraging habitat; no suitable nesting habitat present.
<i>Accipiter striatus</i> sharp-shinned hawk	--	◆	Woodlands and forages over dense chaparral and scrublands.	Low Potential: Possible foraging habitat as seasonal winter migrant; no suitable nesting habitat present.
<i>Accipiter cooperi</i> Cooper's hawk	--	◆	Dense stands of live oaks and riparian woodlands.	Moderate Potential: Possible foraging habitat.
<i>Buteo regalis</i> ferruginous hawk	FSC, MNBMC	◆	Grasslands, agricultural fields, and open scrublands.	Low Potential: Possible foraging habitat as seasonal migrant; does not breed in area.
<i>Aquila chrysaetos</i> golden eagle	--	◆, CFP	Mountains, deserts, and open country.	Low Potential: Species known from project vicinity; possible foraging habitat; no suitable nesting habitat present.

Scientific Name Common Name	Status		Habitat Requirements	Potential to Occur
	Federal	State		
<i>Falco mexicanus</i> prairie falcon	--	CSC	Grasslands, savannas, rangeland, agricultural fields, and desert scrub; requires sheltered cliff faces for shelter.	Low Potential: Possible foraging habitat in winter; no suitable nesting habitat present.
<i>Athene cunicularia</i> burrowing owl	FSC, MNBMC	CSC	Grasslands and open scrub.	Moderate Potential: Suitable habitat present.
<i>Eremophila alpestris actia</i> California horned lark	--	♦	Grasslands, disturbed areas, agriculture fields, and beach areas.	Low Potential: Suitable foraging habitat present.
<i>Lanius ludovicianus</i> loggerhead shrike	FSC, MNBMC	CSC	Grasslands with scattered shrubs, trees, fences or other perches.	Low Potential: Marginally suitable habitat present.
<i>Polioptila californica</i> coastal California gnatcatcher	FT	CSC	Coastal sage scrub in areas of flat or gently sloping terrain.	Not Expected: No suitable habitat present.
<i>Charadrius montanus</i> mountain plover	FPT	CSC	Agricultural areas, fallow fields, grasslands, and prairies.	Not Expected: No suitable habitat present.
<b>MAMMALS</b>				
<i>Neotoma lepida intermedia</i> San Diego desert woodrat	--	CSC	Moderate to dense sage scrub; rocky outcrops.	Not Expected: No suitable habitat present.
<i>Lepus californicus bennettii</i> San Diego black-tailed jackrabbit	FSC	CSC	Chaparral, coastal scrub, and grasslands.	Low Potential: Marginally suitable habitat present.
<i>Perognathus longimembris brevinasus</i> Los Angeles pocket mouse	FSC	CSC	Grasslands and coastal sage scrub; prefers lower elevational areas with open ground and sandy soils.	Not Expected: No suitable habitat present.
<i>Dipodomys merriami parvus</i> San Bernardino kangaroo rat	FE	CSC	Coastal sage scrub; prefers lower elevational areas with open ground and sandy soils.	Not Expected: No suitable habitat present.

Source: Ecological Sciences Inc. 2020, April 15. *Results of a Habitat Suitability Evaluation, ±33-acre Site, City of Fontana, San Bernardino County, California*; refer to [Appendix C](#).

Notes:

Federal

FE: Federally Endangered

FT: Federally Threatened

FPT: Federally Proposed Threatened

FSC: Federal Species of Concern

MNBMC: Migratory Nongame Birds of Management Concern

State

CFP: California Fully Protected

CSC: California Species of Special Concern

♦: Watch List Species

### Special-Status Plant Communities

Special-status plant communities support concentrations of sensitive plant or wildlife species are of relatively limited distribution, or are of particular value to wildlife. Although sensitive plant communities are not necessarily afforded legal protection unless they support protected species, potential impacts to such communities may increase concerns and mitigation suggestions by resources agencies. No native or special-status plant communities were recorded on the development site due to long-standing site disturbances.

### Critical Habitat

Under the Federal Endangered Species Act (ESA), “Critical Habitat” refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features which are essential to the survival and eventual recovery of that species. Maintenance of these physical and biological features requires special management considerations or protection, regardless of whether or not individuals or the species are present.

In the event that a project may result in take or adverse modification to a species' designated Critical Habitat, a project proponent may be required to engage in suitable mitigation. However, consultation for impacts to Critical Habitat is only required when a project has a Federal nexus. This may include projects that occur on Federal lands, require Federal permits (e.g., CWA Section 404 permit), or receive any Federal oversight or funding. If there is a Federal nexus, the Federal agency that is responsible for issuing funds or permits would be required to consult with the USFWS under the ESA.

Both the development and upzone sites are not located within a Federally designated Critical Habitat; however, the development site is directly adjacent to the northern boundary of a Federally designated Critical Habitat for coastal California gnatcatcher (*Poliophtila californica californica*).<sup>3</sup>

### 4.3.2 Regulatory Framework

#### Federal

##### ***Endangered Species Act***

Federally listed threatened and endangered species and their habitats are protected under provisions of the Federal ESA of 1973. "Take" under the ESA is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any of the specifically enumerated conduct." "Harm" is defined by the regulations of the USFWS to include types of "significant habitat modification or degradation." The U.S. Supreme Court, in *Babbitt v. Sweet Home*, 515 U.S. 687, ruled that harm may include habitat modification "where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering." Activities that may result in take of individuals are regulated by the USFWS.

The USFWS produced an updated list of candidate species for listing in June 2002 (Federal Register: Volume 67, Number 114, 50 California Federal Regulation [CFR] Part 17). Candidate species are regarded by the USFWS as candidates for addition to the List of Endangered and Threatened Wildlife and Plants. Although candidate species are not afforded legal protection under the ESA, they typically receive special attention from Federal and State agencies during the environmental review process.

The ESA requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of any listed species, or destroy or adversely modify its critical habitat, if any is designated. Activities requiring Federal involvement (e.g., a Section 404 permit under the Clean Water Act) that may affect an endangered species on Federal or private land must be reviewed by the USFWS to determine whether the continued existence of the listed species is jeopardized.

##### ***Migratory Bird Treaty Act***

The Migratory Bird Treaty Act (MBTA) (16 US Government Code [USC] 703) enacts the provisions of treaties between the United States, Great Britain, Mexico, Japan, and the Soviet

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<sup>3</sup> United States Fish and Wildlife Services. 2020. *Critical Habitat for Threatened & Endangered Species Mapper*. <https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77>. Accessed April 14, 2020.

Union, and authorizes the protection of nesting birds that are both residents and migrants, whether or not they are considered sensitive by resource agencies. It establishes seasons and bag limits for hunted species and protects migratory birds, their occupied nests, and their eggs (16 USC 703; 50 CFR 10, 21). The USFWS administers the MBTA in coordination with the CDFW.

#### ***Clean Water Act Section 404***

Areas meeting the regulatory definition of waters of the United States are subject to the regulatory jurisdiction of the USACE under the Clean Water Act. The USACE, under the provisions of CWA Section 404, has jurisdiction over waters of the United States (jurisdictional waters). These waters may include all waters used, or potentially used, for interstate commerce, including all waters subject to the ebb and flow of the tide, all interstate waters, all other waters (intrastate lakes, rivers, streams, mudflats, sandflats, playa lakes, natural ponds, etc.), all impoundments of waters otherwise defined as waters of the United States, tributaries of waters otherwise defined as waters of the United States, the territorial seas, and wetlands adjacent to waters of the United States (33 CFR, Part 328, Section 328.3).

Areas generally not considered to be jurisdictional waters include non-tidal drainage and irrigation ditches excavated on dry land, artificially irrigated areas, artificial lakes or ponds used for irrigation or stock watering, small artificial water bodies such as swimming pools, and, under certain circumstances, water-filled depressions created in dry land incidental to construction activity (51 Federal Register 41217, November 13, 1986).

### **State**

#### ***State Water Resources Control Board***

In 2019, the SWRCB adopted the Procedures, which codify and standardize the evaluation of impacts and protection of waters of the State from impacts due to dredge and fill activities. The Procedures, which became effective on May 28, 2020, define an area as a wetland if it meets three criteria: wetland hydrology, wetland soils, and (if vegetated) wetland plants. An area is a wetland if: (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation. The Procedures provide the same wetland delineation methods that are used by USACE.<sup>4</sup>

#### ***California Environmental Quality Act***

The California Environmental Quality Act (CEQA) requires that biological resources be considered when assessing the environmental impacts resulting from proposed actions. Lead agencies are charged with evaluating available data and determining what specifically should be considered an adverse effect.

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<sup>4</sup> State Water Resources Control Board. 2020. [https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/wrapp/dredge\\_and\\_fill\\_draft\\_procedures\\_fact\\_sheet\\_022519\\_update.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/wrapp/dredge_and_fill_draft_procedures_fact_sheet_022519_update.pdf). Accessed June 4, 2020.

### **California Fish and Game Code**

The CDFW regulates all activities that alter streams and lakes and their associated habitat, including discharge of dredged or fill material. The CDFW, through provisions of the CFGC Sections 1601–1603, is empowered to issue agreements for any alteration of a river, stream, or lake where fish or wildlife resources may be adversely affected. Streams (and rivers) are defined by the presence of a channel bed and banks, and at least an intermittent flow of water. The CDFW typically extends the limits of its jurisdiction laterally beyond the channel banks for streams that support riparian vegetation. In these situations, the outer edge of the riparian vegetation is generally used as the lateral extent of the stream and CDFW jurisdiction. The CDFW regulates wetland areas only to the extent that those wetlands are a part of a river, stream, or lake as defined by the department. While seasonal ponds are within the CDFW definition of wetlands, they are not part of a river, stream, or lake, and may or may not be subject to the department's jurisdiction.

The CDFW administers the California ESA. The State considers an endangered species one whose prospects of survival and reproduction are in immediate jeopardy. A threatened species is present in such small numbers throughout its range that it is likely to become an endangered species in the near future in the absence of special protection or management. A designated rare species is a California native plant that is present in such small numbers throughout its range that it may become endangered if its environment worsens.

As with the MBTA, similar provisions in the CFGC Sections 3503.5 and 3800 protect all native birds of prey and their nests and all non-game birds (other than those not listed as fully protected) that occur naturally in California. Species that are fully protected under the State include those protected by special legislation for various reasons, such as the California condor (*Gymnogyps californianus*). Species of Special Concern is an informal designation used by the CDFW for some declining wildlife species that are not proposed for listing as threatened or endangered, such as the burrowing owl (*Athene cunicularia*). This designation does not provide legal protection but signifies that these species are recognized as sensitive by the CDFW.

### **Local**

#### **City of Fontana General Plan**

The *Fontana Forward General Plan Update 2015-2035* Conservation, Open Space, Parks and Trails Chapter includes the following goals and policies that address biological resources and are applicable to the project.

- |          |  |
|----------|--|
| Goal 3   | Fontana has a healthy, drought-resistant urban forest, 25% tree canopy, and an urban forestry program. |
| Policy 1 | Support tree conservation and planting that enhances shade and drought resistance.                     |

#### **City of Fontana Tree Ordinance**

The City's tree preservation ordinance (Municipal Code Chapter 28, Article III, *Preservation of Heritage, Significant, and Specimen Trees*) describes the preservation of heritage, significant, and specimen trees, as defined below:

- Heritage Tree – Any tree which is:
  - 1) Of historical value because of its association with a place, building, natural feature or event of local, regional or national historical significance as identified by City Council resolution;
  - 2) Representative of a significant period of the City’s growth or development (e.g., windrow tree or European Olive tree);
  - 3) A protected or endangered species as specified by Federal or State statute; or
  - 4) Is deemed historically or culturally significant by the City manager or his or her designee because of size, condition, location or aesthetic qualities.
- Protected Tree – Any heritage, significant, or specimen tree subject to this article or other such tree identified by a Federal or State agency as endangered or sensitive species.
- Significant Tree – Any tree that is one of the following species: Southern California black walnut (*Juglana californica*), coast live oak (*Quercus agrifolia*), deodora cedar (*Cedrus deodora*), California sycamore (*Plantanus racemosa*), and London plane (*Plantanus acerifolia*).

The ordinance requires preparation of a tree report for removal of any protected tree species. The ordinance also requires a permit for removal of heritage, significant, or specimen trees. Specifically, Chapter 28-67, *Tree Replacement or Relocation*, specifies the City’s requirements for replacement and/or relocation of heritage, significant, or specimen trees.

### 4.3.3 Thresholds for Determination of Significance

CEQA Guidelines Appendix G includes threshold used for the Initial Study, included as ***Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters***, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on biological resources if it would do any of the following:

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 Wildlife or United States Fish and Wildlife Service (refer to Impact 4.3-1).
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 Wildlife or United States Fish and Wildlife Service (refer to Impact 4.3-2).
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 (refer to Impact 4.3-3).



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 (refer to Impact 4.3-4).
5. Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance (refer to Impact 4.3-5).
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 (refer to *Appendix A*).

#### 4.3.4 Impact Analysis and Mitigation Measures

##### ***SPECIAL-STATUS PLANT AND WILDLIFE SPECIES***

<b>Impact 4.3-1</b>	<b>The project could potentially have a substantial adverse effect, either directly or through habitat modifications, on a 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 US Fish and Wildlife Service.</b>
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##### ***Development Site***

###### Special-Status Plant Species

As presented in *Table 4.3-1*, no special-status plant species are expected to occur on the development site due to a lack of suitable habitat. The intent of the field survey was to generally evaluate the potential of the development site to support sensitive plant species based on existing site conditions and habitat types present. Long-standing weed abatement and other anthropogenic disturbances have likely altered soil chemistry and other substrate characteristics such that on-site soils may not currently be capable of supporting most sensitive plant species known to occur in the development site vicinity. As such, project development would not adversely impact habitat where potentially occurring special-status plant species could occur, nor reduce population size of sensitive plant species below self-sustaining levels on a local or regional basis. Impacts would be less than significant in this regard.

###### Special-Status Wildlife Species

No special-status wildlife species were recorded during the field survey and no special-status wildlife species have a high potential to occur on the development site due to the lack of suitable habitat, existing disturbed site conditions, and surrounding urban development; refer to *Table 4.3-2*. The development site provides foraging/nesting habitat for the loggerhead shrike and Cooper's hawk, as well as potential foraging habitat for the California horned lark. Project construction activities would eliminate on-site non-native grassland/ruderal vegetation communities and could adversely impact nesting and foraging habitat and special-status wildlife species with moderate potential to occur on-site, if present. However, construction of the warehouse facility on the development site would not eliminate significant amounts of habitat for these special-status species, nor reduce population size below self-sustaining levels on a local or regional basis. As such, impacts would be less than significant.

Burrowing owl was also identified in **Table 4.3-2** as having moderate potential to occur on the development site. Burrowing owl are protected under the MBTA and CFGC. No direct observations or burrowing owl signs (e.g., feathers, pellets, fecal material, or prey remains) were recorded during the field survey. However, California ground squirrel (*Otospermophilus beecheyi*) burrows potentially suitable to accommodate burrowing owl were recorded on-site. None of the potential burrows inspected during the survey were determined to be currently occupied or recently used by burrowing owl based on the absence of signs around burrow entrances. Despite the fact that the development site has been exposed to long-standing anthropogenic disturbances, burrowing owl may occur in less than optimal and/or disturbed conditions; therefore, if active nests would be lost as a result of site-preparation, it could result in a potentially significant impact and the project would be in conflict with the MBTA and CFGC Sections 3503, 3503.5, and 3800. Accordingly, focused burrowing owl surveys would be performed under Mitigation Measure BIO-1 prior to construction activities and impacts would be reduced to a less than significant level.

Development of the proposed warehouse facility would also eliminate disturbed ruderal fields potentially suitable as foraging habitat by several raptor species during winter or migration periods. Because most potentially occurring raptor species are very widespread and roam over large areas of foraging territory, these losses would amount to an incremental reduction of seasonal foraging habitat and occasional use areas. Development of the project would not eliminate substantial amounts of foraging habitat for these potentially occurring special-status species, nor reduce population size below self-sustaining levels on a local or regional basis. Project impacts on special-status wildlife species would be less than significant.

### **Nesting Birds**

Although many native bird species are not protected by State or Federal ESAs, most are protected under the MBTA and CFGC. If avian nesting behaviors are disrupted due to project implementation, such as nest abandonment and/or loss of reproductive effort, it is considered a “take” and as such, would result in a potentially significant impact to nesting birds. Therefore, if construction activities on the development site are anticipated to occur during the avian nesting season (generally February 1 to August 31), Mitigation Measure BIO-2 requires a nesting bird clearance survey be conducted within seven days of initial ground disturbance activities. Implementation of Mitigation Measure BIO-2 would ensure project impacts on nesting birds are reduced to less than significant levels.

### **Upzone Site**

#### **Special-Status Plant Species**

The upzone site has similar site conditions and anthropogenic disturbances as the development site and likely would not be capable of supporting sensitive plant species known to occur in the vicinity. As previously noted, the project does not propose any development on the upzone site and only proposes to rezone the site from Single-Family Residential (R-1) to Medium Density Residential (R-2). As such, no impacts in this regard would occur on the upzone site. Future development proposed on any of the upzone site parcels would be required to conduct separate environmental review, including a site-specific biological resources analysis.

### Special-Status Wildlife Species

As stated, the upzone site has similar site conditions and anthropogenic disturbances as the development site. Therefore, there is a potential for the upzone site to provide foraging/nesting habitat for sensitive wildlife species. However, the project does not propose any development on the upzone site. As such, no impacts would occur on the upzone site in this regard. Future development proposed on any of the upzone site parcels would be required to conduct separate environmental review, including a site-specific biological resources analysis.

### Nesting Birds

The project does not propose any development on the upzone site. As such, no impacts to nesting birds would occur on the upzone site. Future development on the upzone site would be required to conduct separate environmental review, including a site-specific biological resources analysis.

### **Mitigation Measures**

BIO-1 Prior to the issuance of the first grading or building permits, a focused burrowing owl survey shall be conducted no more than 45 days prior to ground disturbance within the development site, within a 500-foot survey area surrounding the development site, pursuant to the requirements of the *2012 CDFG Staff Report on Burrowing Owl Mitigation*. After completion of appropriate surveys, a final report shall be submitted to the City of Fontana Planning Division within 14 days following completion. The report shall detail survey methods, transect width, duration, conditions, results of the survey, and any actions required to avoid impacts to burrowing owl.

If burrowing owls are detected, no ground-disturbing activities shall be permitted within the distances listed below in ***Table 4.3-3: Burrowing Owl Burrow Buffers***, unless otherwise authorized by California Department of Fish and Wildlife (CDFW). Burrowing owls shall not be moved or excluded from burrows during the breeding season.

**Table 4.3-3: Burrowing Owl Burrow Buffers (CDFG Staff Report, 2012)**

Location	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting Sites	April 1-Aug 15	656 ft	1,640 ft	1,640 ft
Nesting Sites	Aug 16-Oct 15	656 ft	656 ft	1,640 ft
Any Occupied Burrow	Oct 16-Mar 31	164 ft	328 ft	1,640 ft

If avoidance of active burrows is infeasible, the owls can be passively displaced from their burrows according to recommendations made in the *2012 CDFG Staff Report on Burrowing Owl Mitigation*. Burrowing owls shall not be excluded from burrows unless or until:

- a. Occupied burrows shall not be disturbed during the nesting season, generally defined as February 1 through August 31.

- b. Before excluding owls during the non-nesting season, generally defined as September 1 through January 31, a qualified biologist meeting the Biologist Qualifications set forth in the May 2012 CDFW Staff Report, shall verify through noninvasive methods that either: (1) the owls have not begun egg-laying and incubation; or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- c. A Burrowing Owl Exclusion Plan is developed and approved by the applicable local CDFW office and submitted to the City Planning Department. The plan shall include, at a minimum:
  - i. Confirm by site surveillance that the burrow(s) is empty of burrowing owls and other species preceding burrow scoping;
  - ii. Type of scope and appropriate timing of scoping to avoid impacts;
  - iii. Occupancy factors to look for and what will guide determination of vacancy and excavation timing (one-way doors shall be left in place a minimum of 48 hours to ensure burrowing owls have left the burrow before excavation, visited twice daily, and monitored for evidence that owls are inside and can't escape (i.e., look for sign immediately inside the door);
  - iv. How the burrow(s) will be excavated. Excavation using hand tools with refilling to prevent reoccupation is preferable whenever possible (may include using piping to stabilize the burrow to prevent collapsing until the entire burrow has been excavated and it can be determined that owls do not reside in the burrow);
  - v. Removal of other potential owl burrow surrogates or refugia on-site;
  - vi. Photographing the excavation and closure of the burrow to demonstrate success and sufficiency;
  - vii. Monitoring of the site to evaluate success and, if needed, to implement remedial measures to prevent subsequent owl use to avoid take;
  - viii. How the impacted site will continually be made inhospitable to burrowing owls and fossorial mammals (e.g., by allowing vegetation to grow tall, heavy disking, or immediate and continuous grading) until development is complete.

BIO-2            If vegetation removal is scheduled within the avian nesting season (generally from February 1 through August 31), a pre-construction clearance survey for

nesting birds shall be conducted by a qualified biologist within seven days of anticipated vegetation removal at the development site.

The qualified biologist conducting the clearance survey shall document the negative results if no active bird nests are observed on the development site during the clearance survey with a brief letter report indicating that no impacts to active bird nests would occur before construction can proceed. If an active avian nest is discovered during the pre-construction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest; for raptor species, this buffer shall be 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activities. Results of the pre-construction survey and any subsequent monitoring shall be provided to the California Department of Fish and Wildlife and other appropriate agency.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

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#### ***RIPARIAN HABITAT AND OTHER SENSITIVE NATURAL COMMUNITIES***

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<b>Impact 4.3-2</b>	<b>The project would potentially have a substantial adverse effect on a 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 United States Fish and Wildlife Service.</b>
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#### ***Development Site***

The development site does not have any riparian habitat. Additionally, no native or special-status plant communities were recorded on the development site due to long-standing site disturbances. As such, project development would not impact any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the CDFW or USFWS. No impact would occur.

#### ***Upzone Site***

Similar to the development site, the upzone site does not have any riparian habitat. As the project does not propose any development on the upzone site, future projects proposed on the upzone site would be required to conduct site-specific environmental review, including those related to riparian habitat and sensitive natural communities. Thus, no impacts would occur on the upzone site.

#### **Mitigation Measures**

No mitigation is required.

#### **Level of Significance After Mitigation**

No impacts would occur.

#### **FEDERALLY PROTECTED WETLANDS**

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<b>Impact 4.3-3</b>	<b>The project would potentially 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.</b>
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#### **Development Site**

According to the USFWS National Wetland Inventory, no wetland features have been documented within or adjacent to the development site.<sup>5</sup> Additionally, no wetlands were identified during the field visit conducted for the Habitat Suitability Evaluation. According to the newly adopted Statewide Wetland Definition and Procedures for Discharges of Dredged or Fill Material (Procedures), an area is a wetland if: (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation. The Procedures provide the same wetland delineation methods that are used by USACE. As such, potential jurisdictional waters of the United States, including jurisdictional wetlands, are not present on-site due to a lack of an ordinary high water mark or nexus to other waters regulated by the USACE, RWQCB, or CDFW. Therefore, project development would not adversely impact State or Federally protected wetlands. No impact would occur.

#### **Upzone Site**

Similar to the development site, no wetland features have been documented within or adjacent to the upzone site.<sup>6</sup> As the project does not propose any development on the upzone site, future projects proposed on the upzone site would be required to conduct site-specific environmental review, including those related to State and Federally protected wetlands. Thus, no impacts would occur on the upzone site.

#### **Mitigation Measures**

No mitigation is required.

#### **Level of Significance After Mitigation**

No impacts would occur.

#### **WILDLIFE MOVEMENT CORRIDORS AND NURSERY SITES**

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<b>Impact 4.3-4</b>	<b>The project would potentially 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.</b>
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<sup>5</sup> United States Fish and Wildlife Service. 2020. *National Wetlands Inventory*. <https://www.fws.gov/wetlands/Data/Mapper.html>. Accessed April 14, 2020.

<sup>6</sup> Ibid.



### **Development Site**

As stated above, the development site is surrounded by existing development and does not occupy an important location relative to regional wildlife movement as a habitat linkage or wildlife corridor. The high levels of existing disturbance in the project area and surrounding urban development limit wildlife use in the area. As such, impacts would be less than significant.

### **Upzone Site**

As stated, the upzone site is similarly surrounded by existing development and is not identified as a wildlife corridor or habitat linkage. Additionally, future projects proposed on the upzone site would be required to conduct site-specific environmental review, including those related to wildlife movement corridors. Thus, no impacts would occur on the upzone site.

### **Mitigation Measures**

No mitigation is required.

### **Level of Significance After Mitigation**

No impacts would occur.

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### **CONFLICT WITH LOCAL POLICIES OR ORDINANCES**

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<b>Impact 4.3-5</b>	<b>The project would potentially conflict with local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance.</b>
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### **Development Site**

As stated, the City's tree preservation ordinance is codified in Municipal Code Chapter 28, Article III, *Preservation of Heritage, Significant, and Specimen Trees*. The ordinance describes the preservation of heritage, significant, and specimen trees, as defined above.

An Arborist Report was conducted to evaluate the conditions of existing trees on the development site and determine the project's potential impacts on such trees. The majority of the trees throughout the site are in decline. Many of the trees are dead and a few are in fair condition.

Based on the City's definitions of heritage, significant, and specimen trees, the development site includes heritage trees (i.e., windrow trees and olive trees). The 49 eucalyptus trees on-site could be considered windrow trees. However, as stated, many of these eucalyptus trees have been improperly pruned (topped), are lacking in consistent water supply, and have not been properly maintained. As a result, none of the eucalyptus trees are in a condition to be preserved. There are also 10 olive trees on-site; however, these olive trees also have not been properly maintained nor have proper irrigation and thus, are not in a condition to be preserved.

Overall, the vast majority of the trees on the development site are currently not viable to be maintained in place or relocated, primarily due to the fact that the trees have been neglected for years. Most of the trees are either dead or in poor condition due to the lack of irrigation

and proper tree maintenance. As such, the Arborist Report concludes that there are no protected trees, as defined by the City's tree preservation ordinance, on the development site that should be preserved or relocated as part of project development. However, Mitigation Measure BIO-3, which includes the preparation of a tree inventory and replacement plan, has been included to reduce potentially significant impacts regarding tree preservation policies.

### **Upzone Site**

The upzone site includes a number of ornamental trees that could be identified as protected trees under the City's tree preservation ordinance. As the project does not propose any development on the upzone site, future development proposals on the upzone site would be required to prepare a site-specific arborist report to evaluate the conditions of on-site trees in order to determine whether tree preservation or relocation is required. Thus, project development would have no impact on the upzone site.

### **Mitigation Measures**

BIO-3 Prior to construction, a tree inventory and replacement plan shall be prepared by the applicant in compliance with the City's tree ordinance and submitted to the City of Fontana Planning Division for review and approval. The plan, at a minimum, shall include:

- a. Listing of trees recommended for preservation by a qualified arborist, including criteria for recommendation such as species, height, circumference and overall health;
- b. Any tree recommended for preservation that is removed as part of construction shall be replaced at the appropriate ratio detailed in City of Fontana Municipal Code Section 28-67, *Tree Replacement or Relocation*, which is dependent on the existing tree's trunk diameter and health.
- c. The size of each replacement tree shall be a 15-gallon or larger specimen, measuring one inch or more in diameter at a point of twelve inches above the base.

For removal of any protected tree species, including significant, or specimen trees, a tree report shall be prepared, and a tree removal permit obtained prior to tree removal in compliance with the City of Fontana Municipal Code Chapter 28, Article III.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

### **CUMULATIVE IMPACTS**

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<b>Impact 4.3-6</b>	<b>The project could potentially result in cumulative impacts to biological resources.</b>
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Cumulative projects considered in a cumulative context with the project's incremental contribution are identified in *Table 4.0-1: Cumulative Projects*, and *Exhibit 4.0-1:*

*Cumulative Projects*, in *Section 4.0, Introduction to the Environmental Analysis*, of this Draft EIR.

Implementation of the identified cumulative projects would contribute to the local and regional loss of native vegetation types in the region that potentially provide habitat for special-status plant and wildlife species, as well as riparian habitat and Federally protected wetlands. The potential also exists for the cumulative projects to conflict with local policies and ordinances and with habitat conservation plans/natural community conservation plans. Development of cumulative projects could result in direct take of special-status species, construction and post-construction disturbances, special-status habitat conversion, and/or disruption of wildlife corridors. However, as with the project, all future cumulative development would undergo environmental review on a project-by-project basis, to evaluate potential impacts to biological resources and ensure compliance with the established regulatory framework. As such, cumulative impacts to biological resources within the City would be mitigated on a project-by-project basis.

The project would also be required to implement Mitigation Measures BIO-1, BIO-2 and BIO-3 to reduce project-specific impacts to burrowing owls and nesting birds that have the potential to forage and/or nest on the development site. Therefore, with implementation of mitigation, the project in combination with other past, present, and reasonably foreseeable future projects would result in less than significant cumulative impacts to biological resources and the proposed project's impacts would be less than cumulatively considerable.

### **Mitigation Measures**

Refer to Mitigation Measures BIO-1, BIO-2, and BIO-3.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

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## 4.4 Cultural Resources

This section discusses the existing conditions, regulatory context, and potential impacts of the project in relation to cultural, and historic resources. Tribal cultural resources are addressed in Section 4.14 of this Draft EIR. Cultural resources include places, objects, and settlements that reflect group or individual religious, archaeological, architectural, or paleontological activities. Such resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. By statute, the California Environmental Quality Act (CEQA) is primarily concerned with two classes of cultural resources: “historical resources,” which are defined in Public Resources Code Section 21084.1 and CEQA Guidelines Section 15064.5, and “unique archaeological resources,” which are defined in Public Resources Code Section 21083.2.

The information and analysis herein rely on the following investigations and document the hazardous wastes/materials conditions of the project site:

- *Phase 1 Cultural and Paleontological Resources Assessment: Fontana Foothills Commerce Center Project, City of Fontana, San Bernardino County, California* (Cultural and Paleontological Resources Assessment), Material Culture Consulting, January 2020; and
- *Historic Resource Evaluation Report for the Fontana Foothills Commerce Center Project Fontana, San Bernardino County, CA* (Historic Resource Evaluation Report), Daly & Associates, June, 2020.

Collectively, these investigations have been included in *Appendix D, Cultural and Paleontological Resources Assessment and Historic Resource Evaluation Report*. It should be noted that the technical studies listed above only analyze the development site and not the upzone site as no physical development is proposed on the upzone site as part of the project and any impacts would be speculative at this time. Future development on the upzone site would require separate discretionary approval and environmental clearance, including any field surveys and investigations regarding cultural resources. As such, this section only evaluates the project’s impacts on existing cultural resources on the development site.

### 4.4.1 Existing Conditions

#### Regional Setting

The City of Fontana is located in southwest San Bernardino County in Southern California at the base of the San Gabriel Mountains. The City lies within the broad alluvial fan originating from the southern flank of the San Gabriel Mountains, and dips gradually southward to the confluence of North Fork and Middle Fork Lytle Creek Channel, Lower Lytle Creek Channel/Lytle Creek, and the conjunction at its southeastern-most extent, Warm Creek, which joins into the Santa Ana River one mile south at Knoll Park.

#### Project Setting

The development site is located directly north of the base of the Jurupa Mountains, a small mountain range of the Peninsular Ranges system. Topographically, both the development site and the upzone site are relatively flat with an elevation of approximately 1,050 feet above mean

sea level (amsl) on the development site and approximately 1,200 amsl on the upzone site. Both the development site and upzone site areas have been disturbed by existing residential development. Currently, vegetation within both the development site and upzone site areas is characterized as residential landscaping with annual grasses and weeds observed

### **Prehistoric Cultural Setting**

The earliest occupation for the Fontana area dates to the early Holocene (11,000 to 8,000 years ago). The following discussion of the cultural history of San Bernardino County references the San Dieguito Complex, the Milling Stone Horizon, the Encinitas Tradition, the La Jolla Complex, the Pauma Complex, and the San Luis Rey Complex, since these culture sequences have been used to describe archaeological manifestations in the region. The Late Prehistoric component in the area of San Bernardino County was represented by the Cahuilla, Gabrielino, and Luiseño Indians.

#### ***Paleo Indian Period***

The Paleo Indian Period is associated with the terminus of the late Pleistocene (12,000 to 10,000 year before present). The environment during the late Pleistocene was cool and moist, which allowed for glaciation in the mountains and the formation of deep, pluvial lakes in the deserts and basin lands. However, by the terminus of the late Pleistocene, the climate became warmer, which caused glaciers to melt, sea levels to rise, greater coastal erosion, large lakes to recede and evaporate, extinction of Pleistocene megafauna, and major vegetation changes. Paleo Indians were likely attracted to multiple habitat types, including mountains, marshlands, estuaries, and lakeshores. These people likely subsisted using a more generalized hunting, gathering, and collecting adaptation, utilizing a variety of resources including birds, mollusks, and both large and small mammals. The earliest sites known in the area are attributed to the San Dieguito culture, which consists of a hunting culture with flaked stone tool industry. The material culture related to this time included scrapers, hammer stones, large flaked cores, drills, and choppers, which were used to process food and raw material.

#### ***Milling Stone Period***

Around 8,000 years ago, subsistence patterns changed, resulting in a material complex consisting of an abundance of milling stones (for grinding food items) with a decrease in the number of chipped stone tools. The material culture from this time period includes large, bifacially worked dart points and grinding stones, handstones and metates. Archaeologists initially designated this period as the “Millingstone Horizon.” Later, the Millingstone Horizon was redefined as a cultural tradition named the Encinitas Tradition with various regional expressions including Topanga and La Jolla. Use by archaeologists varied as some adopted a generalized Encinitas Tradition without regional variations, while others continued to use Millingstone Horizon, and still others used Middle Holocene (the geologic time period) to indicate this observed pattern. Recently, this generalized terminology was criticized by Sutton and Gardner as suppressing the identification of cultural, spatial, and temporal variation, as well as the movement of peoples throughout space and time. It is these factors that are believed to be critical to an understanding of prehistoric cultural adaptation and change in this portion of Southern California.



The Encinitas Tradition characteristics include abundant metates and manos, crudely made core and flake tools, bone tools, shell ornaments, very few projectile points, indicating a subsistence pattern focused on hunting and gathering a variety of floral resources. Faunal remains vary by location but include marine mammals, fish, and shellfish, as well as terrestrial animals, reptiles, and birds. The Encinitas Tradition has been redefined to have four patterns. These include the Topanga Pattern in coastal Los Angeles and Orange counties, the La Jolla Pattern in coastal San Diego County, and the Sayles or Pauma cultures in inland San Diego County extending into western San Bernardino County, where the project is located. At approximately 3,500 years ago, Pauma groups in the general project vicinity adopted new cultural traits which transformed the archaeological site characteristics - including mortar and pestle technology. This indicated the development of food storage, largely acorns, which could be processed and saved for the leaner, cooler months of the year.

### ***Late Prehistoric Period***

At approximately 1,500 years before present, bow and arrow technology started to emerge in the archaeological record, which also indicates new settlement patterns and subsistence systems. The local population retained the subsistence methods of the past but incorporated new materials into their day to day existence, as evidenced by the archaeological record. The Palomar Tradition is attributed to this time, and comprises larger two patterns: the Peninsular Pattern in the inland areas of the northern Peninsular Ranges (e.g., San Jacinto and Santa Rosa mountains) and the northern Coachella Valley, and the San Luis Rey pattern of the project area. Archaeological sites from this time period are characterized by soapstone bowls, arrowhead projectile points, pottery vessels, rock paintings, and evidence of cremation sites. The shift in material culture assemblages is largely attributed to the emergence of Shoshonean (Takic-speaking) people who entered California from the east.

### **Ethnography**

The territory of the Gabrielino (Tongva) at the time of Spanish contact covered much of current-day Los Angeles and Orange Counties and extended into the western part of San Bernardino County. The southern extent of this culture area is bounded by Aliso Creek, the eastern extent is located east of present-day San Bernardino along the Santa Ana River, the northern extent includes the San Fernando Valley, and the western extent includes portions of the Santa Monica Mountains. The Gabrielino also occupied several Channel Islands including Santa Barbara Island, Santa Catalina Island, San Nicholas Island, and San Clemente Island. Because of their access to certain resources, including a steatite source from Santa Catalina Island, this group was among the wealthiest and most populous aboriginal groups in all of Southern California. Trade of materials and resources controlled by the Gabrielino extended as far north as the San Joaquin Valley, as far east as the Colorado River, and as far south as Baja California. The name “Gabrielino” is Spanish in origin and was used in reference to the Native Americans associated with the Mission San Gabriel. It is unknown what these people called themselves before the Spanish arrived, but today they call themselves “Tongva,” meaning “people of the earth.”

The Gabrielino lived in permanent villages and smaller, resource-gathering camps occupied at various times of the year depending upon the seasonality of the resource. Larger villages were composed of several families or clans, while smaller, seasonal camps typically housed smaller

family units. The coastal area between San Pedro and Topanga Canyon was the location of primary subsistence villages, while secondary sites were located near inland sage stands, oak groves, and pine forests. Permanent villages were located along rivers and streams, as well as in sheltered areas along the coast. As previously mentioned, the Channel Islands were also the locations of relatively large settlements.

The Gabrielino tribe carried out food exploitation strategies that utilized local resources ranging from plants to animals; coastal resources were also exploited. Rabbit and deer were hunted and acorns, buckwheat, chia, berries, fruits and many other plants were collected. Artifacts associated with their occupations include a wide array of chipped stone tools including knives and projectile points, wooden tools like digging sticks and bows, and ground stone tools like bedrock and portable mortars, metates and pestles. Local vegetation was used to construct shelters as well as for medicinal purposes. Cooked foods were prepared on hearths. Acorns were one of the most important food resources utilized by the Gabrielino and other Native American groups across California. The acorns were ground into a fine powder in order to make an acorn mush or gruel. A dietary staple, acorns provided a large number of calories and nutrients. The ability to store and create stockpiles in case of lean times also contributed to the importance of acorns as a vital natural resource. Much of the material evidence available to archaeologists concerning the Gabrielino is a result of tools and technologies related to their subsistence activities.

The social structure of the Gabrielino is little known; however, there appears to have been at least three social classes: 1) the elite, which included the rich, chiefs, and their immediate family; 2) a middle class, which included people of relatively high economic status or long established lineages; and, 3) a class of people that included most other individuals in the society. Villages were politically autonomous units composed of several lineages. During times of the year when certain seasonal resources were available, the village would divide into lineage groups and move out to exploit them, returning to the village between forays. Each lineage had its own leader, with the village chief coming from the dominant lineage. Several villages might be allied under a paramount chief. Chiefly positions were of an ascribed status, most often passed to the eldest son. Chiefly duties included providing village cohesion, leading warfare and peace negotiations with other groups, collecting tribute from the village(s) under his jurisdiction, and arbitrating disputes within the village(s). The status of the chief was legitimized by his safekeeping of the sacred bundle, a representation of the link between the material and spiritual realms and the embodiment of power. Shamans were leaders in the spirit realm. The duties of the shaman included conducting healing and curing ceremonies, guarding of the sacred bundle, locating lost items, identifying and collecting poisons for arrows, and making rain. Marriages were made between individuals of equal social status and, in the case of powerful lineages, marriages were arranged to establish political ties between the lineages. Men conducted the majority of the heavy labor, hunting, fishing, and trading with other groups. Women's duties included gathering and preparing plant and animal resources, and making baskets, pots, and clothing.

### **Historical Cultural Setting**

The process of exploration and colonization of Alta California began in 1769, led by Spaniard Gaspar de Portola and Franciscan Fray (or Father) Junipero Serra. Once the first European exploration of California occurred, the region underwent immense change. As early as 1827,

Anglo-Americans were migrating into Southern California. In the decades to come, California would be taken by the United States with the close of the Mexican-American War and subsequent events such as the Civil War and California Gold Rush would continue to shape the history of California.

***Spanish Period (1769 to 1821) to Mexican Period (1821 to 1848)***

The Spanish period began in 1769 with Captain Gaspar de Portolá's land expedition and ended in 1821 with Mexican Independence. During the Spanish Period, the establishment of the Mission San Gabriel Arcángel (1771) was influential throughout the surrounding regions, using the area for cattle grazing. An asistencia (a small mission without its own priest) was established nearby in Redlands in 1819 and helped facilitate the Mission's control of the surrounding area. However, after control of the area shifted to Mexico, secularization began throughout the area and the missions and their associated ranches began to decline. The Mexican government proceeded to push settlements of Mexican populations from the south by deeding large grants to individuals who promised to employ settlers. While many Mexican land grants were located within the Inland Empire, the Project Area was not part of any Mexican land grant.

***American Period (1848 to present)***

The Gold Rush of 1849 saw a tremendous influx of Americans and Europeans flooding into Southern California. The passing of the Homestead Act of 1862 continued this increase of settlers within the region. In 1851, a group of Mormon settlers from Salt Lake City established San Bernardino, near present-day Fontana. Completion of both the Southern Pacific Railroad in the mid-1870s and the competing Atchison, Topeka and Santa Fe Railway in the 1880s, ushered in a land boom which swept through much of Southern California, especially within the San Bernardino Valley. In 1887, the Semi-Tropic Land and Water Company purchased a large tract of land near the mouth of Lytle Creek, located within northern Fontana boundaries, together with the necessary water rights to the creek, and laid out the townsites of Rialto, Bloomington, and Rosena. In 1905, Azariel Blanchard Miller purchased 17,000 acres in what was then called Rosena. Irrigation systems constructed by Miller and his associated brought agricultural activities, mainly citrus and grain, to Rosena and in 1913, the town was rebranded as Fontana. Fontana continued to be rural until World War II, when Henry J. Kaiser built the Kaiser Steel in 1942. The first complete steel mill west of the Rockies brought other industrial enterprises and soon Fontana became known as a center of heavy industry. However, by the 1980s, the Fontana steel mill was closed and by the early 1990, the land the mill stood on was sold to Penske Motorsports for a National Association for Stock Car Auto Racing (NASCAR) racetrack.

In the 1950s and 1960s, Fontana was home to a famous drag racing strip in the National Hot Rod Association circuit. Known officially as Mickey Thompson's Fontana International Dragway, and also referred to as Fontana Drag City, the drag was located east of the intersection of Foothill Boulevard and East Avenue. The original Fontana strip lasted until 1972. In 1952, the City of Fontana was incorporated. Currently, the City has become a national logistics hub, with distribution centers belonging to Amazon, UPS, and other businesses being built throughout the City boundaries.

## 4.4.2 Regulatory Framework

### Federal

#### ***National Historic Preservation Act of 1966***

Federal regulations for cultural resources are governed primarily by Section 106 of the National Historic Preservation Act (NHPA) of 1966. Section 106 requires Federal agencies to take into account the effects of their undertakings on historic properties and affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. The council's implementing regulations, Protection of Historic Properties, are found in 36 Code of Federal Regulations (CFR) Section 800. The goal of the Section 106 review process is to offer a measure of protection to sites that are determined eligible for listing on the National Register of Historic Places (NRHP). The criteria for determining NRHP eligibility are found in 36 CFR 60. Amendments to the act (1986 and 1992) and subsequent revisions to the implementing regulations have, among other things, strengthened the provisions for Native American consultation and participation in the Section 106 review process. While Federal agencies must follow Federal regulations, most projects by private developers and landowners do not require this level of compliance. Federal regulations only come into play in the private sector if a project requires a Federal permit or if it uses Federal funding.

#### ***National Register of Historical Places***

The NRHP is “an authoritative guide to be used by Federal, State, and local governments, private groups, and citizens to identify the nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment.” However, the Federal regulations explicitly provide that a listing of private property on the NRHP “does not prohibit under Federal law or regulation any actions which may otherwise be taken by the property owner with respect to the property” (36 CFR 60.2[b]).

Historic properties, as defined by the Advisory Council on Historic Preservation, include any “prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the NRHP maintained by the Secretary of the Interior” (36 CFR Section 800.16[I]). A property is eligible for the NRHP if it is significant under one or more of the following criteria:

- Criterion A: It is associated with events that have made a significant contribution to the broad patterns of our history; or
- Criterion B: It is associated with the lives of persons significant in our past; or
- Criterion C: It embodies 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
- Criterion D: It has yielded, or may be likely to yield, information important in prehistory or history.

Criterion (D) is usually reserved for archaeological resources. Eligible cultural resources must meet at least one of the above criteria and exhibit integrity, measured by the degree to which the resource retains its historical properties and conveys its historical character.

## **State**

### ***California Environmental Quality Act***

State historic preservation regulations affecting the project include the statutes and guidelines contained in CEQA, Public Resources Code (PRC) Sections 20183.2 and 21084.1, and CEQA Guidelines Section 15064.5. CEQA requires lead agencies to carefully consider the potential effects of a project on historical resources. A historical resource includes, but is not limited to, any object, building, structure, site, area, place, record or manuscript which is historically or archaeologically significant (PRC Section 5020.1). Section 15064.5 of the CEQA Guidelines specifies criteria for evaluating the significance or importance of cultural resources, including:

- The resource is associated with events that have made a contribution to the broad patterns of California history;
- The resource is associated with the lives of important persons from our past;
- The resource embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important individual or possesses high artistic values; or
- The resource has yielded, or may be likely to yield, important information in prehistory or history.

Advice on procedures to identify such resources, evaluate their importance, and estimate potential effects is given in several agency publications such as the series produced by the Governor's Office of Planning and Research (OPR). The technical advice series produced by OPR strongly recommends that Native American concerns and the concerns of other interested persons and corporate entities, including but not limited to museums, historical commissions, associations, and societies, be solicited as part of the process of cultural resources inventory. In addition, California law protects Native American burials, skeletal remains, and associated grave goods regardless of the antiquity and provides for the sensitive treatment and disposition of those remains.

### ***California Register of Historical Resources***

Assembly Bill (AB) 2881 was signed into law in 1992, establishing the California Register of Historical Resources (CRHR). The CRHR is an authoritative guide in California 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. The criteria for eligibility for the CRHR are based on NRHP criteria. Certain resources are determined by the statute to be included on the CRHR, including California properties formally determined eligible for or listed in the NRHP, State Landmarks, and State Points of Interest.

The California Office of Historic Preservation (OHP) has broad authority under Federal and State law for the implementation of historic preservation programs in California. The State Historic Preservation Officer makes determinations of eligibility for listing on the NRHP and the CRHR.

The appropriate standard for evaluating “substantial adverse effect” is defined in PRC Sections 5020.1(q) and 21084.1. Substantial adverse change means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired. Such impairment of significance would be an adverse impact on the environment.

Cultural resources consist of buildings, structures, objects, or archaeological sites. Each of these entities may have historic, architectural, archaeological, cultural, or scientific importance. Under the CEQA Guidelines, a significant impact would result if the significance of a cultural resource would be changed by project area activities. Activities that could potentially result in a significant impact include demolition, replacement, substantial alteration, and relocation of the resource. The resource’s significance is required to be determined prior to analysis of the level of significance of project activities. The steps required to be implemented to determine significance in order to comply with CEQA Guidelines are:

- Identify cultural resources.
- Evaluate the significance of the cultural resources based on established thresholds of significance.
- Evaluate the effects of a project on all cultural resources.
- Develop and implement measures to mitigate the effects of the project on significant cultural resources.

Sections 6253, 6254, and 6254.10 of the California Government Code authorize State agencies to exclude archaeological site information from public disclosure under the Public Records Act. In addition, the California Public Records Act (CPRA; Government Code [GC] Section 6250 et seq.) and California’s open meeting laws (Brown Act, GC Section 54950 et seq.) protect the confidentiality of Native American cultural place information. The CPRA (as amended, 2005) contains two exemptions that aid in the protection of records relating to Native American cultural places by permitting any State or local agency to deny a CPRA request and withhold from public disclosure:

- Records of Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects described in Section 5097.9 and Section 5097.993 of the Public Resources Code maintained by, or in the possession of, the Native American Heritage Commission, another State agency, or a local agency (GC Section 6254[r]); and
- 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, 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 (GC Section 6254.10).

Likewise, the Information Centers of the California Historical Resources Information System (CHRIS) maintained by the OHP prohibit public dissemination of records and site location information. In compliance with these requirements, and those of the Code of Ethics of the Society for California Archaeology and the Register of Professional Archaeologists, the locations of cultural resources are considered restricted information with highly restricted distribution and are not publicly accessible.

Any project site located on non-Federal land in California is also required to comply with State laws pertaining to the inadvertent discovery of Native American human remains.

***California Health and Safety Code Sections 7050.5, 7051, and 7054***

California Health and Safety Code Sections 7050.5, 7051, and 7054 collectively address the illegality of interference with human burial remains as well as the disposition of Native American burials in archaeological sites. The law protects such remains from disturbance, vandalism, or inadvertent destruction and establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, including the treatment of remains prior to, during, and after evaluation, and reburial procedures.

**Local**

***City of Fontana General Plan***

The purpose of the City's General Plan Community and Neighborhoods Element is to define and establish attributes that contribute to the form, character, and quality of life in the communities and neighborhoods where people live, including cultural resources. Fontana to its past. The element's goals, policies, and actions applicable to the proposed project are listed below.

*Community and Neighborhoods Element*

Goal 1	The integrity and character of historic structures, cultural resources sites and overall historic character of the City of Fontana is maintained and enhanced.
Policy 1.1	Coordinate City programs and policies to support preservation goals.
Policy 1.2	Support and promote community-based historic preservation initiatives.
Policy 1.3	Designate local historic landmarks.
Policy 1.4	Provide appropriate tools to review changes that may detract from historic integrity and character.
Action B	Establish and maintain a thorough inventory of historic sites to be kept in the Planning Division and at the Fontana Historical Society.

Action D	Create a ranking system and priority list to identify the most important historic sites in Fontana to ensure that these sites are protected by Article XIII of the Fontana Code.
Goal 3	Cultural and archaeological resources are protected and preserved.
Policy 3.1	Collaborate with State agencies to protect cultural and archaeological resources.
Action A	Continue to ensure that proper protocols are observed in development proposals for sites with potential archaeological significance.
Action B	Include cultural and archaeological sites and Native American history and archaeology in programs about Fontana history.

### ***Fontana Municipal Code***

Fontana Municipal Code Chapter 5 (Buildings and Building Regulations), Article XIII (Preservation of Historic Resources) was adopted to 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 article specifies the criteria and procedures for the designation of historical resources in the City.

### ***Fontana Standard Conditions of Approval***

The City maintains standard conditions of approval regarding cultural resources as part of the approval process for all developments within the City. These include:

- Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.
- Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. 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, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.
- Archaeological and Native American monitoring and excavation during construction projects shall 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 shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' 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.

The project would be subject to all three conditions of approval.

#### **4.4.3 Thresholds for Determination of Significance**

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters*, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on cultural resources if it would do any of the following:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5 (refer to Impact 4.4-1).
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5 (refer to Impact 4.4-2).
3. Disturb any human remains, including those interred outside of formal cemeteries (refer to Impact 4.4-3).

### **Methodology**

#### **Research**

As part of the cultural resources evaluation (prior to the field survey), a search of CHRIS was conducted at the South Central Coastal Information Center (SCCIC) for the development site and the surrounding 1-mile radius. This archival research reviewed the status of all recorded historic and prehistoric cultural resources, as well as survey and excavation reports completed within 1 mile of the development site. Additional resources reviewed included the NRHP, CRHR, and documents and inventories published by the California OHP. These include the lists of California Historical Landmarks, California Points of Historical Interest, Archaeological Determinations of Eligibility list, and the California State Inventory of Historic Resources.

#### **Field Survey**

##### Cultural Resources

A field survey for cultural resources conducted on December 6, 2019, consisted of walking in parallel transects spaced at approximately 10-meter intervals over the development site parcels that were accessible, while closely inspecting the ground surface. All undeveloped ground surface areas within the ground disturbance portion of the development site area were examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools or fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions and features indicative of the former presence of structures or buildings (e.g.,

postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). Existing ground disturbances (e.g., cutbanks, ditches, animal burrows) were visually inspected. Representative photographs were taken of the entire project area.

### Historical Resources

A field survey for historical resources was conducted on May 7, 2020 during which an inspection was made of the existing structures and associated features situated within the Area of Potential Effects (APE). The APE is comprised of the twelve legal parcels included within the development site, as identified in *Table 4.4-1, Historical Resources Evaluation Results on the Development Site*, below. Combined with a review of accessible archival sources, the field survey was performed to document existing conditions and assist in assessing and evaluating the properties for potential historical significance. Photographs were taken of buildings, including photographs of architectural details or other points of interest, which were used to prepare the California OHP Historical Resources Inventory Form (Department of Parks and Recreation [DPR] Form series) to document the current built-environment of the development site.

## **Results**

### **Nearby Sites**

### Cultural Resources

The CHRIS records search identified a total of 45 cultural resources investigations that have been previously conducted within a one-mile radius buffer around the development site. Of these, three of the previously conducted cultural studies are adjacent to the development site, with none of the studies intersecting the development site area. The records search identified 42 previously recorded resources within the one-mile buffer of the development site, yet none of the previously recorded cultural resources are located within the development site area. Resources identified in the records search include 15 prehistoric resources. The prehistoric resources include bedrock milling features, lithic scatters, a rock shelter/cave with petroglyphs, flakes, metate, a flake tool, and one mano fragment. Resource P-36-000716 is listed on the NRHP, known as the Fontana Pit and Groove Petroglyph Site, and is located over 0.5-mile southwest of the development site.

**Table 4.4-1: Historical Resources Evaluation Results on the Development Site**

Address	Year Constructed	Buildings/Structures	Findings/Integrity	Status
11011 Juniper Avenue	1940	Vernacular style house, shed roof garage	The house has been substantially altered with additions, and has not kept the physical aspects of integrity of design, workmanship, materials, feeling and association	Not Eligible
11055 Juniper Avenue	1966	Ranch style residence, horse pen	The house is not a significant example of Ranch style architecture	Not Eligible
11097 Juniper Avenue	1930	Spanish Revival style house, additional dwellings	The Spanish Revival style house has been substantially altered with additions, and the property has not kept the physical aspects of	Not Eligible

			integrity that include design, materials, workmanship, feeling and association.	
11145 Juniper Avenue	1945	Minimalist style house, chicken coop	The house is not a significant example of Minimalist style architecture.	Not Eligible
11193 Juniper Avenue	Circa 1940	Two agricultural-related structures; a general use shed, and a poultry house	Neither structure is exceptional in its design or physical attributes, and has lost the aspects of setting, feeling, and association.	Not Eligible
11219 Juniper Avenue	1938	Ranch style house	The original 1938 house was extensively rehabilitated, and the result was the loss of its original design, materials, workmanship, feeling, and association.	Not Eligible
11229 Juniper Avenue	1934	Mission Revival style house	The house has been extensively altered with the loss of the original fenestration, addition across the south elevation, and permanent closing of door and window openings. The house has lost the integrity aspects of design, materials, workmanship, feeling, and association.	Not Eligible
11259 Juniper Avenue	1963	Ranch style house, two auxiliary buildings	The house is not a significant example of Ranch style architecture.	Not Eligible
16716 Jurupa Avenue	1978	The house has not achieved sufficient age to be evaluated for significance.		Not Eligible
16756 Jurupa Avenue	1977	The house has not achieved sufficient age to be evaluated for significance.		Not Eligible
16798 Jurupa Avenue	1955	Minimalist style house, horse pen	The house is not a significant example of Minimalist style architecture.	Not Eligible
16820 Jurupa Avenue	1930	Spanish Revival style house, pole barn, detached garage	The house has been altered with a large addition constructed across the north elevation, the removal of all original windows, and a bump-out on the west elevation. The house has lost the integrity of its original design, workmanship, materials, feeling and association.	Not Eligible

Source: Daly & Associates. Historic Resource Evaluation Report. 2020.

This site consists of “pit and groove” style petroglyphs and cupules located in a rock shelter, two boulders with slicks, and one boulder with two deep mortar holes. The closest resources to the development site area are five prehistoric isolates located 0.25 miles south of the development site area, within the undeveloped foothills of the Jurupa Mountain range (P-36060228, P-36-060229, P-36- 060230, and P-36-06031).

### Historical Resources

Based on the Cultural and Paleontological Resources Assessment, the CHRIS records search described above identified 27 historic resources recorded within the one-mile buffer of the development site. Of the 27 historic resources, 23 are single-family properties. The remaining

historic resources include a railroad, farm/ranch properties, a commercial structure and a standing structure.

### ***Project Site***

#### ***Archaeological Resources***

Based on the cultural evaluation conducted of the development site area, the potential for encountering significant cultural resources within the project area is considered low to moderate, due to the developed nature of the project area.

#### ***Historical Resources***

The table below summarizes the results of the historical resources survey on the development site, and the potential of each parcel for being considered a historical resource as described on the DPR Series 523 Inventory forms. Of the twelve properties, two have built-environment resources present that have not reached 50 years of age. Eight of the properties have residential dwellings located on them. Two of the properties have been developed with commercial enterprises in addition to having a residential dwelling on the parcel.

As shown, none of the residences evaluated are eligible for listing as a historical resource in the National Register, California Register, or the Fontana Register, nor does there appear to be evidence that the development site property has the potential to yield important information regarding the history of Fontana, San Bernardino County, or the nation. Refer to *Appendix D*.

## **4.4.4 Impact Analysis and Mitigation Measures**

### ***HISTORIC RESOURCES***

**Impact 4.4-1 The project would potentially cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.**

#### ***Development Site***

Twelve properties would be demolished in order to develop the proposed improvements on the development site, ten of which were evaluated for historic significance and two of which were not of sufficient age to be evaluated. However, as described previously and in the Historic Resource Evaluation Report in *Appendix D*, and as shown in *Table 4.4-1*, none of the residences evaluated are eligible for listing as a historical resource, nor does there appear to be evidence that the development site property has the potential to yield important information regarding the history of Fontana, San Bernardino County, or the nation.

Under NRHP, CRHR, or City criteria relating to the project site's association with significant historical events that exemplify broad patterns of our history, the project site does not appear to include properties that may qualify as significant historical resources. The project site is located on land that was once owned by the Semi-Tropic Land and Water Company, and sold to individual owners from 1930 to the late 1970s. There is no evidence that: (a) the property contributed to the rural history of Fontana; (b) the collections of buildings within the project site are individually or collectively (as a historic district) eligible for listing as a historical resource; or (c) any of the properties was directly associated with persons (during their period



of significance) important to the development of the City of Fontana, or with persons important in the history of California, or the United States.

The subject properties have been determined not eligible for listing in the NRHP, CRHR, or City. While the oldest of the dwellings found within the project site date back to the 1930s, these buildings have been substantially altered, resulting in a loss of design, materials, and workmanship aspects of integrity. The setting, association, and feeling of these dwellings with the citrus groves and vineyards of Fontana's early history have been lost. The dwellings that date from the 1940s to 1960s do not display any remarkable architectural attributes of the Minimalist or Ranch styles of building design. In summation, the individual parcels located within the project site have been found to be not eligible for listing in the NRHP, CRHR, or as a significant historical resource in the City of Fontana. Therefore, a less than significant impact would occur.

#### ***Upzone Site***

The possibility of substantial adverse changes in the significance of a historical resource on the upzone site exists since there are multiple residences located on the upzone site that would be demolished upon construction.

Fontana Municipal Code Chapter 5 (Buildings and Building Regulations), Article XIII (Preservation of Historic Resources) was adopted to 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 article specifies the criteria and procedures for the designation of historical resources in the City. According to the General Plan EIR, future development projects (including development of the upzone site) would be subject to applicable regulations in the Fontana Municipal Code dealing with cultural resources as well as Federal and State cultural resources laws and regulations. As such, the General Plan EIR determined that goals, policies, and actions of the General Plan would not cause significant impacts to cultural resources with implementation of future development projects. In addition, a site-specific historical resources evaluation would be required for future development of the upzone site at such time that development is proposed for the upzone site, in order to address potential impacts relative to historical resource impacts.

#### **Mitigation Measures**

None required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

### **ARCHAEOLOGICAL RESOURCES**

**Impact 4.4-2 The project would potentially cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.**

#### ***Development Site***

Although the Cultural and Paleontological Resources Assessment did not identify any archaeological resources on the development site during the field investigation, and none are

known to be associated with the site, there is a low to moderate potential for encountering archaeological resources during ground-disturbing activities. Project construction activities on the development site would have the potential to disturb unknown archaeological resources on the site, if present. Since proposed excavation on the development site would occur to a depth of at least 4 feet below existing grade and to a depth of at least 4 feet below proposed building pad subgrade elevation (whichever is greater), native soils would be encountered during excavation. As such, there still remains the possibility that undiscovered, buried archaeological resources could potentially be encountered where grading occurs in native soils.

In the unlikely event that archaeological resources are encountered during project construction, the City's standard conditions of approval would address the accidental discovery of resources during project development. These would require archaeological spot checks to be conducted during initial ground-disturbing activities and would require preparation of a Cultural Resource Discovery Plan should an archaeological resource be identified during ground disturbing activities. Thus, with adherence to the City's standard conditions of approval (refer to [\*Section 4.4.2\*](#)), impacts would be less than significant.

#### ***Upzone Site***

The possibility of substantial adverse changes in the significance of an archaeological resource on the upzone site exists. The project proposes no development and therefore analysis of impacts would be speculative at this time. However, as specified in Mitigation Measure CR-3, screening by the City would be conducted to determine whether an Archaeological Resources Assessment study is required for the upzone site at such time that development is proposed for the upzone site, in order to address potential impacts relative to archaeological resource impacts. With implementation of the City's standard conditions of approval, impacts to archaeological resources would be less than significant.

### ***HUMAN REMAINS***

#### **Impact 4.4-3 The project would potentially disturb any human remains, including those interred outside of dedicated cemeteries.**

##### ***Development Site and Upzone Site***

Due to the level of past disturbance on-site at the development site and upzone site, it is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during earth removal or disturbance activities. If human remains are found, those remains would require proper treatment, in accordance with applicable laws. State of California Public Resources Health and Safety Code Section 7050.5-7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission and consultation with the individual identified by the Native American Heritage Commission to be the most likely descendant. If human remains are found during excavation, excavation must stop near the find and any area that is reasonably suspected to overlay adjacent remains until the County coroner has been called out, and the remains have been investigated and appropriate

recommendations have been made for the treatment and disposition of the remains. Following compliance with the aforementioned regulations, impacts related to the disturbance of human remains would be less than significant.

#### **Mitigation Measures**

None required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

### **CUMULATIVE IMPACTS**

#### **Impact 4.4-4 The Project would potentially result in cumulative impacts to cultural resources.**

The term cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. *Table 4.0-1: Cumulative Projects*, in *Section 4.0, Introduction to Environmental Analysis*, identifies the cumulative projects considered in this evaluation.

The development site does not contain any historical or archaeological resources, and as such, would not contribute to cumulative impacts to cultural resources with implementation of the City's standard conditions of approval for cultural resources. However, the cumulative effect of projects in Fontana would have the potential to result in the loss of historical and archaeological resources through the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of a cultural resource would be materially impaired. However, development projects in the City, including any potential development at the upzone site, are regulated by Federal, State, and local regulations as described above. To comply with these requirements, cultural investigations, including records searches and physical surveys, as well as tribal consultation, are routinely conducted as part of the planning and environmental review process to determine the extent of cultural resources that would be affected by a project and to identify mitigation measures to reduce impacts to a less than significant level.

#### **Mitigation Measures**

None required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

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## 4.5 Energy

Public Resources Code Section 21100(b)(3), California Environmental Quality Act (CEQA) Guidelines Section 15126.4 and CEQA Guidelines Appendix F require environmental impact reports (EIR) to describe, where relevant, the wasteful, inefficient, and unnecessary consumption of energy caused by a project. In 1975, largely in response to the oil crisis of the 1970s, the California legislature adopted Assembly Bill (AB) 1575, which created the California Energy Commission (CEC). The statutory mission of the CEC 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—perhaps most importantly—promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended Public Resources Code Section 21100(b)(3) to require EIRs to consider the wasteful, inefficient, and unnecessary consumption of energy caused by a project. The information and analysis herein rely on the following reports and technical data:

- *Fontana Foothills Commerce Center Greenhouse Gas Analysis* (Greenhouse Gas Analysis), Urban Crossroads, May 4, 2020;
- *Fontana Foothills Commerce Center Traffic Impact Analysis* (Traffic Impact Analysis), Urban Crossroads, April 23, 2020;
- *Fontana Foothills Commerce Center Energy Tables* (Energy Tables), Urban Crossroads, January 30, 2020;

Collectively, these investigations have been included in *Appendix B*.

### 4.5.1 Existing Conditions

Energy consumption is analyzed in this EIR due to the potential direct and indirect environmental impacts associated with the proposed project. Such impacts include the depletion of nonrenewable resources (e.g., oil, natural gas, coal) and emissions of pollutants during both the short-term construction and long-term operational phases.

#### Electricity/Natural Gas Services

Southern California Edison (SCE) provides electrical services in San Bernardino County (County) through State-regulated public utility contracts. Over the past 15 years, electricity generation in California has undergone a transition. Historically, California has relied heavily on oil- and gas-fired plants to generate electricity. Spurred by regulatory measures and tax incentives, California's electrical system has become more reliant on renewable energy sources, including cogeneration, wind energy, solar energy, geothermal energy, biomass conversion, transformation plants, and small hydroelectric plants. Unlike petroleum production, generation of electricity is usually not tied to the location of the fuel source and can be delivered great distances via the electrical grid. The generating capacity of a unit of electricity is expressed in megawatts (MW). One MW provides enough energy to power 1,000 average California homes per day. Net generation refers to the gross amount of energy produced by a

unit, minus the amount of energy the unit consumes. Generation is typically measured in megawatt-hours (MWh), kilowatt-hours, or gigawatt-hours.

The Southern California Gas Company provides natural gas services to the County. Natural gas is a hydrocarbon fuel found in reservoirs beneath the earth's surface and is composed primarily of methane. It is used for space and water heating, process heating and electricity generation, and as transportation fuel. 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.

### Energy Usage

Energy usage is typically quantified using the British Thermal Unit (Btu). Total energy usage in California was 7,881 trillion Btus in 2017 (the most recent year for which this specific data is available), which equates to an average of 200 million Btus per capita.<sup>1</sup> Of California's total energy usage, the breakdown by sector is 39.8 percent transportation, 23.2 percent industrial, 18.9 percent commercial, and 18.1 percent residential. Electricity and natural gas in California are generally consumed by stationary users such as residences and commercial and industrial facilities, whereas petroleum consumption is generally accounted for by transportation-related energy use.<sup>2</sup> In 2019, taxable gasoline sales (including aviation gasoline) in California accounted for 15,338,758,756 gallons of gasoline.<sup>3</sup>

The electricity consumption attributable to nonresidential land uses in the County from 2008 to 2018 is shown in **Table 4.5-1: Nonresidential Electricity Consumption in San Bernardino County 2008-2018**. As indicated, the demand has remained relatively constant, with no substantial increase, even as the population has increased.

**Table 4.5-1: Nonresidential Electricity Consumption  
in San Bernardino County 2008–2018**

Year	Nonresidential Electricity Consumption (in millions of kilowatt hours)
2008	9,912
2009	9,002
2010	8,894
2011	9,026
2012	9,592
2013	9,697
2014	9,999
2015	9,826
2016	9,973
2017	10,079
2018	10,190

Source: Electricity and Natural Gas Consumption by County, *ECDMS (California Energy Consumption Data Management System)*, <http://www.ecdms.energy.ca.gov/>, accessed June 9, 2020.

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<sup>1</sup> California State Profile and Energy Estimates, *ELA (US Energy Information Administration)*, <http://www.eia.gov/state/data.cfm?sid=CA#ConsumptionExpenditures>, accessed June 9, 2020.

<sup>2</sup> California State Profile and Energy Estimates, *California Energy Consumption by End-Use Sector 2018*, <https://www.eia.gov/state/?sid=CA#tabs-2>, accessed June 9, 2020.

<sup>3</sup> California Department of Tax and Fee: *Motor Vehicle Fuel 10 Year Reports*, <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm>, accessed June 9 2020.



The natural gas consumption attributable to nonresidential land uses in San Bernardino County from 2008 to 2018 is shown in **Table 4.5-2: Nonresidential Natural Gas Consumption in San Bernardino County 2008-2018**. Similar to electricity consumption, the demand has remained relatively constant, with no substantial increase, even with an increase in population.

**Table 4.5-2: Nonresidential Natural Gas Consumption in San Bernardino County 2008–2018**

Year	Nonresidential Natural Gas Consumption (in millions of therms)
2008	240
2009	205
2010	224
2011	233
2012	236
2013	240
2014	238
2015	245
2016	260
2017	258
2018	269

Source: Electricity and Natural Gas Consumption by County, California Energy Consumption Data Management System, <http://www.ecdms.energy.ca.gov/>, accessed June 9, 2020.

Automotive fuel consumption in San Bernardino County from 2010 to 2019 (with 2020 projection) is shown in **Table 4.5-3: Automotive Fuel Consumption in San Bernardino County 2010-2020**. As shown in **Table 4.5-3**, on-road automotive fuel consumption in the County declined from 2010 to 2013, increased from 2013 to 2016, and has been declining since. Heavy-duty vehicle fuel consumption dropped in 2012 and has steadily risen since 2013.

**Table 4.5-3: Automotive Fuel Consumption in San Bernardino County 2010–2020**

Year	On-Road Automotive Fuel Consumption	Off-Road Automotive Fuel Consumption (Construction Equipment)
2010	928,350,731	213,416,884
2011	909,724,304	213,416,884
2012	905,737,291	210,608,085
2013	903,612,454	222,501,950
2014	917,134,470	229,330,896
2015	948,510,973	232,420,563
2016	978,391,333	248,086,190
2017	958,940,800	251,290,680
2018	939,239,990	255,432,484
2019	917,963,234	258,231,256
2020 (projected)	900,254,322	260,142,425

Source: California Air Resources Board, EMFAC2017.

## 4.5.2 Regulatory Framework

### State

#### ***California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24).***

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 nonresidential buildings, was established by the 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 nonresidential 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.<sup>4</sup> 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 took 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.<sup>5</sup> With the new lighting standards, nonresidential buildings would use 30 percent less energy than buildings built under the 2016 standards.

#### ***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. 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 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 2019 and went into effect January 1, 2020.

### Local

#### ***City of Fontana General Plan Sustainability and Resilience Element***

The City of Fontana (City) *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

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<sup>4</sup> California Energy Commission, *2016 Energy Standards Overview*, <https://www.lgc.org/wordpress/wp-content/uploads/2016/02/2016-Energy-Standards-Overview-California-Energy-Commission.pdf>, accessed June 9, 2020.

<sup>5</sup> California Energy Commission, *2019 Building Energy Efficiency Standards*, [https://www.energy.ca.gov/sites/default/files/2020-03/Title\\_24\\_2019\\_Building\\_Standards\\_FAQ\\_ada.pdf](https://www.energy.ca.gov/sites/default/files/2020-03/Title_24_2019_Building_Standards_FAQ_ada.pdf), accessed June 4, 2020

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:

**Goal 4** Fontana is an Inland Empire leader in energy-efficient energy development and retrofits.

Policy: Promote energy-efficient development in Fontana.

Policy: Meet State energy-efficiency goals for new construction.

**Goal 5** Green Building techniques are used in new development and retrofits.

Policy: promote green building through guidelines, awards and nonfinancial incentives.

### 4.5.3 Thresholds for Determination of Significance

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters*, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on energy resources if it would do any of the following:

1. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation (refer to Impact 4.5-1).
2. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency (refer to Impact 4.5-2).

CEQA Guidelines Appendix F is an advisory document that assists EIR preparers in determining whether a project will result in the inefficient, wasteful, and unnecessary consumption of energy. Impact 4.5-1 relies upon Appendix F of the CEQA Guidelines, which includes the following criteria:

- **Criterion 1:** 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 and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
- **Criterion 2:** The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- **Criterion 3:** The effects of the project on peak and base period demands for electricity and other forms of energy.
- **Criterion 4:** The degree to which the project complies with existing energy standards.
- **Criterion 5:** The effects of the project on energy resources.
- **Criterion 6:** The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Quantification of the project's energy usage is presented and addresses **Criterion 1**. The discussion on construction-related energy use focuses on **Criteria 2, 4, and 5**. The discussion on operational energy use is divided into transportation energy demand and building energy demand. The transportation energy demand analysis discusses **Criteria 2, 4, and 6**, and the building energy demand analysis discusses **Criteria 2, 3, 4, and 5**.

#### 4.5.4 Impact Analysis and Mitigation Measures

##### **WASTEFUL OR INEFFICIENT CONSUMPTION OF ENERGY**

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<b>Impact 4.5-1</b>	<b>Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?</b>
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In accordance with CEQA Guidelines, the effects of a project are evaluated to determine whether they would result in a significant adverse impact on the environment. An EIR is required to focus on these effects and offer mitigation measures to reduce or avoid any significant impacts that are identified. This impact analysis focuses on the three sources of energy that are relevant to the proposed project: electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for project construction (**CEQA Appendix F - Criterion 1**).

##### **Development Site**

Energy consumption associated with the proposed project is summarized in ***Table 4.5-4: Proposed Project Energy Consumption*** (**CEQA Appendix F - Criterion 1**).

**Table 4.5-4: Proposed Project Energy Consumption**

Energy Type	Annual Energy Consumption	Percentage Increase Countywide
Electricity Consumption <sup>1,3</sup>	1,490 MWh	0.0146%
Natural Gas Consumption <sup>1,3</sup>	10,788 therms	0.0022%
Automotive Fuel Consumption <sup>2</sup>		
Project Construction	100,418 Gallons	0.0389%
Project Operations	623,055 Gallons	0.0679%

Sources:

1. California Emissions Estimator Model (CalEEMod v. 2016.3.2)
2. California Air Resources Board EMFAC2017.
3. Urban Crossroads 2020. Refer to **Appendix B** for calculations and assumptions.

*Notes: The project increases in electricity and natural gas consumption are compared with all of the nonresidential buildings in San Bernardino County in 2018. The project increases in automotive fuel consumption are compared with the countywide fuel consumption in 2019.*

##### **Construction Energy**

During construction, the proposed project would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during site clearing, grading, and construction. Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. Some incidental energy conservation would occur during construction through implementation of the mitigation measure listed in Section 4.2, *Air Quality*, which include that during the site preparation phase, construction equipment greater than 150 horsepower (hp), shall comply with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 3 emissions standards and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications (refer to Mitigation Measure AQ-1). In addition, the project would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time of construction equipment either by shutting it off when not in use or by reducing the time of idling to no more than five minutes. Project construction equipment would also be required to comply with the latest EPA and CARB engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Additionally, construction building materials could include recycled materials and products originating from nearby sources in order to reduce costs of transportation (**CEQA Appendix F - Criterion 4**).

As indicated in *Table 4.5-5: Project Sustainability and Resilience Strategies Consistency Analysis*, the proposed project's fuel from construction would be 100,418 gallons, which would increase fuel use in the County by 0.04 percent. As such, project construction would have a nominal effect on the local and regional energy supplies. Further, as discussed above, project construction equipment would be required to comply with the latest regulations for engine emissions standards set forth by EPA, CARB, and/or the South Coast Air Quality Management District. It should be noted that construction fuel use is temporary and would cease upon completion of construction. 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 project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. A less than significant impact would occur in this regard (**CEQA Appendix F - Criterion 2 and Criterion 5**).

### **Operational Energy**

#### **TRANSPORTATION ENERGY DEMAND**

Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration is responsible for establishing additional vehicle standards and for revising existing standards. Compliance with Federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. *Table 4.5-4* provides an estimate of the daily fuel consumed by vehicles traveling to and from the project site. As indicated in *Table 4.5-4*, operation of the proposed project is estimated to consume approximately 623,055 gallons of fuel per year, which would increase Countywide automotive fuel consumption by 0.0679 percent. According to *Section 4.13, Transportation*, the project would have a potentially significant impact regarding

operational vehicle miles traveled (VMT). Due to this impact, the project would be required to implement transportation demand management (TDM) strategies to reduce VMT impacts. The project would include three feasible TDM measures that would help reduce the project's VMT impact (**CEQA Appendix F - Criterion 2** and **Criterion 6**); refer to *Section 4.13*.

It should be noted that although the project would have a significant unavoidable impact for operational VMTs, the project would comply with all applicable Federal and State fuel efficiency standards; refer to *Section 4.13*. This would include the Energy Independence and Security Act of 2007, Federal vehicle standards, and California's Low Carbon Fuel Standard, as discussed in *Section 4.7, Greenhouse Gas Emissions*, which regulate fuel efficiencies for vehicles, including trucks. As such, the project would not result in any unusual characteristics that would result in excessive long-term operational fuel consumption (**CEQA Appendix F - Criterion 4**).

Furthermore, per the 2019 Title 24 Building Energy Efficiency Standards and 2019 CALGreen Code, the project would include the following that would reduce transportation energy consumption:

- Bike lockers (*2019 CalGreen Code Chapter 5, Section 5.106.4 Bicycle Parking*)
- Charging stations for electric vehicles available for employees and guests (*2019 CalGreen Code Chapter 5 Section 5.106.5 Designated parking for clean air vehicles*)
- Electric vehicle parking spots (*2019 CalGreen Code Chapter 5 Section 5.106.5 Designated parking for clean air vehicles*)

These requirements would further reduce fuel consumption by promoting alternative green methods of travel. Fuel consumption associated with vehicle trips generated by the proposed project would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region (**CEQA Appendix F - Criterion 2**).

#### **BUILDING ENERGY DEMAND**

The proposed project would consume energy for interior and exterior lighting, heating/ventilation and air conditioning, refrigeration, electronics systems, appliances, and security systems, among other things. The project would be required to comply with 2019 Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of Title 24 standards significantly reduces energy usage. Furthermore, the electricity provider in San Bernardino County, 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 60 percent of total procurement by 2030. 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 increase in reliance on such energy resources further ensures that projects would not result in the waste of the finite energy resources (**CEQA Appendix F - Criterion 4** and **Criterion 5**).



As depicted in *Table 4.5-4*, the project-related building energy would represent a 0.0146 percent increase in electricity consumption and 0.0022 percent increase in natural gas consumption over the current Countywide usage. The project would enhance window efficiency, apply interior space efficiencies, provide a solar ready roof, include water efficient landscaping (under AB 325, all developer-installed landscaping must be accompanied by a landscape package that documents how water use efficiency would be achieved through design), install water efficient fixtures, and recycle construction and operational waste. The proposed project would adhere to all Federal, State, and local requirements for energy efficiency, including the Title 24 standards, and would include several energy efficient design features. The proposed project would not result in the inefficient, wasteful, or unnecessary consumption of building energy. Additionally, the proposed project would not result in a substantial increase in demand or transmission service, resulting in the need for new or expanded sources of energy supply or new or expanded energy delivery systems or infrastructure. It should also be noted that the entire building would not be air conditioned, which substantially reduces energy usage (**CEQA Appendix F - Criterion 2 and Criterion 3**).

As shown in *Table 4.5-4*, the increase in electricity, natural gas, and automotive fuel consumption over existing conditions is minimal (less than a tenth of 1 percent). For the reasons described above, the proposed project would not place a substantial demand on regional energy supply or require significant additional capacity, or significantly increase peak and base period electricity demand, or cause wasteful, inefficient, and unnecessary consumption of energy during project construction, operation, and/or maintenance, or preempt future energy development or future energy conservation. The impact would be less than significant in this regard (**CEQA Appendix F - Criterion 2**).

## **Upzone Site**

### ***Construction Energy Usage***

Future development on the upzone site in accordance with the proposed rezone from Single-Family Residential (R-1) to Medium Density Residential (R-2) would accommodate additional residential units than allowed under the site's current R-1 zoning. However, no development is currently proposed on the upzone site as part of the project. Future residential development on the upzone site would require separate environmental review under CEQA, including potential construction energy usage. As such, the proposed project would not result in any temporary construction energy usage impacts on the upzone site. No impact would occur in this regard (**CEQA Appendix F - Criterion 2**).

### ***Operational Energy***

The proposed zone change would change the zoning designation for the upzone site from R-1 to R-2 will generate capacity for 10 additional residential units within the City, taking into account the displaced units from the Development Site. Therefore, the net increase associated with the upzone site is 10 dwelling units. As the proposed zone change is being considered by the City as a legislative action only and no development would occur, the following analysis is based on the net increase of 10 dwelling units.

#### *TRANSPORTATION ENERGY DEMAND*

The proposed upzone site would be required to comply with the same Federal and State transportation legislation and policies, described above, as the development site. The net increase of 10 dwelling units is anticipated to create a nominal increase in fuel consumption compared to the existing upzone site and the Countywide usage. Further, like the development site, the upzone site would be required to comply with the 2019 Title 24 Building Energy Efficiency Standards and 2019 CALGreen code which would require electric vehicle parking and charging stations. Thus, fuel consumption associated with vehicle trips generated by the proposed upzone project would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region (**CEQA Appendix F - Criterion 5** and **Criterion 6**).

#### *BUILDING ENERGY DEMAND*

No development is currently proposed on the upzone site as part of the project. Future residential development on the upzone site would require separate environmental review under CEQA, including potential building energy usage. As such, the proposed project would not result in any building energy usage on the upzone site. In addition, the upzone site would be required to comply with current Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of Title 24 standards significantly reduces energy usage. Furthermore, the electricity provider in San Bernardino County, SCE, is subject to California's 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 60 percent of total procurement by 2030. Thus, no impact would occur in this regard (**CEQA Appendix F - Criterion 4** and **Criterion 5**).

#### **Mitigation Measures**

No mitigation is required.

#### **Level of Significance After Mitigation**

Less than significant impact.

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#### **ENERGY EFFICIENCY PLANS**

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<b>Impact 4.5-2</b>	<b>Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?</b>
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#### **Development and Upzone Site**

The project development site and upzone site would comply with the 2019 Title 24 and CALGreen efficiency standards, which would ensure the project incorporates energy efficient windows, insulation, lighting, ventilation systems, water efficient fixtures, photovoltaic panels, as well as green building standards. This which would reduce energy usage by 30 percent compared to the 2016 Title 24 standards for the development site and by 52 percent compared to the 2016 Title 24 standards for the upzone site. In addition, the project development site

and upzone site would comply with Goals 5 and 6 of the Sustainability and Resilience Element, as listed in **Table 4.5-5, Project Sustainability and Resilience Strategies Element Consistency Analysis**. These goals include promoting the usage of renewable energy, the reduction of greenhouse gas emissions, implementation of green building and energy-efficient development. Adherence to the Title 24 and CALGreen requirements will ensure conformance with the State's goal of promoting energy, water, and lighting efficiency, and the City's goal to pursue sustainability and resilience.

The proposed project development site and upzone site would also comply with the Energy Independence and Security Act of 2007, Federal vehicle standards, and California's Low Carbon Fuel Standard, as discussed in **Section 4.7, Greenhouse Gas Emissions**, which regulate fuel efficiencies for vehicles, including trucks. As discussed above, although the project would have a significant and unavoidable impact for operational VMT, the project would implement three separate TDM measures to reduce those impacts and would be required to comply with applicable Federal and State fuel efficiency standards. Thus, fuel consumption associated with vehicle trips generated by the proposed development site and upzone site would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Therefore, the proposed project development site and upzone site would result in less than significant impacts associated with renewable energy or energy efficiency plans.

#### **Mitigation Measures**

No mitigation is required.

#### **Level of Significance After Mitigation**

Less than significant impact.

### **4.5.5 Cumulative Impact Analysis**

#### **CUMULATIVE IMPACTS**

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<b>Impact 4.5-3</b>	<b>The project would potentially create a cumulative energy impact.</b>
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Cumulative projects that would have the potential to be considered in a cumulative context with the projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to land use and planning, are identified in **Table 4.0-1: Cumulative Projects** and **Exhibit 4.0-1: Cumulative Projects**, in **Section 4.0** of this EIR.

Quantifying and/or analyzing energy consumption by cumulative projects in the area would be speculative in nature, as the proposed land use types, intensities, and sizes of projects are unknown at this time. However, each cumulative project would require separate discretionary approval and CEQA assessment, which would address potential energy consumption impacts and identify necessary mitigation measures, where appropriate.

**Table 4.5-5: Project Sustainability and Resilience Strategies Consistency Analysis**

Goal	Policy	Project Consistency
<b>Goal 5:</b> Fontana is an Inland Empire leader in energy-efficient energy development and retrofits.	Promote energy-efficient development in Fontana.	The project development site and upzone site would comply with the most current version of the Title 24 and CALGreen code, which is 30 percent (nonresidential) and 52 percent (residential) more energy efficient than the 2016 Title 24 standards.
	Meet State energy-efficiency goals for new construction	
<b>Goal 6:</b> Green Building techniques are used in new development and retrofits.	Promote green building through guidelines, awards and nonfinancial incentives.	Furthermore, through regulatory compliance with the CALGreen Code, the development site and upzone site (when developed) would use water conserving plumbing fixtures and fittings, outdoor potable water use in landscape areas, and would recycle and/or salvage for reused a minimum of 65 percent of the nonhazardous construction and demolition waste.

Source: City of Fontana, *2018 General Plan Sustainability and Resilience Element*, November 2018.

As noted above, the proposed project development site and upzone site would not result in significant energy consumption impacts. The proposed project would not be considered inefficient, wasteful, or unnecessary with regard to energy. Thus, the proposed project and identified cumulative projects are not anticipated to result in a significant cumulative impact.

### **Mitigation Measures**

No mitigation is required.

### **Level of Significance After Mitigation**

Less than significant impact.

## 4.6 Geology and Soils

This section discusses the environmental setting, existing conditions, regulatory context, and potential impacts of the proposed project in relation to geology and soils. The information and analysis in this section are based on the following investigations and document the geologic conditions of the project site:

- *Cultural and Paleontological Resources Assessment, Fontana Foothills Commerce Center* (Cultural and Paleontological Resources Assessment), Material Culture Consulting, January 2020; and
- *Geotechnical Investigation, Two Proposed Commercial/Industrial Buildings NEC Jurupa Avenue and Juniper Avenue, Fontana, California* (Geotechnical Investigation), Southern California Geotechnical, Inc., April 22, 2020.

These investigations have been included in **Appendix D, Cultural and Paleontological Resources Assessment**, and **Appendix E, Geotechnical Investigation**. It should be noted that the technical studies listed above only analyze the development site and not the upzone site as no physical development is proposed on the upzone site as part of the project. Future development on the upzone site would require separate environmental clearance, including any field surveys and investigations regarding geology and soils.

### 4.6.1 Existing Conditions

#### Geologic Setting

The City of Fontana (City) and its sphere of influence are located in the central portion of the Upper Santa Ana River Valley, which contains the eastern portion of the San Gabriel Mountains to the north, the Lytle Creek Wash to the east, and the Jurupa Mountains to the south. The San Gabriel Mountains are located in the Transverse Ranges Geomorphic Province, which rise over 6,000 feet in elevation, and are bounded by the San Andreas fault system to the northeast and the Cucamonga fault zone to the south. This province is comprised of a series of mountain ranges that run transverse to most mountain ranges in Southern California—roughly east/west trending. The mountains within the province, including the San Gabriel and San Bernardino Mountains to the north and northeast, were uplifted by tectonic activity, and provide a major sedimentary source for the alluvium basins of the adjacent areas. The geologic units underlying the development site were initially mapped entirely as younger Quaternary fan alluvium dating from the late Holocene to Pleistocene. Later maps include the geological unit old Quaternary alluvial-fan deposits, which is mapped within the south-southeastern portion of the project area.

#### Soils and Geologic Conditions

According to the General Plan EIR, soils in the City of Fontana are characteristic of the Southern California interior alluvial basins, consisting of alluvial deposits and floodplain soils. The City is underlain by the relatively young (Holocene and late Pleistocene) alluvial deposits of the Lytle Creek alluvial fan. These deposits primarily consist of unconsolidated, gray, cobbly

and bouldery alluvium. In the southern limits of the City, the deposits are relatively fine-grained (pebbly and cobbly) and become coarser grained (cobbly and bouldery) to the north.

During the subsurface exploration conducted on the development site as part of the Geotechnical Investigation, artificial fill soils were encountered at the ground surface extending to depths of 1.5 to 6.5± feet below the existing site grades. The fill soils generally consist of loose to medium dense silty sands, with varying fine gravel content. The fill soils possess a disturbed appearance, resulting in their classification as artificial fill. Additional soils classified as possible fill soils were encountered at the ground surface extending to depths of 3 to 12± feet below the existing site grades. The possible fill soils generally consist of medium dense to dense silty fine sands and gravelly fine to coarse sands to fine to coarse sandy gravel. These soils possess a slight disturbed appearance, but lack obvious indicators of fill, such as debris content, resulting in their classification as possible fill. Native alluvium was encountered below the artificial fill soil and at the ground surface. The near-surface alluvial soils, generally extending from the ground surface to 1± foot below the existing site grades consist of very loose to loose silty fine to medium sands with little coarse sand, and trace to little fine to coarse gravel. At greater depths, the alluvial soils generally consist of loose to medium dense silty fine sands, fine sandy silts, fine sands, and fine to coarse sands with varying amounts of medium to coarse sands and fine to coarse gravel, extending to at least the maximum depth explored of 10± feet below the existing site grades.

### **Faults and Seismicity**

According to the Geotechnical Investigation, the development site is not located within an Alquist-Priolo Earthquake Fault Zone.<sup>1</sup> Furthermore, no evidence of faulting was identified during the Geotechnical Investigation conducted for the development site. Both sites are located in a seismically active region of Southern California. Seismic shaking activity and intensity is dependent on the distance from the fault and earthquake epicenter. The geologic structure of the entire Southern California areas is dominated by the northwestern-trending faults associated with the San Andreas Fault system. Faults such as the Whittier, San Jacinto, and San Andreas are all major faults in this system and are known to be active. The nearest fault is the San Jacinto Fault, located approximately 7.2 miles to the east of the development site and approximately 6.1 miles southeast of the upzone site.<sup>2</sup>

### **Groundwater**

According to the General Plan EIR, the City is located within the lower Lytle Creek watershed, which forms the northwest portion of the Santa Ana River Watershed, and is underlain by the Chino Basin, which is fully adjudicated and managed by the Chino Basin Watermaster. Stormwater capture and infiltration occurs at 18 recharge basins in the Chino Basin.<sup>3</sup> Neither the development site nor the upzone site are located in one of the Chino Basin's 18 groundwater recharge areas.

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<sup>1</sup> *Geotechnical Investigation, Two Proposed Commercial/Industrial Buildings NEC Jurupa Avenue and Juniper Avenue, Fontana, California*, April 22, 2020, p. 10.

<sup>2</sup> U.S. Geological Survey Interactive Fault Map website, accessed April 4, 2020, <https://earthquake.usgs.gov/hazards/qfaults/>

<sup>3</sup> Chino Basin Watermaster, 2020 Optimum Basin Management Program Update Report, [http://www.cbwm.org/docs/OBMP%20Update/20200124\\_Final%202020%20OBMP%20Update%20Report.pdf](http://www.cbwm.org/docs/OBMP%20Update/20200124_Final%202020%20OBMP%20Update%20Report.pdf).



Groundwater was not encountered during the Geotechnical Investigation conducted for the development site and is expected to occur at depths in excess of approximately 25 feet below ground surface (bgs). The historic high groundwater level for the nearest monitoring well located approximately 0.5-mile northwest from the development site indicates a high groundwater level of approximately 225 feet bgs.

### **Liquefaction**

Liquefaction occurs when soils suddenly transition from a solid state to a liquefied state due to earthquake shaking or blasting. Liquefaction is more likely to occur in loose to moderately saturated granular soils with poor drainage such as silty sands or sands and gravels capped or containing seams of impermeable sediments. Earthquake liquefaction may occur during strong ground shaking events as the shaking causes increased pore water pressure in these loose, saturated, relatively cohesionless soil deposits, resulting in a loss of shear strength. The potential for liquefaction to occur is primarily influenced by the nature of the soils and proximity of groundwater to the surface, as well as the intensity and duration of ground motion, gradation characteristics of subsurface soils, and on-site stress conditions.

According to the *City of Fontana Local Hazard Mitigation Plan* (LHMP), there are no areas of liquefaction susceptibility on or adjacent to either the development site or the upzone site.<sup>4</sup>

### **Landslides**

According to the LHMP, there have been no reported historical occurrences of landslides in the City and landslides are not a major concern in the City. Additionally, there are no areas of landslide susceptibility on the development site or upzone site.<sup>5</sup> There are areas of low-to-moderate landslide susceptibility located approximately 0.25-mile south of the development site within the Jurupa Hills, and the upzone site is located over 3 miles from the nearest hillsides. The topography of both the development site and upzone site is flat and does not present hazards of landslides.

### **Paleontological Resources**

As defined by Society for Vertebrate Paleontology, paleontological resources means any fossilized remains, traces, or imprints of prehistoric plants and/or animals which are preserved in or on the earth's crust that can provide information about the history of past life on the planet. Generally, any resource greater than 5,000 years old is considered to be a fossil and are considered a nonrenewable resource that are subject to impacts from land development.

According to the Cultural and Paleontological Resources Assessment conducted for the development site, a locality search at the Natural History Museum of Los Angeles County (LACM) did not yield any fossil localities within a 1-mile radius of the development site. The closest vertebrate fossil locality from similar basin sediments is LACM 7811, which is located southwest of the development site in the Jurupa Valley, north of Norco and west of Mira Loma. This locality produced a fossil specimen of whipsnake (*Masticophis*) at a depth of nine to

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<sup>4</sup> City of Fontana, Local Hazard Mitigation Plan (2017), Appendix E, Map 7, Geologic Hazard Overlays – Landslide & Liquefaction Susceptibility (South).

<sup>5</sup> Ibid.

eleven feet bgs. The next closest vertebrate fossil locality from Older Quaternary deposits is LACM 1207, located south of the development site, between Corona and Norco. This locality produced fossil specimen of deer (*Odocoileus*). Additional literature was consulted as part of the Cultural and Paleontological Resources Assessment, including the University of California Museum of Paleontology (UCMP)'s Miocene Mammal Mapping Project (MioMap). No fossil localities were identified within a one-mile radius of the development site as part of the MioMap search.

The geologic units mapped within the development site are comprised of younger Quaternary fan alluvium, derived from San Gabriel Mountains to the north, and older Quaternary alluvium that are derived from the intrusive igneous rocks from the Jurupa Mountains to the south. While these deposits typically do not contain significant vertebrate fossils within the uppermost layers, it is likely they are underlain in this area by paleontologically sensitive older Quaternary deposits at relatively shallow depth.

No paleontological resources were observed on the development site during the field survey conducted as part of the Cultural and Paleontological Resources Assessment.

## **4.6.2 Regulatory Framework**

### **Federal**

#### **Soil and Water Resources Conservation Act**

The purpose of the Soil and Water Resources Conservation Act of 1977 is to protect or restore the functions of the soil 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. If impacts are made on the soil, disruptions of its natural functions and of its function as an archive of natural and cultural history should be avoided, as far as practicable. In addition, the requirements of the Federal Water Pollution Control Act (also referred to as the Clean Water Act) through the National Pollution Discharge Elimination System [NPDES] permit) provide guidance for protection of geologic and soil resources.

### **State**

#### **Alquist-Priolo Earthquake Fault Zoning Act**

The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. This State law was a direct result of the 1971 San Fernando Earthquake, which was associated with extensive surface fault ruptures that damaged numerous homes, commercial buildings, and other structures. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards.

The Act requires the State Geologist to establish regulatory zones, known as "Earthquake Fault Zones," around the surface traces of active faults and to issue appropriate maps. 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 buildings 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 50 feet setbacks are required).

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. The City is not affected by a State-designated Alquist-Priolo Earthquake Fault Zone.

### ***Seismic Hazards Mapping Act***

The Seismic Hazards Mapping Act (SHMA) of 1990 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, must 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 of 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.

### ***California Building Code***

The State of California establishes minimum standards for building design and construction through the California Building Code (CBC) (California Code of Regulations, Title 24). The CBC is based on the Uniform Building Code, which is used widely throughout the United States (generally adopted on a state-by-state or district-by-district basis) and has been modified for conditions in California. State regulations and engineering standards related to geology, soils, and seismic activity in the Uniform Building Code are reflected in the CBC requirements.

The CBC contains specific requirements for seismic safety, excavation, foundations, retaining walls, and site demolition. It also regulates grading activities, including drainage and erosion control. The 2019 CBC was published July 1, 2019, with an effective date of January 1, 2020.

## **Local**

### ***City of Fontana General Plan***

The City of Fontana General Plan Noise and Safety Element includes goals, policies, and actions intended to reduce the risks posed by natural conditions that pose a hazard to the city of Fontana and its residents. The following policies, goals, and actions that are relevant to geology and soils include:

- 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.
- Policy            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.
- Action A          The City shall strive to ensure that the design of new structures and the performance of existing structures addresses the appropriate earthquake hazards.

***City of Fontana Building Code***

The City of Fontana Building Code is based on the CBC and is supplemented with local amendments. The Building Code regulates the construction, alteration, repair, moving, demolition, conversion, occupancy, use, and maintenance of all buildings and structures in the City. The Building Code is included in Chapter 5 of the Fontana Municipal Code.

***City of Fontana Municipal Code***

Fontana Municipal Code (Chapter 9, Article II) requires development projects to incorporate an erosion and dust control plan to minimize water and windborne erosion. Specific dust control measures are required to be listed on the grading/construction plan. The erosion and dust control plan is required to be approved by City staff prior to the issuance of the applicable construction permit.

Fontana Municipal Code (Chapter 23, Article IX) requires all development activities subject to the City's NPDES permit to prepare and implement a Water Quality Management Plan, which shall identify proposed structural best management practices (BMPs) and source and treatment control BMPs to infiltrate and/or adequately treat the projected stormwater and urban runoff from the development site.

Lastly, Fontana Municipal Code (Chapter 26, Division 4) requires development project sites to be evaluated by a preliminary soils report that identifies geologic and seismic conditions applicable to the subject property and provides site-specific recommendations to preclude any expected adverse impacts from site-specific soils-related hazards. These reports are required to recommend corrective action to preclude any structural damage/hazards that may be caused by geological hazards or unstable soils.

***City of Fontana Local Hazard Mitigation Plan***

The City's FEMA-approved LHMP was prepared in August 2017 and 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, 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.

#### **4.6.3 Thresholds for Determination of Significance**

California Environmental Quality Act Guidelines Appendix G includes thresholds used for the Initial Study, included as *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters*, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on geology and soils if it would do any of the following:

1. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - a. 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 (refer to *Appendix A*).
  - b. Strong seismic ground shaking (refer to *Appendix A*).
  - c. Seismic-related ground failure, including liquefaction (refer to *Appendix A*).
  - d. Landslides (refer to *Appendix A*).
2. Result in substantial soil erosion or the loss of topsoil (refer to *Appendix A*).
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 (refer to Impact 4.6-1).
4. 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 (refer to *Appendix A*).
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 wastewater (refer to *Appendix A*).
6. Directly or indirectly destroy a unique paleontological resource or site or unique geological feature (refer to Impact 4.6-2).

#### 4.6.4 Impact Analysis and Mitigation Measures

##### ***GEOLOGIC UNITS OR UNSTABLE SOILS***

<b>Impact 4.6-1</b>	<b>The project could 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.</b>
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Refer to *Section 5.0, Effects Found Not to be Significant*, for a discussion concerning the project's potential liquefaction and landslide hazards.

##### ***Development Site***

###### Lateral Spreading

Lateral spreading is primarily associated with liquefaction hazards. As noted in Section 5.0 of this EIR, based on the development site's topography and soil conditions, the development site is not located within an area of liquefaction susceptibility. Thus, the potential for lateral spreading is low. Accordingly, impacts associated with lateral spreading would be less than significant.

###### Subsidence

According to the Geotechnical Investigation, minor ground subsidence on the development site is expected to occur in the soils below the zone of removal, due to settlement and machinery working. The subsidence is estimated to be 0.1 to 0.15± feet for grading in areas that are underlain by native alluvial soils. The actual amount of subsidence is expected to be variable and would be dependent on the type of machinery used, repetitions of use, and dynamic effects. Implementation of Mitigation Measure GEO-1, which requires that the recommendations for design and construction identified in the project's Geotechnical Investigation be incorporated into the project design, grading plans, and building plans, would reduce potential impacts relative to subsidence to a less than significant level.

###### Collapse

As stated in the Geotechnical Investigation, the near-surface soils on-site generally consist of artificial fill soils extending to depths of approximately 1.5 to 3 feet below existing site grades, with one of the borings located along the western boundary of the site having artificial fill soils extending to a depth of approximately 6.5 feet, possibly as a result of removal of the previous citrus trees. The artificial fill soils possess varying strengths and unfavorable consolidation/collapse characteristics. Based on the varying densities and the moderate potential for consolidation/collapse of the near-surface soils, remedial grading is recommended within the proposed building pad areas, as provided for in Mitigation Measure GEO-1. With implementation of grading recommendations provided in the Geotechnical Investigation, potential impacts relative to seismic-related ground failure including collapse would be reduced to a less than significant level.



Based on the above, the project is not located on a geologic unit or soil that is unstable and with implementation of design recommendations provided in the Geotechnical Investigation, provided for in Mitigation Measure GEO-1, potential impacts relative to on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse would be reduced to a less than significant level.

### ***Upzone Site***

There are no areas of landslide or liquefaction susceptibility on or adjacent to the upzone site. Fontana Municipal Code (Chapter 26, Division 4) requires development project sites to be evaluated by a preliminary soils report that identifies geologic and seismic conditions applicable to the subject property and provides site-specific recommendations to preclude any expected adverse impacts from site-specific soils-related hazards. These reports are required to recommend corrective action to preclude any structural damage/hazards that may be caused by geological hazards or unstable soils. As such, a site-specific geotechnical investigation would be required for future development of the upzone site at such time that development is proposed for the upzone site, in order to address potential impacts relative to on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Compliance with these regulatory requirements would ensure that impacts would be less than significant. With respect to the current project, which only involves a General Plan amendment and zone change of the upzone site, impacts would be less than significant.

### **Mitigation Measures**

GEO-1        Prior to issuance of a grading permit, the project applicant shall demonstrate, to the satisfaction of the City of Fontana Building Official, that the recommendations for design and construction identified in the Geotechnical Investigation, prepared by Southern California Geotechnical, Inc. on April 22, 2020 (or thereafter, if applicable), have been incorporated into the project design, grading plans, and building plans. The project's final grading plans, foundation plans, building loads, and specifications shall be reviewed by a State of California Registered Professional Geologist/Registered Professional Engineer to verify that the Geotechnical Investigation's recommendations have been incorporated and updated, as needed.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## **PALEONTOLOGICAL RESOURCES**

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<b>Impact 4.6-2</b>	<b>The project would potentially directly or indirectly destroy a unique paleontological resource or site or unique geological feature.</b>
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### ***Development Site***

According to the Cultural and Paleontological Resources Assessment, no significant paleontological resources were identified within the project area during the locality search or the field survey. The closest vertebrate fossil locality from similar basin sediments is LACM

7811, which is located southwest of the development site in the Jurupa Valley, north of Norco and west of Mira Loma. This locality produced a fossil specimen of whipsnake (*Masticophis*) at a depth of 9 to 11 feet bgs. The next closest vertebrate fossil locality from Older Quaternary deposits is LACM 1207, located south of the development site, between Corona and Norco. This locality produced fossil specimen of deer (*Odocoileus*). Additional literature was consulted as part of the Cultural and Paleontological Resources Assessment, including UCMP's MioMap. No fossil localities were identified within a one-mile radius of the development site as part of the MioMap search.

The geologic units mapped within the project area are comprised of younger Quaternary fan alluvium, derived from San Gabriel Mountains to the north, and older Quaternary alluvium that are derived from the intrusive igneous rocks from the Jurupa Mountains to the south.

While these deposits typically do not contain significant vertebrate fossils within the uppermost layers, it is likely there are underlying sediments of older Quaternary deposits. There are nearby localities from similar sedimentary deposits found within the proposed project area. As such, the project area is considered to have moderate paleontological sensitivity with the potential for construction activities of the proposed project to impact underlying paleontological resources.

Excavation on the development site would have the potential to impact the paleontologically sensitive older Quaternary sediments. Therefore, Mitigation Measure GEO-2 would be implemented to require preparation of a paleontological resource mitigation program by a qualified paleontologist prior to project grading activities. Compliance with Mitigation Measure GEO-2 would reduce potential paleontological resource impacts associated with the development site to a less than significant level.

### **Upzone Site**

Similar to the development site, future development of the upzone site has the potential to impact paleontological resources that may be unearthed during construction. However, because the proposed project would not involve any physical construction or improvements to the upzone site, a project-specific paleontological resource impact analysis would be conducted at the time that such future development is proposed for the upzone site by the respective project applicant. The City's General Plan EIR also includes a recommended list of best practice mitigation measures that the City may adopt for future projects. For example, General Plan EIR MM-CUL-4 requires that a qualified paleontologist conduct a pre-construction field survey of any project site that is underlain by older alluvium. General Plan EIR MM-CUL-5 includes best management practices for paleontological mitigation monitoring. If and when future redevelopment of the upzone site occurs, the City would use the General Plan EIR mitigation measures, in addition to any other measures deemed necessary and developed based on a project-specific analysis, to reduce paleontological impacts a less than significant level. Therefore, impacts associated with paleontological resources relative to the upzone site would be less than significant.

## Mitigation Measures

GEO-2 Prior to project grading activities, a paleontological resource mitigation program (PRMP) shall be prepared by a qualified paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology (SVP) standards for a Principal Investigator or Project Paleontologist, to monitor, salvage, and curate any recovered fossils associated with the proposed project area, should these be unearthed during ground disturbance within the project area. The proposed project's PRMP shall implement the following procedures:

- A trained and qualified paleontological monitor shall perform spot-check and/or monitoring of any excavations on the project site that have the potential to impact paleontological resources in undisturbed native sediments below 5 feet in depth. The monitor shall have the ability to redirect construction activities to ensure avoidance of adverse impacts to paleontological resources.
- The project paleontologist shall re-evaluate the necessity for paleontological monitoring after examination of the affected sediments during excavation, with approval from Lead Agency and project applicant.
- Any potentially significant fossils observed shall be collected and recorded in conjunction with best management practice (BMP) and SVP professional standards.
- Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.
- A report documenting the results of the monitoring, including any salvage activities and the significance of any fossils, shall be prepared and submitted to the appropriate personnel.

## Level of Significance After Mitigation

Impacts would be less than significant.

### **CUMULATIVE IMPACTS**

<b>Impact 4.6-3</b>	<b>The project would potentially result in cumulative impacts to Geology and Soils.</b>
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Geotechnical and paleontological impacts are site-specific rather than cumulative in nature. For example, seismic events may damage or destroy a structure on the development site or the upzone site, but the construction of a development project on one site would not cause any adjacent parcels to become more susceptible to seismic events, nor can a project affect local geology or paleontology in such a manner as to increase risks or impacts regionally.

Soils associated with the development site and the upzone site are similar to other soils in their respective areas. While the construction on both the development site and upzone site and associated improvements will involve grading, compliance with existing codes and standards

and adherence to the recommendations in the Geotechnical Investigation and Cultural and Paleontological Resources Assessment (and similar studies that will be required for future development of upzone site) and mitigation measures GEO-1 and GEO-2 would reduce to less than significant the proposed project's contribution to cumulative impacts related to geological and paleontological conditions. Geotechnical and paleontological resource impacts would be less than cumulatively considerable.

### **Mitigation Measures**

Refer to Mitigation Measures GEO-1 and GEO-2.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## 4.7 Greenhouse Gas Emissions

This section evaluates greenhouse gas (GHG) emissions associated with the proposed project and analyzes project compliance with applicable regulations. The project's consistency with applicable plans, policies, and regulations, as well as the introduction of new sources of GHGs, is analyzed in this section. The information and analysis herein rely on the following reports and technical data:

- *Fontana Foothills Commerce Center Greenhouse Gas Analysis* (Greenhouse Gas Analysis), Urban Crossroads, May 4, 2020;
- *Residential Upzone Project Focused Air Quality and Greenhouse Gas Emissions Memo* (Air Quality and Greenhouse Gas Memo), Urban Crossroads, March 30, 2020; and
- *Fontana Foothills Commerce Center Traffic Impact Analysis* (Traffic Impact Analysis), Urban Crossroads, April 23, 2020.

Collectively, these investigations have been included in **Appendix B**.

### 4.7.1 Existing Conditions

The project site is within the South Coast Air Basin (Basin). The Basin is bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto mountains to the north and east. The Basin includes all of Orange County and the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, in addition to the San Geronio Pass Area in Riverside County. The general region is in the semi-permanent high-pressure zone of the eastern Pacific. The climate is mild and tempered by cool sea breezes. The usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds.

#### Climate Change Overview

Parts of the earth's atmosphere act as an insulating blanket, trapping sufficient solar energy to keep the global average temperature within a range suitable for human habitation. The "blanket" is a collection of atmospheric gases called GHGs because they trap heat similar to the effect of glass walls in a greenhouse. These gases, mainly water vapor, carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), ozone (O<sub>3</sub>), and chlorofluorocarbons, all act as effective global insulators, reflecting infrared radiation back to the earth. Human activities, such as producing electricity and driving internal combustion vehicles, emit these gases into the atmosphere.

To evaluate the incremental effect of the project on Statewide GHG emissions and global climate change, it is important to have a basic understanding of the nature of the global climate change problem. Global climate change is a change in the average weather of the earth, which can be measured by wind patterns, storms, precipitation, and temperature. The earth's temperature depends on the balance between energy entering and leaving the planet's system. Many factors, both natural and human, can cause changes in the earth's energy balance, including variations in the sun's energy reaching the earth, changes in the reflectivity of the

earth's atmosphere and surface, and changes in the greenhouse effect, which affects the amount of heat retained by the earth's atmosphere.

Of late, global climate change has arguably become the most widely debated environmental issue. Climate change is a global problem and GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, 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 much longer atmospheric lifetimes of one year to several thousand years that allow them to be dispersed around the globe. Although the exact lifetime of any particular GHG molecule is dependent on multiple variables and cannot be pinpointed, it is understood by scientists who study atmospheric chemistry that more CO<sub>2</sub> is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, and other forms of sequestration.

Human influence on the climate system is evident from the increasing GHG concentrations in the atmosphere, positive radiative forcing, observed warming, and improved understanding of the climate system. Even though there has been increased understanding of what is likely responsible for global climate change, scientific uncertainties remain regarding the response of the earth's climate system to changes at a local level.

## **4.7.2 Regulatory Framework**

### **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.

#### ***Energy Independence and Security Act of 2007***

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.



### ***US Environmental Protection Agency Endangerment Finding***

The US Environmental Protection Agency's (EPA) authority to regulate GHG emissions stems from the US Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Clean Air Act 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 (CO<sub>2</sub>, CH<sub>4</sub>, N<sub>2</sub>O, hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], and sulfur hexafluoride [SF<sub>6</sub>]) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing act and the EPA's assessment of the scientific evidence that form the basis for the EPA's regulatory actions.

### **State**

Various Statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness that, even though the various contributors to and consequences of global climate change are not yet fully understood, global climate change is occurring, and that there is real potential for severe adverse environmental, social, and economic effects in the long term. Every nation emits GHGs and as a result makes an incremental cumulative contribution to global climate change. Therefore, global cooperation will be required to reduce the rate of GHG emissions enough to slow or stop the human-caused increase in average global temperatures and associated changes in climatic conditions.

### ***Executive Order S-3-05***

Executive Order S-3-05 set forth a series of target dates by which Statewide emissions of GHGs would be progressively reduced, as follows:

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

Executive Order S-3-05 directed the secretary of CalEPA to coordinate a multi-agency effort to reduce GHG emissions to the target levels. The secretary will also submit biannual reports to the governor and the California legislature describing the progress made toward the emissions targets, the impacts of global climate change on California's resources, and mitigation and adaptation plans to combat these impacts. To comply with the executive order, the secretary of CalEPA created the California Climate Action Team, made up of members from various State agencies and commissions. The team released its first report in March 2006. The report proposed to achieve the targets by building on the voluntary actions of California businesses, local governments, and communities and through State incentive and regulatory programs.

### ***Executive Order S-3-05***

The governor signed Executive Order S-01-07 on January 18, 2007. The order 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 California Air Resources Board

(CARB) adopted the Low Carbon Fuel Standard (LCFS) on April 23, 2009. After several court challenges, on November 16, 2015, the Office of Administrative Law approved the Final Rulemaking Package for a revised LCFS regulation. The LCFS regulation became effective on January 1, 2016. In 2018, CARB approved amendments to the regulation, which included strengthening the carbon intensity benchmarks through 2030 in compliance with the SB 32 GHG emissions reduction target for 2030. The amendments included crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector.

***Executive Order S-13-08***

Executive Order S-13-08 seeks to enhance the State's management of climate impacts including sea level rise, increased temperatures, shifting precipitation, and extreme weather events by facilitating the development of State's first climate adaptation strategy. This will result in consistent guidance from experts on how to address climate change impacts in California.

***Assembly Bill 32 (California Global Warming Solutions Act of 2006)***

The California Global Warming Solutions Act of 2006 (AB 32; California Health and Safety Code Division 25.5, Sections 38500–38599) establishes regulatory, reporting, and market mechanisms to achieve quantifiable reductions in GHG emissions and establishes a cap on Statewide GHG emissions. AB 32 requires that Statewide GHG emissions be reduced to 1990 levels by 2020. The bill specifies that regulations adopted in response to AB 1493 should be used to address GHG emissions from vehicles. However, AB 32 also includes language stating that if the AB 1493 regulations cannot be implemented, then CARB should develop new regulations to control vehicle GHG emissions under the authorization of AB 32.

***Assembly Bill 1109.***

The Lighting Efficiency and Toxic Reduction Act prohibits a person from manufacturing for sale in the State requires the establishment of minimum energy efficiency standards for all general purpose lights. The United States Department of Energy's Building Technologies Lighting Research and Development Program is included in AB 1109. The goal of this program is to develop and demonstrate energy-efficient, high-quality, long-lasting lighting technologies by 2025 that have the technical capability of illuminating buildings using 50 percent less electricity compared to technologies in 2005.

***Assembly Bill 1493.***

California 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 U.S. District Court for the District of Columbia in 2011.

The standards phase in during the 2009 through 2016 model years. When fully phased in, the near-term (2009–2012) standards will result in about a 22 percent reduction compared with the 2002 fleet, and the mid-term (2013–2016) standards will result in about a 30 percent

reduction. Several technologies stand out as providing significant reductions in emissions at favorable costs. These include discrete variable valve lift or camless valve actuation to optimize valve operation rather than relying on fixed valve timing and lift as has historically been done; turbocharging to boost power and allow for engine downsizing; improved multi-speed transmissions; and improved air conditioning systems that operate optimally, leak less, and/or use an alternative refrigerant.

The second phase of the implementation for the Pavley bill was incorporated into Amendments to the Low-Emission Vehicle Program (LEV III) or the Advanced Clean Cars program. The Advanced Clean Car program combines the control of smog-causing pollutants and GHG emissions into a single coordinated package of requirements for model years 2017 through 2025. The regulation will reduce GHGs from new cars by 34 percent from 2016 levels by 2025. The new rules will clean up gasoline and diesel-powered cars, and deliver increasing numbers of zero-emission technologies, such as full battery electric cars, newly emerging plug-in hybrid electric vehicles (EV) and hydrogen fuel cell cars. The package will also ensure adequate fueling infrastructure is available for the increasing numbers of hydrogen fuel cell vehicles planned for deployment in California.

#### ***Executive Order B-30-15.***

On April 29, 2015, Governor Brown issued an executive order to establish a California GHG reduction target of 40 percent below 1990 levels by 2030. The governor's executive order aligns California's GHG reduction targets with those of leading international governments ahead of the United Nations Climate Change Conference in Paris late 2015. The order sets a new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 to ensure that California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050, and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent (MMTCO<sub>2</sub>e). The 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. As with Executive Order S-3-05, Executive Order B-30-15 is not legally enforceable for local governments and the private sector. But the Legislature adopted SB 32, which updates AB 32, effectuating the 2030 target set forth in Executive Order B-30-15.

#### ***Senate Bill 32***

On September 8, 2016, Governor Brown signed the SB 32 and its companion bill, AB 197. SB 32 requires the state to reduce statewide GHG emissions to 40 percent below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal and provides an intermediate goal to achieving S-3-05, which sets a statewide GHG reduction target of 80 percent below 1990 levels by 2050. AB 197 creates a legislative committee to oversee regulators to ensure that CARB not only responds to the governor, but also the legislature.

#### ***Senate Bill 350***

In October 2015, the legislature approved and the governor signed SB 350, which reaffirms California's commitment to reducing its GHG emissions and addressing climate change. Key

provisions include an increase in the RPS, higher energy efficiency requirements for buildings, initial strategies towards a regional electricity grid, and improved infrastructure for EV charging stations. Provisions for a 50 percent reduction in the use of petroleum statewide were removed from the bill because of opposition and concern that it would prevent the bill's passage. Specifically, SB 350 requires the following to reduce statewide GHG emissions:

- Increase the amount of electricity procured from renewable energy sources from 33 percent to 50 percent by 2030, with interim targets of 40 percent by 2024, and 25 percent by 2027.
- Double the energy efficiency in existing buildings by 2030. This target will be achieved through the California Public Utility Commission (CPUC), the California Energy Commission (CEC), and local publicly owned utilities.
- Reorganize the Independent System Operator to develop more regional electrify transmission markets and to improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

***Executive Order B-55-18 and SB 100.***

SB 100 and Executive Order B-55-18 were signed by Governor Brown on September 10, 2018. Under the then existing Renewables Portfolio Standard (RPS), 25 percent of retail sales are required to be from renewable sources by December 31, 2016, 33 percent by December 31, 2020, 40 percent by December 31, 2024, 45 percent by December 31, 2027, and 50 percent by December 31, 2030. SB 100 raised California's RPS requirement to 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also requires that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatt hours of those products sold to their retail end-use customers achieve 44 percent of retail sales by December 31, 2024, 52 percent by December 31, 2027, and 60 percent by December 31, 2030. In addition to targets under AB 32 and SB 32, Executive Order B-55-18 establishes a carbon neutrality goal for the state of California by 2045; and sets a goal to maintain net negative emissions thereafter. The Executive Order directs the California Natural Resources Agency (CNRA), California Environmental Protection Agency (CalEPA), the Department of Food and Agriculture (CDFA), and CARB to include sequestration targets in the Natural and Working Lands Climate Change Implementation Plan consistent with the carbon neutrality goal.

***Senate Bill 375***

SB 375, signed in September 2008 (Chapter 728, Statutes of 2008), aligns regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocation. SB 375 requires metropolitan planning organizations (MPOs) to adopt a sustainable communities strategy or alternative planning strategy that prescribe land use allocation in that MPOs regional transportation plan. CARB, in consultation with MPOs, provide each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. These reduction targets are updated every eight years but can be updated every four years if advancements in emissions technologies affect the reduction

strategies to achieve the targets. CARB is also charged with reviewing each MPO's sustainable communities strategy or alternative planning strategy for consistency with its assigned targets.

### ***Title 24 Standards***

California Code of Regulations (CCR) Title 24 Part 6: California's Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. 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 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020.

2019 Title 24 standards require solar photovoltaic systems for new homes, establish requirements for newly constructed healthcare facilities, encourage demand responsive technologies for residential buildings, update indoor and outdoor lighting for nonresidential buildings. The CEC anticipates that single-family homes built with the 2019 standards will use approximately 7 percent less energy compared to the residential homes built under the 2016 standards. Additionally, after implementation of solar photovoltaic systems, homes built under the 2019 standards will about 53 percent less energy than homes built under the 2016 standards. Nonresidential buildings will use approximately 30 percent less energy due to lighting upgrades.

CCR, Title 24, Part 11: California Green Building Standards Code (CALGreen) is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2011, and is administered by the California Building Standards Commission. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2019 California Green Building Code Standards that have become effective on January 1, 2020. Local jurisdictions are permitted to adopt more stringent requirements, as state law provides methods for local enhancements. CALGreen recognizes that many jurisdictions have developed existing construction and demolition ordinances and defers to them as the ruling guidance provided, they establish a minimum 65 percent diversion requirement. The code also provides exemptions for areas not served by construction and demolition recycling infrastructure. The State Building Code provides the minimum standard that buildings must meet in order to be certified for occupancy, which is generally enforced by the local building official. 2019 CALGreen standards are applicable to the project and require:

- Short-term bicycle parking. If the new project or an additional alteration is anticipated to generate visitor traffic, provide permanently anchored bicycle racks within 200 feet of the visitors' entrance, readily visible to passers-by, for 5 percent of new visitor motorized vehicle parking spaces being added, with a minimum of one two-bike capacity rack (5.106.4.1.1).
- Long-term bicycle parking. For new buildings with tenant spaces that have 10 or more tenant occupants, provide secure bicycle parking for 5 percent of the tenant-occupant vehicular parking spaces with a minimum of one bicycle parking facility (5.106.4.1.2).



- Designated parking. In new projects or additions to alterations that add 10 or more vehicular parking spaces, provide designated parking for any combination of low-emitting, fuel-efficient and carpool/van pool vehicles as shown in Table 5.106.5.2 (5.106.5.2).
- Construction waste management. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with Section 5.408.1.1, 5.405.1.2, or 5.408.1.3; or meet a local construction and demolition waste management ordinance, whichever is more stringent (5.408.1).
- Excavated soil and land clearing debris. 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing shall be reused or recycled. For a phase project, such material may be stockpiled on site until the storage site is developed (5.408.3).
- Recycling by occupants. Provide readily accessible areas that serve the entire building and are identified for the depositing, storage and collection of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals or meet a lawfully enacted local recycling ordinance, if more restrictive (5.410.1).
- Water conserving plumbing fixtures and fittings. Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following:
  - Water Closets. The effective flush volume of all water closets shall not exceed 1.28 gallons per flush (5.303.3.1)
  - Urinals. The effective flush volume of wall-mounted urinals shall not exceed 0.125 gallons per flush (5.303.3.2.1). The effective flush volume of floor-mounted or other urinals shall not exceed 0.5 gallons per flush (5.303.3.2.2).
  - Showerheads. Single showerheads shall have a minimum flow rate of not more than 1.8 gallons per minute and 80 psi (5.303.3.3.1). When a shower is served by more than one showerhead, the combine flow rate of all showerheads and/or other shower outlets controlled by a single valve shall not exceed 1.8 gallons per minute at 80 psi (5.303.3.3.2).
  - Faucets and fountains. Nonresidential lavatory faucets shall have a maximum flow rate of not more than 0.5 gallons per minute at 60 psi (5.303.3.4.1). Kitchen faucets shall have a maximum flow rate of not more than 1.8 gallons per minute at 60 psi (5.303.3.4.2). Wash fountains shall have a maximum flow rate of not more than 1.8 gallons per minute (5.303.3.4.3). Metering faucets shall not deliver more than 0.20 gallons per cycle (5.303.3.4.4). Metering faucets for wash fountains shall have a maximum flow rate not more than 0.20 gallons per cycle (5.303.3.4.5).
- Outdoor portable water use in landscaped areas. Nonresidential developments shall comply with a local water efficient landscape ordinance or the current California Department of Water Resources' Model Water Efficient, whichever is more stringent (5.304.1).



- Water meters. Separate submeters or metering devices shall be installed for new buildings or additions in excess of 50,000 square feet or for excess consumption where any tenant within a new building or within an addition that is project to consume more than 1,000 gal/day (5.303.1.1 and 5.303.1.2).
- Outdoor water use in rehabilitated landscape projects equal or greater than 2,500 square feet. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit (5.304.3).
- Commissioning. For new buildings 10,000 square feet and over, building commissioning shall be included in the design and construction processes of the building project to verify that the building systems and components meet the owner's or owner representative's project requirements (5.410.2).

### ***Cap-and-Trade Program***

According to CARB, the Cap-and-Trade Program is designed to reduce GHG emissions from major sources (covered entities) by setting a firm cap on Statewide GHG emissions and employing market mechanisms to cost-effectively achieve emissions reduction goals. CARB will budget a number of tradeable permits to each covered entity. Covered entities are required to surrender one permit for each ton of GHG emissions they emit. Covered entities will be able to buy additional permits at auction, purchase permits from others, or purchase offset credits.

### ***Phase 1 and 2 Heavy-Duty Vehicle GHG Standards.***

CARB has adopted a new regulation for GHG emissions from heavy-duty trucks (HDTs) and engines sold in California. It establishes GHG emission limits on truck and engine manufacturers and harmonizes with the EPA rule for new trucks and engines nationally. Existing heavy-duty (HD) vehicle regulations in California include engine criteria emission standards, tractor-trailer GHG requirements to implement SmartWay strategies (i.e., the Heavy-Duty Tractor-Trailer Greenhouse Gas Regulation), and in-use fleet retrofit requirements such as the Truck and Bus Regulation. In September 2011, the EPA adopted their new rule for HDTs and engines. The EPA rule has compliance requirements for new compression and spark ignition engines, as well as trucks from Class 2b through Class 8. Compliance requirements begin with model year (MY) 2014 with stringency levels increasing through MY 2018. The rule organizes truck compliance into three groupings, which include a) HD pickups and vans; b) vocational vehicles; and c) combination tractors. The EPA rule does not regulate trailers.

CARB staff has worked jointly with the EPA and the NHTSA on the next phase of Federal GHG emission standards for medium-duty trucks (MDT) and HDT vehicles, called Federal Phase 2. The Federal Phase 2 standards were built on the improvements in engine and vehicle efficiency required by the Phase 1 emission standards and represent a significant opportunity to achieve further GHG reductions for 2018 and later model year HDT vehicles, including trailers. But as discussed above, the EPA and NHTSA have proposed to roll back GHG and fuel economy standards for cars and light-duty trucks, which suggests a similar rollback of Phase 2 standards for MDT and HDT vehicles may be pursued.

### ***CARB Scoping Plan***

The CARB Scoping Plan Update functions as a road map to achieve the 2030 GHG reduction goal of reducing GHG emissions in California to 40 percent of their 1990 levels. On December 11, 2008, CARB adopted its original Scoping Plan, as required by AB 32, to reach 1990 levels of GHGs by 2020. The plan was later updated in 2014 to include the most recent science related to climate change and identify actions California has taken to reduce GHG emissions.

The 2017 Scoping Plan Update builds on those actions and takes aim at the 2030 target established by SB 32. Approved in November 2017, key programs included in the plan update are Cap-and-Trade Regulations, the LCFS, and much cleaner cars, trucks, and freight movement, powering the State with cleaner renewable energy, and strategies to reduce methane emissions from agricultural and other wastes by using it to meet energy needs. It also comprehensively addresses for the first time the GHG emissions from the natural and working lands in California, including the agriculture and forestry sectors.

CARB's 2017 Scoping Plan Update contains the following goals:

1. SB 350
  - Achieve 50 percent Renewables Portfolio Standard by 2030.
  - Doubling of energy efficiency savings by 2030
2. Low Carbon Fuel Standard (LCFS)
  - Increased stringency (reducing carbon intensity 18 percent by 2030, up from 10 percent in 2020)
3. Mobile Source Strategy (Cleaner Technology and Fuels Scenario)
  - Maintaining existing GHG standards for light- and heavy-duty vehicles
  - Put 4.2 million zero-emission vehicles (ZEVs) on the roads
  - Increase ZEV buses and delivery and other trucks
4. Sustainable Freight Action Plan
  - Improve freight system efficiency
  - Maximize use of near-zero emission vehicles and equipment powered by renewable energy
  - Deploy over 100,000 zero-emission trucks and equipment by 2030
5. Short-Lived Climate Pollutant (SLCP) Reduction Strategy
  - Reduce emissions of methane and hydrofluorocarbons 40 percent below 2013 levels by 2030
  - Reduce emissions of black carbon 50 percent below 2013 levels by 2030

6. SB 375 Sustainable Communities Strategies
  - Increased stringency of 2035 targets
7. Post-2020 Cap-and-Trade Program
  - Declining caps, continued linkage with Québec, and linkage to Ontario, Canada
  - CARB will look for opportunities to strengthen the program to support more air quality co-benefits, including specific program design elements
8. 20 percent reduction in greenhouse gas emissions from the refinery sector
9. By 2018, develop an Integrated Natural and Working Lands Action Plan to secure California's land base as a net carbon sink.

## **Local**

### ***South Coast Air Quality Management District***

The South Coast Air Quality Management District (SCAQMD) is the agency responsible for air quality planning and regulation in the South Coast Air Basin. The SCAQMD acts as an expert commenting agency for impacts to air quality; this expertise carries over to GHG emissions.

In 2008, the SCAQMD formed a working group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the Basin to achieve the 2020 reduction targets in AB 32. The working group developed several different options that are contained in the SCAQMD Draft Guidance Document – Interim CEQA GHG Significance Threshold, which could be used by other lead agencies. The working group has not provided additional guidance since the release of the interim guidance in 2008. The current interim thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a GHG reduction plan. If a project is consistent with a qualified local GHG reduction plan, it does not have significant GHG emissions.
- Tier 3 establishes a screening significance threshold level to determine significance using a 90 percent emission capture rate. Approximately 10 percent of facilities evaluated comprised more than 90 percent of the total natural gas consumption, which corresponds to 10,000 metric tons of carbon dioxide equivalent (MTCO<sub>2e</sub>) per year. If a project exceeds the 10,000 MTCO<sub>2e</sub> screening significance threshold level and GHG emissions cannot be mitigated to less than the screening threshold, the project would move to Tier 4.
- Tier 4 encourages large projects to implement the maximum feasible GHG reduction measures instead of shifting to multiple smaller projects that may be less efficient.

Tier 4 consists of three options to demonstrate that a project's GHG emissions are not significant:

- Option 1: Reduce business-as-usual emissions by 30 percent. Once GHG emissions are calculated, the applicant would need to incorporate design features and/or implement mitigation measures to demonstrate a 30 percent reduction.
  - Option 2: Early implementation of applicable AB 32 Scoping Plan measures.
  - Option 3: Establish sector-based performance standards. The efficiency standard for projects is 3.0 MTCO<sub>2</sub>e per service population per year, and the efficiency standard for plans is 4.1 MTCO<sub>2</sub>e per service population per year.
- Tier 5 mitigation offsets to achieve target significance threshold.

The approach for the above thresholds remains valid, but the numbers provided by the thresholds would need to be updated to account for regulation of GHG emissions that has occurred since 2008.

### ***City of Fontana General Plan***

The City of Fontana's General Plan contains goals, policies, and actions that are designed to reduce GHG emissions. These goals and policies are in the Community Mobility and Circulation Element, and the Sustainability and Resilience Element. The Community Mobility and Circulation Element supports programs that improve travel by cars and trucks and provides guidance on expanding the options for transit and active transportation. The Sustainability and Resilience Element focuses on resource efficiency and planning for climate change.

### ***Community Mobility and Circulation***

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 Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reductions.
Action E	Reduce greenhouse gas emissions associated with transportation by reducing vehicle miles traveled and per-mile emissions through use of vehicle technologies to meet the City's goals of greenhouse gas reductions by 2035. <sup>1</sup>

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<sup>1</sup> Based on the City of Fontana's General Plan, a specific threshold has not been identified for Action E 2035 greenhouse gas reductions. Action E is implemented by the City Manager's Office, Engineering Department, and Planning Division.

## Sustainability and Resilience

Goal 4	Fontana meets the greenhouse gas reduction goals for 2030 and subsequent goals set by the State.
Policy 4.1	Continue to collaborate with the San Bernardino County Transportation Authority, infrastructure agencies, and utilities on greenhouse gas reduction studies and goals.
Action A	Build on baseline research completed for greenhouse gas reduction to set local goals and meet State goals.
Action B	Work with regional agencies to meet any future State goals for GHG reductions.

### 4.7.3 Thresholds for Determination of Significance

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as *Appendix A, Initial Study, Notice of Preparation*, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on GHG emissions if it would do any of the following:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (refer to Impact 4.7-1).
2. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (refer to Impact 4.7-2).

The City of Fontana has not adopted its own numeric threshold of significance for determining impacts with respect to GHG emissions. The SCAQMD's adopted numerical threshold of 10,000 MTCO<sub>2</sub>e per year for industrial stationary source emissions is typically selected as the significance criterion. However, the City has determined that the SCAQMD's draft threshold of 3,000 MTCO<sub>2</sub>e per year is more conservative and appropriate for industrial and warehouse land use development projects other than stationary source projects. The 3,000 MTCO<sub>2</sub>e threshold is based on the SCAQMD staff's proposed GHG screening threshold for stationary source emissions for non-industrial projects, as described in the SCAQMD's Interim CEQA GHG Significance Threshold for Stationary Sources, Rules and Plans (SCAQMD Interim GHG Threshold). The 3,000 MTCO<sub>2</sub>e threshold is also applied to the project's residential upzone site as this screening threshold has been widely accepted by City of Fontana and numerous cities in the Basin. Projects that do not exceed the 3,000 MTCO<sub>2</sub>e per year threshold are considered to be consistent with the GHG Plan and determined to have a less than significant individual and cumulative impact for GHG emissions.

## 4.7.4 Impact Analysis and Mitigation Measures

### GREENHOUSE GAS EMISSIONS

**Impact 4.7-1 The project would potentially generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.**

Project-related GHG emissions would include emissions from direct and indirect sources resulting from the construction and operation of the proposed project. The proposed project would result in direct and indirect emissions of CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub> and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct project-related GHG emissions include emissions from construction activities and mobile sources, while indirect sources include emissions from area sources, electricity consumption, water demand, and solid waste generation. Project GHG emissions were calculated using the California Emissions Estimator Model version 2016.3.2 (CalEEMod), which relies on trip generation data and specific land use information to calculate emissions.

#### Development Site

##### Construction Emissions

For project-generated construction emissions, GHGs were quantified and amortized over the life of the project. To amortize the emissions over the life of the project, SCAQMD recommends calculating the total GHG emissions for project construction activities, dividing it by a 30-year project life span, and then adding that number to the annual project operational GHG emissions. As such, construction emissions were amortized over a 30-year period and then added to the annual project operational GHG emissions. The amortized construction emissions are presented in *Table 4.7-1: Development Site Greenhouse Gas Emissions*.

**Table 4.7-1: Development Site Greenhouse Gas Emissions**

Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	Total Metric Tons of CO <sub>2</sub> e
	Metric Tons per Year	Metric Tons per Year	Metric Tons per Year	
Construction (amortized over 30 years)	57.09	0.01	0.00	57.28
Area Source	0.04	<0.01	0.00	0.05
Energy Source	532.29	0.02	<0.01	534.33
Mobile Source (Passenger Car)	988.75	0.03	0.00	989.40
Mobile Source (Truck)	4,827.91	0.16	0.00	4,831.96
On-Site Equipment	152.38	0.05	0.00	153.61
Waste	143.95	8.51	0.00	356.63
Water Usage	779.13	5.71	0.14	963.84
<b>Total Project-Related GHG Emissions (All Sources)</b>	<i>7,887.10 MTCO<sub>2</sub>e per year</i>			
<b>SCAQMD Threshold for Non-Stationary Source Projects</b>	<i>3,000 MTCO<sub>2</sub>e per year</i>			
<b>Threshold Exceeded?</b>	<b>Yes</b>			

Source: Urban Crossroads, *Foothill Commerce Center Greenhouse Gas Analysis*, May 4, 2020; refer to Appendix B.



### Mobile Source

The project-related operational GHG impacts are derived primarily from vehicle trips generated by the project. Trip characteristics available from the Traffic Impact Analysis were utilized in this analysis. Project-generated vehicle emissions have been estimated using the Emission FACTor model (EMFAC 2017) and CalEEMod.

#### *Trip Length*

Trip lengths for passenger cars and trucks were determined based on the regional traffic model. The San Bernardino Transportation Analysis Model (SBTAM) was used to estimate trip lengths for the project's passenger cars and trucks.

More specifically, SBTAM was utilized to conduct select zone model runs for the proposed project. SBTAM was prepared for the San Bernardino County Transportation Authority (formerly known as San Bernardino Association of Governments) as a sub-regional model based on Southern California Association of Governments (SCAG) model, which includes the entire SCAG region. Adjustments were made to the socioeconomic data within the SBTAM (2040) traffic analysis zone (TAZ) where the project is located to reflect the project land use.

The vehicle miles traveled (VMT) from/to the project TAZ by vehicle type was calculated based on select zone model skims. The average trip length was calculated based on the model VMT and daily traffic flow by vehicle type. Based on the model runs, the average trip length for trucks was calculated to be 36 miles and the trip length for all other vehicles (passenger cars, small trucks, motorcycles, etc.) was calculated to be 14 miles.

The use of a travel demand model is supported by substantial evidence since the information contained in the model is specific to the region and for the land use type being proposed. Furthermore, the use of travel demand models is also a recommended practice that is being promoted by the Governor's Office of Planning and Research (OPR) in its updated CEQA Guidelines with respect to SB 743. Specifically, the latest technical advisory documentation published by OPR (December 2018 see Page 30-31) (53) explicitly states that:

*"...agencies can use travel demand models or survey data to estimate existing trip lengths and input those into sketch models such as CalEEMod to achieve more accurate results. Whenever possible, agencies should input localized trip lengths into a sketch model to tailor the analysis to the project location."*

The procedure described by OPR in its SB 743 technical advisory is precisely the method that has been used to calculate trip lengths and consequently VMT for the project.

#### *Passenger Cars*

The first run analyzed passenger car emissions, incorporated the SBTAM trip length of 14 miles for passenger cars and an assumption of 100 percent primary trips. It should be noted that though the Traffic Impact Analysis does not breakdown passenger cars by type, this analysis assumes that passenger cars include Light-Duty-Auto vehicles (LDA), Light-Duty-Trucks (LDT15 & LDT26), and Medium-Duty-Vehicles (MDV) vehicle types. In order to

account for emissions generated by passenger cars, the fleet mix presented in *Table 4.7-2: Passenger Car Fleet Mix* was utilized in this analysis.

**Table 4.7-2: Passenger Car Fleet Mix**

Land Use	Vehicle Type	Percent (%)
High-Cube Short-Term Warehouse without Cold Storage	LDA	62.42
	LDT1	4.11
	LDT2	20.35
	MDV	13.12

Source: Urban Crossroads, *Foothill Commerce Center Greenhouse Gas Analysis*, May 4, 2020; refer to Appendix B

### *Trucks*

The second run analyzed truck emissions, incorporated the weighted truck trip length of 36 miles and an assumption of 100 percent primary trips. For purposes of analysis, the truck trip length is based on the SBTAM average trip lengths of Light-Heavy-Duty Trucks (LHDT), Medium-Heavy-Duty Trucks (MHDT), and Heavy-Heavy-Duty Trucks (HHDT). In order to be consistent with the Traffic Impact Analysis, trucks are broken down by truck type: 2-axle (LHDT), 3-axle (MHDT), and 4+-axle (HHDT). In order to account for emissions generated by trucks, the fleet mix presented in *Table 4.7-3: Truck Fleet Mix* was utilized in this analysis.

**Table 4.7-3: Truck Fleet Mix**

Land Use	Vehicle Type	Percent (%)
High-Cube Short-Term Warehouse without Cold Storage	LHDT	16.72
	MHDT	20.72
	HHDT	62.56

Source: Urban Crossroads, *Foothill Commerce Center Greenhouse Gas Analysis*, May 4, 2020; refer to Appendix B

### On-Site Cargo Handling Equipment

It is common for industrial warehouse buildings to require cargo handling equipment to move empty containers and empty chassis to and from the various pieces of cargo handling equipment that receive and distribute containers. The most common type of cargo handling equipment is the yard truck which is designed for moving cargo containers. Yard trucks are also known as yard goats, utility tractors, hustlers, yard hostlers, and yard tractors. The cargo handling equipment is assumed to have a horsepower (hp) range of approximately 175 hp to 200 hp based on the latest available information from SCAQMD; for example, high-cube warehouse projects typically have 3.6-yard trucks per million square feet of building space. For this particular project, based on the maximum square footage of building space permitted by the proposed project, on-site modeled operational equipment includes two 200 hp, compressed natural gas-powered yard tractors operating at four hours a day for 365 days of the year.

#### Area Source

Landscape maintenance equipment would generate emissions from fuel combustion and evaporation of unburned fuel. Equipment in this category would include lawnmowers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers used to maintain the landscaping of the project. The emissions associated with landscape maintenance equipment were calculated based on assumptions provided in CalEEMod.

#### Energy Consumption

Energy consumption emissions were calculated using CalEEMod and project-specific land use data. Southern California Edison (SCE) would provide electricity to the project site. California Green Building Code/Title 24 sets mandatory energy efficiency standards for new buildings and SB 100 requires 33 percent of electricity in California to come from renewable sources by 2020 and 50 percent of electricity in California to come from renewable sources by 2026. The project's proposed operations would indirectly result in 534.33 MTCO<sub>2</sub>e per year due to energy consumption; refer to *Table 4.7-1*.

#### Water Demand

Indirect GHG emissions result from the production of electricity used to convey, treat and distribute water and wastewater. The amount of electricity required to convey, treat and distribute water depends on the volume of water as well as the sources of the water. CalEEMod default parameters were used to estimate GHG emissions associated with water supply, treatment and distribution for the project scenario.

#### Solid Waste

Industrial land uses will result in the generation and disposal of solid waste. A large percentage of this waste will be diverted from landfills by a variety of means, such as reducing the amount of waste generated, recycling, and/or composting. The remainder of the waste not diverted will be disposed of at a landfill. GHG emissions from landfills are associated with the anaerobic breakdown of material. GHG emissions associated with the disposal of solid waste associated with the proposed project were calculated by CalEEMod using default parameters.

#### Emissions Summary

The project will result in approximately 2,065.74 MTCO<sub>2</sub>e per year from construction, area, energy, on-site equipment, waste, and water usage. In addition, the project has the potential to result in an additional 5,821.36 MTCO<sub>2</sub>e per year from mobile sources if the assumption is made that all of the vehicle trips to and from the project are “new” trips resulting from the development of the project. As shown in *Table 4.7-1*, the project has the potential to generate a total of approximately 7,887.10 MTCO<sub>2</sub>e per year. As such, the project would exceed the SCAQMD's recommended numeric threshold of 3,000 MTCO<sub>2</sub>e if it were applied. Thus, the project would make a cumulatively considerable contribution to significant cumulative impacts and result in a significant and unavoidable impact with respect to GHG emissions.

## **Upzone Site**

### **Construction Emissions**

Future development on the upzone site in accordance with the proposed rezone from Single-Family Residential (R-1) to Medium Density Residential (R-2) would accommodate additional residential units than allowed under the site's current R-1 zoning. However, no development is currently proposed on the upzone site as part of the project. Future residential development on the upzone site would require separate environmental review under CEQA, including potential short-term construction air quality analysis. As such, the proposed project would not result in any temporary construction impacts on the upzone site. No impact would occur in this regard.

### **Operational Emissions**

As previously discussed, the City has not adopted a numeric threshold of significance for determining GHG-related impacts. A screening threshold of 3,000 MTCO<sub>2e</sub> per year to determine if additional analysis is required is an acceptable approach for the proposed project. This approach is a widely accepted screening threshold used by the City and numerous cities in the Basin.

The annual GHG emissions associated with operation of the existing R-1 zoning are estimated to be 2,674.80 MTCO<sub>2e</sub> per year as summarized in **Table 4.7-4: Existing R-1 Zoning Greenhouse Gas Emissions**. The annual GHG emissions associated with the proposed upzone site R-2 zoning would result in approximately 2,038.18 MTCO<sub>2e</sub> per year as depicted in **Table 4.7-5: Proposed Upzone Site R-2 Zoning Greenhouse Gas Emissions**. As shown in **Table 4.7-6: Existing R-1 Zoning vs. Proposed Upzone Site R-2 Zoning**, the proposed upzone site R-2 zoning would result in a reduction of approximately 636.62 MTCO<sub>2e</sub> per year when compared to the existing R-1 zoning scenario. Thus, the proposed project would result in a less than significant impact with respect to GHG emissions.

**Table 4.7-4: Existing R-1 Zoning Greenhouse Gas Emissions**

Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	Total Metric Tons of CO <sub>2e</sub>
	Metric Tons per Year	Metric Tons per Year	Metric Tons per Year	
Area Source	40.34	<0.01	<0.01	40.75
Energy Source	683.55	0.02	<0.01	686.59
Mobile Source	1,775.90	0.072	0.00	1,777.70
Waste	36.87	2.18	0.00	91.34
Water Usage	67.64	0.33	<0.01	78.41
<b>Total Project-Related GHG Emissions (All Sources)</b>	<i>2,674.80 MTCO<sub>2e</sub> per year</i>			
<b>Threshold</b>	<i>3,000 MTCO<sub>2e</sub> per year</i>			
<b>Threshold Exceeded?</b>	<b>No</b>			

Source: Urban Crossroads, *Foothill Commerce Center Greenhouse Gas Analysis*, May 4, 2020; refer to Appendix B

**Table 4.7-5: Proposed Upzone Site R-2 Zoning Greenhouse Gas Emissions**

Source	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	Total Metric Tons of CO <sub>2</sub> e
	Metric Tons per Year	Metric Tons per Year	Metric Tons per Year	
Area Source	42.94	<0.01	<0.01	43.38
Energy Source	392.65	0.01	<0.01	394.38
Mobile Source	1,477.28	0.06	0.00	1,478.78
Waste	15.41	0.91	0.00	38.17
Water Usage	72.00	0.35	<0.01	83.47
<b>Total Project-Related GHG Emissions (All Sources)</b>	<i>2,038.18 MTCO<sub>2</sub>e per year</i>			
<b>Threshold</b>	<i>3,000 MTCO<sub>2</sub>e per year</i>			
<b>Threshold Exceeded?</b>	<b>No</b>			

Source: Urban Crossroads, *Foothill Commerce Center Greenhouse Gas Analysis*, May 4, 2020; refer to Appendix B

**Table 4.7-6: Existing R-1 Zoning vs. Proposed Upzone Site R-2 Zoning Greenhouse Gas Emissions**

Source	Total Metric Tons of CO <sub>2</sub> e Per Year
Existing R-1 Zoning (155 Single-Family Dwelling Units) (All Sources)	2,674.80
Proposed Upzone Site R-2 Zoning (165 Multi-Family Dwelling Units) (All Sources)	2,038.18
<b>Net Change</b>	<b>-636.62</b>
<b>Threshold</b>	<i>3,000</i>
<b>Threshold Exceeded?</b>	<b>No</b>

Source: Urban Crossroads, *Foothill Commerce Center Greenhouse Gas Analysis*, May 4, 2020; refer to Appendix B

## Mitigation Measures

No mitigation measures were identified.

## Level of Significance After Mitigation

Significant and Unavoidable Impact.

## GREENHOUSE GAS REDUCTION PLANS

**Impact 4.7-2**      **The project would potentially conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.**

Pursuant to Section 15604.4 of the CEQA Guidelines, a lead agency may rely on qualitative analysis or performance-based standards to determine the significance of impacts from GHG emissions. As such, the project's consistency with AB 32 and SB 32 are discussed below.

### Consistency with AB 32 (2008 Scoping Plan)

CARB's Scoping Plan identifies strategies to reduce California's GHG emissions in support of AB 32 which requires the State to reduce its GHG emissions to 1990 levels by 2020. Many of the strategies identified in the Scoping Plan are not applicable at the project level, such as long-term technological improvements to reduce emissions from vehicles. Some measures are applicable and supported by the project, such as energy efficiency. Finally, while some measures are not directly applicable, the project would not conflict with their implementation reduction measures are grouped into 18 action categories, as follows:

1. **California Cap-and-Trade Program Linked to Western Climate Initiative Partner Jurisdictions.** Implement a broad-based California cap-and-trade program to provide a firm limit on emissions. Link the California cap-and-trade program with other Western Climate Initiative Partner programs to create a regional market system to achieve greater environmental and economic benefits for California. Ensure California's program meets all applicable AB 32 requirements for market-based mechanisms.
2. **California Light-Duty Vehicle GHG Standards.** Implement adopted Pavley standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.
3. **Energy Efficiency.** Maximize energy efficiency building and appliance standards, and pursue additional efficiency efforts including new technologies, and new policy and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California (including both investor-owned and publicly owned utilities).
4. **RPS.** Achieve 33 percent renewable energy mix Statewide.
5. **LCFS.** Develop and adopt the Low Carbon Fuel Standard.
6. **Regional Transportation-Related GHG Targets.** Develop regional GHG emissions reduction targets for passenger vehicles.
7. **Vehicle Efficiency Measures.** Implement light-duty vehicle efficiency measures.
8. **Goods Movement.** Implement adopted regulations for the use of shore power for ships at berth. Improve efficiency in goods movement activities.
9. **Million Solar Roofs Program.** Install 3,000 megawatts (MWs) of solar-electric capacity under California's existing solar programs.
10. **Medium-Duty Trucks (MDT) and Heavy-Duty Trucks (HDT).** Adopt MDT and HDT vehicle efficiencies. Aerodynamic efficiency measures for HD trucks pulling trailers 53-feet or longer that include improvements in trailer aerodynamics and use of rolling resistance tires were adopted in 2008 and went into effect in 2010. Future, yet to be determined improvements, includes hybridization of MD and HD trucks.
11. **Industrial Emissions.** Require assessment of large industrial sources to determine whether individual sources within a facility can cost-effectively reduce GHG emissions and provide other pollution reduction co-benefits. Reduce GHG emissions from



- fugitive emissions from oil and gas extraction and gas transmission. Adopt and implement regulations to control fugitive methane emissions and reduce flaring at refineries.
12. **High Speed Rail.** Support implementation of a high-speed rail system.
  13. **Green Building Strategy.** Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.
  14. **High Global Warming Potential Gases.** Adopt measures to reduce high warming global potential gases.
  15. **Recycling and Waste.** Reduce methane emissions at landfills. Increase waste diversion, composting and other beneficial uses of organic materials, and mandate commercial recycling. Move toward zero waste.
  16. **Sustainable Forests.** Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation. The 2020 target for carbon sequestration is 5 million MTCO<sub>2</sub>e per year.
  17. **Water.** Continue efficiency programs and use cleaner energy sources to move and treat water.
  18. **Agriculture.** In the near term, encourage investment in manure digesters and at the five-year Scoping Plan update determine if the program should be made mandatory by 2020.

*Table 4.7-7: 2008 Scoping Plan Consistency Summary* summarizes the project's consistency with the State Scoping Plan. As summarized, the project will not conflict with any of the provisions of the Scoping Plan and in fact supports seven of the action categories through energy efficiency, water conservation, recycling, and landscaping.

#### Consistency with SB 32 (2017 Scoping Plan Update)

The 2017 Scoping Plan Update reflects the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32. *Table 4.7-8: 2017 Scoping Plan Consistency Summary* depicts the project's consistency with the 2017 Scoping Plan. As summarized, the project will not conflict with any of the provisions of the Scoping Plan and in fact supports seven of the action categories.

**Table 4.7-7: 2008 Scoping Plan Consistency Summary**

Actions	Supporting Measures <sup>1</sup>	Consistency
Cap-and-Trade Program	--	Not applicable. These programs involve capping emissions from electricity generation, industrial facilities, and broad scoped fuels. Caps do not directly affect commercial projects.
Light-Duty Vehicle Standards	T-1	Not applicable. While these are CARB-enforced measures that are not directly applicable to the proposed project, vehicles that access the project are required to comply with the standards and will comply with this strategy. Electric vehicle (EV) charging stations are required to be installed on site per the 2019 Title 24 standards.

Actions	Supporting Measures <sup>1</sup>	Consistency
Energy Efficiency	E-1	Consistent. The project will include a variety of building, water, and solid waste efficiencies consistent with the most current CALGreen requirements.
	E-2	
	CR-1	
	CR-2	
Renewables Portfolio Standard	E-3	Not applicable. Establishes the minimum Statewide renewable energy mix.
Low Carbon Fuel Standard	T-2	Not applicable. Establishes reduced carbon intensity of transportation fuels.
Regional Transportation-Related GHG Targets	T-3	Not applicable. This is a Statewide measure and is not within the purview of this project.
Vehicle Efficiency Measures	T-4	Not applicable. Identifies measures such as minimum tire-fuel efficiency, lower friction oil, and reduction in air conditioning use.
Goods Movement	T-5	Not applicable. Identifies measures to improve goods movement efficiencies such as advanced combustion strategies, friction reduction, waste heat recovery, and electrification of accessories. While these measures are not directly applicable to the project, any commercial activity associated with Goods Movement would be required to comply with these measures as adopted. As such, the proposed project would not interfere with their implementation.
	T-6	
Million Solar Roofs (MSR) Program	E-4	Consistent. The MSR program sets a goal for use of solar systems throughout the State as a whole. While the project currently does not include solar energy generation, the building roof structure will be designed to support solar panels in the future, consistent with Title 24 requirements.
MDT & HDT Vehicles	T-7	Not applicable. MDT and HDT vehicles and trailers for industrial uses would be subject to aerodynamic and hybridization requirements as established by CARB; the proposed project would interfere with implementation of these requirements and programs.
	T-8	
Actions	Supporting Measures <sup>1</sup>	Consistency
Industrial Emissions	I-1	Not applicable. These measures are applicable to large industrial facilities (greater than 500,000 MTCO <sub>2</sub> e per year) and other intensive uses such as refineries.
	I-2	
	I-3	
	I-4	
	I-5	
High Speed Rail	T-9	Not applicable. Supports increased mobility choice.
Green Building Strategy	GB-1	Consistent. The project will include a variety of building, water, and solid waste efficiencies consistent with the current CALGreen requirements.
High GWP Gases	H-1	Not applicable. The proposed project is not a substantial source of high GWP emissions and will comply with any future changes in air conditioning, fire protection suppressant, and other requirements.
	H-2	
	H-3	
	H-4	
	H-5	
	H-6	
	H-7	

Actions	Supporting Measures <sup>1</sup>	Consistency
Recycling and Waste	RW-1	Consistent. The project will be required recycle a minimum of 65 percent from construction activities and project operations per State and City requirements.
	RW-2	
	RW-3	
Sustainable Forests	F-1	Consistent. The project will increase carbon sequestration by increasing on-site trees per the project landscaping plan.
Water	W-1	Consistent. The project will include use of low-flow fixtures and efficient landscaping per State requirements.
	W-2	
	W-3	
	W-4	
	W-5	
	W-6	
Agriculture	A-1	Not applicable. The project is not an agricultural use.

Notes:

1. Supporting measures can be found at the following link:

[http://www.arb.ca.gov/cc/scopingplan/2013\\_update/appendix\\_b.pdf](http://www.arb.ca.gov/cc/scopingplan/2013_update/appendix_b.pdf)

Source: Urban Crossroads, *Foothill Commerce Center Greenhouse Gas Analysis*, May 4, 2020; refer to Appendix B.

**Table 4.7-8: 2017 Scoping Plan Consistency Summary**

Action	Responsible Parties	Consistency
Implement SB 350 by 2030		
50 percent of retail sales by 2030 and ensure grid reliability.	CPUC, CEC, CARB	Consistent. The project would use energy from Southern California Edison (SCE). SCE has committed to diversify its portfolio of energy sources by increasing energy from wind and solar sources. The project would not interfere with or obstruct SCE energy source diversification efforts.
Establish annual targets for Statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of Statewide energy efficiency savings in electricity and natural gas end uses by 2030.		Consistent. The project would be designed and constructed to implement the energy efficiency measures for new commercial developments designed to reduce energy consumption. The project would not interfere with or obstruct policies or strategies to establish annual targets for Statewide energy efficiency savings and demand reduction.
Reduce GHG emissions in the electricity sector through the implementation of the above measures and other actions as modeled in Integrated Resource Planning (IRP) to meet GHG emissions reductions planning targets in the IRP process. Load-serving entities and publicly-owned utilities meet GHG emissions reductions planning targets through a combination of measures as described in IRPs.		Consistent. The proposed project would be designed and constructed consistent with existing regulations aimed at reducing energy consumption.
Implement Mobile Source Strategy (Cleaner Technology and Fuels)		
At least 1.5 million zero emission and plug-in hybrid light-duty EV by 2025.	CARB, California State Transportation Agency (CalSTA), Strategic	Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2025 targets.
At least 4.2 million zero emission and plug-in hybrid light-duty EV by 2030.		Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB zero emission and plug-in hybrid light-duty EV 2030 targets.

Action	Responsible Parties	Consistency
Further increase GHG stringency on all light duty vehicles beyond existing Advanced Clean cars regulations.	Growth Council (SGC), California Department of Transportation (Caltrans), CEC, OPR, Local Agencies	Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB efforts to further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean cars regulations. Medium- and Heavy-Duty GHG Phase 2.
Medium- and Heavy-Duty GHG Phase 2.		Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB efforts to implement Medium- and Heavy-Duty GHG Phase 2
Innovative Clean Transit: Transition to a suite of to-be-determined innovative clean transit options. Assumed 20 percent of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NOX standard.		Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB efforts improve transit-source emissions.
Last Mile Delivery: New regulation that would result in the use of low NOX or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3-7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.		Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB efforts to improve last mile delivery emissions.
Further reduce VMT through continued implementation of SB 375 and regional Sustainable Communities Strategies; forthcoming Statewide implementation of SB 743; and potential additional VMT reduction strategies not specified in the Mobile Source Strategy but included in the document "Potential VMT Reduction Strategies for Discussion."		Consistent. This project would not obstruct or interfere with implementation of SB 375 and would therefore not conflict with this measure.
Increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).	CARB	Consistent. This is a CARB Mobile Source Strategy. The project would not obstruct or interfere with CARB efforts to increase stringency of SB 375 Sustainable Communities Strategy (2035 targets).
Harmonize project performance with emissions reductions and increase competitiveness of transit and active transportation modes (e.g. via guideline documents, funding programs, project selection, etc.).	CalSTA, SGC, OPR, CARB, Governor's Office of Business and Economic Development, California Infrastructure and Economic Development Bank, Department of Finance, California Transportation Commission (CTC), Caltrans	Consistent. The project would not obstruct or interfere with agency efforts to harmonize transportation facility project performance with emissions reductions and increase competitiveness of transit and active transportation modes.

Action	Responsible Parties	Consistency
By 2019, develop pricing policies to support low-GHG transportation (e.g. low-emission vehicle zones for heavy duty, road user, parking pricing, transit discounts).	CalSTA, Caltrans, CTC, OPR, SGC, CARB	Consistent. The project would not obstruct or interfere with agency efforts to develop pricing policies to support low-GHG transportation.
<b>Implement California Sustainable Freight Action Plan</b>		
Improve freight system efficiency.	CalSTA, CalEPA, CNRA, CARB, Caltrans, CEC, GO-Biz	Consistent. This measure would apply to all trucks accessing the project site, this may include existing trucks or new trucks that are part of the Statewide goods movement sector. The project would not obstruct or interfere with agency efforts to improve freight system efficiency.
Deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.		Consistent. This policy is not directly applicable to the project, which does not control the manufacture of freight vehicles or availability of renewable energy sources. The project would not obstruct or interfere with agency efforts to deploy over 100,000 freight vehicles and equipment capable of zero emission operation and maximize both zero and near-zero emission freight vehicles and equipment powered by renewable energy by 2030.
Adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18 percent.	CARB	Consistent. When adopted, this measure would apply to all fuel purchased and used by the project in the State. The project would not obstruct or interfere with agency efforts to adopt a Low Carbon Fuel Standard with a Carbon Intensity reduction of 18 percent.
<b>Implement the Short-Lived Climate Pollutant Strategy (SLPS) by 2030</b>		
40 percent reduction in methane and hydrofluorocarbon emissions below 2013 levels.	CARB, CalRecycle, CDFA, State Water Resources Control Board (SWRCB), Local Air Districts	Consistent. The project would be required to comply with this measure and reduce any project-source SLPS emissions accordingly. The project would not obstruct or interfere with agency efforts to reduce SLPS emissions.
50 percent reduction in black carbon emissions below 2013 levels.		
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	CARB, CalRecycle, CDFA, SWRCB, Local Air Districts	Consistent. The project would implement waste reduction and recycling measures consistent with State and City requirements. The project would not obstruct or interfere with agency efforts to support organic waste landfill reduction goals in the SLCP and SB 1383.
Implement the post-2020 Cap-and-Trade Program with declining annual caps.	CARB	Consistent. The Cap-and-Trade Program is not applicable to the project. The project would not obstruct or interfere with agency efforts to implement the post-2020 Cap-and-Trade Program.
<b>By 2018, develop Integrated Natural and Working Lands Implementation Plan to secure California's land base as a net carbon sink</b>		
Protect land from conversion through conservation easements and other incentives.	CNRA, Departments in CDFA, CalEPA, CARB	Consistent. The project would not obstruct or interfere with agency efforts to protect land from conversion through conservation easements and other incentives.
Increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity		Consistent. The project site is vacant disturbed property and does not comprise an area that would effectively provide for carbon sequestration. The project would not obstruct or interfere with agency efforts to increase the long-term resilience of carbon storage in the land base and enhance sequestration capacity.
Utilize wood and agricultural products to increase the amount of carbon stored in the natural and built environments		Consistent. Where appropriate, project designs will incorporate wood or wood products. The project would not obstruct or interfere with agency efforts to encourage use of wood

Action	Responsible Parties	Consistency
		and agricultural products to increase the amount of carbon stored in the natural and built environments.
Establish scenario projections to serve as the foundation for the Implementation Plan		Consistent. The project would not obstruct or interfere agency efforts to establish scenario projections to serve as the foundation for the Implementation Plan.
Establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018	CARB	Consistent. The project would not obstruct or interfere agency efforts to establish a carbon accounting framework for natural and working lands as described in SB 859 by 2018.
Implement Forest Carbon Plan	CNRA, California Department of Forestry and Fire Protection (CAL FIRE), and CalEPA	Consistent. The project would not obstruct or interfere agency efforts to implement the Forest Carbon Plan.
Identify and expand funding and financing mechanisms to support GHG reductions across all sectors.	State Agencies & Local Agencies	Consistent. The project would not obstruct or interfere agency efforts to identify and expand funding and financing mechanisms to support GHG reductions across all sectors.

Source: Urban Crossroads, *Foothill Commerce Center Greenhouse Gas Analysis*, May 4, 2020; refer to Appendix B.

### Consistency with SB 375 (2016-2040 RTP/SCS)

SCAG is expected to achieve CARB's GHG reduction targets for the region (8 percent by 2020 and 13 percent by 2035 for per capita passenger vehicle GHG emissions)<sup>2</sup> through implementation of the 2016-2040 RTP/SCS.<sup>3</sup> Furthermore, although there are no per capita GHG emission reduction targets for passenger vehicles set by CARB for 2040, the 2016-2040 RTP/SCS GHG emission reduction trajectory shows that more aggressive GHG emission reductions are projected for 2040.<sup>4</sup> The 2016-2040 RTP/SCS would result in an estimated 8-percent decrease in per capita passenger vehicle GHG emissions by 2020, 18-percent<sup>5</sup> decrease in per capita passenger vehicle GHG emissions by 2035, and 21-percent decrease in per capita passenger vehicle GHG emissions by 2040. By meeting and exceeding the SB 375 targets for 2020 and 2035, as well as achieving an approximate 21-percent decrease in per capita passenger vehicle GHG emissions by 2040 (an additional 3-percent reduction in the five years between 2035 [18 percent] and 2040 [21 percent]), the 2016-2040 RTP/SCS is expected to fulfill and exceed its portion of SB 375 compliance with respect to meeting the State's GHG emission reduction goals.

<sup>2</sup> These GHG reduction targets were established for SCAG by CARB and were effective through September 30, 2018. CARB has created new GHG reduction targets for SCAG, effective October 1, 2018 that will be addressed in the next iteration of the SCAG RTP/SCS (expected in December 2020).

<sup>3</sup> SCAG, Final 2016–2040, RTP/SCS, April 2016, p. 15.

<sup>4</sup> SCAG, Final 2016–2040, RTP/SCS, April 2016, p. 153.

<sup>5</sup> In March 2018, CARB adopted updated targets requiring a 19-percent decrease in VMT for the SCAG region by 2035. As the CARB targets were adopted after the 2016-2040 RTP/SCS, it is expected that the updated targets will be incorporated into the next RTP/SCS.



At the regional level, the 2016-2040 RTP/SCS is an applicable plan adopted for the purpose of reducing GHGs. In order to assess the project's potential to conflict with the 2016-2040 RTP/SCS, this section also analyzes the project's land use assumptions for consistency with those utilized by SCAG in its Sustainable Communities Strategy. Generally, projects are considered consistent with the provisions and general policies of applicable City and regional land use plans and regulations, such as SCAG's RTP/SCS, if they are compatible with the general intent of the plans and would not preclude the attainment of their primary goals. **Table 4.7-9: Project Consistency with the 2016-2040 RTP/SCS**, demonstrates the project's consistency with the Actions and Strategies set forth in the 2016-2040 RTP/SCS.<sup>6</sup>

**Table 4.7-9: Project Consistency with the 2016-2040 RTP/SCS**

Actions and Strategies	Responsible Party(ies)	Project Consistency Analysis
<b>Land Use Actions and Strategies</b>		
Encourage the use of range-limited battery electric and other alternative fueled vehicles through policies and programs, such as, but not limited to, neighborhood oriented development, complete streets, and Electric (and other alternative fuel) Vehicle Supply Equipment in public parking lots.	Local Jurisdictions, Council of Government (COGs), SCAG, County Transportation Commission (CTCs)	<b>Consistent.</b> The project would not impair the County's or SCAG's ability to encourage the use of alternatively-fueled vehicles through various policies and programs. Specifically, the project would be required to comply with the CALGreen Nonresidential Mandatory Measure 5.106.5.3, <i>Electric Vehicle (EV) Charging</i> . This measure requires the project to incorporate EV charging spaces on-site.
Collaborate with the region's public health professionals to enhance how SCAG addresses public health issues in its regional planning, programming, and project development activities.	SCAG, State, Local Jurisdictions	<b>Consistent.</b> The project would not impair the County's, SCAG's, or the state's ability to collaborate with the region's public health professionals regarding the integration of public health issues in regional planning. Additionally, the project would promote healthy lifestyles through long-term bicycle parking spaces for employees. This would be required through the CALGreen Nonresidential Mandatory Measure 5.106.4, <i>Bicycle Parking</i> .
Support projects, programs, and policies that support active and healthy community environments that encourage safe walking, bicycling, and physical activity by children, including, but not limited to development of complete streets, school siting policies, joint use agreements, and bicycle and pedestrian safety education.	Local Jurisdictions, SCAG	<b>Consistent.</b> See discussion above.
Support projects, programs, policies and regulations that encourage the development of complete communities, which includes a diversity of housing choices and educational opportunities, jobs for a variety of skills and education, recreation and culture, and a full-range of shopping, entertainment and services all within a relatively short distance.	Local Jurisdictions, SCAG	<b>Consistent.</b> The complete communities strategy supports the creation of mixed-use districts through a concentration of activities with housing and employment located in close proximity to each other. The proposed project would support this strategy by providing employment within walking distance to residential uses.

<sup>6</sup> As discussed in the 2016–2040 RTP/SCS, the actions and strategies included in the 2016–2040 RTP/SCS remain unchanged from those adopted in the 2012–2035 RTP/SCS.

Actions and Strategies	Responsible Party(ies)	Project Consistency Analysis
<b>Transportation Network Actions and Strategies</b>		
Explore and implement innovative strategies and projects that enhance mobility and air quality, including those that increase the walkability of communities and accessibility to transit via non-auto modes, including walking, bicycling, and neighborhood electric vehicles (NEVs) or other alternative fueled vehicles.	SCAG, CTCs, Local Jurisdictions	<b>Consistent.</b> The project would provide bicycle parking spaces and EV charging spaces for employees. Therefore, the project would serve to reduce vehicle trips and thus VMT, thereby contributing to a reduction in air pollution and GHG emissions.
Collaborate with local jurisdictions to provide a network of local community circulators that serve new Transit Oriented Development (TOD), HQTAs, and neighborhood commercial centers providing an incentive for residents and employees to make trips on transit.	SCAG, CTCs, Local Jurisdictions	<b>Consistent.</b> The project would not impair the ability of SCAG, the CTCs, or the County to provide such a network of local community circulators that serve new TOD, HQTAs, and neighborhood commercial centers.
Develop first-mile/last-mile strategies on a local level to provide an incentive for making trips by transit, bicycling, walking, or neighborhood electric vehicle or other ZEV options.	CTCs, Local Jurisdictions	<b>Consistent.</b> The project would not impair the CTCs' or the County's ability to develop first-mile/last-mile strategies. In support of this action/ strategy, the project would have EV parking on-site.
<b>Transportation Demand Management (TDM) Actions and Strategies</b>		
Support work-based programs that encourage emission reduction strategies and incentivize active transportation commuting or ride-share modes.	SCAG, Local Jurisdictions	<b>Consistent.</b> The project would reduce GHG emissions by complying with the 2019 Title 24 requirements, which include installation of water efficient irrigation systems and landscapes, as well as incorporate water reducing features and fixtures into the building per CALGreen.
Encourage the development of telecommuting programs by employers through review and revision of policies that may discourage alternative work options.	Local Jurisdictions, CTCs	<b>Consistent.</b> The project would not impair the County's or CTCs ability to encourage the development of telecommuting programs by employers.
Emphasize active transportation and alternative fueled vehicle projects as part of complying with the Complete Streets Act (AB 1358).	State, SCAG, Local Jurisdictions	<b>Consistent.</b> The project would not impair the County's ability to develop infrastructure plans and education programs to promote active transportation options and other alternative fueled vehicles.
<b>Transportation System Management (TSM) Actions and Strategies</b>		
Work with relevant state and local transportation authorities to increase the efficiency of the existing transportation system.	SCAG, Local Jurisdictions, State	<b>Consistent.</b> The project would not impair the ability of SCAG, the County, or the State to work with relevant transportation authorities to increase the efficiency of the existing transportation system.

Source: Southern California Association of Governments, 2016–2040 *Regional Transportation Plan/Sustainable Communities Strategy*, April 2016.

As depicted in **Table 4.7-9**, the project is the type of land use development that is encouraged by the RTP/SCS to reduce VMT and expand multi-modal transportation options in order for the region to achieve GHG reductions from the land use and transportation sectors required by SB 375, which, in turn, advances the State's long-term climate policies.<sup>7</sup> By furthering implementation of SB 375, the project supports regional land use and transportation GHG reductions consistent with State regulatory requirements.

<sup>7</sup> As discussed above, SB 375 legislation links regional planning for housing and transportation with the GHG reduction goals outlined in AB 32.

Therefore, the project would be consistent with the GHG reduction-related actions and strategies contained in the 2016-2040 RTP/SCS.

## Conclusion

As shown above, the project would not conflict with any of the 2017 Scoping Plan elements as any regulations adopted would apply directly or indirectly to the project. Further, recent studies show that the State's existing and proposed regulatory framework will allow the State to reduce its GHG emissions level to 40 percent below 1990 levels by 2030. Additionally, the project would be consistent with the GHG reduction-related actions and strategies outlined in the 2016-2040 RTP/SCS.

The project applicant would not actively interfere with any future City-mandated, State-mandated, or Federally mandated retrofit obligations enacted or promulgated to legally require development City-wide, Statewide, or nation-wide to assist in meeting State-adopted GHG emissions reduction targets, including that established under Executive Order S-3-05, Executive Order B-30-15, or SB 32, as well as SB 375.

The project does not directly interfere with the State's implementation of (i) Executive Order B-30-15 and SB 32's target of reducing Statewide GHG emissions to 40 percent below 1990 levels by 2030 or (ii) Executive Order S-3-05's target of reducing Statewide GHG emissions to 80 percent below 1990 levels by 2050.

Notwithstanding, because the project exceeds the applicable numeric threshold and results in a cumulatively considerable impact with respect to GHG emissions, a significant and unavoidable impact with respect to this criterion is also identified.

## Mitigation Measures

No mitigation measures were identified.

## Level of Significance After Mitigation

Significant and Unavoidable Impact.

### **CUMULATIVE IMPACT ANALYSIS**

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<b>Impact 4.7-3</b>	<b>The project would potentially result in cumulatively significant greenhouse gases emissions.</b>
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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 (CAPCOA 2008). GHG impacts are recognized as exclusively cumulative impacts; there are no noncumulative GHG emission impacts from a climate change perspective. The additive effect of project-related GHGs would result in a reasonably foreseeable cumulatively considerable contribution to global climate change. As discussed above, project-related GHG emissions would exceed the 3,000 MTCO<sub>2</sub>e per year screening threshold and could impede Statewide 2030 and 2050 GHG emission reduction targets. As

such, the project would make a cumulatively considerable contribution to significant cumulative impacts and result in a significant and unavoidable cumulative GHG impact.

**Mitigation Measures**

No mitigation measures were identified.

**Level of Significance After Mitigation**

Significant and Unavoidable Impact.

## 4.8 Hazards and Hazardous Materials

This section describes the potential for the project to expose the public to hazards, hazardous materials, or risk of upset that may be related to existing conditions or new hazards created as a result of the project. The information and analysis herein rely on the *Phase I Environmental Site Assessment* (Phase I ESA), prepared by ATC Group Services, LLC, dated September 11, 2019. This assessment has been included as **Appendix F, Phase I Environmental Site Assessment**.

For the purpose of this analysis, 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).

A 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.

### 4.8.1 Existing Conditions

#### Existing Physical Conditions

The development site is currently developed with a mix of commercial and residential land uses and vacant land. Twelve residential structures (11 of which are occupied and one of which is unoccupied), out buildings, gravel parking areas, equestrian areas, corrals, vacant fields, irrigated pastures, nurseries, cultivated lawns, and agricultural uses occur throughout the site. Extensive debris dumping is evident throughout the site. The development site is surrounded by commercial and public facilities to the north; single-family residential and vacant land to the east; single-family residential and a park/open space uses to the south; and single-family residential uses, a church, vacant land, and the proposed Goodman Logistics Center Fontana III to the west. The Goodman Logistics Center Fontana III involved a change of land use designation from R-PC to I-G, a Specific Plan Amendment to expand the SWIP boundary, and a Zone Change to change the zoning designation from R-PC to Specific Plan, similar to the current project.<sup>1</sup>

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<sup>1</sup> CEQAnet, Goodman Logistics Center Fontana III, received 9/6/2019, <https://ceqanet.opr.ca.gov/2019039071/3>

The upzone site is currently developed with residential land uses and vacant land. Sixteen residential structures, with associated out buildings are present throughout the site. Several parcels that compose the upzone site are either entirely or partially vacant. The upzone site is surrounded by single-family residential uses to the north, vacant land, multi-family residential, and single-family residential uses to the east, single-family residential uses to the south, and large lot single-family residential uses to the west.

### **Historic On-Site Uses**

Based on the Phase I ESA, the development site was previously utilized as agricultural land, with five of the twelve existing residential structures on site having been built before 1945. The development site has been in its current configuration since at least 1985, with the exception of the nursery at 16820 Jurupa Avenue. By 2006, all parcels at the development site have been in their current configuration.

Historic on-site uses of the upzone site are unknown at the time of this writing.

### **Environmental Site Assessment**

A Phase I ESA is a report prepared for a project site that identifies existing and potential environmental contamination liabilities. The analysis in a Phase I ESA typically addresses both the underlying land and the physical improvements to the property and includes examination of potential soil contamination, groundwater quality, surface water quality, and indoor air quality. The examination of a site may include a survey of past uses of the property, definition of any chemical residues in structures, identification of possible asbestos-containing materials (ACMs) and lead-based paint (LBP), inventory of hazardous substances stored or used on the site, assessment of mold and mildew, and evaluation of other indoor air quality parameters. The Phase I ESA is generally considered the first step in the process of environmental due diligence and does not include sampling of soil, air, groundwater, or building materials.

The objective of a Phase I ESA is to evaluate whether recognized environmental conditions (RECs) are present at a property. RECs are defined in ASTM International E1527-13 as “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment.” According to the ASTM Phase I ESA standard, the term *recognized environmental condition* is not intended to include de minimis conditions (minor things) that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate government authorities.

If the Phase I ESA determines that a site may be contaminated, a Phase II ESA may be conducted. A Phase II ESA is a more invasive and detailed investigation involving chemical analysis for hazardous substances and/or petroleum hydrocarbons and may include recommendations for remediation of the site, if necessary.



The Phase I ESA revealed no evidence of RECs in connection with the development site. However, the following hazards and hazardous materials considerations were identified in connection with the development site:

#### ***Septic Systems***

Based on the Phase I ESA, there was no physical evidence of a septic system in, on or at the development site. However, documentary evidence found in building permit records indicated that private sewage disposal systems were abandoned and connected to the sewer at five addresses in 2010. Given the former rural setting, other buildings located at the development site may have utilized septic systems.

The presence of septic systems at the upzone site is unknown at the time of this writing.

#### ***Historical Agricultural Operations***

Based on the Phase I ESA, portions of the development site have been used for agricultural purposes from least 1938 and ceased by 1967 (per aerial photographs). This suggests the possible presence of environmentally persistent pesticides and herbicides on the development site. However, except in areas where activities such as storage or mixing of pesticides has resulted in higher soil concentrations, the former application of pesticides for agricultural purposes generally does not require a remedial response in most jurisdictions and is not considered to represent an REC.

The historiography of agricultural uses at the upzone site is unknown at the time of this writing.

#### ***Maintenance Activities***

Based on the Phase I ESA, maintenance activities were observed at 11259 Juniper Avenue, which is currently occupied by a residence and Mendoza Paving, but are reportedly no longer conducted on-site. Staining was observed on this property, although it appeared to be contained on concrete in good condition.

Liquid fertilizer is currently utilized at 16820 Jurupa Avenue, which is currently occupied by Delta Nursery. Oil changes are conducted at this property in a shed-type structure over bare soil. Some small localized staining was observed on the soil, and these incidents of staining were not considered an REC.

The extent of maintenance activities at the upzone site is unknown at the time of this writing.

#### ***Wells***

Based on the Phase I ESA, there was no evidence of wells at the development site. However, based on the historical use of the development site as rural residential development, the potential for past or present water wells on-site exists. There is also potential for past or present water wells at the upzone site.

### **ACMs**

Based on the Phase I ESA, ACMs may be present at the development site given the age of the structures at the site. Suspect ACMs observed at the development site included roofing materials and stucco. Suspect ACM in the interiors of the property buildings included wallboard and ceramic tile. ACMs may also be present at the upzone site.

### **LBP**

Based on the Phase I ESA, suspect LBP was observed at the development site, and given the age of structures at the site, it is possible that LBP is present. LBPs may also be present at the upzone site.

### **Surrounding Uses**

According to the Phase I ESA, no off-site uses are expected to represent an REC for the development site.

### **Cortese Database**

Government Code Section 65962.5 requires the Department of Toxic Substances (DTSC) and the State Water Resources Control Board to compile and update a regulatory site listing (per the Code Section's criteria). Additionally, the California Department of Health Services is also required to compile and update, as appropriate, a list of all public drinking water wells that contain detectable levels of organic contaminants and are subject to water analysis pursuant to Health and Safety Code Section 116395. Government Code Section 65962.5 requires the local enforcement agency, as designated pursuant to CCR Title 14 Section 18051 to compile, as appropriate, a list of all solid waste disposal facilities from which there is a known migration of hazardous waste. The development site and upzone site are not listed pursuant to Government Code Section 65962.5.<sup>2</sup>

## **4.8.2 Regulatory Framework**

### **Federal**

#### ***Emergency Planning Community Right-to-Know Act***

The Emergency Planning Community Right-to-Know Act requires infrastructure at the State or local level to plan for emergencies resulting from potential release of chemical materials. Any documented information pertaining to a specific release at a site is required to be made publicly available so that interested parties may become informed about potentially dangerous chemicals released in their community. Sections 301 through 312 of the Act are administered by the US Environmental Protection Agency's (EPA) Office of Emergency Management.

#### ***Hazardous Materials Transportation Act of 1975***

Under Title 49 of the Code of Federal Regulations, the US Department of Transportation is responsible for regulating the transport of hazardous materials. The California Highway Patrol

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<sup>2</sup> California Environmental Protection Agency, Cortese List Data Resources, <https://calepa.ca.gov/sitecleanup/corteselist/>, accessed April 15, 2020

and the California Department of Transportation (Caltrans) are primarily responsible for enforcing Federal and State regulations pertaining to such activities and for responding to any related emergencies. These agencies are also responsible for necessary permitting for the transport of hazardous materials.

***Hazardous Materials Transportation Uniform Safety Act of 1990***

The Hazardous Materials Transportation Uniform Safety Act requires the Secretary of Transportation to promulgate regulations for the safe transport of hazardous material in intrastate, interstate, and foreign commerce, who also retains authority to designate materials as hazardous when they pose unreasonable risks to health, safety, or property. This statute includes provisions to encourage uniformity among different state and local highway routing regulations, to develop criteria for the issuance of Federal permits to motor carriers of hazardous materials, and to regulate the transport of radioactive materials.

***Toxic Substances Control Act***

The Toxic Substances Control Act phased out the use of asbestos and ACMs in new building materials. The act identifies requirements for the use, handling, and disposal of ACMs. Additionally, Section 402(a)(1) of the act establishes disposal standards for LBP.

***Resource Conservation and Recovery Act (as Amended by the Hazardous and Solid Waste Amendments of 1984)***

The Resource Conservation and Recovery Act (RCRA) generally communicates Federal laws pertaining to hazardous waste management and establishes a “cradle-to-grave” approach to the regulation of hazardous wastes. The RCRA requires any entity generating hazardous waste to identify and track such substances from generation to recycling, reuse, or disposal. The DTSC implements the RCRA program in combination with other State hazardous waste laws, collectively known as the Hazardous Waste Control Law.

***Asbestos Hazard Emergency Response Act***

The Asbestos Hazard Emergency Response Act (AHERA) requires EPA to promulgate regulations that require local educational agencies to inspect their school buildings for ACMs, prepare asbestos management plans and perform asbestos response actions to prevent or reduce asbestos hazards. AHERA also tasked EPA with developing a model plan for states for accrediting persons conducting asbestos inspection and corrective-action activities at schools.

**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 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 (DTSC 2017).

### ***Federal/State Occupational Safety and Health Act***

Federal and State Occupational Safety and Health Act (OSHA) laws provide for the education of handlers of hazardous materials, employee notification for those working with or in proximity to hazardous materials, acquisition of product safety data sheets and manufacturing data for proper use and handling of hazardous materials, and remediation training for employees for accidental release of hazardous materials. OSHA requires preparation of an Injury and Illness Prevention Program, which outlines measures to ensure employee safety such as inspections, how to address unsafe conditions, employee training, and communication protocols.

### **Local**

#### ***South Coast Air Quality Management District***

The South Coast Air Quality Management District (SCAQMD) works with the California Air Resources Board and is responsible for developing and implementing rules and regulations regarding air toxics on a local level. The SCAQMD establishes permitting requirements, inspects emission sources, and enforces measures through educational programs and/or fines. SCAQMD Rule 1403 governs the demolition of buildings containing asbestos materials. Rule 1403 specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACM. The requirements for demolition and renovation activities include asbestos surveying, notification, ACM removal procedures and time schedules, ACM handling and cleanup procedures, and storage and disposal requirements for asbestos-containing waste materials. SCAQMD Rule 166 sets the requirements to control the emission of volatile organic compounds (VOCs) from excavating, grading, handling, and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition.

### **Local**

#### ***San Bernardino County Fire Department***

The San Bernardino County Fire Department (SBCFD) Hazardous Materials Division regulates and enforces the provisions of the Uniform Fire Code relating to hazardous materials, including the use and storage of hazardous materials that are ignitable, reactive, corrosive, or toxic. Businesses using such materials are subject to permitting and inspection. In addition, a permit from the Fontana Fire Protection District, which is part of the SBCFD, is required for aboveground storage tanks, for propane tanks having more than a 125-gallon capacity, and for the installation or removal of underground storage tanks. The County currently requires any new business that intends to handle hazardous materials to inventory their hazardous materials and requires them to allow SBCFD to review their hazardous materials processes and procedures, prior to the execution of various required business permits. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the SBCFD and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan that would provide a written set of procedures

and information created to help minimize the effects and extent of a potential release of a hazardous material. Businesses that use or store hazardous materials in excess of exempt amounts as defined by the Uniform Fire Code are also subject to County review and approval of additional permits.

***City of Fontana General Plan***

The City's General Plan Update 2015-2035 Noise and Safety Element contains the following goals, policies, and actions that address hazards and hazardous materials and are applicable to the project:

Goal 3                      The City of Fontana is a community that implements proactive fire hazard abatement strategies, and as a result, is minimally impacted by wildland and urban fires.

*Action B*                      Require residential, commercial, and industrial structures to adhere to applicable fire codes for buildings and structures, fire access, and other standards in accordance with Fire Hazard Overlay District, California Fire Code, and City of Fontana Municipal Code, encourage of retrofit of non-conforming land uses.

*Action D*                      Require adherence to fuel modification and defensible space requirements to reduce wildfire hazards; work with CAL FIRE to coordinate fuel breaks in very high fire severity zones.

*Action E*                      Ensure compliance with the Subdivision Map Act requirements for structural fire protection and suppression services, subdivision requirements for on/off-site improvements, ingress and egress, street standards, and other concerns.

***City of Fontana Local Hazard Mitigation Plan***

The City's FEMA-approved *Local Hazard Mitigation Plan* (LHMP) (2017) 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, 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.



### 4.8.3 Thresholds for Determination of Significance

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters*, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on land use and planning if it would do any of the following:

1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (Refer to Impact 4.8-1)
2. 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. (Refer to Impact 4.8-2)
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Refer to *Appendix A*)
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, create a significant hazard to the public or the environment. (Refer to *Appendix A*)
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, result in a safety hazard or excessive noise for people residing or working in the project area. (Refer to *Appendix A*)
6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Refer to *Appendix A*)
7. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. (Refer to *Section 4.16, Wildfire Hazards* and *Appendix A*)

### 4.8.4 Impact Analysis and Mitigation Measures

#### HAZARDOUS SUBSTANCE HANDLING

Impact 4.8-1	The project would potentially create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
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#### Development Site

##### Short-Term Construction Impacts

Development of the project would result in the construction of warehousing uses and associated facilities at the development site. During construction, hazardous and potentially hazardous materials would be routinely transported, and used at the development site. These materials would include gasoline, diesel fuel, lubricants, and other petroleum-based products

used to operate and maintain construction equipment and vehicles. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by City of Fontana during routine inspections during construction activities. This handling of hazardous materials would be a temporary activity coinciding with the short-term construction period. Any handling of hazardous materials would be limited in both quantity and concentration.

Hazardous materials associated with operation and maintenance of construction equipment and vehicles may be stored on the site, although only the amounts needed are expected to be kept on-site; excessive amounts are not expected to be stored. Removal and disposal of hazardous materials from the development site would be conducted by a permitted and licensed service provider. Any handling, transporting, use, or disposal would comply with all applicable Federal, State, and local agencies and regulations, including the EPA, the RCRA, Caltrans, and the Fontana Fire Protection District, which is part of the SBCFD (the Certified Unified Program Agency [CUPA] for San Bernardino County). Therefore, short-term construction impacts associated with hazardous materials would be less than significant.

### **Long-Term Operational Impacts**

During operation of the development site, hazardous materials may be transported and used on-site. However, logistics uses associated with the project typically do not generate, store, or dispose of large quantities of hazardous materials. However, as the end use of the buildings is not known at this time, long-term operation of the project may involve the routine transport, use, or disposal of hazardous materials. Because of the nature of the project, hazardous materials used on the development site may vary but are likely to be limited to fertilizers, herbicides, pesticides, lubricants, solvents, cleaning agents, and similar materials used for daily operation and maintenance activities. The types and quantities of hazardous substances utilized by the various types of potential future users at the project site would vary and, as a result, the nature of potential hazards would vary.

The project would be subject to compliance with existing regulations, standards, and guidelines established by the EPA, State, County of San Bernardino, and the City of Fontana related to the transport, use, and disposal of hazardous materials. The project is subject to compliance with the existing hazardous materials regulations, which are codified in California Code of Regulations Titles 8, 22, and 26, and their enabling legislations set forth in Health and Safety Code Chapter 6.95 as well as California Code of Regulations Title 49. Both the Federal and State governments require any business, where the maximum quantity of a regulated substance exceeds the specified threshold quantity, register with the County as a manager of regulated substances and prepare a Risk Management Plan. The Risk Management Plan must contain an off-site consequence analysis, a five-year accident history, an accident prevention program, an emergency response program, and a certification of the truth and accuracy of the submitted information. Businesses would be required to submit their plans to SBCFD, acting as the County's CUPA, which would make the plans available to emergency response personnel.

While the risk of exposure to hazardous materials cannot be eliminated, best management practices can be implemented to reduce risk to acceptable levels. Compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials

would ensure that all potentially hazardous materials are used and handled in an appropriate manner and would minimize the potential for safety impacts to occur. Impacts regarding the routine transport, use, or disposal of hazardous materials during project operations would be less than significant.

### ***Upzone Site***

#### **Short-Term Construction Impacts**

Future development would result in the construction of residential uses and associated infrastructure at the upzone site. Similar to construction on the development site, during construction, hazardous and potentially hazardous materials would be routinely transported, and used at the upzone site. Future development at the upzone would require an additional Phase I ESA prior to the issuance of a grading permit, per the General Plan EIR. The site assessment would investigate the potential for site contamination that may require remedial activities prior to construction.

#### **Long-Term Operational Impacts**

Substantial risks associated with hazardous materials are not typically associated with residential uses. Minor cleaning products along with the occasional use of pesticides and herbicides for landscape maintenance of the project site are generally the extent of hazardous materials that would be routinely utilized on-site. Thus, as the presence and on-site storage of these materials are common for residential uses and would not be stored in substantial quantities (quantities required to be reported to a regulatory agency), impacts in this regard to the upzone site are less than significant.

#### **Mitigation Measures**

None required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

### ***HAZARDOUS SUBSTANCE RELEASE***

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<b>Impact 4.8-2</b>	<b>The project would potentially create a significant hazard to the public or the environment through foreseeable upset and accident conditions involving the release of hazardous materials into the environment.</b>
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### ***Development Site***

Development of the project would result in the construction of warehousing uses and associated facilities at the development site. These materials would include gasoline, diesel fuel, lubricants, and other petroleum-based products used to operate and maintain construction equipment and vehicles. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by City of Fontana during routine inspections during construction activities. This handling of hazardous materials would be a

temporary activity coinciding with the short-term construction period. Any handling of hazardous materials would be limited in both quantity and concentration.

During operation of the development site, hazardous materials may be transported and used on-site. However, logistics uses associated with the project typically do not generate, store, or dispose of large quantities of hazardous materials that could be released into the environment. However, as the end use of the buildings is not known at this time, long-term operation of the project may involve the routine transport, use, or disposal of hazardous materials. Because of the nature of the project, hazardous materials used on the development site may vary but are likely to be limited to fertilizers, herbicides, pesticides, lubricants, solvents, cleaning agents, and similar materials used for daily operation and maintenance activities. The types and quantities of hazardous substances utilized by the various types of potential future users at the project site would vary and, as a result, the nature of potential hazardous materials that could be released into the environment would vary.

### **Agricultural Use**

The development site was previously used for agricultural purposes. There is potential that pesticides, herbicides, and fertilizers were used on-site. According to the Phase I ESA conducted for the project, it is likely that potential concentrations of these chemicals have degraded over time, as the site has not been used for agricultural purposes for approximately 50 years. This condition is not considered to be a REC.

### **Asbestos-Containing Materials**

The existing buildings on the development site were constructed between 1930 and 1978. As such, due to the age of these structures, the potential exists for the presence of ACMs. While not identified as an REC in the Phase I ESA prepared for the project, the presence of ACMs on the development site would constitute a potentially significant impact. To reduce risks of accidental release of hazardous materials, Mitigation Measure HAZ-1 would require testing of any materials suspected to contain ACMs and remediation of any such materials prior to demolition or building permit approval. With implementation of Mitigation Measure HAZ-1, significant impacts with respect to ACMs would be reduced to a less than significant level.

### **Lead-Based Paint**

Based on the age of the existing buildings on the development site (pre-1978), there is a potential that LBP is present. While not identified as an REC in the Phase I ESA prepared for the project, the presence of LBPs on the site would constitute a potentially significant impact. To reduce risks of accidental release of hazardous materials, Mitigation Measure HAZ-2 would require testing of any materials suspect for LBPs and remediation of any such materials. With implementation of Mitigation Measure HAZ-2, significant impacts related to the potential presence of LBPs would be reduced to a less than significant level.

### **Upzone Site**

As discussed previously, future development at the upzone would require an additional Phase I Site Assessment prior to the issuance of a grading permit, per the General Plan EIR. Such a

Site Assessment would investigate the potential for site contamination that may require remedial activities prior to construction.

### Mitigation Measures

- HAZ-1 Prior to any demolition or building permit approval, an Asbestos Hazard Emergency Response Act and California Division of Occupational Safety and Health certified building inspector shall conduct an asbestos survey to determine the presence or absence of asbestos containing-materials (ACMs). If the asbestos survey reveals ACMs, asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District Rule 1403 prior to any activities that would disturb ACMs or create an airborne asbestos hazard.
- HAZ-2 If paint is to be chemically or physically separated from building materials during structure demolition, the paint shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified lead specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulations Title 8, Section 1532.1, which specified exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City engineer.

### Level of Significance After Mitigation

Impacts would be less than significant with mitigation.

### CUMULATIVE IMPACTS

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#### **Impact 4.8-3 The project would potentially result in cumulative impacts to Hazards and Hazardous Materials.**

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Cumulative projects that would have the potential to be considered in a cumulative context with the projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to hazards and hazardous materials, are identified in *Table 4.0-1: Cumulative Projects*, and *Exhibit 4.0-1: Cumulative Projects*, in *Section 4.0, Introduction to Environmental Analysis*, of this Draft EIR.

As discussed above, the individual project-level impacts associated with hazards and hazardous materials were found to be less than significant with the incorporation of Mitigation Measures HAZ-1 and HAZ-2. The project would be required by law to comply with all applicable Federal, State, and local requirements related to the handling, transport, use, and disposal of hazardous materials in order to prevent accident conditions. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, and consistent with the provisions set forth by CEQA and the CEQA Guidelines, would be

obligated to implement all feasible mitigation measures should a significant project-related and/or cumulative impact be identified.

In addition, because hazards and hazardous materials exposure is generally localized and development activities associated with the other related projects may not coincide with the project, this could preclude the possibility of cumulative exposure. Because all future public or private development projects in the City and its sphere of influence would be subject to independent environmental reviews on a case-by-case basis and would be required to implement mitigation to offset all potentially significant impacts relative to hazards and hazardous materials, cumulative impacts are not anticipated.

### **Mitigation Measures**

Mitigation Measures HAZ-1 through HAZ-2.

### **Level of Significance After Mitigation**

Impacts would be less than significant.



## 4.9 Hydrology and Water Quality

This section addresses potential hydrology and water quality impacts that may result from implementation of the proposed project. The following discussion addresses the existing hydrological 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 project, as applicable.

The information and analysis in this section relative to water resources are based on the preliminary *Water Quality Management Plan for Fontana Foothills Commerce Center* (WQMP) prepared by Kimley Horn in December 2019 (see **Appendix G, Water Quality Management Plan**).

### 4.9.1 Existing Conditions

#### Regional Hydrology

The project area is located in the Santa Ana River watershed. The Santa Ana River watershed is regulated by the Santa Ana Regional Water Quality Control Board (RWQCB). The watershed is located south and east of Los Angeles and includes much of Orange County, the northwestern corner of Riverside County, the southwestern corner of San Bernardino County, and a small portion of Los Angeles County. The watershed is bounded 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. The entire Santa Ana River watershed is divided into smaller specific watersheds. This watershed is in an arid region and therefore has little natural perennial surface water. 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. A variety of downstream water storage reservoirs (Lake Perris, Lake Mathews, and Big Bear Lake) and flood control areas (Prado Dam area and Seven Oaks Dam area) have been created to hold surface water.

#### Existing Site Drainage

Topographically, both the development site and the upzone site are relatively flat with an elevation of approximately 1,050 feet above mean sea level (amsl) on the development site and approximately 1,200 amsl on the upzone site, with no areas of significant topographic relief. The development site generally slopes downward to the south at an estimated gradient of less than 2 percent. According to the preliminary WQMP prepared for the development site, there are three drainage management areas (DMAs) on the development site (DMAs are portions of a site that drain to the same conveyance facility), identified as drainage area (DA) DA-1, DA-2, and DA-3; refer to **Exhibit 4.9-1: Proposed Drainage Areas**, and **Table 4.9-1: Drainage Management Areas on the Development Site**. Runoff from this area flows via a storm drain to the existing drainage infrastructure. The existing impervious area on-site is approximately 39,516 square feet. Approximately 2.7 percent of the development site currently comprises pervious area. The preliminary WQMP identifies the receiving waters as Santa Ana River Reaches 1, 2, 3, San Sevaine Channel and Declez Channel, and Drainage Facility 1-B. Santa Ana River Reaches 1, 2, and 3 were identified as downstream unlined water bodies. No

environmentally sensitive areas were identified, nor were any hydrologic conditions of concern identified with respect to the development site.

**Table 4.9-1: Drainage Management Areas on the Development Site**

	DA-1	DA-2	DA-3
DMA drainage area (square ft)	637,715	827,878	39,516
Existing site impervious area (square ft)	0	0	39,516

Source: Kimley Horn. Preliminary Water Quality Management Plan. 2019.

Site drainage conditions on the upzone site were not included in the project's preliminary WQMP since no physical changes to the upzone site would occur with project implementation. Future development of the upzone site would be required to conduct a site-specific WQMP prior to project approval.

### **Existing Floodplain**

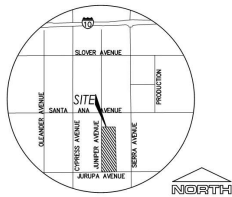
The development site falls within the boundaries of two Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs). The majority of the site is located in FEMA FIRM 06071C8665H (August 28, 2008) and is designated Zone X, which is defined as areas of moderate flood hazard, usually the area between the limits of the 100-year and 500-year floods. A small portion of the project site is located in FEMA FIRM 06071C8666H (August 28, 2008) and is also designated Zone X.

### **Urban Runoff Characteristics**

The preliminary WQMP identifies potential categories of stormwater pollutants anticipated for the proposed project based on its proposed land use and site activities. Receiving waters can assimilate some quantity of runoff constituents. There are thresholds; however, beyond which the measured constituents become a pollutant and result in a significant impact. Potential stormwater pollutants are described below.

Pathogens (Bacteria): Almost without exception, bacteria levels in undiluted urban runoff exceed public health standards for recreation involving water contact. Studies have determined that total coliform bacteria counts exceed US Environmental Protection Agency (EPA) water quality standards at almost every site examined and after almost every rainfall event. The coliform bacteria detected may not be a health risk in themselves, but they are often associated with human pathogens. Pathogens are identified as an impairment to Santa Ana River Reach 3.

Nutrients: Particular nutrients can cause significant impacts to surface water quality, especially phosphorous and nitrogen, which can generate algal blooms and excessive vegetative growth. Of the two, phosphorus tends to be the limiting nutrient that generates the growth of algae in lakes or other non-moving water bodies. The orthophosphorous form of phosphorus is a widely available nutrient for plant growth.



**VICINITY MAP**  
THOMAS GUIDE PAGE, 714, 06, H6  
NOT TO SCALE

## LEGEND

- 575 — PROPOSED CONTOUR
- 575 — EXISTING CONTOUR
- — PROPERTY LINE
- — DMA BOUNDARY
- — FLOW ARROW
- — DA NAME
- — DA AREA (IN ACRES)
- — RIGHT OF WAY
- — PROPOSED CONCRETE
- — PROPOSED BUILDING
- — PROPOSED LANDSCAPE
- — PROPOSED UNDERGROUND CHAMBER

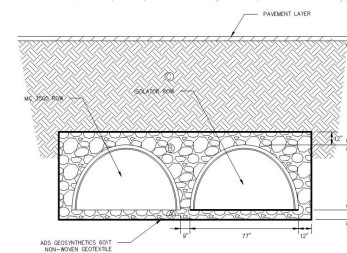
## DRAINAGE NOTES:

- ① PROPOSED GRATED INLET WITH FILTER INSERT
- ② PROPOSED STORM DRAIN PIPE
- ③ PROPOSED STORMTECH MC-3500 UNDERGROUND CHAMBER

TREATMENT CONTROL & SOURCE CONTROL BMP'S	
BMP ID	BMP DESCRIPTION
SC-43	PARKING AREA MAINTENANCE
SC-71	PLAZA & SIDEWALK CLEANING
SC-73	LANDSCAPE MAINTENANCE
SD-10	SITE DESIGN AND LANDSCAPE PLANNING
SD-11	ROOF RUNOFF CONTROL
SD-12	EFFICIENT IRRIGATION
SD-32	TRASH STORAGE AREAS
N1, N2, N3, N4, N6, N7, N12, N13, N14, N15, N17	NON-STRUCTURAL SOURCE CONTROL BMPs (SEE FORM 4.1-1 FOR DETAILS)
S1, S3, S4, S5	STRUCTURAL SOURCE CONTROL BMPs (SEE FORM 4.1-2 FOR DETAILS)

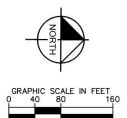
DA	AREA (AC)	BMP ID	REQUIRED DESIGN CAPTURE VOLUME (CF)	PROPOSED VOLUME (CF)
DA-1/ DMA-A	14.64	BMP-1	58,045	58,114
DA-2/ DMA-B	19.00	BMP-2	79,680	79,798
DA-3	1.56	N/A	N/A	N/A

NOTE: DA-3 UNCONTROLLED RUNOFF IN CITY RIGHT-OF-WAY TO STORM DRAIN SYSTEM. NOT REQUIRED TO TREAT ON-SITE PER CONDITIONS OF APPROVAL FOR FOOTHILLS COMMERCE CENTER.



A. FOUNDATION STONE: CLEAN, CRUSHED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4-2 INCH  
B. ENDEMENT STONE: CLEAN, CRUSHED, ANGULAR STONE, NOMINAL SIZE DISTRIBUTION BETWEEN 3/4-2 INCH  
C. RETAIL FILL: GRANULAR, WELLS-SORTED SUBGRADE MATERIALS - MAY INCLUDE PAVEMENT SUBBASE

**MC-3500 SECTION**



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Severe effects on surface water quality are also caused by the ammonium form of nitrogen. The ammonium is converted to nitrate and nitrite forms of nitrogen in a process called nitrification. This process consumes large amounts of oxygen, which can impair the dissolved oxygen levels in water. The nitrate form of nitrogen is very soluble and is found naturally at low levels in water. When nitrogen fertilizer is applied to lawns or other areas in excess of plant needs, nitrates can leach below the root zone, eventually reaching groundwater. Orthophosphate from automobile emissions also contributes phosphorus in areas with heavy automobile traffic.

In general, nutrient export primarily results from development sites with large impervious areas. Other problems resulting from excess nutrients include surface algal scums, water discolorations, odors, toxic releases, and overgrowth of plants. Common measures of nutrients are total nitrogen, organic nitrogen, total Kjeldahl nitrogen, nitrate, ammonia, total phosphate, and total organic carbon.

Sediment: Sediment is defined as tiny soil particles that are washed or blown by wind into surface waters. It is typically the major pollutant by volume in surface water. Suspended soil particles can cause the water to look cloudy (i.e., be turbid). The fine sediment particles can also act as a transport vehicle for other pollutants, including nutrients, trace metals, and hydrocarbons. The largest source of sediment in urban areas is construction sites; an additional source is stream bank erosion, which may be accelerated by increases in peak flow rates and volumes of runoff due to urbanization.

Trace Metals: Trace metals are primarily of concern because of their toxic effects on aquatic life and their potential to contaminate drinking water supplies. A shorter duration of exposure to a trace metal reduces its toxicity in the aquatic environment. The receiving water's hardness also dictates the toxicity of the trace metal in runoff. Thus, as total hardness increases, so does the potential for adverse effects. Metals typical of urban runoff are lead, zinc, and copper. Major sources of lead in urban areas are automobile emissions and tire tread wear associated with driving. A large fraction of the trace metals in urban runoff is attached to sediment. Sediment effectively reduces the level of trace metals that is immediately available for biological uptake and subsequent bioaccumulation (metals attached to sediment settle out rapidly and accumulate in the soils). Urban runoff events typically have a short duration, which reduces the length of exposure and the toxicity in the aquatic environment.

Oils and Grease: Oils and grease contain a wide variety of hydrocarbons, some of which can be toxic to aquatic life even in low concentrations. These materials initially float to the surface and create a rainbow-colored film. Hydrocarbons are quickly absorbed by sediment. Hydrocarbons in urban runoff are generally the result of leakage from crankcase oil and other lubricating agents from automobiles onto impervious surfaces. Runoff from parking lots, roads, and service stations contains the highest levels of hydrocarbon levels, while residential land uses tend to generate lower levels of hydrocarbons. However, illegal disposal of waste oil into stormwater can be a local problem in residential areas.

Trash and Debris: General waste from humans or animals can include non-biodegradable litter (e.g., paper, plastic, polystyrene packaging foam, aluminum) and biodegradable organic matter (e.g., grass clippings, food waste, leaves).



Pesticides and Herbicides: Pesticides and herbicides are generally released into urban runoff from urban landscapes during storm events.

Organic Compounds: Organic compounds can be detected in urban runoff associated with waste handling areas and vehicle or landscape maintenance areas.

Petroleum Hydrocarbons: Petroleum hydrocarbons is a term used to describe a large family of several hundred chemical compounds that originally come from crude oil. Crude oil is used to make petroleum products such as gasoline and diesel fuel, which can contaminate the environment.

### **Monitoring and Evaluating Water Quality**

Standard parameters are used to evaluate stormwater quality and measure stormwater impairment. The quantity of a material in the environment and its characteristics determine the degree of availability of pollutants in surface runoff. In urbanized areas, the quantity of certain pollutants in the environment is typically a function of the land use's intensity. For instance, a high density of automobile traffic increases the availability of a variety of potential pollutants (e.g., lead and hydrocarbons). The availability of a material, such as a fertilizer, is a function of the quantity and manner in which it is applied. For example, the application of fertilizers in excess leaves a surplus of nutrients subject to loss from surface water runoff or infiltration into underlying groundwater supplies.

The physical properties and chemical constituents of water typically serve as the primary means for monitoring and evaluating water quality. Evaluating the condition of water through a water quality standard refers to its physical, chemical, or biological characteristics. Water quality parameters for stormwater comprise a long list and are classified in a variety of ways. In many cases, the concentration of an urban pollutant, rather than the annual load of that pollutant, is needed to assess a water quality problem. Some of the physical, chemical, or biological characteristics used to evaluate the quality of surface runoff are discussed below.

Dissolved Oxygen: Dissolved oxygen in water has a pronounced effect on the aquatic organisms and the chemical reactions that occur. It is one of the most important biological water quality characteristics in the aquatic environment. The dissolved oxygen concentration of a water body is determined by the solubility of oxygen, which is inversely related to water temperature, pressure, and biological activity. Dissolved oxygen is a transient property that can fluctuate rapidly in time and space. Dissolved oxygen represents the water system's status at a particular point and time of sampling. The decomposition of organic debris in water is a slow process, and the resulting changes in oxygen status respond slowly. Oxygen demand is an indication of the pollutant load and includes measurements of biochemical oxygen demand or chemical oxygen demand.

Chemical Oxygen Demand: The chemical oxygen demand is a measure of the pollutant loading in terms of complete chemical oxidation using strong oxidizing agents. It can be determined quickly because it does not rely on bacteriological actions as with biochemical oxygen demand. However, chemical oxygen demand is not necessarily a good index of oxygen-demanding properties in natural waters.



Total Dissolved Solids: Total dissolved solids (TDS) concentration is determined by evaporation of a filtered sample to obtain residue whose weight is divided by the sample volume. The TDS of natural waters varies widely. There are several reasons why TDS is an important indicator of water quality. Dissolved solids affect the ionic bonding strength related to other pollutants such as metals in the water. Total dissolved solids are also a major determinant of aquatic habitat. TDS affects saturation concentration of dissolved oxygen and influences the ability of a water body to assimilate wastes. Eutrophication rates depend on total dissolved solids.

pH: The pH of water is the negative log, base 10, of the hydrogen ion activity. A pH of 7 is neutral, a pH greater than 7 indicates alkaline water, and a pH less than 7 represents acidic water. In natural water, carbon dioxide reactions are some of the most important in establishing pH. The pH at any one time is an indication of the balance of chemical equilibrium in water and affects the availability of certain chemicals or nutrients in water for uptake by plants. The pH of water directly affects fish and other aquatic life and generally toxic limits are pH values less than 4.8 and greater than 9.2.

Specific Conductance: The specific conductivity of water, or its ability to conduct an electric current, is related to the total dissolved ionic solids. Long-term monitoring of specific conductance can be used to develop a correlation between specific conductivity and TDS. Specific conductivities in excess of 2,000 microohms per centimeter indicate a TDS level too high, and therefore harmful, for most freshwater fish.

Turbidity: The clarity of water is an important indicator of water quality that relates to the ability of photosynthetic light to penetrate. Turbidity is an indicator of the water's property that causes light to become scattered or absorbed. Suspended clays and other organic particles cause turbidity. It can be used as an indicator of certain water quality constituents, such as predicting sediment concentrations.

Nitrogen (N): Sources of nitrogen in stormwater are from the addition of chemicals or organic matter to water bodies. The principal water quality criteria for nitrogen focus on nitrate and ammonia, which are both important nutrients for the growth of algae and other plants. Excessive nitrogen can lead to eutrophication since nitrification consumes dissolved oxygen in the water. Nitrogen occurs in many forms. Organic nitrogen breaks down into ammonia, which eventually becomes oxidized to nitrate-nitrogen, a form available for plants. High concentrations of nitrate-nitrogen in water can stimulate growth of algae and other aquatic plants, but if phosphorus is present, only about 0.30 milligrams per liter of nitrate-nitrogen is needed to allow for algal blooms. There are several ways to measure the various forms of aquatic nitrogen. Typical measurements of nitrogen include Kjeldahl nitrogen (organic nitrogen plus ammonia), ammonia, nitrite plus nitrate, nitrite, and nitrogen in plants.

### **Existing Water Quality**

The Santa Ana River is the main receiving waters for the project site. The Santa Ana River, Reach 3 and Santa Ana River, Reach 2 are classified as impaired water bodies and have been placed on the 303(d) list of impaired waters for the following pollutants: pathogens, copper and lead (Reach 3) and indicator bacteria and pathogens (Reach 2). Since the development site

is a tributary to Reaches 1, 2, and 3 of the Santa Ana River, the development site is a contributor of pollutants to the impairments within Reaches 1, 2, and 3 of the Santa Ana River.

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. Runoff from the development upland site are managed and regulated under the NPDES MS4 Permit and associated Storm Water Management Program.

## **4.9.2 Regulatory Framework**

### **Federal**

#### ***Federal Emergency Management Agency – National Flood Insurance Program***

FEMA, a formerly independent agency that became part of the Department of Homeland Security in March 2003, is tasked with responding to, planning for, recovering from, and mitigating against disasters. Formed in 1979 to merge many of the Federal government's separate disaster-related responsibilities into one agency, FEMA is responsible for coordinating the Federal response to floods, earthquakes, hurricanes, and other natural or man-made disasters and providing disaster assistance to states, communities, and individuals. 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. If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction in floodplains, the Federal government will make flood insurance available in the community as a financial protection against flood losses. 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.

#### ***Clean Water Act***

The Clean Water Act is the principal Federal law that addresses water quality. The act's primary objectives are to restore and maintain the chemical, physical, and biological integrity of the nation's waters." The implementation plan for these objectives includes the regulation of pollutant discharges to surface water, financial assistance for public wastewater treatment systems, technology development, and non-point source pollution prevention programs. The Clean Water Act also establishes that states adopt water quality standards to protect public health or welfare and to enhance the quality of water. The use and value of State waters for

public water supplies, propagation of fish and wildlife, recreation, agriculture, industrial purposes, and navigation must also be considered by the states.

Section 402 of the Clean Water Act requires persons who discharge into waters of the United States to meet stringent standards under the NPDES program, which is administered by the EPA and by states with delegated programs. The NPDES program applies to point source discharges, as well as to non-point sources such as surface runoff from a site during or following a storm. However, the NPDES program in Section 402 applies only to discharges into waters of the United States. Surface water quality in California is the responsibility of the State Water Resources Control Board (SWRCB) through its nine RWQCBs, water supply and wastewater treatment agencies, and city and county governments. The RWQCB's principal means of enforcement is through the development, adoption, and issuance of water discharge permits.

Pursuant to requirements of the SWRCB, NPDES Construction General Permit No. CAS5000002 applies to Statewide construction activities including clearing, grading, or excavation that results in the disturbance of at least one acre of total land area, or activity which is part of a larger common plan of development of one acre or greater. In most cases, the NPDES permit program is administered by authorized states. In California, these programs are administered by the SWRCB and by the nine RWQCBs that issue NPDES permits and enforce regulations in their respective regions. A requirement of the State General Construction Activity NPDES permit is the preparation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must identify and implement best management practices (BMPs) to reduce impacts to surface water from contaminated stormwater discharges during the construction of the proposed action. Required elements of an SWPPP include the following:

- Site description addressing the elements and characteristics specific to the site;
- Descriptions of BMPs for erosion and sediment controls;
- BMPs for waste handling and disposal;
- Implementation of approved local plans;
- Proposed post-construction control requirements; and
- Non-stormwater management.

Additionally, Clean Water Act Section 303 requires that the State adopt water quality standards for surface waters. Section 303(d) specifically requires the State to develop a list of impaired water bodies and subsequent numeric total maximum daily loads 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.

#### *Section 401 – Water Quality Certification*

In addition to the issuance of NPDES permits or waste discharge requirements, the Santa Ana RWQCB acts to protect the quality of surface waters through water quality certification as specified in Clean Water Act Section 401 (33 United States Code [USC] 466 et seq.). Section

401 requires that any person applying for a Federal permit or license which may result in a discharge of pollutants into waters of the United States obtain a State water quality certification that the activity complies with all applicable water quality standards, limitations, and restrictions. Subject to certain limitations, no license or permit may be issued by a Federal agency until certification required by Section 401 has been granted. Further, no license or permit may be issued if certification has been denied. Clean Water Act Section 404 permits and authorizations are subject to Section 401 certification by the RWQCBs.

## **State**

### ***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.

### ***California Water Code***

The California Water Code is the principal State law regulating water quality in the State. Other State codes contain water quality provisions requiring compliance as they relate to specific activities. The California Water Code regulates water and its uses. Division 7 of the California Water Code, also known as the Porter-Cologne Water Quality Control Act, establishes a program to protect water quality and beneficial uses of the State water resources and includes both ground and surface waters. The SWRCB and the RWQCBs are the principal State agencies responsible for control of water quality. They establish waste discharge requirements, oversee water quality control and monitoring, enforce discharge permits, and set groundwater and surface water quality objectives. They also prevent the waste and unreasonable use of water and adjudicate water rights.

### ***Porter-Cologne Water Quality Control Act***

California's primary statute governing water quality and water pollution issues with respect to both surface waters and groundwater is the Porter-Cologne Water Quality Control Act (Water Code Sections 13000, et seq.). The Porter-Cologne Act grants the SWRCB and the RWQCBs authority and responsibility to adopt plans and policies, to regulate discharges to surface and groundwater, to regulate waste disposal sites, and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes reporting

requirements for unintended discharges of any hazardous substance, sewage, or oil or petroleum product.

Each RWQCB must formulate and adopt a water quality control plan for its region. The regional plans are to conform to the policies set forth in the Porter-Cologne Act and established by the SWRCB in its State water policy. The Porter-Cologne Act also provides that a RWQCB may include within its regional plan water discharge prohibitions applicable to particular conditions, areas, or types of waste.

### ***Groundwater Management Act***

In 1992, the State legislature provided for more formal groundwater management with the passage of Assembly Bill (AB) 3030, the Groundwater Management Act (Water Code Section 10750, et seq.). Groundwater management, as defined in DWR's Bulletin 118 Update 2003, is the planned and coordinated monitoring, operation, and administration of a groundwater basin, or portion of a basin, with the goal of long-term groundwater resource sustainability. Groundwater management needs are generally identified and addressed at the local level in the form of Groundwater Management Plans (GMP). The act provides local water agencies with procedures to develop a GMP to enable those agencies to manage their groundwater resources efficiently and safely while protecting the quality of supplies. Under the act, development of a GMP by a local water agency is voluntary.

### ***Sustainable Groundwater Management Act***

The Sustainable Groundwater Management Act (SGMA) established a framework for sustainable, local groundwater management. The SGMA requires groundwater-dependent regions to halt overdraft and bring basins into balanced levels of pumping and recharge. With passage of the SGMA, the Department of Water Resources launched the Sustainable Groundwater Management Program to implement the law and provide ongoing support to local agencies around the State. The SGMA:

- Establishes a definition of “sustainable groundwater management,”
- Requires that a Groundwater Sustainability Plan be adopted for the most important groundwater basins in California;
- Establishes a timetable for adoption of Groundwater Sustainability Plans;
- Empowers local agencies to manage basins sustainably;
- Establishes basic requirements for Groundwater Sustainability Plans; and
- Provides for a limited State role.

## **Regional**

### ***Water Quality Control Plans***

Each of the nine RWQCBs adopts a Water Quality Control Plan, or Basin Plan, which recognizes and reflects regional differences in existing water quality, the beneficial uses of the region's groundwater and surface waters, and local water quality conditions and problems. Water quality problems in the region are listed in the Basin Plans, along with the causes, where

they are known. Each RWQCB sets water quality objectives that will ensure the reasonable protection of beneficial uses and the prevention of nuisance, with the understanding that water quality can be changed somewhat without unreasonably affecting beneficial uses. The project area is covered under the Water Quality Control Plan for the Santa Ana River Basin.

### ***Regional Water Quality Control Board Permitting Programs***

The Santa Ana RWQCB develops regulations and enforces State policies that protect State waters. In the project area, the Santa Ana RWQCB is responsible for developing and revising the regional basin plan, implementing the NPDES program, permitting waste discharges to State waters, and enforcing waste discharge cleanups. The Water Quality Control Plan for the Santa Ana River Basin designates beneficial uses for water bodies in the region and establishes water quality objectives and implementation plans to protect those beneficial uses.

All wastewater discharges in the region, whether to surface waters or groundwater, are subject to waste discharge requirements (WDRs); all reuses of treated wastewater are subject to water reclamation requirements (WRRs). In addition, the US Environmental Protection Agency has delegated responsibility for water quality to the SWRCB and the nine RWQCBs for implementation of the Federal NPDES program. Therefore, WDRs for discharges to surface waters also serve as NPDES permits. These combined programs are the legal means to regulate controllable discharges of water. It is illegal to discharge any wastes into any waters of the State or to reuse treated wastewaters without obtaining appropriate waste discharge requirements, water reclamation requirements, or NPDES permits. These permits hereinafter are referred to as requirements.

Any facility or person who discharges, or proposes to discharge, wastes or makes a material change to the character, location, or volume of waste discharges to waters in the Santa Ana River Basin Region (other than into a community sewer system) must describe the quantity and nature of the proposed discharge in a Report of Waste Discharge (ROWD) or an NPDES application. Upon review of the ROWD or NPDES application and all other pertinent information (including comments received at a public hearing), the Santa Ana RWQCB will consider the issuance of requirements that incorporate appropriate measures and limitations to protect public health and water quality. The requirements' basic components are discharge limitations (including, if required, effluent and receiving water limits):

- Standard requirements and provisions outlining the discharger's general discharge requirements and monitoring and reporting responsibilities; and
- A monitoring program in which the discharger is required to collect and analyze samples and submit monitoring reports to the RWQCB on a prescribed schedule.

Discharges are categorized according to their threat to water quality and their operational complexity. In addition, discharges to surface waters are categorized as major or minor discharges. Filing and annual fees are based on these categories. WDRs or WRRs usually do not have an expiration date but are reviewed periodically based on the level of threat to water quality. NPDES permits are adopted for a five-year period.



Most requirements are tailored to specific waste discharges. In some cases, however, discharges can be regulated under general requirements, which simplify the permit process for certain types of discharges. These general requirements are issued administratively to the discharger after a completed Report of Waste Discharge or NPDES application has been filed and the RWQCB executive officer has determined that the discharge meets the conditions specified in the general requirements. Point-source discharges include wastewaters from new residential development, industrial and manufacturing facilities, construction sites, and power generation stations.

#### ***Municipal Separate Storm Sewer System (MS4)***

On January 29, 2010, the Santa Ana RWQCB adopted updated waste discharge requirements for discharges from the MS4 in the Santa Ana region.<sup>1</sup> All new development projects under RWQCB jurisdiction must adhere to the current MS4 permit requirements. Although a WQMP may not be required for each project, BMPs must be implemented in order to meet the current MS4 permit requirements. As noted above, a preliminary WQMP was prepared for the proposed project to comply with the requirements of the County's NPDES Area-wide Stormwater Program requiring the preparation of a WQMP.

#### **Local**

##### ***City of Fontana General Plan***

The City of Fontana General Plan Infrastructure and Green Systems Element includes the following goal and policies and are applicable to the project.

##### Infrastructure and Green Systems Element

Goal 6	Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional one water one watershed standards.
Policy 6.1	Continue to implement the Water Quality Management Plan for stormwater management that incorporates low-impact and green infrastructure standards.
Policy 6.2	Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.
Action A	Continue to maintain traditional stormwater infrastructure as needed, while developing methods to promote ultimate infiltration of the water.
Action B	Explore options for infiltration of water from traditional stormwater facilities and develop methods to measure quantity.
Action J	Use permeable surfaces to promote infiltration wherever feasible.

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<sup>1</sup> The San Bernardino County Santa Ana Region MS4 Stormwater Program submitted an Application for Renewal of the Municipal NPDES Stormwater Permit (NPDES Permit No. CAS618036) on July 30, 2014.

### **Fontana Municipal Code**

Chapter 23, Article IX (Preventing Discharge of Pollutants into Storm Drains) of the Fontana Municipal Code requires the City to participate as a "Co-permittee" under the NPDES permit program to accomplish the requirements of the Clean Water Act. Pursuant to this chapter, the City requires all development activities subject to the City's NPDES permit to prepare and implement a Storm Water Quality Management Plan, which is required to identify proposed structural BMPs and source and treatment control BMPs to infiltrate and/or adequately treat the projected stormwater and urban runoff from the development site.

The Fontana Municipal Code Chapter 9, Article II (Control of Blowing Sand and Soil Erosion) requires development projects to incorporate an erosion and dust control plan to minimize water and windborne erosion. Specific dust control measures are required to be listed on the grading/construction plan. The erosion and dust control plan is required to be approved by City staff prior to the issuance of the applicable construction permit.

### **City of Fontana Storm Drain Master Plan**

The development site and upzone site are located within the boundaries of the Fontana Storm Drain Master Plan (hereafter "Storm Drain Master Plan"). The Storm Drain Master Plan was prepared to identify master-planned drainage and flood control facilities that are needed to safely convey the peak runoff from a 100-year storm through Fontana upon full buildout.

## **4.9.3 Thresholds for Determination of Significance**

California Environmental Quality Act Guidelines Appendix G includes thresholds used for the Initial Study, included as *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters*, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact if it would:

1. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality (refer to Impact 4.9-1).
2. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin (refer to **Appendix A**).
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:
  - a. Result in a substantial erosion or siltation on- or offsite (refer to Impact 4.9-2a);
  - b. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite (refer to Impact 4.9-2b);

- c. 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 (refer to Impact 4.9-2c); or
  - d. Impede or redirect flood flows (refer to Impact 4.9-2b).
4. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation. (Refer to **Appendix A**)
5. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (refer to **Appendix A**).

#### 4.9.4 Impact Analysis and Mitigation Measures

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##### ***WATER QUALITY STANDARDS AND REQUIREMENTS***

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<b>Impact 4.9-1</b>	<b>The project has the potential to violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.</b>
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##### **Development Site**

##### **Short-Term Construction Impacts**

Temporary construction-related impacts of construction on the development site are anticipated to involve construction of new structures, excavation and grading activities to construct building pads, and paving of roadways and on-site parking and truck terminals. Other construction activities may include building walls and fencing, adding signage and lighting, and installing landscaping, on-site utilities, and infrastructure improvements such as water and dry (i.e., electrical) utilities.

Typical construction activities would require the use of gasoline- and diesel-powered heavy equipment, such as backhoes, water pumps, bulldozers, and air compressors. Chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances would also likely be used during construction. An accidental release of any of these substances could degrade surface water runoff quality and contribute additional sources of pollution to the existing drainage system. Therefore, small quantities of pollutants have the potential to enter the storm drainage system during project construction and degrade water quality. In general, construction-related impacts to water quality could occur in the following periods of activity:

- During demolition of existing features, when risk of pollutant exposure is present;
- During the earthwork and construction phase, when the potential for erosion, siltation, and sedimentation would be the greatest; and
- Following construction, before the establishment of ground cover, when the erosion potential may remain relatively high.

Because development of the development site would disturb more than one acre of soil, construction activities would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities requirements (and all subsequent revisions and amendments). To demonstrate compliance with NPDES requirements, a Notice of Intent must be prepared and submitted to the SWRCB, providing notification and intent to comply with the Construction General Permit. The Construction General Permit also requires that non-stormwater discharges from construction sites be eliminated or reduced to the maximum extent practicable, an SWPPP that governs construction activities for the project be developed, and routine inspections be performed of all stormwater pollution prevention measures and control practices being used at the site, including inspections before and after storm events. Permittees must verify compliance with permit requirements by monitoring their effluent, maintaining records, and filing periodic reports. Possible construction site BMPs for runoff control, sediment control, erosion control, and housekeeping that may be included in the SWPPP and used during the construction phases of the proposed project may include, but are not limited to, those identified in **Table 4.9-2: General Construction Site Best Management Practices**, below.

**Table 4.9-2: General Construction Site Best Management Practices**

Runoff Control	Sediment Control	Erosion Control	Good Housekeeping
Minimize clearing Preserve natural vegetation Stabilize drainage ways Install check dams Install diversion dikes	Install perimeter controls (e.g., silt fences) Install sediment trapping devices (e.g., straw wattles, hay bales, gravel bags) Inlet protection (e.g., check dams) Install fiber rolls	Stabilize exposed soils (e.g., hydroseed, soil binders) Protect steep slopes (e.g., geotextiles, compost blankets) Cover stockpiles with blankets Complete construction in phases	Create waste collection area Put lids on containers Clean up spills immediately

Source: *National Menu of Best Management Practices (BMPs) for Stormwater*, National Pollutant Discharge Elimination System, Environmental Protection Agency. ><https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#constr><, Website accessed April 20, 2020.

The SWPPP would include a site map showing 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. The SWPPP would identify the BMPs that would be used to protect stormwater runoff and the placement of those BMPs. The SWPPP would also identify a visual monitoring program, a chemical monitoring program for “nonvisible” pollutants to be implemented if there is a failure of BMPs. Upon completion of construction, a Notice of Termination would be submitted to the SWRCB to indicate that construction has been completed.

Pursuant to Fontana Municipal Code Chapter 23, Article IX (Preventing Discharge of Pollutants into Storm Drains) and Chapter 9, Article II (Control of Blowing Sand and Soil Erosion), enforcement of required NPDES permit requirements would prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB

staff. Therefore, compliance with NPDES requirements would reduce short-term construction-related impacts to water quality to a less than significant level.

### **Long-Term Operational Impacts**

Generally, operational impacts to water quality could occur after project completion, when impacts related to sedimentation would decrease markedly but those associated with project operation, mainly urban runoff, would potentially increase, primarily due to increases in the amount of impervious surface on the development site. According to the preliminary WQMP, approximately 81 percent of the development site would be paved at project completion. The decrease in permeable surface on the development site would reduce runoff infiltration, thus reducing the amount of flow capable of washing off additional pollutants.

According to the project's preliminary WQMP, anticipated and potential pollutants generated from operation of the development site would include the following: pathogens (bacterial/virus); nutrients (phosphorous and nitrogen); noxious aquatic plants; sediment; metals; oil and grease; trash/debris; pesticides/herbicides; organic compounds; and petroleum/hydrocarbons. As elaborated in *Section 4.9.1*, runoff from the project site ultimately drains to the Santa Ana River Reaches 1, 2, 3, San Sevaine Channel and Declez Channel, and Drainage Facility 1-B. As discussed, the Santa Ana River has been placed on the 303(d) list of impaired water bodies for pathogens, copper, and lead (Reach 3) and indicator bacteria and pathogens (Reach 2).

In conformance with Municipal Code Section 23-519 and NPDES requirements, a preliminary project-specific WQMP was prepared and identifies structural and non-structural BMPs to be implemented in conjunction with the project. Informed by the preliminary WQMP and further discussed in *Section 3.0, Project Description*, two underground infiltration systems (one for each building) are proposed for water quality and storm drainage. All runoff from impervious areas will be directed to the underground infiltration systems, which would provide volume storage and infiltration at the bottom of each chamber. Additional structural measures identified in the preliminary WQMP include the following: provide storm drain system stenciling and signage; design and construct trash/waste storage areas to reduce pollution introduction; use efficient irrigation systems and landscape design, water conservation, smart controllers, and source control; and finish grade of landscaped areas at a minimum of 1–2 inches below top of curb, sidewalk, or pavement. Non-structural measures identified in the preliminary WQMP include the following: education of property owners, tenants, and occupants on stormwater BMPs; activity restrictions; landscape management BMPs; BMP maintenance; compliance with local water quality ordinances; implementation of a litter/debris control program; employee training; housekeeping of loading docks; catch basin inspection program; and vacuum sweeping of private streets and parking lots. Compliance with project-specific BMPs identified in the project description and implementation of the measures stated in the preliminary WQMP, along with adherence to applicable State and federal regulatory requirements, would ensure that long-term water quality impacts would be less than significant.

## **Upzone Site**

### **Short-Term Construction Impacts**

Temporary construction-related impacts of construction on the upzone site would have similar impacts to those of construction on the development site. Future development of the upzone site would disturb more than one acre of soil and construction activities would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities requirements (and all subsequent revisions and amendments). Pursuant to Fontana Municipal Code Chapter 23, Article IX (Preventing Discharge of Pollutants into Storm Drains) and Chapter 9, Article II (Control of Blowing Sand and Soil Erosion), enforcement of required NPDES permit requirements would prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. Therefore, compliance with NPDES requirements would reduce short-term construction-related impacts to water quality to a less than significant level.

### **Long-Term Operational Impacts**

Long-term impacts of operation on the upzone site would involve those relative to residential development rather than industrial development. However, no physical changes would occur on the upzone site with implementation of the proposed project. Similar to project implementation of the development site, future development of the upzone site would be required to comply with the provisions of the Fontana Municipal Code Chapter 23, Article IX (Preventing Discharge of Pollutants into Storm Drains) and Chapter 9, Article II (Control of Blowing Sand and Soil Erosion). A site-specific WQMP would be required to be prepared and implemented for future development of the upzone site at such time that development is proposed for the upzone site, in order to address potential impacts relative to construction-related and operational water quality standards and waste discharge requirements. As such, impacts would be less than significant.

### **Mitigation Measures**

None required.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## ***EROSION OR SILTATION***

<b>Impact 4.9-2a</b>	<b>The project has the potential to 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 a substantial erosion or siltation on- or offsite.</b>
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## **Development Site**

### **Short-Term Construction Impacts**

The development site does not contain any streams, rivers, or other drainage features. Temporary construction-related activities associated with the proposed project are not anticipated to have a significant impact on existing drainage patterns since construction would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction Activity. The permit requires non-stormwater discharges from construction sites to be eliminated or reduced to the maximum extent practicable, preparation of an SWPPP, and routine inspections of all stormwater pollution prevention measures and control practices used at the site, including inspections before and after storm events. Compliance with NPDES General Permit requirements would prevent substantial erosion or siltation both on- and off-site during construction. Therefore, construction would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial increased erosion or siltation on- or off-site. Impacts would be less than significant.

### **Long-Term Operational Impacts**

Project implementation would involve an increase in the amount of impervious surface on the development site, which could affect existing surface runoff rates or volumes. However, to preserve existing drainage patterns to the maximum extent feasible, two underground infiltration systems would be constructed on-site. These underground infiltration systems would capture the stormwater for its respective parcel and would provide volume storage and infiltration at the bottom of the chamber systems. The project site would not include large areas of exposed soils that would be subject to runoff. Rather, any unpaved areas would be improved with landscaping to minimize the potential for erosion or siltation on- or offsite; refer to ***Exhibit 3.0-10: Conceptual Landscape Plan***. Further, the BMPs identified in the project's preliminary WQMP would reduce potentially significant impacts related to stormwater runoff to downstream water bodies or percolation into the soil. Therefore, operational activities would not result in substantial on- or off-site erosion and siltation. Impacts would be less than significant.

## **Upzone Site**

### **Short-Term Construction Impacts**

Temporary construction-related impacts of construction on the upzone site would have similar impacts to those of construction on the development site. However, no physical changes would occur on the upzone site with implementation of the proposed project. Similar to project construction of the upland site, future development of the upzone site would be required to prepare a site-specific drainage study and implement hydrological features onsite to reduce potential impacts that could result due to alteration of the existing drainage pattern.

### **Long-Term Operational Impacts**

Long-term operational impacts of operation on the upzone site would involve those relative to residential development rather than industrial development and would involve an increase in the amount of impervious surface on the upzone site, which could affect existing surface

runoff rates or volumes. However, no physical changes would occur on the upzone site with implementation of the proposed project. Similar to project implementation of the development site, future development of the upzone site would be required to prepare a site-specific drainage study and implement hydrological features onsite to reduce potential impacts that could result due to alteration of the existing drainage pattern.

### **Mitigation Measures**

None required.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## **FLOODING**

<b>Impact 4.9-2b</b>	<b>The project has the potential to 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 substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.</b>
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### **Development Site**

Development of the proposed warehouse buildings, associated parking, and landscaping would result in an increase in impervious areas. As a result, the project would increase surface flows compared to existing pre-project conditions.

According to the preliminary WQMP prepared for the development site, there are three DMAs on the development site (DMAs are portions of a site that drain to the same conveyance facility), identified as DA-1, DA-2, and DA-3; refer to *Table 4.9-1*. As discussed previously, one of the project components is the consolidation of the existing 12 parcels into two parcels (identified as Parcel 1 and Parcel 2 for the purposes of water quality design features). Parcel 1 would be approximately 19.0 acres and consist of a 432,569-square-foot building with associated landscaping, concrete hardscape, and asphalt parking for both trailers and automobiles. The proposed landscaping at Parcel 1 would be approximately 66,677 square feet (15.4 percent pervious). Parcel 2 would be approximately 14.64 acres and consist of a 321,839-square-foot building with associated landscaping, concrete hardscape, and asphalt parking for both trailers and automobiles. The proposed landscaping at Parcel 2 would be approximately 65,915 square feet (20.5 percent pervious). Landscaping for the entire development site would be approximately 132,592 square feet (35.9 percent pervious). As described in the table below, two underground infiltration systems would capture the drainage for their respective parcel and would provide volume storage and infiltration at the bottom of the chamber systems.

**Table 4.9-3: Drainage Design Features for the Development Site**

	DA-1	DA-2	DA-3
Drainage Design Features	DA-1 includes Parcel 2 and has a total area of 14.64 acres. Storm water drainage from DA-1 will sheet flow through the site and will be intercepted by the proposed inlets located at low points as shown on the preliminary WQMP exhibit. All drainage collected from the inlets will be routed to an underground storage chamber identified as BMP-1. The underground infiltration systems will provide volume storage and infiltration at the bottom of the chamber system. The underground chamber has been sized to treat and store the full design capture volume.	DA-2 includes Parcel 1 and has a total area of 19.0 acres. Storm water drainage from DA-2 will sheet flow through the site and will be intercepted by the proposed inlets located at low points as shown on the preliminary WQMP exhibit. All drainage collected from the inlets will be routed to an underground storage chamber identified as BMP-2. The underground infiltration systems will provide volume storage and infiltration at the bottom of the chamber system. The underground chamber has been sized to treat and store the full design capture volume.	DA-3 includes the driveway access tie-outs, proposed sidewalk, roadway improvements and landscape area street improvements in the right-of-way and has a total area of 1.56 acres. Uncontrolled runoff from DA-3 will sheet flow into a landscaped area for impervious disconnection and captured in the storm drain system in the city right-of-way. Separate treatment for DA-3 is not required onsite.

Source: Kimley Horn. Water Quality Management Plan. 2019.

As summarized in **Table 4.9-3**, the proposed underground chambers would treat and store the full design capture volume for DA-1 and DA-2. According to the preliminary WQMP, the entirety of the 1.56-acre area of DA-3 is currently impervious and would remain impervious with project implementation. No net loss of impervious area within DA-3 would occur. Stormwater runoff for DA-3 would be redirected to landscaped areas on-site to infiltrate and would not result in an increase in the volume of stormwater runoff that currently discharges into the City's storm drain system.

Therefore, project implementation would not substantially alter the site's existing drainage pattern, including through the alteration of the course of a stream or river, nor would it substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant.

### **Upzone Site**

Operational impacts on the upzone site would involve those relative to residential development rather than industrial development. However, no physical changes would occur on the upzone site with implementation of the proposed project. Pursuant to Chapter 23, Article IX (Preventing Discharge of Pollutants into Storm Drains) of the Fontana Municipal Code, a site-specific WQMP would be required to be prepared and implemented for future development of the upzone site at such time that development is proposed for the upzone site, in order to address potential impacts relative to construction-related and operational surface runoff.

### **Mitigation Measures**

None required.

### Level of Significance After Mitigation

Impacts would be less than significant.

#### **INCREASED RUNOFF AND IMPERVIOUS SURFACES**

<b>Impact 4.9-2c</b>	<b>The project has the potential to 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 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.</b>
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### Development Site

As stated in Impact 4.9-2b, although the proposed project would involve an increase in impervious surfaces at the development site, the proposed underground chambers would treat and store the full design capture volume for DA-1 and DA-2. According to the preliminary WQMP, the entirety of the 1.56-acre area of DA-3 is currently impervious and would remain impervious with project implementation. No net loss of impervious area within DA-3 would occur.

Therefore, the proposed is not anticipated to increase the amount of off-site stormwater runoff or exceed the capacity of an existing or planned stormwater drainage system at the development site. As stated in Impact 4.9-1, operations of the proposed project would be subject to compliance with NPDES requirements and the BMPs identified in the preliminary WQMP in order to reduce long-term water quality impacts to less than significant levels. Therefore, project operations as designed would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant.

### Upzone Site

Operational impacts on the upzone site would involve those relative to residential development rather than industrial development. However, no physical changes would occur on the upzone site with implementation of the proposed project. A site-specific WQMP would be required to be prepared and implemented for future development of the upzone site at such time that development is proposed for the upzone site, in order to address potential impacts relative existing or planned stormwater drainage system capacity.

### Mitigation Measures

None required.

### Level of Significance After Mitigation

Impacts would be less than significant.

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## **CUMULATIVE IMPACTS**

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### **Impact 4.9-3                      The project would potentially result in cumulative impacts to hydrology and water quality.**

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Cumulative projects that would have the potential to be considered in a cumulative context with the projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to hydrology and water quality, are identified in *Table 4.0-1: Cumulative Projects*, and *Exhibit 4.0-1: Cumulative Projects*, in *Section 4.0* of this Draft EIR.

Cumulative impacts to hydrology and water quality generally occur as a result of incremental changes that degrade water quality. adversely contribute to drainage flows or increase potential for flooding in a project area or watershed, and increase in impervious surfaces that general an increase in polluted stormwater runoff.

Future development that could contribute to a cumulative hydrology and water quality impact would be subject to the same requirements as the proposed project and would be required to conduct environmental review, apply for an NPDES permit, which would include BMPs to prevent water quality impacts during construction and operation, as well as prepare and implement a site-specific WQMP, which would include recommendations for BMPs to redirect, infiltrate and/or capture stormwater runoff on-site, and address water quality concerns, and construct project-specific drainage features in accordance with the provisions of the City's Master Drainage Plan. Therefore, cumulative impacts related to hydrology and water quality would be less than significant and the project's contribution to a cumulative impact would be **less than cumulatively considerable**.

#### **Mitigation Measures**

None required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

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## 4.10 Land Use and Planning

This section evaluates the existing land use and planning setting and the project's consistency with applicable goals and policies, identifies and analyzes environmental impacts, and requires measures to reduce or avoid adverse impacts anticipated from implementation of the project, as applicable. The information and analysis herein rely on the City of Fontana General Plan Update 2015-2035 (General Plan).

### 4.10.1 Existing Conditions

For a detailed overview of the existing land uses conditions, *Table 3.0-3: Existing Land Use Designations*, and *Table 3.0-4: Existing Zoning*, provide an overview of the existing on-site and surrounding land use designations and zoning for the development site and upzone site.

#### On-Site Land Uses

##### ***Development Site***

The development site is currently developed with a mix of commercial and residential land uses and vacant land. Twelve residential structures (11 of which are occupied and one of which is unoccupied), out buildings, gravel parking areas, equestrian areas, corrals, vacant fields, irrigated pastures, nurseries, cultivated lawns, and agricultural uses occur throughout the site. Extensive debris dumping is evident throughout the site.

Based on the General Plan, the majority of the development site is designated Residential – Planned Community (R-PC); however, the southeastern area of the development site is designated Walkable Mixed-Use Downtown and Corridors (WMXU-1); refer to *Exhibit 3.0-5: General Plan Land Use Designations - Development Site*. The development site is currently zoned Residential – Planned Community (R-PC) and Form Based Code (FBC); refer to *Exhibit 3.0-7: Zoning - Development Site*.

##### ***Upzone Site***

The the upzone site is currently developed with residential land uses including out buildings, parking areas, and vacant land. Sixteen residential structures, with associated out buildings, are present throughout the site. Several parcels that compose the upzone site are either entirely or partially vacant.

#### Surrounding Land Uses

##### ***Development Site***

Based on the General Plan, areas to the north, south, and west of the development site are designated R-PC and areas to the east are designated WMXU-1.

Areas to the north and west of the development site are zoned R-PC, while areas to the east are zoned FBC and areas to the south are zoned Southridge Village Specific Plan.

In general, the development site is surrounded by commercial property to the north, vacant land and some residences to the east, residences to the south, and vacant land/rural & large lot housing to the west.

#### **Upzone Site**

Based on the General Plan, areas to the north, west, and south of the upzone site are designated R-SF, while areas to the east are designated Multifamily Residential (R-MF); refer to ***Exhibit 3.0-6: General Plan Land Use Designations - Upzone Site.***

Areas to the north, west, and south of the upzone site are zoned R-1, while areas to the east are zoned Multifamily Residential (R-2); refer to ***Exhibit 3.0-8 Zoning - Upzone Site.***

In general, the upzone site is entirely surrounded by residential uses or vacant properties.

### **4.10.2 Regulatory Framework**

#### **Federal**

No Federal laws, regulations, or executive orders apply to land use and planning in the development site or upzone site.

#### **State**

##### ***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 the inclusion of 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.

#### **Regional**

##### ***Southern California Association of Governments***

The Southern California Association of Governments (SCAG) is the metropolitan planning organization (MPO) for six counties: Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The region encompasses a population exceeding 19 million in an area of more than 38,000 square miles. As the designated MPO, the Federal government mandates SCAG to research and develop plans for transportation, growth management, hazardous waste management, and air quality. These mandates led SCAG to prepare comprehensive regional plans to address these concerns.

SCAG is responsible for the maintenance of a continuous, comprehensive, and coordinated planning process resulting in a regional transportation plan. SCAG is also responsible for the development of demographic projections and the integrated land use, housing, employment, transportation programs, measures, and strategies for the Air Quality Management Plan (AQMP).

### ***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 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 worked closely with local jurisdictions to develop the 2016 RTP/SCS, which incorporates local growth forecasts, projects and programs, and includes complementary 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.

### ***Growth Forecasts***

SCAG's Forecasting Section is responsible for producing socioeconomic estimates and projections at multiple geographic levels and in multiple years. The Forecasting Section develops, refines, and maintains SCAG's regional and small area socioeconomic forecasting/allocation models. Adopted 2016 RTP/SCS growth forecasts provide population, household, and employment data for 2040. The socioeconomic estimates and projections are used by Federal and State mandated long-range planning efforts such as the RTP, AQMP, and the Regional Housing Needs Assessment. The 2016 RTP/SCS growth forecasts are used to assess a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint; refer to ***Section 7.0, Growth-Inducing Impacts***, of this Draft EIR.

### ***Intergovernmental Review***

SCAG's Intergovernmental Review Section is responsible for performing consistency review of regionally significant local plans, projects, and programs with SCAG's adopted regional plans. The criteria for projects of regional significance are outlined in CEQA Guidelines

Sections 15125 and 15206. The project would be considered regionally significant as it would meet the following criteria, requiring consistency review.

- (1) A proposed local general plan, element, or amendment thereof for which an EIR was prepared.

A proposed plan, project, or program is directed to demonstrate how it is consistent with the 2016 RTP/SCS, which is established through consistency with 2016 RTP/SCS goals and adopted growth forecasts.

## **Local**

### ***City of Fontana General Plan***

The General Plan was adopted 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 General Plan incorporates the seven State-mandated subjects or “elements” into 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.

### ***City of Fontana Municipal Code***

The City’s zoning and development code is found in the City of Fontana 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 is 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.

Development Code Article VII, *Industrial Zoning Districts*, establishes development policies, use regulations, development standards, performance standards, and design guidelines specific to industrial development, such as the development site.

Development Code Article V, *Residential Zoning Districts*, establishes development policies, use regulations, development standards, performance standards, and design guidelines specific to residential development, such as the upzone site.

### ***Southwest Industrial Park Specific Plan***

The Southwest Industrial Park (SWIP) Specific Plan was adopted in June 2012 and comprises nine land use districts covering approximately 3,110 acres of industrial, manufacturing, office, commercial, research and development, and flex-tech development. Most industrial activity within the SWIP Specific Plan is oriented toward the transportation industry, such as trucking facilities, warehousing/distribution centers, automobile, and/or truck storage lots.

The development site is to be incorporated into the Slover East Industrial District (District) of the SWIP. This District is intended to provide opportunities for light and heavy manufacturing activities that are supported by trucking routes and the existing rail spur. In addition, this District intended to promote the continued use and expansion of existing industrial, distribution and logistics-based warehousing developments, and strategically located service commercial facilities.

### **4.10.3 Thresholds for Determination of Significance**

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as ***Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters***, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on land use and planning if it would do any of the following:

1. Physically divide an established community? (refer to ***Appendix A***).
2. 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? (Refer to Impact 4.10-1)

### **4.10.4 Impact Analysis and Mitigation Measures**

#### ***CONFLICT WITH A LAND USE PLAN, POLICY, OR REGULATION***

<b>Impact 4.10-1</b>	<b>The project has the potential to 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.</b>
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#### **Development Site and Upzone Site**

Project implementation would require the following discretionary approvals: General Plan Amendment, Specific Plan Amendment, Zone Change, Design Review, Tentative Parcel Map, and a Development Agreement. An evaluation of the proposed project's consistency with applicable regional and local plans and programs that have been adopted for the purpose of avoiding or mitigating an environmental effect is provided below.

#### **General Plan**

As noted in Section 4.10.1, the development site is designated R-PC/WMXU-1, which allows for managed growth by offering a mix of residential housing types and amenities with an

approved specific plan (new specific plans are not permitted) or low density residential uses in areas designated R-PC land use designation. The General Plan WMXU-1 land use designation allows for medium- to high-density residential uses, retail and services, office, entertainment, education and civic uses, with a maximum 2.0 floor area ratio. The upzone site is designated Single Family Residential (R-SF), which generally allows for detached, single family housing at 2.1 to 5 du per acre. Project implementation would require a General Plan Amendment (GPA 19-000007) to amend the existing land use designation for all parcels within the development site from R-PC/WMXU-1 to General Industrial (I-G). Project implementation would also require a General Plan Amendment (GPA 20-009) to amend the existing land use designation for all parcels within the upzone site from R-SF to Medium Density Residential (R-M).

Project consistency with applicable General Plan goals and policies is detailed in **Table 4.10-1: Project Consistency with the General Plan**. Although the General Plan contains numerous goals and policies beyond those discussed in **Table 4.10-1**, those goals and policies are not intended to “avoid or mitigate an environmental effect” and therefore are not analyzed. As analyzed, the project would be consistent with all applicable General Plan goals and policies.

**Table 4.10-1: Project Consistency with the General Plan**

Applicable General Plan Policies	Consistency Determination
<b>Community and Neighborhoods Chapter</b>	
<b>Goal 1 The integrity and character of historic structures, and cultural resources sites within the City of Fontana are preserved.</b>	
Policy 3 Collaborate with the Native American Heritage Commission (NAHC) and local tribal organizations about land development that may affect Native American cultural resources and artifacts.	Consistent. As detailed in Section 4.4, Cultural Resources, the NAHC was contacted as part of the <i>Cultural and Paleontological Resources Assessment for the Fontana Foothills Commerce Center project</i> (Cultural Resources Assessment); refer to Appendix D, Cultural Resources Assessment. Based on NAHC guidance, 25 Native American tribes/individuals were contacted for information related to cultural resources or heritage sites within or adjacent to the development site. A total of eight tribes/contacts responded, including Gabrieleño Band of Mission Indians-Kizh Nation, Soboba Band of Luiseño Indians, San Manuel Band of Mission Indians, Morongo Band of Mission Indians, Gabrielino/Tongva San Gabriel Band of Mission Indians, Cahuilla Band of Indians, Cabazon Band of Mission Indians, and Agua Caliente Band of Cahuilla Indians. Of these responses, six Native American tribes stated an interest in the project and provided comments; however, none of the tribes shared specific information regarding tribal cultural resources within the development site or its vicinity. As no development is proposed at the upzone site, this portion of the project does not require Native American consultation, and the upzone site was not included in Appendix D.



Applicable General Plan Policies	Consistency Determination
<b>Goal 3 Archaeological resources are protected and preserved.</b>	
Policy 1 Collaborate with State archaeological agencies to protect resources.	Consistent. As detailed in Section 4.4, the Cultural Resources Assessment incorporates the results of a search of the California Historical Resource Information System (CHRIS) at the South Central Coastal Information Center, located at California State University, Fullerton. The CHRIS search also includes a review of the National Register of Historic Places, the California Register of Historical Resources, the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Inventory of Historic Resources. As no development is proposed at the upzone site, this portion of the project does not require Native American consultation, and the upzone site was not included in Appendix D.
<b>Goal 7 A diverse stock of quality housing serves Fontana residents across the range of incomes, household types, and age groups.</b>	
Policy 1 Support a diversified housing stock that includes new options ranging from larger-lot single family housing to “missing middle” housing types such as cottage developments, small-scale apartments and condos, and courtyard housing, as well as larger multifamily developments.	Consistent. The rezoning of the upzone site from R-1 to R-2 zoning will allow for a wider variety of housing stock than is currently allowed under the current zoning, as denser, multi-family developments are allowed within the R-2 zone. The additional 13.65 acres of R-2 zoning will provide opportunities for cottage developments, small-scale apartments, condos, and courtyard housing based upon the development standards found within the City’s zoning ordinance.
<b>Building a Healthier Fontana</b>	
<b>Goal 1 The average lifespan in Fontana consistently ranks within the top ten of all Southern California cities.</b>	
Policy 3 Support local and regional initiatives to improve air quality in order to reduce asthma while actively discouraging development that may exacerbate asthma rates.	Consistent. Incorporation of Mitigation Measure AQ-2 will ensure that, during the site preparation phase, off-road diesel construction equipment greater than 150 horsepower shall comply with Environmental Protection Agency/California Air Resources Board Tier 3 emissions standards and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer’s specifications. Refer to Section 4.2, Air Quality, for more information.
Policy 5 Continue economic development efforts to develop a greater number and range of jobs in Fontana so as to reduce residents’ need to commute out of the City. <i>(Also identified as an Environmental Justice Element policy)</i>	Consistent. The project would develop a warehouse facility that would generate additional jobs in Fontana available to local residents. In addition, the project would “upzone” 13.65 acres of land located at the southwest corner of Merrill Avenue and Catawba Avenue from R-1, to R-2 to accommodate the future development of up to 165 dwelling units. By providing jobs and housing opportunities within the community, the project would help reduce the need for residents to commute out of the City for jobs.

Applicable General Plan Policies	Consistency Determination
Policy 8 Strongly encourage efforts to improve the safety of all roadway users, especially pedestrians and bicyclists. <i>(Also identified as an Environmental Justice Element policy)</i>	Consistent. By reducing the number of driveways along Juniper and Jurupa Avenues and improving the sidewalks along the frontages of these two streets, the project would improve the safety of roadway users, including pedestrians. As noted in the <i>Fontana Foothills Commerce Center Traffic Impact Analysis (TIA)</i> , there are no bicycle facilities within the project vicinity and none are proposed; refer to Section 4.13, Transportation.
<b>Goal 5 Fontana is a city in which all residents' basic needs are met.</b>	
Policy 1 Encourage the development of a wide variety of housing sizes and types to meet the needs of residents through all life stages and ranges of affordability.	Consistent. The upzone site's new zoning will allow for a wider variety of housing sizes and types, and at a wider range of affordability, to meet the needs of the City's residents throughout all life stages and ranges of affordability than what is currently present.
<b>Conservation, Open Space, Parks and Trails Chapter</b>	
<b>Goal 5 All Fontana residents live within walking or biking distance of a public park and there are sufficient public parks to serve all areas of the city.</b>	
Policy 2 Continue to use a minimum standard of 5 acres of public parkland per 1,000 persons.	Consistent. The City of Fontana currently maintains 5.7 acres of public parkland per 1,000 persons. The project has the potential to increase the population of the City by 41 people. As the City currently has a population of over 200,000, this ratio is not expected to drop below 5 acres per 1,000 persons.
<b>Community Mobility and Circulation Chapter</b>	
<b>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.</b>	
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. <i>(Also identified as an Environmental Justice Element policy)</i>	Consistent. As stated above, the development site would be accessed from Jurupa Avenue and Juniper Avenue. These roadways would not need to be reclassified as part of the proposed project, have the capacity to service project related traffic, and no improvements are required for these roads to continue to function at their current capacity. The project would not reduce safe and convenient access to transit, bicycle facilities, or walkways to the surrounding neighborhood.
<b>Goal 2 Fontana's road network is safe and accessible to all users, especially the most vulnerable such as children, youth, older adults and people with disabilities.</b>	
Policy 1 Design roadway space for all users, including motor vehicles, buses, bicyclists, mobility devices (such as senior scooters), and pedestrians, as feasible and appropriate for the context. <i>(Also identified as an Environmental Justice Element policy)</i>	Consistent. Refer to response to Community Mobility and Circulation Chapter, Goal 1, Policy 1.
Policy 2 Support designated truck routes that avoid negative impacts on residential and commercial areas	Consistent. According to the TIA, Slover Avenue, Santa

Applicable General Plan Policies	Consistency Determination
while accommodating the efficient movement of trucks. <i>(Also identified as an Environmental Justice Element policy)</i>	Ana Avenue (west of Citrus Avenue), Jurupa Avenue, Citrus Avenue, and Sierra Avenue are identified as existing City of Fontana truck routes. As truck traffic would utilize these roadways, the project would be consistent with Community Mobility and Circulation Chapter, Goal 2, Policy 2.
<b>Goal 6 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.</b>	
Policy 1 Provide sufficient motor vehicle and secure bicycle parking in commercial and employment centers to support vibrant economic activity.	Consistent. Article XI – On Site Street Parking and Loading Regulations of the City's Zoning and Development Code indicates that the required parking for the proposed project is 196 parking spaces. By contrast, the project proposes 337 passenger vehicle parking spaces to be provided for employees and visitors in surface parking lots generally located around the building perimeters. In addition, 152 trailer parking spaces would also be provided. Bicycle parking would also be provided at the development site in accordance with the City's bicycle parking regulations of at least 1 bicycle space per 30,000 gross square feet.
<b>Infrastructure and Green Systems Chapter</b>	
<b>Goal 1 Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional One Water One Watershed standards.</b>	
Policy 1 Continue to implement the water-quality management plan for stormwater management that incorporates low-impact and green infrastructure standards.	Consistent. A preliminary Water Quality Management Plan (WQMP) was prepared for the project, which complies with the requirements of the San Bernardino County Code standards and the National Pollutant Discharge Elimination System Area-wide Stormwater Program (Order No. R8-2010-0036); refer to Appendix G, Water Quality Management Plan. As elaborated in Section 4.9, Hydrology and Water Quality, structural and non-structural and low impact development best management practices are identified in the WQMP and would be implemented to reduce project impacts on water quality, protect downstream hydraulic conditions, and reduce project-related stormwater pollutants.
<b>Goal 2 Fontana promotes use of non-potable water for uses where drinking water is not needed.</b>	
Policy 1 Encourage use of processed water from the IEUA systems using recycled water for all non-drinking water purposes.	Consistent. All water utilized by the project, both at the development site and the upzone site, would meet current City standards regarding the use of processed water from the Inland Empire Utilities Agency systems for all non-drinking water purposes.
<b>Goal 3 The City continues to have an effective water conservation program.</b>	
Policy 1 Support landscaping in public and private spaces with drought-resistant plants.	Consistent. All landscape and irrigations designs shall meet the current City standards as listed in guidelines or as obtained from the public facilities department.

Applicable General Plan Policies	Consistency Determination
<b>Goal 6 Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional One Water One Watershed standards.</b>	
Policy 2 Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.	Consistent. Refer to response to Infrastructure and Green Systems Chapter, Goal 1, Policy 1.
<b>Goal 7 Fontana is becoming an energy efficient community.</b>	
Policy 1 Promote renewable energy and distributed energy systems in new development and retrofits of existing development to work toward becoming a zero net energy city.	Consistent. Adherence to the Title 24 and CALGreen requirements will ensure conformance with the State's goal of promoting energy, water, and lighting efficiency, and the City's goal to pursue sustainability and resilience. Additionally, the project would also comply with the Energy Independence and Security Act of 2007, Federal vehicle standards, and California's Low Carbon Fuel Standard, as discussed in Section 4.7, <i>Greenhouse Gas Emissions</i> , which regulate fuel efficiencies for vehicles, including trucks.
<b>Goal 8 All residences and businesses have a dependable, environmentally safe means of disposing of solid waste.</b>	
Policy 2 Continue to maximize diversion opportunities and landfill capacity by supporting recycling innovations, such as E-waste, commercial, multifamily and organic waste recycling programs.	Consistent. The project would utilize all required City standards relating to recycling innovations, such as e-waste and other organic waste recycling programs.
<b>Noise and Safety Chapter</b>	
<b>Goal 1 The City of Fontana protects sensitive land uses from excessive noise by diligent planning through 2035.</b>	
Policy 1 New sensitive land uses shall be prohibited in incompatible areas.	Consistent. The project consists of the development of two warehouse buildings, as well as the upzoning of 13.65 acres of land from R-1 to R-2 zoning to mitigate the loss of potential housing. This additional housing would be an intensification of an existing land use.
Policy 2 Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors. <i>(Also identified as an Environmental Justice Element policy)</i>	Consistent. The proposed warehouse facility would be sited near the existing Southwest Industrial Park, a major logistical hub in the City and County. Noise-sensitive receivers near the project site include existing residential homes, Citrus High School, and St. Mary's Church. However, the development site is a noise tolerant land use and is sited adjacent to nearby warehouse uses, such as the Goodman Logistics Center Fontana III, and other land uses that are noise-producing. The upzone site, as a residential use, will be sited away from transportation corridors.
Policy 4 Noise spillover or encroachment from commercial, industrial and educational land uses shall be minimized in adjoining residential neighborhoods or noise-sensitive uses. <i>(Also identified as an Environmental Justice Element policy)</i>	Consistent. Refer to response to Noise and Safety Chapter Goal 1, Policy 2.

Applicable General Plan Policies	Consistency Determination
<b>Goal 2 The City of Fontana provides a diverse and efficiently operated ground transportation system that generates the minimum feasible noise on residents through 2035.</b>	
Policy 3 Noise-mitigation measures shall be included in the design of new roadway projects in the city. <i>(Also identified as an Environmental Justice Element policy)</i>	Consistent. As detailed in Section 4.11, construction and operations of the development site would result in less than significant impacts and no mitigation measures would be required. As such, the project would not exacerbate existing noise conditions associated with any disadvantaged communities or sensitive receptors in Fontana. The upzone site will also require no new roadway projects, and thus will not require noise-mitigation measures also.
<b>Goal 3 City of Fontana residents are protected from the negative effects of “spillover” noise.</b>	
Policy 1 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. <i>(Also identified as an Environmental Justice Element policy)</i>	Consistent. Refer to response to Noise and Safety Chapter Goal 2, Policy 3.
<b>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 the City of Fontana.</b>	
Policy 2 The City shall ensure that current geologic knowledge is incorporated into the design, planning, and construction stages of a project and that site-specific data are applied to each project.	Consistent. A geotechnical and soils report was prepared as part of the project; refer to Section 4.6, Geology and Soils. Please refer to Appendix E for more details regarding the current geologic knowledge of the development site.
<b>Goal 7 Threats to public and private property from urban and wildland fire hazards are reduced in the City of Fontana.</b>	
Policy 1 The City shall require residential, commercial, and industrial structures to implement fire hazard-reducing designs and features.	Consistent. The development site and upzone sites would be designed in compliance with the City's building code. Additionally, Part 9 of the California Building Standards Code includes the California Fire Code. To offset the increased demand for fire protection services, the City would condition the project 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.
Policy 2 The City shall ensure to the extent possible that fire services, such as fire equipment, infrastructure, and response times are adequate for all sections of the city.	Consistent. Refer to response to Noise and Safety Chapter Goal 7, Policy 1. The project would provide 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. These features would ensure that the project provides fire infrastructure supportive of achieving the City's fire service and protection goals.

Applicable General Plan Policies	Consistency Determination
	<p>In addition, the project would be required to comply with the provisions of the City's Development Impact Fee program, which requires a fee payment to assist the City in providing fire protection services. Development of the project would also increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by the project, including fire protection services.</p> <p>Any potential development of the upzone site, as infill development, would likely not effect fire service and response times. As no physical development is proposed at the upzones ite currently, fire protection around the vicinity of the upzone site will remain unchanged.</p>
<b>Goal 8 The potential for hazardous contamination is reduced in the City of Fontana.</b>	
Policy 1 The City shall strive to reduce the potential for residents, workers, and visitors to Fontana from being exposed to hazardous materials and wastes.	Consistent.. Refer to <i>Section 4.8, Hazards and Hazardous Materials</i> . Any handling, transporting, use, or disposal of hazardous materials associated with project construction or operations would comply with all applicable Federal, State, and local agencies and regulations, including the Environmental Protection Agency, the Resource Conservation and Recovery Act, Caltrans, and the Fontana Fire Protection District.
<b>Sustainability and Resilience Chapter</b>	
<b>Goal 5 Fontana is an Inland Empire leader in energy-efficient energy development and retrofits.</b>	
Policy 1 Promote energy-efficient development in Fontana.	Consistent. The project would comply with Title 24 standards would ensure the project incorporates energy-efficient windows, insulation, lighting, and ventilation systems, as well as water-efficient fixtures and electric vehicles charging infrastructure. Adherence to the Public Utilities Commission's energy requirements would ensure conformance with the State's goal of promoting energy and lighting efficiency.
Policy 2 Meet state energy-efficiency goals for new construction.	Consistent. Refer to response to Sustainability and Resilience, Goal 5, Policy 1.
<b>Goal 6 Green building techniques are used in new development and retrofits.</b>	
Policy 1 Promote green building through guidelines, awards and nonfinancial incentives.	Consistent. Refer to response to Sustainability and Resilience, Goal 5, Policy 1.
<b>Land Use, Zoning, and Urban Design Chapter</b>	
<b>Goal 2 Fontana development patterns support a high quality of life and economic prosperity.</b>	
Policy 3 Locate industrial uses where there is easy access to regional transportation routes.	Consistent. Refer to response to Community Mobility and Circulation Chapter Goal 2, Policy 2.



Applicable General Plan Policies	Consistency Determination
<b>Goal 5 High-quality job-producing industrial uses are located in proximity to regional transportation routes.</b>	
Policy 1 Promote the Southwest Industrial Park and the I-10 corridor as preferred locations for industrial uses.	Consistent. The project would be incorporated into the Southwest Industrial Park and expand its boundaries, thus promoting its growth and capacity to handle the industrial and logistical needs along the I-10 corridor.
Policy 3 Avoid locating small areas of residential uses where they will be surrounded by intensive commercial or industrial uses.	Consistent. The project's upzoning of 13.65 acres of land from R-1 to R-2 zoning to mitigate the loss of potential housing would be located adjacent to an existing area zoned for R-2 uses. This clustering of medium density residential development will be located away from intensive commercial and industrial uses.
<b>Goal 7 Public and private development meets high standards of design.</b>	
Policy 1 Support high-quality development in design standards and in land use decisions.	Consistent. A Design Review is required and would evaluate the proposed site plan, site improvements, and building elevations (architecture) of the development and upzone sites to ensure consistency with applicable Development Code standards.

Source: Fontana 2018b.

## Municipal Code

As stated, the City's existing zoning for the development site is Residential Planned Community (R-PC) and Form Based Code – Transitional. The existing zoning for the upzone site is Single Family Residential (R-1). As part of the proposed project, the development site would be zoned Specific Plan (Southwest Industrial Park) and the upzone site would be zoned Medium Density Residential (R-2). The Specific Plan (Southwest Industrial Park) district is intended to permit land uses oriented toward the transportation industry (trucking facilities, warehousing/distribution centers, automobile, and/or truck storage lots). According to the Municipal Code, the R-2 district is intended to permit attached and detached single-family, duplex, and multiple-family residences, including condominiums. Upon City approval of the proposed Zone Changes, the project would be consistent with the Municipal Code requirements.

## Southwest Industrial Park Specific Plan

To ensure consistency with the SWIP, the project would require a Development Agreement between the City and the project applicant for the proposed development site; a Design Review to ensure the proposed site plan, improvements, and building elevations (architecture) of the industrial warehouse buildings are consistent with applicable Specific Plan standards; and a Tentative Parcel Map to consolidate all parcels that make up the development site into two parcels. Future development projects occurring within the upzone site would undergo a similar plan review process to determine potential land use planning policy and regulation conflicts. Thus, upon City approval of the required discretionary approvals, the project would be consistent with the Municipal Code and impacts in this regard would be less than significant.

## SCAG 2016 RTP/SCS

As stated above, SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted 2016 RTP/SCS. SCAG refers to CEQA Guidelines Section 15206 in determining whether a project meets the criteria to be deemed regionally significant. The project would be considered regionally significant as it would meet the following criteria, requiring consistency review:

- (1) A proposed local general plan, element, or amendment thereof for which an EIR was prepared.

As noted previously, the proposed project would require two separate General Plan Amendments to address the following actions:

- Amend the existing land use designation for all parcels within the development site from R-PC/WMXU-1 to I-G.
- Amend the existing land use designation for all parcels within the upzone site from R-SF to R-M.

Therefore, the requested entitlements of the project are considered regionally significant and must demonstrate consistency with the 2016 RTP/SCS. **Table 4.10-2: Project Consistency with 2016 RTP/SCS Goals**, provides an analysis of the project's consistency with applicable 2016 RTP/SCS goals and adopted growth forecasts. As concluded, the project is consistent with the 2016 RTP/SCS goals and impacts would be less than significant impact in this regard.

Based on the analysis above, and analyses found in **Section 4.2, Air Quality**, for a discussion regarding the project's consistency with the 2016 AQMP, and **4.13, Transportation**, for a discussion concerning the project's consistency with the CMP. Project implementation would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect, including the General Plan, SWIP Specific Plan, Municipal Code, and 2016 RTP/SCS. Impacts would be less than significant in this regard.

## Mitigation Measures

None required.

## Level of Significance After Mitigation

Impacts would be less than significant.

## CUMULATIVE IMPACTS

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<b>Impact 4.10-2</b>	<b>The project would potentially result in cumulative impacts to land use and planning.</b>
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Cumulative projects with the potential to be considered in a cumulative context with the proposed project's incremental contribution, and which are included in the analysis of cumulative impacts relative to land use and planning, are identified in **Table 4.0-1: Cumulative Projects**, and **Exhibit 4.0-1: Cumulative Projects**, in **Section 4.0, Introduction to Environmental Analysis**, of this Draft EIR.

**Table 4.10-2: Project Consistency with 2016 RTP/SCS Goals**

SCAG RTP/SCS Goals	Consistency Determination
Goal 1: Align the plan investments and policies with improving regional economic development and competitiveness.	Consistent. The project would allow development of a warehouse facility, which would provide additional employment opportunities within the City and enhance the region's overall economic development and competitiveness.
Goal 2: Maximize mobility and accessibility for all people and goods in the region.	Consistent. As an individual warehouse development, the project is limited in its ability to maximize mobility and access for people and goods in the SCAG region. The project would not create substantial traffic impediments and would improve the accessibility of goods to the surrounding area.
Goal 3: Ensure travel safety and reliability for all people and goods in the region.	Consistent. As an individual warehouse development, the project is limited in its ability to ensure travel safety and reliability for people and goods in the SCAG region. There are no components of the project that would result in substantial safety hazards to motorists or pedestrians.
Goal 4: Preserve and ensure a sustainable regional transportation system.	Consistent. Refer to response to Goals 2 and 3. This policy would be implemented primarily by cities and counties within the SCAG region as part of overall planning and maintenance of the regional transportation system. The project would have no adverse effect on such planning or maintenance efforts.
Goal 5: Maximize the productivity of our transportation system.	Consistent. Refer to response to Goals 2 and 3. This policy would be implemented primarily by cities and counties within the SCAG region as part of comprehensive transportation planning efforts. The project would not conflict with the City of Fontana's General Plan Community Mobility and Circulation Element, which meets the goal to maximize productivity.
Goal 6: Protect the environment and health for our residents by improving air quality and encouraging active transportation (e.g., bicycling and walking).	Consistent. While the project itself, as a warehouse facility development and associated upzoning, would not improve air quality, it would not prevent SCAG from implementing actions that would improve air quality within the region. Mitigation measures are specified to reduce the project's air quality impacts to the maximum extent feasible, and the project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy. Additionally, the project would construct frontage improvements, including sidewalks, which would encourage walking in the project area.
Goal 7: Actively encourage and create incentives for energy efficiency, where possible.	Consistent. The project would be required to comply with Title 24 Building Energy Efficiency Standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage.

SCAG RTP/SCS Goals	Consistency Determination
Goal 8: Encourage land use and growth patterns that facilitate transit and active transportation.	Consistent. The project would develop the development site with an employment-generating land use that would provide local job opportunities to existing and future residents of the City that would be accessible by transit and active transportation. The project's upzoning of 13.65 acres of land in Fontana would encourage the development of housing near an existing transit stop.
Goal 9: Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.	Not Applicable. This policy addresses the security of the regional transportation system, which is beyond the project's scope.

Future cumulative projects would undergo a similar plan review process as the proposed project to determine potential land use planning policy and regulation conflicts. Each cumulative project would be analyzed independent of other projects, within the context of their respective land use, zoning, and regulatory setting. As part of the review process, each project would be required to demonstrate compliance with the provisions of the applicable land use designation(s) and zone(s). Similarly, each cumulative project would be evaluated on a project-by-project basis to determine its regional significance and potential to conflict with the 2016 RTP/SCS, if any.

As discussed above, the proposed project would result in less than significant impacts concerning potential to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (including the City's General Plan, SWIP Specific Plan, Municipal Code, and 2016 RTP/SCS). Thus, the project would not result in cumulatively considerable impacts in this regard.

### **Mitigation Measures**

None required.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## 4.11 Noise

This section addresses potential noise impacts that may result from construction and/or operation of the proposed project. The following discussion addresses the existing noise conditions in the project area, identifies applicable regulations, evaluates the project's consistency with applicable goals and policies, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project, as applicable. The information and analysis herein rely on the following reports and technical data:

- *Fontana Foothills Commerce Center Noise Impact Analysis* (Noise Impact Analysis), Urban Crossroads, April 18, 2020;
- *Fontana Foothills Commerce Center Traffic Impact Analysis* (Traffic Impact Analysis), Urban Crossroads, January 20, 2020; and
- *Fontana Foothills Commerce Center Air Quality Impact Analysis* (Air Quality Analysis), Urban Crossroads, May 4, 2020; and
- *Catamba & Merrill Residential Zone Change (MC No.19-0109)* (Focused Traffic Impact Analysis), Urban Crossroads, April 23, 2020.

These investigations have been included in ***Appendix B, Air Quality Impact Analysis, Health Risk Assessment, and Greenhouse Gas Analysis***; ***Appendix H, Noise Impact Analysis***; and ***Appendix I, Traffic Impact Analysis and VMT Memorandum***.

### 4.11.1 Fundamentals of Acoustics

Acoustics is the science of sound. Sound may be thought of as mechanical energy of a vibrating object transmitted by pressure waves through a medium to human (or animal) ears. 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).

#### ***Standard Unit of Measurement***

Sound is described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, a special frequency-dependent rating scale has been devised to relate noise to human sensitivity. The A-weighted decibel scale (dBA) performs this compensation by differentiating among frequencies in a manner approximating the sensitivity of the human ear.

Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquakes. In terms of human response to noise, a sound 10 dBA higher than another is perceived to be twice as loud and 20 dBA higher is perceived to be four

times as loud, and so forth. Everyday sounds normally range from 30 dBA (very quiet) to 100 dBA (very loud). Examples of various sound levels in different environments are illustrated in

***Exhibit 4.11-1: Typical Community Noise Levels*** and ***Table 4.11-1: Noise Descriptors*** list various methods to measure sound over a period of time.

**Table 4.11-1: Noise Descriptors**

Term	Definition
Decibel (dB)	The unit for measuring the volume of sound equal to 10 times the logarithm (base 10) of the ratio of the pressure of a measured sound to a reference pressure (20 micropascals).
A-Weighted Decibel (dBA)	A sound measurement scale that adjusts the pressure of individual frequencies according to human sensitivities. The scale accounts for the fact that the region of highest sensitivity for the human ear is between 2,000 and 4,000 cycles per second (hertz).
Equivalent Sound Level ( $L_{eq}$ )	The sound level containing the same total energy as a time varying signal over a given time period. The $L_{eq}$ is the value that expresses the time averaged total energy of a fluctuating sound level.
Maximum Sound Level ( $L_{max}$ )	The highest individual sound level (dBA) occurring over a given time period.
Minimum Sound Level ( $L_{min}$ )	The lowest individual sound level (dBA) occurring over a given time period.
Community Noise Equivalent Level (CNEL)	A rating of community noise exposure to all sources of sound that differentiates between daytime, evening, and nighttime noise exposure. These adjustments are +5 dBA for the evening, 7:00 p.m. to 10:00 p.m., and +10 dBA for the night, 10:00 p.m. to 7:00 a.m.
Day/Night Average ( $L_{dn}$ )	The $L_{dn}$ is a measure of the 24-hour average noise level at a given location. It was adopted by the US Environmental Protection Agency for developing criteria for the evaluation of community noise exposure. It is based on a measure of the average noise level over a given time period called the $L_{eq}$ . The $L_{dn}$ is calculated by averaging the $L_{eq}$ s for each hour of the day at a given location after penalizing the "sleeping hours" (defined as 10:00 p.m. to 7:00 a.m.) by 10 dBA to account for the increased sensitivity of people to noises that occur at night.
Exceedance Level ( $L_n$ )	The A-weighted noise levels that are exceeded 1%, 10%, 50%, and 90% ( $L_{01}$ , $L_{10}$ , $L_{50}$ , $L_{90}$ , respectively) of the time during the measurement period.

Source: Harris 1979

### ***Addition of Decibels***

The decibel scale is logarithmic, not linear, and therefore sound levels cannot be added or subtracted through ordinary arithmetic. Two sound levels 10 dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic decibel is A-weighted, an increase of 10 dBA is generally perceived as a doubling in loudness. For example, a 70 dBA sound is half as loud as an 80 dBA sound and twice as loud as a 60 dBA sound. When two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dB higher than one source under the same conditions. Under the decibel scale, three sources of equal loudness together would produce an increase of 5 dB.



Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Jet Fly-over at 300m (1000 ft)	110	Rock Band
Gas Lawn Mower at 1 m (3 ft)	100	
Diesel Truck at 15 m (50 ft), at 80 km (50 mph)	90	Food Blender at 1 m (3 ft)
Noisy Urban Area, Daytime	80	Garbage Disposal at 1 m (3 ft)
Gas Lawn Mower, 30 m (100 ft)	70	Vacuum Cleaner at 3 m (10 ft)
Commercial Area		Normal Speech at 1 m (3 ft)
Heavy Traffic at 90 m (300 ft)	60	
Quiet Urban Daytime	50	Large Business Office
		Dishwasher Next Room
Quiet Urban Nighttime	40	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime		
Quiet Rural Nighttime	30	Library
		Bedroom at Night, Concert Hall (Background)
	20	Broadcast/Recording Studio
	10	
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

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### ***Sound Propagation and Attenuation***

Sound spreads (propagates) uniformly outward in a spherical pattern, and the sound level decreases (attenuates) at a rate of approximately 6 dB for each doubling of distance from a stationary or point source. Sound from a line source, such as a highway, propagates outward in a cylindrical pattern, often referred to as cylindrical spreading. Sound levels attenuate at a rate of approximately 3 dB for each doubling of distance from a line source, such as a roadway, depending on ground surface characteristics. No excess attenuation is assumed for hard surfaces like a parking lot or a body of water. Soft surfaces, such as soft dirt or grass, can absorb sound, so an excess ground-attenuation value of 1.5 dB per doubling of distance is normally assumed.

Sound levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. The manner in which older homes in California were constructed generally provides a reduction of exterior-to-interior noise levels of about 20 to 25 dBA with closed windows. The exterior-to-interior reduction of newer residential units is generally 30 dBA or more.

### ***Health Effects of Noise***

Human response to sound is highly individualized. Annoyance is the most common issue regarding community noise. The percentage of people claiming to be annoyed by noise generally increases with the environmental sound level. However, many factors also influence people's response to noise. The factors can include the character of the noise, the variability of the sound level, the presence of tones or impulses, and the time of day of the occurrence. Additionally, nonacoustical factors, such as the person's opinion of the noise source, the ability to adapt to the noise, the attitude toward the source and those associated with it, and the predictability of the noise, all influence response. As such, response to noise varies widely from one person to another and with any particular noise, individual responses would range from "not annoyed" to "highly annoyed."

When the noise level of an activity rises above 70 dBA, the chance of receiving a complaint is better, and as the noise level rises, dissatisfaction among the public steadily increases. However, an individual's reaction to a particular noise depends on many factors, as described above. The reaction to noise can also be highly subjective; the perceived effect of a particular noise can vary widely among individuals in a community.

The effects of noise are often only transitory, but adverse effects can be cumulative with prolonged or repeated exposure. The effects of noise on the community can be organized into six broad categories:

- Noise-induced hearing loss
- Interference with communication
- Effects of noise on sleep
- Effects on performance and behavior

- Extra-auditory health effects
- Annoyance

Although it often causes discomfort and sometimes pain, noise-induced hearing loss usually takes years to develop. Noise-induced hearing loss can impair the quality of life through a reduction in the ability to hear important sounds and to communicate with family and friends. Hearing loss is one of the most obvious and easily quantified effects of excessive exposure to noise. While the loss may be temporary at first, it could become permanent after continued exposure. When combined with hearing loss associated with aging, the amount of hearing loss directly caused by the environment is difficult to quantify. Although the major cause of noise-induced hearing loss is occupational, substantial damage can be caused by nonoccupational sources.

According to the US Public Health Service, nearly 10 million of the estimated 21 million Americans with hearing impairments owe their losses to noise exposure. Noise can mask important sounds and disrupt communication between individuals in a variety of settings. This process can cause anything from a slight irritation to a serious safety hazard, depending on the circumstance. Noise can disrupt face-to-face communication and telephone communication, and the enjoyment of music and television in the home. It can also disrupt effective communication between teachers and pupils in schools, and can cause fatigue and vocal strain in those who need to communicate in spite of the noise. Interference with communication has proven to be one of the most important components of noise-related annoyance.

Noise-induced sleep interference is another critical component of community annoyance. Sound level, frequency distribution, duration, repetition, and variability can make it difficult to fall asleep and may cause momentary shifts in the natural sleep pattern, or level of sleep. It can produce short-term adverse effects on mood changes and job performance, with the possibility of more serious effects on health if it continues over long periods. Noise can cause adverse effects on task performance and behavior at work, and nonoccupational and social settings. These effects are the subject of some controversy, since the presence and degree of effects depends on a variety of intervening variables. Most research in this area has focused mainly on occupational settings, where noise levels must be sufficiently high and the task sufficiently complex for effects on performance to occur.

Recent research indicates that more moderate noise levels can produce disruptive after-effects, commonly manifested as a reduced tolerance for frustration, increased anxiety, decreased incidence of “helping” behavior, and increased incidence of “hostile” behavior. Noise has been implicated in the development or exacerbation of a variety of health problems, ranging from hypertension to psychosis. As with other categories, quantifying these effects is difficult due to the variables that need to be considered in each situation. As a biological stressor, noise can influence the entire physiological system. Most effects seem to be transitory, but continued exposure in laboratory animals has revealed some effects to be chronic.

Annoyance can be viewed as the expression of negative feelings resulting from interference with activities, as well as the disruption of one’s peace of mind and the enjoyment of one’s environment. Field evaluations of community annoyance are useful for predicting the

consequences of planned actions involving highways, airports, road traffic, railroads, or other noise sources. The consequences of noise-induced annoyance are privately held dissatisfaction, publicly expressed complaints to authorities, and potential adverse health effects, as discussed above. In a study conducted by the US Department of Transportation, the relationship between the effects of annoyance and the community were quantified. In areas where exterior noise levels were consistently above 60 dBA community noise equivalent level (CNEL), approximately 9 percent of the community is highly annoyed. When levels exceed 65 dBA CNEL, that percentage rises to 15 percent. Although evidence for the various effects of noise have differing levels of certainty, it is clear that noise can affect human health. Most of the effects are, to a varying degree, stress related.

#### **4.11.2 Fundamentals of Environmental Groundborne Vibration**

Sources of groundborne vibrations include natural phenomena (earthquakes, volcanic eruptions, sea waves, landslides, etc.) or person-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. 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.

***Table 4.11-2: Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibration Levels***, displays the reactions of people and the effects on buildings produced by continuous vibration levels. The annoyance levels shown in ***Table 4.11-2*** should be interpreted with care since vibration may be found to be annoying at much lower levels than those shown, 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.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. Construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver.

**Table 4.11-2: Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibration Levels**

Peak Particle Velocity (inches/second)	Human Reaction	Effect on Buildings
0.4–0.6	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Architectural damage and possibly minor structural damage
0.2	Vibrations may begin to annoy people in buildings	Threshold at which there is a risk of architectural damage to normal dwellings
0.1	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
0.08	Vibrations readily perceptible	Recommended upper level to which ruins and ancient monuments should be subjected
0.006–0.019	Range of threshold of perception	Vibrations unlikely to cause damage of any type

Source: Caltrans, Transportation and Construction Vibration Guidance Manual, 2013.

In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, buildings that are constructed with typical timber frames and masonry show that a vibration level of up to 0.20 inch per second (in/sec) (94 velocity decibels [VdB]) is considered safe and would not result in any construction vibration damage.

### 4.11.3 Existing Conditions

#### ***Introduction***

#### ***Development Site***

The project site is located east of Juniper Avenue and north of Jurupa Avenue in the City of Fontana. The project proposes the construction of 754,408 square feet of warehouse/distribution center use across two buildings:

- Building 1: 432,569 square feet of high-cube transload and short-term warehouse use;
- Building 2: 321,839 square feet of high-cube transload and short-term warehouse use.

#### ***Upzone Site***

Pursuant to SB 330 requirements, the upzone site was selected to offset the proposed project's lost dwelling unit potential of 155 units and "upzone" 13.76 acres of land located at the southwest corner of Merrill Avenue and Catawba Avenue from Single-Family Residential (R-1), which permits up to 5 dwelling units per acre, to Medium Density Residential (R-2), which permits up to 12 dwelling units per acre; refer to ***Exhibit 3.0-4: Upzone Site***. Applying the R-2 designation on the 13.76-acre site would accommodate the future development of 165 units, resulting in no net loss of the residential capacity for the City with the rezoning of the development site.



### *Noise-Sensitive Receptors*

Noise-sensitive land uses are those that may be subject to stress and/or interference from excessive noise. Typically, noise-sensitive land uses are generally considered to include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Moderately noise-sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, outpatient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs. Land uses that are considered relatively insensitive to noise include business, commercial, and professional developments. Land uses that are typically not affected by noise include: industrial, manufacturing, utilities, agriculture, natural open space, undeveloped land, parking lots, warehousing, liquid and solid waste facilities, salvage yards, and transit terminals.

Six sensitive receiver locations in the vicinity of the project site were identified; ***Exhibit 4.11-2: Receiver Locations*** identifies the locations of these sensitive receptors. Sensitive receptor distances were measured from the project site boundary to the outdoor living areas (e.g., backyards) or at the building façade, whichever is closest to the project site. The selection of receiver locations is based on the Federal Highway Administration (FHWA) guidelines and is consistent with additional guidance provided by the California Department of Transportation (Caltrans) and the FTA. Noise-sensitive receivers near the project site include existing residential homes, the Citrus High School, and the St. Mary's Church. Other sensitive land uses in the project study area that are located at greater distances than those identified in this noise study would experience lower noise levels than those presented in this report due to the additional attenuation from distance and the shielding of intervening structures. The following receptor distances were measured in a straight line from the project boundary to each receiver location:

- **R1:** Located approximately 734 feet north of the project site boundaries, R1 represents the existing residential homes, north of Santa Ana Avenue. A 24-hour noise level measurement was taken near this location, L1, to describe the existing ambient noise environment.
- **R2:** Location R2 represents the existing residential community east of Sierra Avenue roughly 842 feet east of the project site. A 24-hour noise level measurement was taken near this location, L2, to describe the existing ambient noise environment.
- **R3:** Location R3 represents an existing residence at 11216 Avenue situated approximately 15 feet east of the project site. Since location R3 was inaccessible during the site visit, a 24-hour noise level measurement was taken at the nearest accessible location, L3, to describe the existing ambient noise environment.
- **R4:** Location R4 represents the existing residential community south of Jurupa Avenue roughly 134 feet south of the project site. A 24-hour noise level measurement was taken near this location, L4, to describe the existing ambient noise environment.
- **R5:** Location R5 represents the St. Mary's Catholic Church located 756 feet west of the project site. A 24-hour noise level measurement was taken near this location, L5, to describe the existing ambient noise environment.

- **R6:** Location R6 represents an existing residential home situated approximately 86 feet west of the project site. A 24-hour noise level measurement was taken near this location, L6, to describe the existing ambient noise environment.

#### 4.11.4 Existing Ambient Noise Levels

Regional noise sources include traffic-related noise on roadways and highways, airplanes flying overhead, and noise associated with typical residential development (e.g., people talking, dogs barking, children playing, yard maintenance equipment). Sound is affected by distance from the source, surrounding obstacles, and atmospheric properties.

In order to quantify existing ambient noise levels in the project Area, noise measurements were taken at six locations on October 2, 2019; refer to *Table 4.11-3: Noise Measurements* and *Exhibit 4.11-3: Noise Measurement Locations* for noise measurement and modeling locations. The noise measurements presented below focus on the average or equivalent sound levels ( $L_{eq}$ ). *Table 4.11-3* identifies the hourly daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) noise levels at each noise level measurement location.

Table 4.11-3: Noise Measurements

ID	Description	Energy Average Noise Level (dBA $L_{eq}$ )		CNEL
		Daytime	Nighttime	
L1	Located on Santa Ana Avenue, north of the Project site, near an existing residential home.	65.2	60.5	68.4
L2	Located east of Sierra Avenue and north of Underwood Drive near an existing residential neighborhood.	63.3	57.1	66.0
L3	Located west of Sierra Avenue northeast of the Project Site on vacant property.	57.4	55.7	62.9
L4	Located south of Jurupa Avenue in the landscaped parkway near existing residential homes.	73.9	70.8	78.1
L5	Located in the parking lot of St. Mary's Catholic Church.	56.9	55.5	62.5
L6	Located on Juniper Avenue west of the Project Site.	64.0	59.5	67.2

Source: Urban Crossroads 2020, **Appendix H**.

The background ambient noise levels in the project study area are dominated by the transportation-related noise associated with the arterial roadway network. The 24-hour existing noise level measurements shown in *Table 4.11-3* present the existing ambient noise conditions. The existing daytime noise levels ranged from 56.9 to 73.9 dBA  $L_{eq}$ , and the existing nighttime noise levels ranged from 55.5 to 70.8 dBA  $L_{eq}$ .

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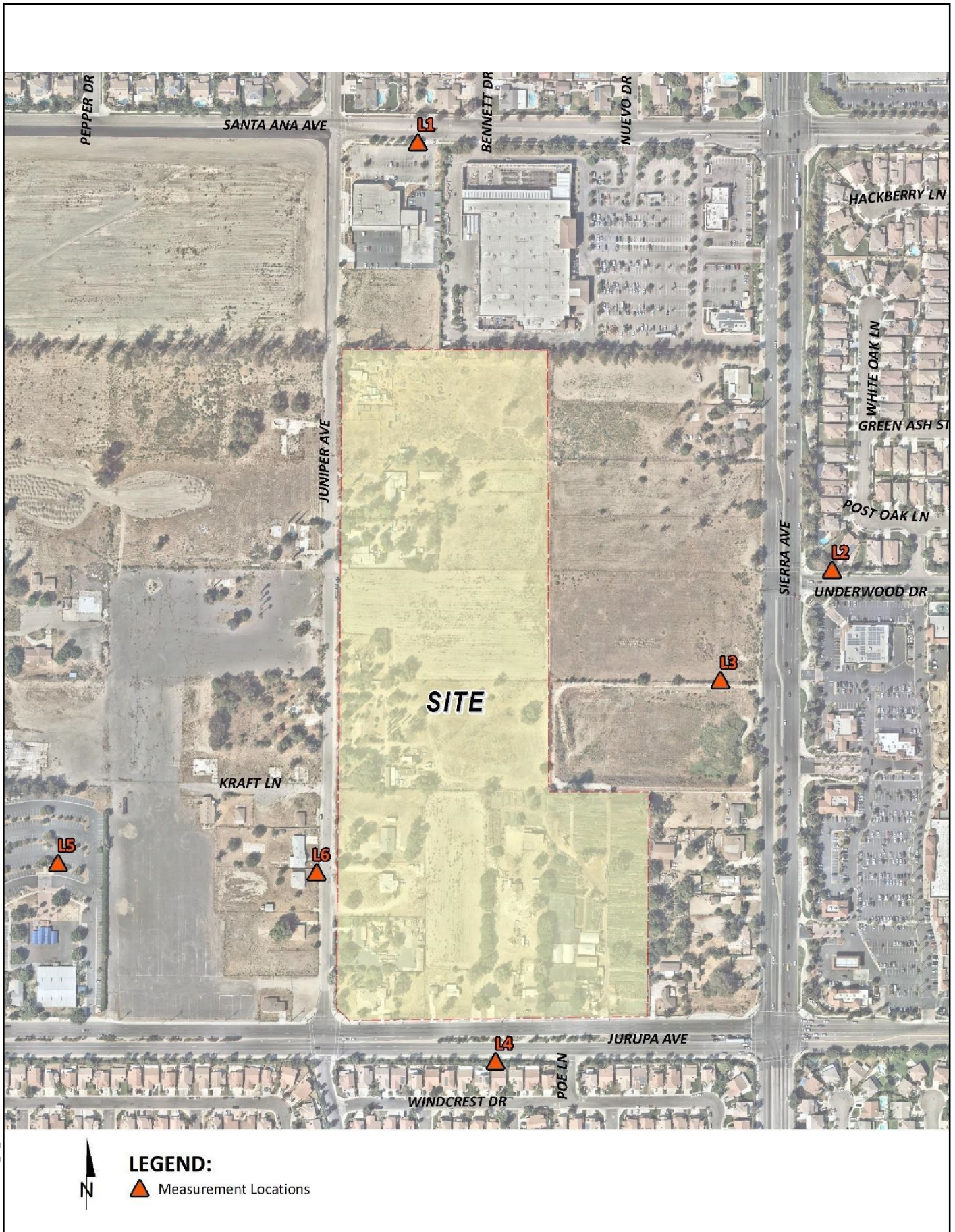
## Receiver Locations

Exhibit 4.11-2

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### Existing Roadway Noise Levels

Existing roadway noise levels were calculated for the roadway segments in the project vicinity using the (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108) and traffic volumes from the project Traffic Impact Analysis. The FHWA model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average noise rates used in the FHWA model have been modified to reflect average vehicle noise rates identified for Caltrans. The Caltrans data shows 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.

**Table 4.11-4: Off-Site Roadway Parameters** presents the roadway parameters used to assess the project's off-site transportation noise impacts. **Table 4.11-4** identifies the 12 study area roadway segments<sup>1</sup> near the project site with the potential of being impacted, as well the distance from the centerline to adjacent land use based on the functional roadway classifications per the City's General Plan Circulation Element, and the posted vehicle speeds.

**Table 4.11-4: Off-Site Roadway Parameters**

Roadway Segment	Receiving Land Use <sup>1</sup>	Distance from Centerline to Receiving Land Use (Feet) <sup>2</sup>	Vehicle Speed (mph) <sup>3</sup>
<b>Citrus Avenue</b>			
North of Jurupa Avenue	I-L/I-G	46	40
<b>Juniper Avenue</b>			
North of Santa Ana Avenue	P-PF/R-PC	34	40
South of Santa Ana Avenue	R-PC	34	40
<b>Sierra Avenue</b>			
North of Santa Ana Avenue	I-L/R-PC	66	50
South of Santa Ana Avenue	WMXU-1/R-SF	66	50
North of Jurupa Avenue	WMXU-1/C-G	66	50
South of Jurupa Avenue	R-PC	66	50
<b>Jurupa Avenue</b>			
West of Citrus Avenue	I-L/R-PC	60	45
West of Oleander Avenue	I-L/R-PC	60	45
West of Cypress Avenue	I-G/R-PC	60	45
West of Juniper Avenue	R-PC	60	45
West of Sierra Avenue	WMXU-1/R-PC	60	45

<sup>1</sup> Source: City of Fontana, *General Plan Land Use Map*, adopted September 10, 2019.

<sup>2</sup> Distance to receiving land use is based upon the right-of-way distances.

<sup>3</sup> Source: Urban Crossroads, *Fontana Foothill Commerce Center Traffic Impact Analysis*, January 20, 2020

"I-L" = Light Industrial; "I-G" = General Industrial; "P-PF" = Public Facilities; "R-PC" = Residential Planned Community;

"WMXU-1" = Walkable Mixed Use Corridor & Downtown; "R-SF" = Single Family Residential; "C-G" = General Commercial.

Source: Urban Crossroad 2020, **Appendix H**

<sup>1</sup> Pursuant to the City's Traffic Study Guidelines, the City requires analysis of intersections where the project would contribute 50 or more peak-hour trips. The "50 or more peak hour trips" intersection analytic protocol stipulated in the City's Traffic Study Guidelines is consistent with standard industry practice. It is noted further that the 50 peak hour trip threshold is employed by other agencies throughout Southern California including Caltrans, County of San Bernardino, County of Riverside, and the County of Orange.

**Table 4.11-5: Existing Traffic Noise Levels** summarizes the modeled existing traffic noise from the centerline of each project roadway and lists distances from the roadway centerline to the 65 dB, 60 dB, and 55 dB CNEL traffic noise contours. As shown, existing traffic noise levels would range from 63.3 to 74.1 dBA in the project vicinity.

**Table 4.11-5: Existing Traffic Noise Levels**

Roadway Segment	Receiving Land Use <sup>1</sup>	Existing Conditions				
		ADT (1,000's) <sup>2</sup>	CNEL at Receiving Land Use (dBA) <sup>3</sup>	Distance from Roadway Centerline to CNEL		
				70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour
Citrus Avenue						
North of Jurupa Avenue	I-L/I-G	10.7	68.8	R/W	82	177
Juniper Avenue						
North of Santa Ana Avenue	P-PF/R-PC	2.5	63.3	R/W	R/W	56
South of Santa Ana Avenue	R-PC	3.0	64.0	R/W	R/W	63
Sierra Avenue						
North of Santa Ana Avenue	I-L/R-PC	31.8	74.1	124	267	575
South of Santa Ana Avenue	WMXU-1/R-SF	31.7	74.1	124	266	574
North of Jurupa Avenue	WMXU-1/C-G	25.7	73.2	108	232	499
South of Jurupa Avenue	R-PC	25.2	73.1	106	229	493
Jurupa Avenue						
West of Citrus Avenue	I-L/R-PC	18.6	71.2	72	155	334
West of Oleander Avenue	I-L/R-PC	19.2	71.3	73	158	340
West of Cypress Avenue	I-G/R-PC	19.8	71.4	75	161	347
West of Juniper Avenue	R-PC	20.5	71.6	76	165	355
West of Sierra Avenue	WMXU-1/R-PC	19.9	71.5	75	162	350

<sup>1</sup> Land use from the City of Fontana, *General Plan Land Use Map*, Adopted September 10, 2019.

<sup>2</sup> Distance to receiving land use is based upon the right-of-way distances as shown in *Table 4.11-4*.

<sup>3</sup> Average Daily Trips (ADT) from the Urban Crossroads, *Fontana Foothill Commerce Center Traffic Impact Analysis*, January 20, 2020

Notes: ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community noise equivalent level,

"R/W" = contour is located within roadway right-of-way. "I-L" = Light Industrial; "I-G" = General Industrial; "P-PF" = Public Facilities; "R-PC" = Residential Planned Community; "WMXU-1" = Walkable Mixed Use Corridor & Downtown; "R-SF" = Single Family Residential; "C-G" = General Commercial

Source: Urban Crossroads 2020, **Appendix B**.

## 4.11.5 Regulatory Framework

### Federal

The US Environmental Protection Agency (EPA) offers guidelines for community noise exposure in *Noise Effects Handbook – A Desk Reference to Health and Welfare Effects of Noise*. These guidelines consider occupational noise exposure as well as noise exposure in homes. The EPA recognizes an exterior noise level of 55 dB L<sub>dn</sub> as a general goal to protect the public from hearing loss, activity interference, sleep disturbance, and annoyance. The EPA and other Federal agencies have adopted suggested land use compatibility guidelines that indicate that residential noise exposures of 55 to 65 dB L<sub>dn</sub> are acceptable. However, the EPA notes that these levels are not regulatory goals, but are levels defined by a negotiated scientific consensus, without concern for economic and technological feasibility or the needs and desires of any particular community.

## State

The Governor's Office of Planning and Research's Noise Element Guidelines include recommended exterior and interior noise level standards for local jurisdictions to identify and prevent the creation of incompatible land uses due to noise. The Noise Element Guidelines contain a land use compatibility table that describes the compatibility of various land uses with a range of environmental noise levels in terms of the CNEL. **Table 4.11-6: Land Use Compatibility for Community Noise Environment**, 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.

**Table 4.11-6: Land Use Compatibility for Community Noise Environments**

Land Use Category	Community Noise Exposure (L <sub>dn</sub> or CNEL, dBA)			
	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; L<sub>dn</sub>: 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 2017 General Plan Guidelines, Appendix D: Noise Element Guidelines

## Local

### ***City of Fontana General Plan Update 2015-2035***

The purpose of the City of Fontana General Plan Noise and Safety Element is to identify potential noise problems in the community and provide an integrated approach to regulating noise.

Goal 8	The City of Fontana protects sensitive land uses from excessive noise by diligent planning through 2035.
Policy 8.1	New sensitive land uses shall be prohibited in incompatible areas.
Policy 8.2	Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise producing, such as transportation corridors.
Policy 8.3	Where sensitive uses are to be placed along transportation routes, mitigation shall be provided to ensure compliance with state-mandated noise levels.
Policy 8.4	Noise spillover or encroachment from commercial, industrial, and education land uses shall be minimized in adjoining residential neighborhoods or noise-sensitive uses.
Goal 9	The City of Fontana provides a diverse and efficiently operated ground transportation system that generates the minimum feasible noise on residents through 2035.
Policy 9.1	All noise sections of the State Motor Vehicle Code shall be enforced.
Policy 9.2	Roads shall be maintained such that the paving is in good condition and free from cracks, bumps, and potholes.
Policy 9.3	Noise-mitigation measures shall be included in the design of new roadway projects in the city.
Goal 10	City of Fontana residents are protected from the negative effects of “spillover” noise.
Policy 10.1	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***

Standards pertaining to noise are found in several chapters of the City of Fontana Municipal Code. The pertinent standards from Chapter 18 (Nuisances) as well as Chapter 30 – Article V

(Zoning and Development Code – Residential Zoning Districts) and Article VII (Industrial Zoning Districts) are included here.

**Chapter 18, Article II. Section 18-63. – Prohibited Noises**

(b) The following acts, which create loud, excessive, impulsive or intrusive sound or noise that annoys or disturbs persons of ordinary sensibilities from a distance of 50 feet or more from the edge of the property, structure or unit in which the source is located, are declared to be in violation of this article.

***Section 18-63(b)(6) Loading, unloading or opening boxes.*** The creation of load, excessive or intrusive and excessive noise in connection with loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers.

***Section 18-63(b)(7) Construction or repairing of buildings or structures.*** The erection (including excavating), demolition, alteration or repair of any building or structure other than 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 case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or structure or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done on weekdays within the hours of 6:00 p.m. and 7:00 a.m., upon application being made at the time the permit for the work is awarded or during the progress of the work.

***Section 18-63(b)(8) Noise near schools, courts, place of worship or hospitals.*** The creation of any loud, excessive, impulsive or intrusive noise on any street adjacent to any school, institution of learning, places of worship or court while the premises are in use, or adjacent to any hospital which unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital; provided conspicuous signs are displayed in such streets indicating that the street is a school, hospital or court street.

**Chapter 30, Article V. Division 6, Sec. 30-469. - Noise<sup>2</sup>**

No use shall create or cause to be created any sound that exceeds the ambient noise standards outlined in Table 30-469 (refer to ***Table 4.11-7***).

No use shall create or cause creation of noise from a portable electronic device such as a car stereo, portable radio and/or cassette/compact disc player or similar device which exceeds the ambient noise standards outlined in Table 30- 469 (refer to ***Table 4.11-7***).

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<sup>2</sup> Fontana Municipal Code Chapter 30, Article V includes the zoning and development standards for residential zoning districts.

Table 4.11-7: Noise Standards

Location of Measurement	Maximum Allowable	
	7:00 a.m. to 10:00 p.m.	10:00 p.m. to 7:00 a.m.
Interior	45 dB	45 dB
Exterior	65 dB	65 dB

Source: Fontana Municipal Code, Chapter 30, Article V. Division 6, Sec. 30-469. - Noise

**Chapter 30, Article V. Division 6, Sec. 30-470. – Vibration**

No use shall create or cause to be created any activity that causes a vibration that can be felt beyond the property line with or without the aid of an instrument.

**Chapter 30, Article VII. Division 6, Sec. 30-543. – Noise and Vibration<sup>3</sup>**

- (a) **Noise levels.** No person shall create or cause to be created any sound which exceeds the noise levels in this Section as measured at the property line of any residentially zoned property: (1) The noise level between 7:00 a.m. and 10:00 p.m. shall not exceed 70 db(A). (2) The noise level between 10:00 p.m. and 7:00 a.m. shall not exceed 65 db(A).
- (b) **Noise measurements.** Noise shall be measured with a sound level meter that meets the standards of the American National Standards Institute (ANSI) Section SI4-1979, Type 1 or Type 2. Noise levels shall be measured using the "A" weighted sound pressure level scale in decibels (reference pressure = 20 micronewtons per meter squared).
- (c) **Vibration.** No person shall create or cause to be created any activity which causes a vibration which can be felt beyond the property line with or without the aid of an instrument.

#### **4.11.6 Thresholds for Determination of Significance**

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as **Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters**, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on land use and planning if it would do any of the following:

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 (refer to Impact 4.11-1).
2. Generation of excessive groundborne vibration or groundborne noise levels (refer to Impact 4.11-2).
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

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<sup>3</sup> Fontana Municipal Code Chapter 30, Article VII includes the zoning and development standards for industrial zoning districts.



public use airport, would the project expose people residing or working in the project area to excessive noise levels (refer to *Appendix A*)

#### 4.11.7 Impact Analysis and Mitigation

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##### **EXCEED STANDARDS**

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<b>Impact 4.11-1</b>	<b>The project would not potentially generate a substantial temporary or permanent increase in 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.</b>
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##### ***Development Site***

##### **Project Construction Noise**

Noise generated by the project construction equipment would include a combination of trucks, power tools, concrete mixers, and portable generators that when combined can reach high levels. The number and mix of construction equipment is expected to occur in the following stages:

- Demolition
- Site Preparation
- Grading
- Building Construction
- Paving
- Architectural Coating

Noise levels generated by heavy construction equipment can range from approximately 68 dBA to in excess of 80 dBA when measured at 50 feet. Hard site conditions were assumed in this construction noise analysis which result in noise levels that attenuate (or decrease) at a rate of 6 dBA for each doubling of distance from a point source (i.e., construction equipment). For example, a noise level of 80 dBA measured at 50 feet from the noise source to the receiver would be reduced to 74 dBA at 100 feet from the source to the receiver and would be further reduced to 68 dBA at 200 feet from the source to the receiver. The construction stages used in this analysis are consistent with the data used to support the construction emissions in the Air Quality Analysis; refer to *Appendix B*.

The construction noise analysis shows that the highest construction noise levels would occur when construction activities take place at the closest point to nearby sensitive receiver locations. As shown on *Table 4.11-8: Construction Equipment Noise Level Summary*, the unmitigated construction noise levels are expected to range from 56.5 to 77.3 dBA  $L_{eq}$  at the nearby receiver locations.

**Table 4.11-8: Construction Equipment Noise Level Summary**

Receiver Location <sup>1</sup>	Construction Noise Levels (dBA Leq)						
	Demolition	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Levels
R1	63.2	66.6	64.8	62.9	62.5	56.5	66.6
R2	64.8	68.2	66.4	64.5	64.1	58.1	68.2
R3	73.9	77.3	75.5	73.6	73.2	67.2	77.3
R4	69.7	73.1	71.3	69.4	69.0	63.0	73.1
R5	64.6	68.0	66.2	64.3	63.9	57.9	68.0
R6	71.2	74.6	72.8	70.9	70.5	64.5	74.6

Source: Urban Crossroads 2020, **Appendix H**.

As shown in **Table 4.11-8**, the highest noise levels are expected to occur during site preparation activities. Noise levels during construction would range from 77.3 dBA at the nearest residential property to 56.5 dBA at the most distant residential property, which is below the highest measured ambient noise level (noise measurement L4) in the project vicinity (refer to **Table 4.11-3**). It is noted that construction traffic (e.g., vehicle trips from vendors, workers, and hauling activities) would result in short-term, intermittent periods of increased noise levels in the project vicinity. However, due to the temporary and sporadic nature of construction traffic, the noise levels shown in **Table 4.11-8** are considered worst case due to the duration and frequent use of heavy construction equipment at the project site. Further, project construction noise levels are considered exempt if activities occur within the hours specified in the City of Fontana Municipal Code, Section 18-63(7), which limits construction 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 6:00 p.m. on Saturdays, except in cases of emergency. Project construction would be limited to the allowable hours listed in the Municipal Code Section 16-63(7) and construction would not occur outside of these hours. Therefore, noise impact from short-term construction activities would be less than significant following compliance with the City's allowable construction hours.

#### **Off-Site Mobile Noise**

To assess the off-site transportation CNEL noise level impacts associated with development of the proposed project, noise contours were developed based on the Traffic Impact Analysis. Noise contour boundaries represent the equal levels of noise exposure and are measured in CNEL from the center of the roadway. Noise contours were developed for the following traffic scenarios:

- Existing Conditions Without/With Project: This scenario refers to the existing present-day noise conditions without and with the proposed project.
- Opening Year 2022 Without/With the Project: This scenario refers to Opening Year 2022 noise conditions without and with the proposed project. This scenario includes all cumulative projects identified in the Traffic Impact Analysis.
- Horizon Year 2040 Without/With the Project: This scenario refers Year 2040 noise conditions without and with the proposed project. This scenario includes all cumulative projects identified in the Traffic Impact Analysis.

Traffic noise modeling was conducted for the proposed project using the traffic volumes from the project's Traffic Impact Analysis report and the FHWA's RD-77-108 traffic noise model. The noise model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The noise modeling input and output files are included in *Appendix B*.

Noise contours were used to assess the project's incremental traffic-related noise impacts at land uses adjacent to roadways conveying project traffic. The noise contours represent the distance to noise levels of a constant value and are measured from the center of the roadway for the 70, 65, and 60 dBA noise levels. The noise contours do not consider the effect of any existing noise barriers or topography that may attenuate ambient noise levels. In addition, because the noise contours reflect modeling of vehicular noise on area roadways, they appropriately do not reflect noise contributions from the surrounding stationary noise sources within the project study area.

*Table 4.11-9: Existing Year Traffic Noise Levels* shows the “Existing Year Without Project” conditions CNEL noise levels. As seen in *Table 4.11-9*, the “Existing Year Without Project” exterior noise levels are expected to range from 63.3 to 74.1 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. *Table 4.11-9* shows that the “Existing With Project” conditions would range from 63.3 to 74.3 dBA CNEL. A 3dB or higher increase is considered “perceptible” and would be considered a potentially significant impact. As shown, the project would generate a noise level increase of, at most, 0.7 dBA (along four segments) and would not be expected to result in any perceptible noise increases. Thus, operational traffic volumes would not significantly contribute to existing traffic noise in the area.

*Table 4.11-10: Opening Year (2022) Traffic Noise Levels* presents the “Opening Year 2022” without project conditions CNEL noise levels. The “Opening Year 2022 Without Project” exterior noise levels are expected to range from 63.8 to 75.0 dBA CNEL, without accounting for any noise attenuation features such as noise barriers or topography. *Table 4.11-10* shows that the “Opening Year 2022 With Project” conditions will range from 63.8 to 75.1 dBA CNEL. A 3dB or higher increase is considered “perceptible” and would be considered a potentially significant impact. As shown, the project will generate a noise level increase of, at most, 0.6 dBA (along four segments) and would not be expected to result in any perceptible noise increases. Thus, operational traffic volumes would not significantly contribute to existing traffic noise in the area.

As shown in *Table 4.11-11: Future - Horizon Year (2040) Project Traffic Noise Levels*, the “Horizon Year 2040 Without Project” scenario noise levels would range from approximately 64.2 to 75.4 dBA CNEL and the “Horizon Year 2040 With Project” scenario noise levels would range from approximately 64.2 to 75.5 dBA CNEL. The highest noise levels would occur on the Sierra Avenue north and south of Santa Ana Avenue; noise levels at this location would increase by 0.1 dBA CNEL as a result of the proposed project. The greatest change in noise levels would occur on Jurupa Avenue, west of Oleander, Cypress, and Juniper Avenue, where noise would increase by 0.5 dBA CNEL, from 72.7 dBA CNEL to 73.2 dBA CNEL, which is not considered a perceptible increase (i.e., a 3 dB or higher increase is considered “perceptible”). Therefore, the project would not increase traffic noise by a

perceptible amount (3.0 dBA or more), and operational traffic volumes would not significantly contribute to existing traffic noise in the area. Project-related future (opening and horizon year) traffic noise would be less than significant.

## Project Operations Noise

### *Operational Modeling Methodology*

This operational noise analysis is intended to describe noise level impacts associated with the expected high-cube cold storage warehouse use activities at the project site. To present the potential worst-case noise conditions, this analysis assumes the project would be operational 24 hours per day, seven days per week. Consistent with similar high-cube cold storage warehouse uses, the project business operations would primarily be conducted within the enclosed buildings, except for traffic movement, parking, as well as loading and unloading of trucks at designated loading bays. The on-site project-related noise sources are expected to include cold storage loading dock activity, entry gate and truck movements, rooftop air conditioning units, parking lot vehicle movements, and trash enclosure activity.

Exterior operational noise levels from the project were calculated with the CadnaA (Computer Aided Noise Abatement) computer program noise prediction model. CadnaA can analyze the noise level of multiple types of noise sources and calculates the noise levels at any location using the spatially accurate project site plan and includes the effects of topography, buildings, and multiple barriers in its calculations using the latest standards to predict outdoor noise impacts.

Using reference noise levels and CadnaA, operational noise levels for the proposed project daytime and nighttime operations was modeled. Modeled project activity includes cold storage loading dock activity, entry gate and truck movements, rooftop air conditioning units, parking lot vehicle movements, and trash enclosure activity. **Table 4.11-12: Daytime Project Operational Noise Levels** shows the project-related daytime (7 a.m. to 10:00 p.m.) operational noise levels that would be experienced at each of the sensitive receiver locations. It was conservatively assumed that all sensitive receptors would be within a residential zoning district and the operational noise levels were compared to the City's 65 dBA  $L_{eq}$  daytime and 65 dBA  $L_{eq}$  nighttime exterior noise level standards, as well as the City's 45 dBA  $L_{eq}$  daytime and nighttime interior noise level standards found in Chapter 30, Article V, Division 6, Sec. 30-469 of the City's Development Code. **Table 4.11-13: Nighttime Project Operational Noise Levels** shows the project operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m.

**Table 4.11-12: Daytime Project Operational Noise Levels**

Noise Source	Operational Noise Levels by Receiver Location (dBA $L_{eq}$ )					
	R1	R2	R3	R4	R5	R6
Cold Storage Loading Dock Activity	41.2	43.6	63.4	32.0	48.6	53.9
Entry Gate & Truck Movements	30.7	29.9	48.7	27.3	40.6	50.1
Roof-Top Air Conditioning Units	27.8	27.4	33.3	35.4	33.2	36.8
Parking Lot Vehicle Movements	23.9	12.7	28.9	26.7	28.2	35.7
Trash Enclosure Activity	24.1	17.3	36.2	17.2	36.9	44.5
<b>Total (All Noise Sources)</b>	<b>41.9</b>	<b>43.9</b>	<b>63.6</b>	<b>37.9</b>	<b>49.6</b>	<b>55.8</b>

<sup>1</sup> Refer to **Exhibit 4.11-2** for the receiver locations

Table 4.11-9: Existing Year Traffic Noise Levels

Roadway Segment	Receiving Land Use <sup>1</sup>	Existing Year Without Project					Existing Year With Project					Difference In CNEL at Receiving Land Use (dBA) <sup>2</sup>
		ADT (1,000's) <sup>3</sup>	CNEL at Receiving Land Use (dBA) <sup>2</sup>	Distance from Roadway Centerline			ADT (1,000's) <sup>3</sup>	CNEL at Receiving Land Use (dBA) <sup>2</sup>	Distance from Roadway Centerline			
				70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour	
Citrus Avenue												
North of Jurupa Avenue	I-L/I-G	10.7	68.8	R/W	82	177	10.9	69.5	R/W	92	199	0.7
Juniper Avenue												
North of Santa Ana Avenue	P-PF/R-PC	2.5	63.3	R/W	R/W	56	2.6	63.3	R/W	R/W	57	0.0
South of Santana Ana Avenue	R-PC	3.0	64.0	R/W	R/W	63	3.4	64.3	R/W	R/W	66	0.3
Sierra Avenue												
North of Santa Ana Avenue	I-L/R-PC	31.8	74.1	124	267	575	31.9	74.2	126	272	587	0.1
South of Santa Ana Avenue	WMXU-1/R-SF	31.7	74.1	124	266	574	31.8	74.3	127	274	590	0.2
North of Jurupa Avenue	WMXU-1/C-G	25.7	73.2	108	232	499	25.8	73.4	111	240	516	0.2
South of Jurupa Avenue	R-PC	25.2	73.1	106	229	493	25.3	73.2	108	233	502	0.1
Jurupa Avenue												
West of Citrus Avenue	I-L/R-PC	18.3	71.2	72	155	334	18.6	71.5	76	164	352	0.3
West of Oleander Avenue	I-L/R-PC	18.8	71.3	73	158	340	19.2	72.0	82	176	379	0.7
West of Cypress Avenue	I-G/R-PC	19.4	71.4	75	161	347	19.8	72.1	83	179	386	0.7
West of Juniper avenue	R-PC	20.1	71.6	76	165	355	20.5	72.3	85	183	394	0.7
West of Sierra Avenue	WMXU-1/R-PC	19.7	71.5	75	162	350	19.9	71.9	81	174	376	0.4

Notes: ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community noise equivalent level,

"R/W" = contour is located within roadway right-of-way

1. Land use from the City of Fontana, *General Plan Land Use Map*, adopted September 10, 2019.

2. Distance to receiving land use is based upon the right-of-way distances as shown in *Table 4.11-4*.

3. Average Daily Trips (ADT) from the Urban Crossroads, *Fontana Foothill Commerce Center Traffic Impact Analysis*, January 20, 2020

"R/W" = contour is located within roadway right-of-way. "I-L" = Light Industrial; "I-G" = General Industrial; "P-PF" = Public Facilities; "R-PC" = Residential Planned Community;

"WMXU-1" = Walkable Mixed Use Corridor & Downtown; "R-SF" = Single Family Residential; "C-G" = General Commercial

Source: Urban Crossroads 2020, **Appendix B**

Table 4.11-10: Opening Year (2022) Traffic Noise Levels

Roadway Segment	Receiving Land Use <sup>1</sup>	Opening Year (2022) Without Project					Opening Year(2022) With Project					Difference In CNEL at Receiving Land Use (dBA) <sup>2</sup>
		ADT (1,000's) <sup>3</sup>	CNEL at Receiving Land Use (dBA) <sup>2</sup>	Distance from Roadway Centerline			ADT (1,000's) <sup>3</sup>	CNEL at Receiving Land Use (dBA) <sup>2</sup>	Distance from Roadway Centerline			
				70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour	
Citrus Avenue												
North of Jurupa Avenue	I-L/I-G	14.3	70.0	46	100	215	14.5	70.6	51	109	235	0.6
Juniper Avenue												
North of Santa Ana Avenue	P-PF/R-PC	2.8	63.8	R/W	R/W	61	2.9	63.8	R/W	R/W	61	0.0
South of Santana Ana Avenue	R-PC	3.7	65.0	R/W	34	73	4.1	65.2	R/W	35	76	0.2
Sierra Avenue												
North of Santa Ana Avenue	I-L/R-PC	38.7	75.0	141	304	656	38.9	75.1	144	309	667	0.1
South of Santa Ana Avenue	WMXU-1/R-SF	38.9	75.0	142	305	658	39.0	75.1	145	312	673	0.1
North of Jurupa Avenue	WMXU-1/C-G	30.8	74.0	121	262	564	30.9	74.2	125	269	580	0.2
South of Jurupa Avenue	R-PC	30.0	73.9	119	257	554	30.1	74.0	121	261	562	0.1
Jurupa Avenue												
West of Citrus Avenue	I-L/R-PC	24.6	72.5	88	189	406	24.9	72.7	91	196	423	0.2
West of Oleander Avenue	I-L/R-PC	23.6	72.3	85	184	395	24.1	72.9	93	201	432	0.6
West of Cypress Avenue	I-G/R-PC	23.7	72.3	85	184	396	24.1	72.9	93	201	433	0.6
West of Juniper avenue	R-PC	23.7	72.3	85	184	396	24.1	72.9	93	201	433	0.6
West of Sierra Avenue	WMXU-1/R-PC	24.6	72.5	88	189	406	24.8	72.8	93	200	430	0.3

Notes: ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community noise equivalent level,

"R/W" = contour is located within roadway right-of-way

1. Land use from the City of Fontana, *General Plan Land Use Map*, adopted September 10, 2019.

2. Distance to receiving land use is based upon the right-of-way distances as shown in *Table 4.11-4*.

3. Average Daily Trips (ADT) from the Urban Crossroads, *Fontana Foothill Commerce Center Traffic Impact Analysis*, January 20, 2020

"R/W" = contour is located within roadway right-of-way. "I-L" = Light Industrial; "I-G" = General Industrial; "P-PF" = Public Facilities; "R-PC" = Residential Planned Community;

"WMXU-1" = Walkable Mixed Use Corridor & Downtown; "R-SF" = Single Family Residential; "C-G" = General Commercial

Source: Urban Crossroads 2020, **Appendix B**.



Table 4.11-11: Future - Horizon Year (2040) Project Traffic Noise Levels

Roadway Segment	Receiving Land Use	Horizon Year (2040) Without Project					Horizon Year (2040) With Project					Difference In CNEL at Receiving Land Use (dBA) <sup>2</sup>
		ADT (1,000's) <sup>3</sup>	CNEL at Receiving Land Use (dBA) <sup>2</sup>	Distance from Roadway Centerline			ADT (1,000's) <sup>3</sup>	CNEL at Receiving Land Use (dBA) <sup>2</sup>	Distance from Roadway Centerline			
				70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour			70 CNEL Noise Contour	65 CNEL Noise Contour	60 CNEL Noise Contour	
Citrus Avenue												
North of Jurupa Avenue	I-L/I-G	15.7	70.4	49	106	228	15.9	71.0	53	115	247	0.6
Juniper Avenue												
North of Santa Ana Avenue	P-PF/R-PC	3.0	64.2	R/W	R/W	65	3.1	64.2	R/W	R/W	65	0.0
South of Santana Ana Avenue	R-PC	4.0	65.3	R/W	36	77	4.4	65.6	R/W	37	80	0.03
Sierra Avenue												
North of Santa Ana Avenue	I-L/R-PC	42.5	75.4	150	324	698	42.7	75.5	153	329	709	0.1
South of Santa Ana Avenue	WMXU-1/R-SF	42.7	75.4	151	325	701	42.8	75.5	154	332	715	0.1
North of Jurupa Avenue	WMXU-1/C-G	36.2	74.7	135	291	627	36.3	74.8	138	298	642	0.1
South of Jurupa Avenue	R-PC	38.1	74.9	140	301	650	38.2	75.0	142	305	658	0.1
Jurupa Avenue												
West of Citrus Avenue	I-L/R-PC	27.0	72.9	93	201	432	27.2	73.1	97	208	449	0.2
West of Oleander Avenue	I-L/R-PC	25.9	72.7	90	195	420	26.3	73.2	98	211	456	0.5
West of Cypress Avenue	I-G/R-PC	25.9	72.7	91	195	421	26.4	73.2	98	212	457	0.5
West of Juniper avenue	R-PC	26.0	72.7	91	196	421	26.4	73.2	98	212	457	0.5
West of Sierra Avenue	WMXU-1/R-PC	27.0	72.9	93	201	432	27.2	73.2	98	211	455	0.3

Notes: ADT = average daily traffic; dBA = A-weighted decibels; CNEL = community noise equivalent level,

"R/W" = contour is located within roadway right-of-way

1. Land use from the City of Fontana, *General Plan Land Use Map*, adopted September 10, 2019.

2. Distance to receiving land use is based upon the right-of-way distances as shown in [Table 4.11-4](#).

3. Average Daily Trips (ADT) from the Urban Crossroads, *Fontana Foothill Commerce Center Traffic Impact Analysis*, January 20, 2020

"R/W" = contour is located within roadway right-of-way. "I-L" = Light Industrial; "I-G" = General Industrial; "P-PF" = Public Facilities; "R-PC" = Residential Planned Community;

"WMXU-1" = Walkable Mixed Use Corridor & Downtown; "R-SF" = Single Family Residential; "C-G" = General Commercial

Source: Urban Crossroads 2020, **Appendix B**

**Table 4.11-13: Nighttime Project Operational Noise Levels**

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Cold Storage Loading Dock Activity	40.2	42.6	62.4	31.0	47.7	53.0
Entry Gate & Truck Movements	21.7	21.4	40.1	18.7	32.2	41.7
Roof-Top Air Conditioning Units	25.4	24.9	30.9	33.0	30.8	34.4
Parking Lot Vehicle Movements	22.9	11.7	27.9	25.7	27.3	34.8
Trash Enclosure Activity	23.1	16.4	35.2	16.2	35.9	43.5
<b>Total (All Noise Sources)</b>	<b>40.6</b>	<b>42.7</b>	<b>62.4</b>	<b>35.7</b>	<b>48.2</b>	<b>53.8</b>

<sup>1</sup> See **Exhibit 4.11-2** for the receiver locations

### *Cold Storage Loading Dock Activities*

A reference noise level measurement for cold storage loading dock activities was collected to represent the truck idling/reefer activity at the Nature's Best distribution facility located at 16081 Fern Avenue in the City of Chino. During the fourteen-minute truck idling/reefer activity reference noise level measurement, approximately 20 delivery trucks were docked, idling, or parked in the northern loading dock area. The truck idling/reefer activity reference noise level measurement was taken in the center of the loading dock activity area and represents multiple concurrent noise sources resulting in a combined noise level of 65.7 dBA  $L_{eq}$  at a uniform distance of 50 feet. Specifically, the truck idling/reefer activity reference noise level measurement represents one truck located approximately 30 feet from the noise level meter with another truck passing by to park roughly 20 feet away, both with their engines idling. Throughout the reference noise level measurement, a separate docked and running reefer truck was located approximately 50 feet east of the measurement location.

It should be noted that cold storage is not proposed as a part of this project. Cold storage loading dock activities demonstrate a conservative scenario for loading dock noise levels as cold storage trucks (i.e., reefers) typically idle for longer periods of time in order to preserve potentially perishable cargo. As shown in **Table 4.11-12** and **Table 4.11-13**, the CadnaA modeled cold storage loading dock activities operational noise volumes would range from 32.0 to 63.4 dBA  $L_{eq}$  during the daytime and 31.0 to 62.4 dBA  $L_{eq}$  during the nighttime, which would not exceed the City's 65 dBA  $L_{eq}$  daytime and 65 dBA  $L_{eq}$  nighttime exterior noise level standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. In addition, operational interior noise volumes at the sensitive receptors from the cold storage loading dock activities would range from 12.0 to 43.4 dBA  $L_{eq}$  during the daytime and 11.0 to 42.4 dBA  $L_{eq}$  during the nighttime<sup>4</sup>, which would not exceed the City's 45 dBA  $L_{eq}$  daytime and nighttime interior noise standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. As such, the proposed project's docking activities noise levels would be less than significant.

<sup>4</sup> Assuming a 20-dBA outdoor-indoor noise attenuation rate per the U.S. Department of Housing and Urban Development, *The Noise Guidebook*, March 2009, page 14 (i.e., 32.0 dBA – 20 dBA = 12 dBA).

### Entry Gate and Truck Movements

Entry gate and truck movements reference noise level measurements were taken at the southern entry gate of the Motivational Fulfillment & Logistics Services distribution facility located at 6810 Bickmore Avenue in the City of Chino over a 15-minute period and represents multiple noise sources producing a reference noise level of 58.0 dBA  $L_{eq}$  at 50 feet. The noise sources included at this measurement location account for the rattling and squeaking during normal opening and closing operations, the gate closure equipment, truck engines idling outside the entry gate, truck movements through the entry gate, and background truck court activities and forklift backup alarm noise. Using the truck trip distributions from the Traffic Impact Analysis, the number of entry gate and truck movements were calculated. The information in **Table 4.11-14: Entry Gate & Truck Movements by Location** was used to calculate the entry gate and truck movements operational noise source activity based on the number of events by time of day.

**Table 4.11-14: Entry Gate & Truck Movements by Location**

Entry Gate & Truck Movement Location <sup>1</sup>	Total Project Truck Trips <sup>2</sup>	Truck Trip Dist. <sup>3</sup>	Truck Trips by Driveway <sup>4</sup>	Time of Day Vehicle Splits			Truck Movements <sup>6</sup>		
				Day	Evening	Night	Day	Evening	Night
Driveway 1	342	30%	103	86.50%	2.70%	10.80%	89	3	11
Driveway 2		55%	188	84.50%	2.95%	12.55%	159	6	24
Driveway 4		15%	51	84.50%	2.95%	12.55%	43	2	6

<sup>1</sup> Driveway locations as shown on the Conceptual Site Plan, refer to **Exhibit 3.0-9: Conceptual Site Plan**.

<sup>2</sup> Total project truck trips according to **Table 4-1** of the Traffic Impact Analysis.

<sup>3</sup> Project truck trip distribution according to **Exhibit 4-2** of the Traffic Impact Analysis.

<sup>4</sup> Calculated trip trucks per location represents the product of the total project truck trips by the trip distribution percentage.

<sup>6</sup> Calculated time of day entry gate and truck movements by location.

As shown in **Table 4.11-12** and **Table 4.11-13**, the CadnaA modeled entry gate and truck movements operational noise volumes would range from 27.3 to 50.1 dBA  $L_{eq}$  during the daytime and 18.7 to 41.7 dBA  $L_{eq}$  during the nighttime, which would not exceed the City's 65 dBA  $L_{eq}$  daytime and 65 dBA  $L_{eq}$  nighttime exterior noise level standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. Further, the entry gate and truck movements operational interior noise volumes at the sensitive receptors would range from 7.3 to 30.1 dBA  $L_{eq}$  during the daytime and up to 21.7 dBA  $L_{eq}$  during the nighttime, which would not exceed the City's 45 dBA  $L_{eq}$  daytime and nighttime interior noise standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. Thus, operational noise levels from the entry gate and on-site truck movements would be less than significant.

### Rooftop Air Conditioning Units

To assess the noise levels from rooftop air conditioning units within the planned commercial retail land uses within the project site, reference noise levels measurements were taken at the Santee Walmart located at 170 Town Center Parkway in the City of Santee. The noise level measurements describe a single mechanical rooftop air conditioning unit on the roof of the existing Walmart store. The reference noise level represents a Lennox SCA120 series 10-ton

model packaged air conditioning unit. At 5 feet from the rooftop air conditioning unit, the exterior noise levels were measured at 77.2 dBA  $L_{eq}$ . At the uniform reference distance of 50 feet, the reference noise levels are 57.2 dBA  $L_{eq}$ . Based on the typical operating conditions observed over a four-day measurement period, the rooftop air conditioning units are estimated to operate for an average 39 minutes per hour during the daytime hours, and 28 minutes per hour during the nighttime hours. These operating conditions reflect peak summer cooling requirements with measured temperatures approaching 96 degrees Fahrenheit (°F) with average daytime temperatures of 82°F. For this noise analysis, the air conditioning units are expected to be located on the roof of the project buildings. The noise attenuation provided by the existing parapet wall is not reflected in this reference noise level measurement.

As shown in *Table 4.11-12* and *Table 4.11-13*, the CadnaA modeled project's rooftop air conditioning units operational noise volumes would range from 27.4 to 36.8 dBA  $L_{eq}$  during the daytime and 24.9 to 34.4 dBA  $L_{eq}$  during the nighttime, which would not exceed the City's 65 dBA  $L_{eq}$  daytime and 65 dBA  $L_{eq}$  nighttime exterior noise level standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. In addition, operational interior noise volumes from the rooftop air condition units at the sensitive receptors would range from 7.4 to 16.8 dBA  $L_{eq}$  during the daytime and 4.9 to 14.4 dBA  $L_{eq}$  during the nighttime, which would not exceed the City's 45 dBA  $L_{eq}$  daytime and nighttime interior noise standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. Thus, operational noise levels from the on-site rooftop air conditioning units would be less than significant.

#### *Parking Lot Vehicle Movements*

Noise levels associated with parking lot vehicle movements were modeled from reference noise level measurements taken over a 24-hour period at the parking lot for the Panasonic Avionics Corporation in the City of Lake Forest. The peak hour of activity measured over the 24-hour noise level measurement period occurred between 12:00 p.m. to 1:00 p.m., or the typical lunch hour for employees working in the area. The measured reference noise level at 50 feet from parking lot vehicle movements was measured at 38.2 dBA  $L_{eq}$ . The parking lot noise levels are mainly due to cars pulling in and out of spaces during peak lunch hour activity and employees talking. Noise associated with parking lot vehicle movements is expected to operate for the entire hour (60 minutes).

As shown in *Table 4.11-12* and *Table 4.11-13*, the CadnaA modeled project parking lot vehicle movement operational noise volumes would range from 12.7 to 35.7 dBA  $L_{eq}$  during the daytime and 11.7 to 34.8 dBA  $L_{eq}$  during the nighttime, which would not exceed the City's 65 dBA  $L_{eq}$  daytime and 65 dBA  $L_{eq}$  nighttime exterior noise level standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. The parking lot operational interior noise volumes at the sensitive receptors would be as loud as 15.7 dBA  $L_{eq}$  during the daytime and up to 14.8 dBA  $L_{eq}$  during the nighttime, which would not exceed the City's 45 dBA  $L_{eq}$  daytime and nighttime interior noise standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. Thus, operational noise levels from parking lot vehicle movements would be less than significant.

### *Trash Enclosure Activity*

Noise levels associated with a trash enclosure operation were modeled with a reference noise level measurement taken at an existing commercial and office park trash enclosure within a parking lot on the northeast corner of Baker Street and Red Hill Avenue in the City of Costa Mesa. The measured reference noise level at the uniform 50-foot reference distance is 57.3 dBA  $L_{eq}$  for the trash enclosure activity. The trash enclosure activity noise levels include two metal gates opening and closing, metal scraping against concrete floor sounds, dumpster movement on metal wheels, trash dropping into the metal dumpster, and background parking lot vehicle movements. Noise associated with trash enclosure activities is conservatively expected to occur for 20 minutes per hour.

As shown in **Table 4.11-12** and **Table 4.11-13**, CadnaA modeled trash enclosure activities noise levels would range from 17.2 to 44.5 dBA  $L_{eq}$  during the daytime and 16.2 to 43.5 dBA  $L_{eq}$  during the nighttime, which would not exceed the City of Fontana 65 dBA  $L_{eq}$  daytime and 65 dBA  $L_{eq}$  nighttime exterior noise level standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. Interior noise volumes from the trash enclosure activities at the sensitive receptors would be as loud as 24.5 dBA  $L_{eq}$  during the daytime and up to 23.5 dBA  $L_{eq}$  during the nighttime, which would not exceed the City's 45 dBA  $L_{eq}$  daytime and nighttime interior noise standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. Thus, operational noise levels from trash enclosure activity would be less than significant.

### *Combined Operational Noise Levels*

As described above, none of the individual operational noise sources within the project would exceed the City's daytime and nighttime exterior noise level standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. As shown in **Table 4.11-12**, the combined operational daytime hourly noise levels from the project to all noise sources at the off-site receiver locations are expected to range from 37.9 to 63.6 dBA  $L_{eq}$ , which is below City of Fontana 65 dBA  $L_{eq}$  daytime threshold. Further, as noted in **Table 4.11-13**, the project's combined operational noise levels during the nighttime hours of 10:00 p.m. to 7:00 a.m. at the off-site receiver locations are expected to range from 35.7 to 62.4 dBA  $L_{eq}$ , which is below the City of Fontana 65 dBA  $L_{eq}$  nighttime threshold. Additionally, the project combined operational interior noise levels at the sensitive receptors would range from 17.9 to 43.6 dBA  $L_{eq}$  during the daytime and 15.7 to 42.4 dBA  $L_{eq}$  during the nighttime, which would not exceed the City's 45 dBA  $L_{eq}$  daytime and nighttime interior noise standards found in Chapter 30, Article V. Division 6, Sec. 30-469 of the City's Development Code. Thus, the project's combined operational noise levels would be less than significant.

### **Upzone Site**

#### **Project Construction Noise**

Future development on the upzone site, in accordance with the proposed rezone from Single-Family Residential (R-1) to Medium Density Residential (R-2), would accommodate additional residential units than allowed under the site's current R-1 zoning. However, no development is currently proposed on the upzone site as part of the project. Future residential development on the upzone site would require separate environmental review under CEQA, including

potential construction noise. As such, the proposed project would not result in any temporary construction noise impacts on the upzone site. No impact would occur in this regard.

### Off-Site Mobile Noise

The proposed zone change would change the zoning designation for the upzone site from R-1 to R-2. R-1 permits up to 5 dwelling units per acre and R-2 permits up to 12 dwelling units per acre. Applying the R-2 designation on the 13.76-acre site would accommodate the future development of 165 units, resulting in no net loss of the residential capacity for the City with the rezoning of the development site units.

Future development generated by the proposed project would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. According to the *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, a doubling of traffic volumes would result in a 3 dB increase in traffic noise levels, which is barely detectable by the human ear.<sup>5</sup> According to Focused Traffic Impact Analysis, the upzone site would potentially relocate an additional 165 residential units, which would result in approximately 566 daily trips.

**Table 4.11-15: Upzone Site Horizon Year (2040) Project Traffic Volumes**, depicts Horizon Year (2040) with and without project roadway volumes. As shown in **Table 4.11-15**, the project generated daily trips would not double existing daily traffic volumes along Merrill Avenue from Catawba Avenue to Citrus Avenue, the nearest segment to the project site. Therefore, any increase in traffic noise along local roadways would be imperceptible and impacts would be less than significant. Further, project-specific analysis also would be conducted in connection with any future development proposal.

**Table 4.11-15: Upzone Site Horizon Year (2040) Project Traffic Volumes**

Roadway Segment	Horizon Year (2040) without Project	Horizon Year (2040) with Project	Doubling of Traffic Volumes?
Merrill Avenue			
Catawba Avenue to Citrus Avenue	15,013 ADT	15,353 ADT	No

<sup>1</sup> Source: Urban Crossroads 2020, **Appendix B**

### Project Operations Noise

The proposed zone change would change the zoning designation for the upzone site from R-1 to R-2. R-1 permits up to 5 dwelling units per acre and R-2 permits up to 12 dwelling units per acre. Applying the R-2 designation on the 13.76-acre site would accommodate the future development of 165 units. Therefore, the net increase associated with the upzone site is ten dwelling units. No development is currently proposed on the upzone site as part of the project. Future residential development on the upzone site would require separate environmental review under CEQA, including potential operational noise. In addition, residential uses generally would not generate excessive stationary noise during project operation. As such, the

<sup>5</sup> US Department of Transportation, *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, updated August 24, 2017, [https://www.fhwa.dot.gov/environMent/noise/regulations\\_and\\_guidance/polguide/polguide02.cfm](https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm), accessed on March 23, 2020.



proposed project would not result in any operational noise impacts on the upzone site. No impact would occur in this regard.

### **Mitigation Measures**

No mitigation is required.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## **GROUNDBORNE VIBRATION**

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<b>Impact 4.11-2</b>	<b>The project would not generate excessive groundborne vibration or groundborne noise levels.</b>
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### **Development Site**

#### **Construction**

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that groundborne vibration from project construction activities would cause only intermittent, localized intrusion. The proposed project's construction activities most likely to cause vibration impacts are:

- Heavy Construction Equipment: Although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration, the vibration is usually short-term and is not of sufficient magnitude to cause building damage.
- Trucks: Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

Groundborne vibration levels resulting from construction activities occurring within the project site were estimated by data published by the FTA. Construction activities that would have the potential to generate high levels of groundborne vibration within the project site include grading. Using the vibration source level of construction equipment provided in the Noise Impact Analysis and the construction vibration assessment methodology published by the FTA, it is possible to estimate the project vibration impacts. **Table 4.11-16: Construction Equipment Vibration Levels** presents the expected project related vibration levels at each of the sensitive receiver locations based on the FTA 0.2 in/sec PPV threshold for vibration, which is the level at which vibrations are generally considered to disturb people.

**Table 4.11-16: Construction Equipment Vibration Levels**

Receiver <sup>1</sup>	Distance to Const. Activity (Feet)	Receiver PPV Levels (in/sec) <sup>2</sup>					Threshold (in/sec PPV)	Threshold Exceeded? <sup>3</sup>
		Small Bulldozer	Jack-hammer	Loaded Trucks	Large Bulldozer	Peak Vibration		
R1	734	<0.001	<0.001	<0.001	0.001	0.001	0.2	No
R2	842	<0.001	<0.001	<0.001	<0.001	<0.001	0.2	No
R3	15	0.006	0.075	0.164	0.191	0.191	0.2	No
R4	134	<0.001	0.003	0.006	0.007	0.007	0.2	No
R5	756	<0.001	<0.001	<0.001	0.001	0.001	0.2	No
R6	86	<0.001	0.005	0.012	0.014	0.014	0.2	No

Source: Urban Crossroads 2020, **Appendix B**

As shown in *Table 4.11-16*, at distances ranging from 15 to 842 feet from project construction activity, construction vibration velocity levels would approach 0.19 in/sec PPV but not exceed the 0.2 in/sec PPV threshold for vibration. Therefore, the vibration impacts due to project construction are considered less than significant. Further, vibration levels at the site of the closest sensitive receiver are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating simultaneously adjacent to the project site perimeter.

### *Operation*

Operation of the project would not include or require equipment, facilities, or activities that would result in perceptible groundborne vibration. Heavy duty trucks would travel to and from the project site on surrounding roadways. According to the FTA, it is unusual for vibration from sources such as buses and trucks to be perceptible, even in locations close to major roads. As such, it can be reasonably inferred that the operations of the project would not create perceptible vibration impacts to the nearest sensitive receptors. A less than significant impact would occur in this regard.

### **Upzone Site**

#### **Project Construction Vibration**

Future development on the upzone site, in accordance with the proposed rezone from R-1 to R-2, would accommodate additional residential units than allowed under the site's current R-1 zoning. However, no development is currently proposed on the upzone site as part of the project. Future residential development on the upzone site would require separate environmental review under CEQA, including potential construction vibration impacts. As such, the proposed project would not result in any temporary construction noise impacts on the upzone site. No impact would occur in this regard.

### *Operation*

The upzone site would include residential uses, which are not anticipated to have any uses that would not generate substantial levels of vibration. Further, no development is currently proposed on the upzone site as part of the project. Future residential development on the upzone site would require separate environmental review under CEQA. Thus, due to the

proposed land use and the lack of vibration-generating sources, a less than significant impact would occur.

### ***Mitigation Measures***

No mitigation is required.

### ***Level of Significance After Mitigation***

Impacts would be less than significant.

## ***CUMULATIVE IMPACTS***

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<b>Impact 4.11-4</b>	<b>The project would not make a cumulatively considerable contribution to a significant cumulative noise impact</b>
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### ***Development Site***

#### ***Cumulative Construction Noise and Vibration Impacts***

Construction activities associated with the proposed project and cumulative projects may overlap, resulting in construction noise in the project vicinity. However, construction noise impacts primarily affect the areas immediately adjacent to the construction site. Further, construction activities at the project and all related projects within the City, would be required to comply with the City's allowable construction hours pursuant to Chapter 18, Article II, Section 18-63 of the City's Municipal Code, and mitigate their respective construction noise impacts, as required. As discussed above, the project construction vibration impacts would be short-term and would not exceed the established FTA threshold. As the proposed project construction noise and vibration impacts would be less than significant, and any noise and vibration generated by the project would be localized, significant cumulative impacts would not be expected to occur. Even if they did occur, the project would not make a cumulatively considerable contribution to any such noise or vibration impact. A less than significant impact would occur.

#### ***Cumulative Operational Noise Impact***

Although cumulative projects may be within the project vicinity, noise generated by stationary sources on a given site cannot be quantified due to the speculative nature of each development. Each cumulative project would require separate discretionary approval and CEQA assessment, which would address potential noise impacts and identify necessary attenuation measures, where appropriate. Additionally, as noise dissipates as it travels away from its source, noise impacts from stationary sources would be limited to each of the respective sites and their vicinities. As such, cumulative stationary noise impacts would not occur due to distance and intervening structures and potential traffic noise. As noted above, the proposed project would not result in significant operational noise impacts that would significantly affect surrounding sensitive receptors. Furthermore, all projects within the City would have to comply with noise level standards provided in the City's Development Code. Additionally, the project's operational uses would not include uses that would create perceptible vibrations. Thus, significant cumulative impacts are not expected to occur. Even if they did, the proposed

project would not make a cumulatively considerable contribution to any such noise or vibration impact. Impacts in this regard would be less than significant.

### *Cumulative Traffic Noise Impacts*

A cumulative traffic noise increase would be considered significant when the combined effects of the proposed project along with the traffic noise generated by projects in the cumulative projects list would exceed a perception-level (i.e., auditory level increase) threshold. The combined effect is assessed by comparing the “Cumulative with Project” condition to “Existing” conditions. This comparison accounts for the traffic noise increase generated by a project combined with the traffic noise increase generated by projects in the cumulative project list. The following criteria have been utilized to evaluate whether the combined effect of the cumulative noise increase would be significant.

- Combined Effect. Cumulative noise impacts would be considered significant if a 3.0 dB increase over existing conditions occurs.

Although there may be a significant cumulative noise increase due to the proposed project in combination with other related projects (combined effects), it must also be demonstrated that the project’s incremental effect would be cumulatively considerable. In other words, a significant portion of the noise increase must be due to the proposed project.

- Incremental Effect. A project’s incremental effect would be found to be cumulatively considerable if the “Cumulative with Project” scenario causes a 1.0 dBA increase in noise over the “Cumulative without Project” noise level.

A project would be found to make a cumulatively considerable contribution to a significant cumulative impact if both the combined and incremental effects criteria have been exceeded.

Noise by definition is a localized phenomenon and reduces as distance from the source increases. Consequently, only the proposed project and growth due to occur in the project site’s general vicinity would contribute to cumulative noise impacts. ***Table 4.11-17: Cumulative Noise Analysis***, lists the traffic noise effects along roadway segments in the project vicinity for “Existing,” “Future without Project,” and “Future with Project,” conditions, including incremental and net cumulative impacts. 3

As previously discussed, a significant cumulative impact would result only if all three significance criteria are exceeded: (1) project noise levels result in a 3.0 dBA increase over existing conditions; (2) future project noise levels exceed the applicable land use compatibility criterion; and (3) the project results in an incremental increase of 1.0 dBA or more. As shown in ***Table 4.11-17***, project generated traffic noise on all four roadway segments would not exceed the first criteria for combined effects (increase of 3.0 dB over existing conditions). All existing noise levels along the modeled roadway segments would exceed the “Normally Acceptable” land use standard of 50-60 dBA as identified in ***Table 4.11-6***. Under incremental effects, none of the road segment near the project site would result in a difference greater than 1.0 dBA when comparing future with and without project.

**Table 4.11-17: Cumulative Noise Analysis**

Roadway Segment	Existing	Horizon Year (2040) without Project	Horizon Year (2040) with Project	Combined Effects		Incremental Effects	Cumulatively Significant Impact?
	CNEL at Receiving Land Use (dBA) <sup>2</sup>	CNEL at Receiving Land Use (dBA) <sup>2</sup>	CNEL at Receiving Land Use (dBA) <sup>2</sup>	Difference In dBA Between Existing and Future with Project / Greater than 3.0 dBA?	Does Future with Project Exceed Standard at Nearest Sensitive Use?	Difference In dBA Between Future without Project and Future with Project / Greater than 1.0 dBA?	
Citrus Avenue							
North of Jurupa Avenue	68.8	70.4	71.0	2.2 / No	Yes	0.6	No
Juniper Avenue							
North of Santa Ana Avenue	63.3	64.2	64.2	0.9 / No	Yes	0.0	No
South of Santana Ana Avenue	64.0	65.3	65.6	1.6 / No	Yes	0.3	No
Sierra Avenue							
North of Santa Ana Avenue	74.1	75.4	75.5	1.4 / No	Yes	0.1	No
South of Santa Ana Avenue	74.1	75.4	75.5	1.4 / No	Yes	0.1	No
North of Jurupa Avenue	73.2	74.7	74.8	1.6 / No	Yes	0.1	No
South of Jurupa Avenue	73.1	74.9	75.0	1.9 / No	Yes	0.1	No
Jurupa Avenue							
West of Citrus Avenue	71.2	72.9	73.1	1.9 / No	Yes	0.2	No
West of Oleander venue	71.3	72.7	73.2	1.9 / No	Yes	0.5	No
West of Cypress Avenue	71.4	72.7	73.2	1.8 / No	Yes	0.5	No
West of Juniper Avenue	71.6	72.7	73.2	1.6 / No	Yes	0.5	No
West of Sierra Avenue	71.5	72.9	73.2	1.7 / No	Yes	0.3	No

Note: **Bold** = Exceeds Threshold, refer to **Table 4.11-6**

Source: Urban Crossroads 2020, **Appendix B**

As shown in *Table 4.11-17*, none of the roadway segments exceed all three criteria for cumulative impacts, and the project therefore would not make a cumulatively considerable contribution to a significant cumulative traffic noise impact. Cumulative noise impacts would be less than significant.

#### ***Upzone Site***

The current project does not propose any noise- or vibration-producing activities on the upzone site. If and when the upzone site is redeveloped in the future, a project-specific analysis would be conducted in connection with any future development proposal. In addition, as shown in *Table 4.11-15*, the project generated daily trips would not double the Future Horizon Year (2040) daily traffic volumes along Merrill Avenue from Catawba Avenue to Citrus Avenue. Therefore, any cumulative increase in traffic noise along local roadways during Horizon Year (2040) would be imperceptible and impacts would be less than significant. Upzone site cumulative noise and vibration impacts would be less than significant.

#### ***Mitigation Measures***

No mitigation is required.

#### ***Level of Significance After Mitigation***

Impacts would be less than significant.



## 4.12 Public Services

This section evaluates the existing public services setting and the potential effects caused by implementation of the proposed project. The information and analysis herein rely on the Public and Community Services Element and Noise and Safety Element of the City of Fontana General Plan. Additional research was conducted directly with the respective entities that would potentially be affected by the project, including the Fontana Fire Protection District (FFPD) and Fontana Police Department (FPD).

### 4.12.1 Existing Conditions

#### Fire Protection

Fire protection services for the development site and the upzone site are currently provided by the FFPD, a subsidiary district of the City that contracts with the San Bernardino County Fire Protection District for its services. The FFPD operates six fire stations. The nearest fire station to the development site is Fire Station No. 77 at 17459 Slover Avenue, located approximately 1.25 miles to the northeast. The nearest fire station to the upzone site is Fire Station 72 at 15380 San Bernardino Avenue, located approximately one mile to the southwest. According to the City's General Plan Public Facilities, Services, and Infrastructure Element, the average response time within the city is approximately four to five minutes. In addition to fire response, the FFPD also investigates and mitigates all types of hazardous materials spills, exposures, and releases, as well as provides emergency medical aid.

#### Police Protection

Police protection services for the development site and the upzone site are provided by the FPD. The FPD operates out of its headquarters at 17005 Upland Avenue, located approximately 3.5 miles north of the development site and approximately 1.5 miles northeast of the upzone site. As with fire protection services, the development site and upzone site are already within the service area of the FPD, and once operational, the project would continue to be served by the FPD.

### 4.12.2 Regulatory Framework

#### State

##### *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 the California Environmental Quality Act (CEQA).

##### *California Code of Regulations Title 24 – Fire Codes*

California Code of Regulations Title 24 refers to the California Building Standards Code (CBSC), which contains complete regulations and general construction building standards of

State agencies, including administrative, fire and life safety and field inspection provisions. Part 2, the California Building Code (CBC), was updated in 2008 to reflect changes in the base document from the Uniform Building Code to the International Building Code. In particular, CBC Chapter 7A, Materials and Construction Methods for Exterior Wildfire Exposure, addresses fire safety standards for new construction. CBC Chapter 33, Safeguards During Construction, includes emergency access requirements for new construction. CBSC Part 9 refers to the California Fire Code, which contains other fire safety-related building standards.

***California Public Resources Code Sections 4290-4299 and General Code Section 51178***

A variety of State codes, particularly Public Resources Code Sections 4290-4299 and General Code Section 51178, require minimum Statewide fire safety standards pertaining to: roads for fire equipment access; signage identifying streets, roads and buildings; minimum private water supply reserves for emergency fire use; and fire fuel breaks and greenbelts. They also identify primary fire suppression responsibilities among the Federal, State, and local governments. In addition, any person who owns, leases, controls, operates or maintains a building or structure in or adjoining a mountainous area or forest-covered, brush-covered or grass-covered land, or any land covered with flammable material, must follow procedures to protect the property from wildland fires. This regulation also helps ensure fire safety and provide adequate access to outlying properties for emergency responders and safe evacuation routes for residents.

**Local**

***City of Fontana General Plan***

The City's General Plan Public and Community Services Element and Noise and Safety Element contain the following goals, policies, and actions that address public services and are applicable to the project.

Public and Community Services Element

Goal 1	Fontana's crime rate continues to be below state and county rates.
Policy 1	Continue the Police Department's successful community policing programs.
Policy 2	Provide appropriate security for new amenities, such as trails and parks.
Policy 3	Support Police Department needs for staff and technology to keep up with population growth and contemporary policing methods.
Policy 4	Promote and enhance use of anti-crime design strategies and programs.
Action B	Continue community policing and special programs and expand police community presence on the street and in neighborhoods as the population grows.

Action C	Continue to review the design of new development for Crime Prevention Through Environmental Design (CPTED) principles.
Action D	Provide CPTED reviews of new development in a district or neighborhood context rather than simply a project context, so that design strategies to increase connections, “eyes on the street,” mixed-use vitality, and so on, are valued as creating conditions that reduce crime.
Goal 2	Fontana's Fire Department meets or exceeds state and national benchmarks for protection and responsiveness.
Policy 1	Continue the City’s successful partnership with the San Bernardino County Fire Department.
Action A	Ensure continuing fire protection as the city’s population grows and natural fire events may increase in number or intensity due to changing climate.
Action B	Monitor population growth and development to ensure continuing protection through sufficient stations, equipment, training, and resources.
Action C	Continue to provide public education about risks from fire, hazardous materials, and other hazards.
Goal 3	Fontana has modern, well-maintained public facilities that meet the needs of residents of all ages, businesses, and government.
Policy 1	Support development of a City facilities master plan and use an asset-management system for all City property.
Strategy B	Identify needs for facility improvements, expansions, new facilities, potential decommissioning and cost-efficient improvements such as energy efficiency as the city grows in population and complexity.
Goal 4	Each area of the city has sufficient, modern community centers to serve residents.
Policy 1	Identify funding strategies to provide an equal level of service in community centers in the north, central, and southern parts of the city.
Action A	Fund design and implementation of a community center in South Fontana.
Action B	Evaluate the need for additional community centers in the eastern part of the central city.

### Noise and Safety Element

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|----------|---|
| Goal 7   | Threats to public and private property from urban and wildland fire hazards are reduced in Fontana.   |
| Policy 1 | The City shall continue to require residential, commercial, and industrial structures to implement fire hazard-reducing designs and features.                                       |
| Policy 2 | 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. |

### ***City of Fontana Building Code***

The City of Fontana Building Code is based on the CBC and is supplemented with local amendments. The Building Code regulates the construction, alteration, repair, moving, demolition, conversion, occupancy, use, and maintenance of all buildings and structures in the City. The Building Code is included in Chapter 5 of the Fontana Municipal Code.

### ***Fontana Municipal Code***

Fontana Municipal Code Chapter 21 (Planning and Development) Article V (Timing of the Payment of the Development Impact Fees), Section 21-122 establish a policy concerning the timing of payment of development impact fees for development projects in the City.

Fontana Municipal Code Chapter 21 (Planning and Development) Article VI (Construction or Dedication In-Lieu of Development Impact Fees), Section 21-152 establish a policy allowing in-lieu agreements between the city and developers to provide an alternative method for satisfying a developer's obligation to mitigate impacts from his or her or its development other than through payment of development impact fees. In allowing developers to construct public improvements or dedicate property in lieu of paying development impact fees, this article is intended to provide the city and developers flexibility in mitigating impacts from development while ensuring that the health, safety, and welfare of the community is preserved.

Fontana Municipal Code Chapter 22 (Police) Article I (In General), Section 22-4 establishes that all new development or improvement of real property within the limits of the city shall be subject to the imposition of fees for police capital facilities.

## **4.12.3 Thresholds for Determination of Significance**

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as ***Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters***, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on public services if it would do any of the following:

1. 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 (refer to Impact 4.12-1a).
  - b. Police Protection (refer to Impact 4.12.1b).
  - c. Schools (refer to *Appendix A*).
  - d. Parks (refer to *Appendix A*).
  - e. Other Public Facilities (refer to *Appendix A*).

#### 4.12.4 Impact Analysis and Mitigation Measures

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##### ***FIRE PROTECTION SERVICES***

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<b>Impact 4.12-1a</b>	<b>The project has the potential to 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 fire protection.</b>
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##### ***Development Site***

##### **Short-Term Construction Impacts**

Construction activities associated with the development site may result in a temporarily increased demand for fire protections services to the construction site by introducing more occupants onto the site. The nearest fire station to the development site is Fire Station No. 77, located approximately 1.25 miles to the northeast. Because of the development site's proximity to an existing fire station, and the existing service level maintained by the FFPD, the project would receive adequate protection services in the event of an emergency.

All construction activities would be subject to compliance with all applicable State and local regulations in order to reduce the risk of construction-related fire, such as installation of temporary construction fencing to restrict site access and maintenance of a clean construction site. As a result, project construction would proceed consistent with accepted standards and applicable regulations, and would not result in the need for new or physically altered fire services facilities and would not adversely impact and FFPD performance standards. Therefore, project construction would have a less than significant impact.

### **Long-Term Operational Impacts**

Operation of the development site may result in an increased demand for fire protection services by introducing more occupants onto the site upon project completion. Under CEQA, service demand in and of itself does not constitute an environmental impact unless such demand causes a physical change to the environment. The increase in occupants on the site is not anticipated to result in an increase in demand for fire protection services high enough to trigger the need to physically construct new fire protection facilities because Station 77 already exists near the site.

As a condition of City approval, the development project would be required to meet all access, water, and fire protection system requirements, per the City of Fontana Building Code, CBC, and the California Fire Code as well as all other applicable City Codes.

Required provisions would include meeting the minimum standards for 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. The new buildings on the development site would be tilt-up concrete with fire alarm systems installed, which would tend to reduce the risk to persons or property from substantial fires. Also, fire prevention systems included at the warehouse facility could include, but not be limited to, provisions for smoke alarms; sprinklers; building and emergency access; adequate emergency notification; and hydrant sizing, pressure, and siting. Adherence to applicable design standards would reduce the project's potential fire-related impacts. Compliance with other measures established by Federal, State, and local regulations would also maintain acceptable service ratios and response times for fire protection services. Therefore, implementation of the proposed project would not require the provision of new or physically altered fire services facilities.

In addition, development of the development site would be required to comply with the provisions of the Fontana Municipal Code Chapters associated with Development Impact Fees (Chapters 21 and 22) and the City's Development Impact Fee program, which requires a fee payment to assist the City in providing fire protection services. Such fees would be used to fund capital costs associated with land acquisition, construction, purchasing equipment, and providing for additional staff. Development of the development site would also increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this project, including fire protection services. Therefore, this impact would be less than significant.

### ***Upzone Site***

#### **Short-Term Construction Impacts**

Construction activities associated with future development of the upzone site may temporarily increase demand for fire protection services by introducing occupants onto the site. The nearest fire station to the upzone site is Fire Station 72, located approximately one mile to the southwest. Based on the upzone site's proximity to an existing fire station, the incremental increase in the demand for FFPD services would not result in or require new or expanded fire protection facilities in order to maintain acceptable service ratios, response times, or other performance objectives.



In addition, similar to the development site, future construction activities on the upzone site would be subject to compliance with all applicable State and local regulations in place to reduce risk of construction-related fire. A site-specific analysis of potential impacts to public services would be conducted prior to future development of the upzone site. Impacts would be less than significant.

### **Long-Term Operational Impacts**

Operational activities associated with the upzone site may increase demand for fire protection services by introducing occupants onto the site. A site-specific analysis of potential impacts to public services would be conducted prior to future development of the upzone site.

In addition, any future development associated with the upzone site would be designed in compliance with the City of Fontana Building Code, which adopts by reference the 2019 CBC. Part 9 of the CBSC includes the California Fire Code. To offset any potential increased demand for fire protection services, the City would condition future development of the upzone site 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. In addition, similar to operation of the development site, future development of the upzone site would be required to comply with the provisions of the Fontana Municipal Code Chapters associated with Development Impact Fees (Chapters 21 and 22) and the City's Development Impact Fee program, which requires a fee payment to assist the City in providing fire protection services.

### **Mitigation Measures**

None required.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## **POLICE PROTECTION SERVICES**

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<b>Impact 4.12-1b</b>	<b>The project has the potential to 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 police protection.</b>
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### ***Development Site***

#### **Short-Term Construction Impacts**

Construction associated with the development site would create a negligible temporary increase in demand for police protection services to the site as construction would introduce occupants onto the site. The nearest police station to the development site is located

approximately 3.5 miles to the north of the site. There are no components of the project design or construction that would cause the need to construct new police protection facilities. Because of the development site's proximity to an existing police station, and the existing service level maintained by the FPD, the project would receive adequate protection services in the event of an emergency.

However, all construction activities would be subject to compliance with the City of Fontana Building Code, which adopts by reference the CBSC. Chapter 33, Safeguards During Construction, of the CBC includes emergency access requirements which would minimize site safety hazards and potential construction-related impacts to police services. As a result, construction of the proposed project would not result in the need for additional police protection facilities and would not adversely impact FPD performance standards. Therefore, construction would not trigger the need to construction of new facilities that could result in a significant impact. Therefore, the proposed project would have a less than significant impact on police protection services.

### **Long-Term Operational Impacts**

Under CEQA, service demand in and of itself does not constitute an environmental impact unless such demand causes a physical change to the environment, and there is no aspect of the project's design or operation that would cause the need to construct new police protection facilities. There are no components of the project design or operation that would cause the need to construct new police protection facilities as operation of the development would not result in an increased demand for police protection services.

The development site would be designed in compliance with the City of Fontana Building Code, which adopts by reference the CBSC. The CBSC includes emergency access requirements which would minimize site safety hazards and potential operational impacts to police services. The increase in the commuting workforce associated with the new warehouse could result in increased vehicle accidents, calls for emergency medical service, and reported crimes in the area, all of which may lead to an increase in the demand for police services on the site and in the surrounding area. However, the warehouse is expected to operate 24/7 which would help reduce the overall potential for crime on the site (i.e., installation of alarm systems, full time security and monitoring) especially with on-site activities at night.

It is the City's policy to promote and enhance use of anti-crime design strategies and programs (Public and Community Services Element Goal 1 Policy 4). As a result, project implementation would proceed consistent with accepted standards and applicable regulations and would not result in the need for new or physically altered police services facilities and would not adversely impact and FPD performance standards.

Thus, project implementation is not anticipated to result in physical impacts associated with the need for, or provision of, new or physically altered police protection facilities, the construction of which could cause significant environmental impacts.

In addition, development of the development site would be required to comply with the provisions of the City's Development Impact Fee program, which requires a fee payment to assist the City in providing police protection services. Development of the development site

would increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this project, including police protection services. The proposed project would be designed per applicable standards required by the FPD for new development. Additionally, the project proponent would be required to pay required fees to offset law enforcement impacts that may result from the development and occupation of the proposed industrial uses. Therefore, this impact would be less than significant.

### ***Upzone Site***

#### **Short-Term Construction Impacts**

Construction associated with future development of the upzone site may create a negligible temporary increase in demand for police protection services to the site by introducing occupants onto the site. The nearest police station to the development site is located approximately 1.5 miles to the northeast of the upzone site. Because of the upzone site's proximity to an existing police station, and the existing service level maintained by the FPD, the project would receive adequate protection services in the event of an emergency.

Similar to construction on the development site, all construction activities would be subject to compliance with the City of Fontana Building Code, which adopts by reference the CBSC. A site-specific analysis of potential impacts to public services would be conducted prior to future development of the upzone site. As such, site safety hazards and potential construction-related impacts to police services would be minimized. As such, the impact would be less than significant.

#### **Long-Term Operational Impacts**

Future operation of the upzone site may result in an increased demand for police protection services by introducing occupants onto the site. However, similar to operation of the development site, the upzone site would be designed in compliance with the City of Fontana Building Code, which adopts by reference the CBSC and includes emergency access requirements. As such, site safety hazards and potential operational impacts to police services would be minimized.

Future development of the upzone site would be required to comply with the provisions of the City's Development Impact Fee program, which requires a fee payment to assist the City in providing police protection services. In addition, future development of the upzone site would increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services including police protection services. A site-specific analysis of potential impacts to public services would be conducted prior to future development of the upzone site.

#### **Mitigation Measures**

None required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

## **CUMULATIVE IMPACTS**

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### **Impact 4.12-2            The project would potentially result in cumulative impacts to public services.**

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Cumulative projects that would have the potential to be considered in a cumulative context with the project's incremental contribution, and which are included in the analysis of cumulative impacts relative to public services, are identified in *Table 4.0-1: Cumulative Projects*, and *Exhibit 4.0-1: Cumulative Projects*, in *Section 4.0, Introduction to Environmental Analysis*, of this Draft EIR.

With implementation of the proposed project, including the development site and upzone site, potential project impacts associated with public services and facilities would be less than significant. Development of other projects in the surrounding area, that would result in increased demand for police and fire services, would be subject to the payment of appropriate development impact fees and/or the construction of new or expanded public facilities on a project-by-project basis, and in accordance with applicable local, State, and Federal agency requirements, to avoid, reduce, and mitigate substantial increases in demand (and significant impacts) on public services and facilities. The City has incorporated this growth, anticipated in the adopted General Plan, into its long-range planning programs. Further, as buildout of the upzone site is anticipated to gradually occur over time, the City would effectively plan for increases in population and demands for public services as site-specific development occurs.

Notwithstanding, the project applicant of both the warehouse facility and of future development of the upzone site would be required to pay their fair share of development impact fees to help offset incremental impacts to public services by helping fund capital improvements and expenditures.

Together, the proposed project, in combination with cumulative projects, is not anticipated to overburden the respective emergency service providers or other public services such that they are unable to maintain acceptable response times or service levels. Development of the development site and the upzone site is not expected to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, or otherwise result in a significant cumulative impact to public services and facilities. Potential project impacts associated with public services and facilities would be less than cumulatively considerable.

#### **Mitigation Measures**

None required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

## 4.13 Transportation

This section addresses potential transportation impacts that may result from construction and/or operation of the project. The following discussion addresses the existing transportation conditions in the project area, identifies applicable regulations, evaluates the project's consistency with applicable goals and policies, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project.

The information and analysis herein rely on the following investigations and collectively document the traffic and circulation conditions of the project site:

- *Fontana Foothills Commerce Center Traffic Impact Analysis* (Development Site TIA), Urban Crossroads, April 23, 2020;
- *Catawba & Merrill Residential Zone Change (MC No. 19-0109) Focused Traffic Impact Analysis* (Upzone Site TIA), Urban Crossroads, April 23, 2020;
- *Fontana Foothills Commerce Center Vehicle Miles Traveled (VMT) Analysis* (Development Site VMT Analysis), Urban Crossroads, May 4, 2020; and
- *VMT Screening Analysis for the Catawba and Merrill Residential Zone Change* (Upzone Site VMT Analysis), EPD Solutions, Inc., May 28, 2020.

The Development Site TIA, Upzone Site TIA, Development Site VMT Analysis, and Upzone Site VMT Analysis are included in *Appendix I, Traffic Impact Analysis and VMT Analysis*.

### 4.13.1 Existing Conditions

#### **Regional Setting**

The City is located in the southwestern portion of San Bernardino County, bounded by the San Bernardino National Forest to the north, the City of Rialto and the unincorporated San Bernardino County community of Bloomington to the east, unincorporated Riverside County to the south, and the Cities of Rancho Cucamonga and Ontario to the west. Refer to *Exhibit 3.0-1: Regional Vicinity* and *Exhibit 3.0-2: Project Vicinity*.

#### **Project Setting**

The proposed project consists of two distinct geographical locations, the development site and the upzone site.

#### **Development Site**

The 35.55-acre development site is located in the northeast corner of the Juniper Avenue and Jurupa Avenue intersection; refer to *Exhibit 3.0-3: Development Site*. The development site

is currently developed with a mix of commercial and residential land uses and vacant land. Primary access to the development site is provided via Jurupa Avenue and Juniper Avenue.

#### **Upzone Site**

The upzone site is located on approximately 13.76 acres in the southwest corner of the Merrill Avenue and Catawba Avenue intersection; refer to *Exhibit 3.0-4: Upzone Site*. The upzone site is currently developed with residential land uses including residences, out buildings, parking areas, and vacant land. Primary access to the upzone site is provided via Merrill Avenue and Catawba Avenue.

#### **Bicycle and Pedestrian Facilities**

##### **Development Site**

The City's bicycle network is illustrated on Development Site TIA Exhibit 3-4, *City of Fontana General Plan Bikeways*. As shown, there are existing and proposed Class II bicycle lanes along Citrus Avenue, Oleander Avenue, Cypress Avenue, Sierra Avenue, Jurupa Avenue, and Santa Ana Avenue near the vicinity of the development site. There is a Class I bicycle path/trail along the Southern California Edison utility corridor south of Jurupa Avenue. There are no existing bicycle lanes adjacent to the development site.

Existing pedestrian facilities near the development site are shown on Development Site TIA Exhibit 3-5, *Existing Pedestrian Facilities*. As shown, existing sidewalks are provided along Jurupa Avenue, including the project frontage and segments of adjacent roadways.

Overall, field observations conducted as part of the Development Site TIA indicate nominal pedestrian and bicycle activity in the development site vicinity.

##### **Upzone Site**

As shown on Upzone Site TIA Exhibit 3-4, *City of Fontana General Plan Bikeways*, and Exhibit 3-5, *City of Fontana General Plan Trails*, there are existing and proposed Class II bicycle lanes along Citrus Avenue and the Pacific Electric Inland Empire trail near the vicinity of the upzone site. However, there are no bicycle lanes adjacent to the upzone site.

Existing pedestrian facilities are located along a segment of the northern side of Merrill Avenue near the upzone site; refer to Upzone Site TIA Exhibit 3-6, *Existing Pedestrian Facilities*.

Field observations conducted as part of the Upzone Site TIA indicate nominal pedestrian and bicycle activity within the vicinity of the upzone site.

#### **Transit Service**

##### **Development Site**

The development site is currently served by Omnitrans, a public transit agency serving various jurisdictions within San Bernardino County, with bus service along Jurupa Avenue and Sierra Avenue via Route 82, which would likely serve the proposed warehouse facility. The existing bus route provided within the area by Omnitrans is depicted on Development Site TIA Exhibit 3-6, *Existing Transit Routes*. Transit service is reviewed and updated by Omnitrans periodically



to address ridership, budget and community demand needs. Changes in land use can affect these periodic adjustments which may lead to either enhanced or reduced service where appropriate.

#### ***Upzone Site***

Similar to the development site, the upzone site is served by Omnitrans with bus service along Merrill Avenue via Route 20. The existing bus route provided within the area by Omnitrans is shown on Upzone Site TIA Exhibit 3-7, *Existing Transit Routes*.

#### ***Analysis Methodology***

Given that both the development and upzone sites are located within Fontana, transportation and traffic analysis methodologies for both sites are the same and are based on the City's TIA Guidelines. Per the City's TIA Guidelines and based on Senate Bill (SB) 743 guidance, vehicle miles traveled (VMT) are evaluated.

#### ***Existing VMT Analysis***

##### ***Development Site***

In San Bernardino County, the San Bernardino County Transportation Authority (SBCTA) is responsible for planning and managing vehicular congestion and coordinating regional transportation policies. SBCTA provides VMT calculations for each of its member agencies and for the County of San Bernardino region. Utilizing data from SBCTA and linear interpolation, the Development Site VMT identified the San Bernardino County regionwide total and home-based work (HBW) VMT per employee for existing (2019) conditions to be approximately 32.93 and 16.73, respectively.

##### ***Upzone Site***

Based on the Upzone Site VMT Analysis, the County's average VMT per capita is approximately 16.76. The home-based VMT per capita for the upzone site's traffic analysis zone is 10.33, approximately 38 percent lower than the City's average.

### **4.13.2 Regulatory Framework**

#### ***Federal***

Federal rules and regulations govern many facets of the City's transportation system, including transportation planning and programming; funding; and design, construction, and operation of facilities. The City complies with all applicable rules and regulations of the Federal Highway Administration, the Urban Mass Transit Administration, the Federal Railroad Administration, the Federal Aviation Administration, and other Federal agencies. In addition, the City coordinates with Federal resource agencies where appropriate in the environmental clearance process for transportation facilities.

## **State**

As it complies with Federal rules and regulations, the City also complies with applicable State rules and regulations, including those of Caltrans, and coordinates with State resource agencies.

### **California Traffic Operations Standards**

The 2002 Caltrans *Guide for the Preparation of Traffic Impact Studies* includes criteria for evaluating the effects of land use development and changes to the circulation system on State highways. Caltrans maintains a target LOS at the transition between LOS C and LOS D for freeway facilities.

### **Senate Bill 743 (Steinberg)**

As stated above, SB 743 requires the California Governor's Office of Planning and Research to amend the California Environmental Quality Act (CEQA) Guidelines to provide an alternative to LOS as the metric for evaluating transportation impacts under CEQA. Particularly within areas served by transit, SB 743 requires the alternative criteria to promote the reduction of greenhouse gas emissions, development of multimodal transportation networks, and diversity of land uses. The alternative metric for transportation impacts detailed in the CEQA Guidelines is VMT. Jurisdictions had until July 1, 2020 to adopt and begin implementing VMT thresholds for traffic analysis. Prior to July 1, 2020, jurisdictions had the option to continue using LOS analysis or converting to VMT analysis once such thresholds were adopted.

### **Technical Advisory on Evaluating Transportation Impacts in CEQA**

The Governor's Office of Planning and Research (OPR) released the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory) in December 2018. The Technical Advisory aids in the transition from LOS to VMT methodology for transportation impact analysis under CEQA. The advisory contains technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures.

### **Caltrans California Manual on Uniform Traffic Control Devices**

The California Manual on Uniform Traffic Control Devices (CA MUTCD) is published by Caltrans and is issued to adopt uniform standards and specifications for all official traffic control devices, in accordance with Section 21400 of the California Vehicle Code. Effective March 27, 2020, Caltrans prepared Revision 5 of the CA MUTCD. The updated CA MUTCD includes the Federal Highway Administration's MUTCD 2009 edition (revised in May 2012), as amended for use in California. The updated CA MUTCD also includes policies on traffic control devices issued by Caltrans since March 29, 2019 and other corrections and format changes.

## **Regional**

### ***Regional Transportation Plan/Sustainable Communities Strategy***

The Southern California Association of Governments (SCAG) is the designated metropolitan planning organization for six Southern California counties (Ventura, Los Angeles, San Bernardino, Riverside, Orange, and Imperial). As the designated metropolitan planning organization, SCAG is mandated by the Federal and State governments to prepare plans for regional transportation and air quality conformity. The most recent plan adopted by SCAG is the *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS), which was adopted in April 2016. The RTP/SCS integrates transportation planning with economic development and sustainability planning and aims to comply with State greenhouse gas emissions reduction goals, such as SB 375. With respect to transportation infrastructure, SCAG anticipates, in the RTP/SCS, that the six-county region will have to accommodate 22 million residents, an increase of nearly four million people by 2040, while also meeting the greenhouse gas emissions reduction targets set by the California Air Resources Board. SCAG is empowered by State law to assess regional housing needs and provide a specific allocation of housing needs for all economic segments of the community for each of the region's counties and cities. In addition, SCAG has taken on the role of planning for regional growth management.

### ***San Bernardino County Congestion Management Program***

The passage of Proposition 111 in June 1990 established a process for each metropolitan county in California to prepare a CMP. The CMP, which was prepared by the San Bernardino Associated Governments, in consultation with San Bernardino County and cities in San Bernardino County, in an effort to align land use, transportation, and air quality management efforts and promote reasonable growth management programs that effectively use statewide transportation funds, while ensuring that new development pays its fair share of needed transportation improvements. In San Bernardino County, SBCTA is responsible for planning and managing vehicular congestion and coordinating regional transportation policies.

Through the use of traffic impact analysis reports and Comprehensive Transportation Plan model forecasts, the CMP evaluates proposed land use decisions to ensure adequate transportation network improvements that are developed to accommodate future growth in population. If a CMP facility is found to fall below the LOS standard, either under existing conditions or future conditions, a deficiency plan must be prepared, adopted, and implemented by local jurisdictions that contribute to such situations. Annual monitoring activities provide a method of accountability for those local jurisdictions required to mitigate a network facility with a substandard LOS. While this interjurisdictional approach provides political and technical consistency for future development in the county, the CMP is only a mechanism to be used to guide efforts in a more efficient manner. It is not to be considered a replacement to the RTP.

### ***SBCTA Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment***

In February 2020, the SBCTA released the *SBCTA Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment* (SBCTA Guidelines) that address both

traditional automobile delay-based LOS and new VMT analysis requirements per SB 743. The SBCTA Guidelines provide local jurisdictions with sufficient information to adopt VMT baselines and thresholds of significance prior to the July 2020 implementation deadline.

## **Local**

### **City of Fontana General Plan**

The *Fontana Forward General Plan Update 2015-2035* (General Plan) Community Mobility and Circulation Chapter is focused on connecting neighborhoods and City destinations by expanding transportation choice in Fontana. While the General Plan supports continuing programs to improve travel by cars and trucks, it provides guidance on expanding the options for transit and active transportation (pedestrian and bicycle mobility). To help meet these demands and achieve balanced growth, the City has adopted specific goals and policies.

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|-------------|---|
| 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 1.1: | Provide roadways that serve the needs of Fontana residents and commerce, and that facilitate safe and convenient access to transit, bicycle facilities, and walkways.   |
| Policy 1.2: | Make land use decisions that support walking, bicycling, and public transit use, in alignment with the <i>2016-2040 Regional Transportation Plan and Sustainable Communities Strategy</i> .                           |
| Goal 2:     | Fontana's road network is safe and accessible to all users, especially the most vulnerable such as children, youth, older adults and people with disabilities.  |
| Policy 2.1: | Design roadway space for all users, including motor vehicles, buses, bicyclists, mobility devices (such as senior scooters), and pedestrians, as feasible and appropriate for the context.                            |
| Policy 2.2: | Support designated truck routes that avoid negative impacts on residential and commercial areas while accommodating the efficient movement of trucks.   |

### **Fontana Active Transportation Plan**

The *City of Fontana Active Transportation Plan* (Fontana ATP) is a Citywide plan that provides a clear and comprehensive framework for new and safer connectivity of non-motorized transportation options throughout Fontana. The Fontana ATP was adopted by the City Council on November 14, 2017. The Fontana ATP includes goals and objectives; evaluates existing bicycle and pedestrian network conditions; conducts a needs analysis based on community identified needs; recommends infrastructure and bicycle/pedestrian network improvements based on opportunities and constraints; provides an implementation plan to

identify priorities and cost estimates; establishes performance measures; and outlines existing and proposed programs.

#### ***City of Fontana Traffic Impact Analysis Guidelines for VMT and LOS Assessment***

The *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* (TIA Guidelines), was adopted on June 9, 2020. The guidelines provide methodology and thresholds for preparation of LOS with regard to General Plan consistency, and VMT analyses with regard to CEQA for projects in the City. The guidelines also provide screening thresholds to determine if a LOS, for General Plan consistency, and/or VMT analysis for CEQA is required.

#### ***Transportation Funding Mechanisms***

Transportation improvements within the City are funded through a combination of direct project mitigation, development impact fee programs, or fair share contributions, such as the City of Fontana Development Impact Fee (DIF) program. Identification and timing of needed improvements is generally determined through local jurisdictions based upon a variety of factors.

#### ***Measure “I” Funds***

In 2004, the voters of San Bernardino County approved the 30-year extension of Measure “I,” a one-half of 1 percent sales tax on retail transactions, through the year 2040, for transportation projects including, but not limited to, infrastructure improvements, commuter rail, public transit, and other identified improvements. The Measure “I” extension requires that a regional traffic impact fee be created to ensure development is paying its fair share. A regional Nexus study was prepared by SBCTA and concluded that each jurisdiction should include a regional fee component in their local programs in order to meet the Measure “I” requirement. The regional component assigns specific facilities and cost sharing formulas to each jurisdiction and was most recently updated in May 2018. Revenues collected through these programs are used in tandem with Measure “I” funds to deliver projects identified in the Nexus Study.

While Measure “I” is a self-executing sales tax administered by SBCTA, it bears discussion because the funds raised through Measure “I” have funded in the past and will continue to fund new transportation facilities in San Bernardino County, including within the City of Fontana.

#### ***City of Fontana Development Impact Fee Program***

The City adopted the latest update to their DIF program in September 2019. Fees from new residential, commercial, and industrial development are collected to fund Measure “I” compliant regional facilities as well as local facilities. Under the DIF program, the City may grant to developers a credit against specific components of fees when those developers construct certain facilities and landscaped medians identified in the list of improvements funded by the DIF program.

After the DIF fees are collected, they are placed in a separate restricted use account pursuant to the requirements of Government Code Sections 66000 et seq. The timing to use the DIF fees is established through periodic capital improvement programs which are overseen by the

City's Engineering Department. Periodic traffic counts, review of traffic accidents, and a review of traffic trends throughout the City are also periodically performed by City staff and consultants. The City uses this data to determine the timing of the improvements listed in its facilities list. The City also uses this data to ensure that the improvements listed on the facilities list are constructed before the LOS falls below the LOS performance standards adopted by the City. The DIF program establishes a timeline to fund, design, and build the improvements.

#### **4.13.3 Thresholds for Determination of Significance**

Given that both the development and upzone sites are located within Fontana, transportation and traffic thresholds for determination of significance are the same.

##### ***City of Fontana Impact Criteria***

##### ***VMT Methodology***

To aid in the transition of transportation impact analysis from LOS to VMT, OPR released the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory) in December 2018. The SBCTA is also currently conducting a multi-jurisdictional study to develop a set of procedures and provide local jurisdictions with sufficient information to adopt VMT baselines and thresholds of significance at or around the July 2020 required implementation date. In February 2020, the SBCTA released the *SBCTA Recommended Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment* (SBCTA Guidelines) that address both traditional automobile delay-based LOS and new VMT analysis requirements.

The City's TIA Guidelines state that a VMT analysis should be conducted for land use projects as deemed necessary by the City of Fontana Traffic Division and would apply to projects that have the potential to increase the average VMT per service population (i.e., population plus employment) compared to the County's boundary. Normalizing VMT per service population essentially provides a transportation efficiency metric that the analysis is based on. Using this efficiency metric allows the user to compare the project to the remainder of the unincorporated area for purposes of identifying transportation impacts.

These guidelines are based on the SBCTA Guidelines, which provide options for both methodologies and VMT screening. According to the City's TIA Guidelines, projects that meet certain screening thresholds based on their location and project type may be presumed to result in a less than significant transportation impact. For example, projects located within a Transit Priority Area or a low VMT-generating traffic analysis zone (TAZ) (subject to some secondary screening criteria) and absent substantial evidence to the contrary are anticipated to result in less than significant impacts. Based on available data, the development site is not located within a Transit Priority Area or low VMT-generating TAZ and would therefore require project-level VMT analysis.

Projects not screened out are required to complete VMT analysis and forecasting through the San Bernardino Transportation Analysis Model (SBTAM) to determine if they have a significant VMT impact. This analysis should include 'project generated VMT' and 'project effect on VMT' estimates for the project TAZ(s).



According to the City's TIA Guidelines, a project would result in a significant project-generated VMT impact if either of the following conditions is satisfied:

1. The baseline project-generated VMT per service population exceeds 15 percent below the baseline County of San Bernardino VMT per service population; or
2. The cumulative project-generated VMT per service population exceeds 15 percent below the baseline County of San Bernardino VMT per service population.

The project's effect on VMT would be considered significant if it resulted in either of the following conditions to be satisfied:

1. The baseline link-level boundary VMT per service population (City boundary) to increase under the plus project condition compared to the no project condition); or
2. The cumulative link-level boundary VMT per service population (City boundary) to increase under the plus project condition compared to the no project condition).

### ***Thresholds of Significance***

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters*, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on transportation if it would do any of the following:

1. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities (refer to Impact 4.13-1).
2. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) (refer to Impact 4.13-2).
3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (refer to Impact 4.13-3).
4. Result in inadequate emergency access (refer to *Appendix A*).

## **4.13.4 Impact Analysis and Mitigation Measures**

### ***CONFLICT WITH APPLICABLE ROADWAY PLANS OR ALTERNATIVE TRANSPORTATION PLANS***

**Impact 4.13-1 The project would potentially conflict with a program, plan, ordinance, or policy addressing the roadway circulation system, including transit, roadway, bicycle, and pedestrian facilities.**

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### ***Development Site***

#### **Short-Term Construction Impacts**

Construction of the proposed warehousing facility is anticipated to occur in one single phase over a duration of approximately 12 months. Construction equipment is expected to include

excavators, rubber-tired dozers, crawler tractors, graders, scrapers, cranes, forklifts, pavers and rollers. The proposed earthwork activities are expected to be balanced and no import or export of soils would be required. Localized truck traffic could result as construction materials are hauled to specific work zones on the development site. According to the air quality analysis, demolition activities would require 15 worker trips and 73 hauling trips per day for 30 days; site preparation would require 18 worker trips per day for 20 days; grading would require 20 worker trips per day for 45 days; and building construction, paving, and architectural coating would require a total of 753 worker trips and 240 vendor trips over 285 days; refer to *Appendix B, Air Quality Impact Analysis, Health Risk Assessment, and Greenhouse Gas Analysis*. Overall, vehicular and truck traffic generated during construction would result in total volumes higher than existing conditions.

Temporary construction-related impacts would be reduced with implementation of a Construction Traffic Management Plan (TMP), to be established prior to issuance of any construction or demolition permits (Mitigation Measure TR-1). The TMP would be required to address the following, among others: traffic control of any street closure, detour, or other disruptions to traffic circulation; identification of construction vehicle haul routes; limitation of hauling activities to off-peak hours; and utilization of appropriate traffic control personnel to ensure construction vehicles operate safely along adjacent local roadways. With implementation of Mitigation Measure TR-1, construction of the warehousing facility would not conflict with an adopted program, plan, ordinance, or policy addressing the roadway circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant in this regard.

### **Long-Term Operational Impacts**

The project would be required to adhere to applicable City standards that support or facilitate alternative modes of transportation. The City recently adopted the Fontana ATP, which proposes new bicycle and pedestrian routes and walkways to enhance active modes of transportation throughout Fontana. According to the Fontana ATP Figure 5.1, *Existing, Planned and Recommended Bikeway Network*, a proposed Class IV (separated bikeway) is proposed along a segment of Jurupa Avenue, including along the project frontage. However, Fontana ATP Figure 5.2, *Pedestrian Priority Areas*, does not identify the development site as located within a pedestrian priority area. Development of the warehousing facility would not interfere with the development of the future proposed Class IV bikeway along the Jurupa Avenue right-of-way or hinder existing pedestrian facilities in the vicinity of the development site. Development of the warehouse facility would occur within the project boundaries. Additionally, refer to Impact 4.13-3 for details on proposed site adjacent roadway and site access improvements, which similarly would not impact existing and planned bicycle and pedestrian facilities near the development site.

Public transportation in Fontana is provided by Omnitrans. Omnitrans has an extensive network of bus routes throughout the City and surrounding region. The nearest bus stop is located on Jurupa Avenue at the southwest corner of the development site. Additional bus stops are also located further along Jurupa Avenue to the east and west and along Sierra Avenue. The proposed development would not alter any bus stop locations or frequency of Omnitrans' bus services.

As such, operation of the warehousing facility would not conflict with an adopted program, plan, ordinance, or policy addressing the roadway circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant in this regard.

### **Upzone Site**

#### **Short-Term Construction Impacts**

Future development on the upzone site in accordance with the proposed rezone from Single-Family Residential (R-1) to Medium Density Residential (R-2) would accommodate additional residential units than allowed under the site's current R-1 zoning. While no development is currently proposed on the upzone site as part of the project, future residential development on the upzone site would require separate environmental review under CEQA, including potential short-term construction transportation analysis. Future developments would also be required to reduce temporary construction-related impacts with implementation of a TMP in accordance with Mitigation Measure TR-1. With implementation of Mitigation Measure TR-1, future construction activities at the upzone site would not conflict an adopted program, plan, ordinance, or policy addressing the roadway circulation system, including transit, roadway, bicycle, and pedestrian facilities. Impacts would be less than significant in this regard.

#### **Long-Term Operational Impacts**

As stated, the project does not propose development on the upzone site concurrently with the proposed warehousing facility on the development site. Future projects on the upzone site would be required to comply with applicable City standards that support or facilitate alternative modes of transportation. Fontana ATP Figure 5.1, *Existing, Planned and Recommended Bikeway Network*, shows a planned Class II bicycle lane proposed on Merrill Avenue along the northern boundary of the upzone site. However, Fontana ATP Figure 5.2, *Pedestrian Priority Areas*, does not identify the upzone site as within a pedestrian priority area. Future residential development on the upzone site would be evaluated on a project level under separate environmental review to determine whether the development would conflict with an adopted program, plan, ordinance, or policy addressing the roadway circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Additionally, there are two existing bus stops served by Omnitrans at the intersection of Merrill Avenue and Catawba Avenue. Future residential development on the upzone site would similarly be evaluated on a project-level under separate environmental review to determine whether the development would interfere with the existing and planned transit services in the vicinity of the upzone site. Thus, project impacts to the upzone site in this regard would be less than significant.

## Mitigation Measures

TR-1            Prior to issuance of any grading and/or demolition permits, whichever occurs first, the project applicant shall prepare a Construction Traffic Management Plan (TMP) to be submitted for review and approval by the City Engineer. The TMP shall, at a minimum, address the following:

- Traffic control for any street closure, detour, or other disruption to traffic circulation.
- Identify the routes that construction vehicles will utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.), to access the project site, traffic controls and detours, and proposed construction phasing plan for the project.
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.
- Require the project applicant to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt, as a result of its operations. The applicant shall clean adjacent streets, as directed by the City of Fontana Public Works Department, of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.
- Hauling or transport of oversize loads shall be subject to the requirements of the City of Fontana Public Works Department and/or the County of San Bernardino.
- Use of local streets shall be prohibited unless temporarily allowed by the City of Fontana Public Works Department.
- Haul trucks entering or exiting public streets shall at all times yield to public traffic.
- If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.
- All construction-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site.
- Should the project utilize State facilities for hauling of construction materials, the Construction Management Plan shall be submitted to the California Department of Transportation for review and comment.
- Should project construction activities require temporary vehicle lane, bicycle lane, and/or sidewalk closures, the applicant shall coordinate with the City Engineer regarding timing and duration of proposed temporary lane and/or

sidewalk closures to ensure the closures do not impact operations of adjacent uses or emergency access.

The TMP shall be monitored for effectiveness and be modified in conjunction with the City Engineer if needed to improve safety and/or efficiency.

### Level of Significance After Mitigation

Impacts would be less than significant.

### CONFLICT WITH CEQA GUIDELINES SECTION 15064.3, SUBDIVISION (B)

#### Impact 4.13-2 The project could potentially conflict with CEQA Guidelines section 15064.3, subdivision (b).

The City's TIA Guidelines were recently adopted on June 9, 2020 and are utilized for the project's VMT analysis methodology. The calculation of VMT for land use projects is based on the total number of trips generated and the average trip length of each vehicle. The SBTAM is a useful tool to estimate VMT as it considers interaction between different land uses based on socio-economic data, including population, households, and employment. The SBCTA Guidelines identifies SBTAM as the appropriate tool for conducting VMT analysis for land use projects in San Bernardino County.

### Development Site

#### Project VMT

The Development Site VMT Analysis calculated VMT for the development site using the most current version of SBTAM. Adjustments in socioeconomic data were made to the appropriate TAZ within the SBTAM model to reflect the project's proposed land use (i.e., warehousing). As shown in **Table 4.13-1: Development Site HBW VMT Per Employee**, the project's baseline (2019) Total VMT per service population is 37.96 and HBW VMT per employee is 19.66.

**Table 4.13-1: Development Site HBW VMT Per Employee**

	Development Site HBW VMT
Employment	631
Total VMT	23,953
Total VMT / SP <sup>1</sup>	37.96
HBW VMT	12,406
HBW VMT / Employee	19.66

Notes: HBW = home-based work; VMT = vehicle miles traveled; SP = service population

<sup>1</sup> Since the proposed warehousing development does not have a residential component, the service population consists entirely of employment.

Source: Urban Crossroads, *Fontana Foothills Commerce Center Vehicle Miles Traveled (VMT) Analysis*, May 4, 2020.

### Regional VMT

SBCTA provides VMT calculations for each of its member agencies and for the San Bernardino County region. Based on this information, the San Bernardino County regionwide

Total and HBW VMT per employee for baseline (2019) conditions is 32.93 and 16.73, respectively.

#### **Project Level VMT Assessment**

**Table 4.13-2: HBW VMT per Employee Comparison** compares Total and HBW VMT per employee generated by the proposed warehouse facility to the existing (2019) regional Total VMT per service population and HBW VMT per employee.

**Table 4.13-2: HBW VMT Per Employee Comparison**

	Total VMT / SP	HBW VMT / Employee
Proposed Warehouse Facility (Development Site)	37.96	19.66
San Bernardino County Regional Threshold <sup>1</sup>	27.99	14.22
Difference	+9.97	+5.17
Percent Change	+35.62%	+38.26%

Notes: VMT = vehicle miles traveled; SP = service population; HBW = home-based work

<sup>1</sup> Based on the Technical Advisory, the threshold is 15 percent below the region's existing VMT.

Source: Urban Crossroads, *Fontana Foothills Commerce Center Vehicle Miles Traveled (VMT) Analysis*, May 4, 2020.

As shown, the proposed warehouse facility would exceed the 15 percent below the current regional Total VMT per service population by 35.6 percent and HBW VMT per employee by 38.3 percent. As such, project development would result in potentially significant impacts in regard to VMT.

Transportation demand management (TDM) strategies have been evaluated for reducing VMT impacts determined to be potentially significant. The effectiveness of TDM strategies to reduce VMT has been determined based on Fehr & Peers' *SB 743 Implementation TDM Strategy Assessment*, dated February 26, 2019 and prepared for the Western Riverside Council of Governments. The memo evaluated 50 TDM measures presented in the California Air Pollution Control Officers Association (CAPCOA) *Quantifying Greenhouse Gas Mitigation Measures Report*, dated 2010, and indicated 41 of the measures are applicable at building and site level. The remaining measures are functions of, or depend on, site location and/or actions by local and regional agencies or funders.

Of the 41 TDM measures identified by CAPCOA, only seven of the measures may be effective at the project level. The Development Site VMT Analysis evaluated the potential applicability of the seven project-level TDM measures in the context of the proposed project and concluded that only three measures identified below would provide for potentially meaningful VMT reduction.

- *Measure 1: Increase Diversity of Land Uses.* Siting different types of land uses near one another can decrease VMT since trips between land use types are shorter and may be accommodated by non-automobile transportation modes. For example, when residential areas are in the same neighborhood as retail and office buildings, a resident does not need to travel outside of the neighborhood to meet his/her trip needs.

The proposed project would develop up to 754,408 square feet of warehousing use within two buildings. In order for Measure 1 to apply, at least three of the following



need to be located on- or off-site within 0.25-mile of the development site: Residential Development, Retail Development, Park, Open Space, or Office. There are existing and proposed open space, retail, and residential developments within 0.25-mile of the development site. Therefore, Measure 1 may be evaluated further as means of providing a reduction in VMT generated by the proposed warehouse facility.

It is recognized that the proposed development would introduce additional employment opportunities, acting to generally improve the City and region's jobs/housing balance. The resulting improved jobs/housing balance could also reduce commuting VMT.

- Measure 6: Encourage Telecommuting and Alternative Work Schedule. Encouraging telecommuting and alternative work schedules reduces the number of commute trips and therefore VMT generated by employees. Alternative work schedules could take the form of staggered starting times, flexible schedules, or compressed work weeks. The effectiveness of this measure is dependent on the ultimate building tenant(s), which are unknown at this time. Nevertheless, this measure could provide for a potential reduction in VMT. CAPCOA notes that implementation of this measure could reduce commute VMT by 0.07 to 5.5 percent.
- Measure 7: Provide Ride-Sharing Programs. This strategy focuses on encouraging carpooling and vanpooling for the proposed warehousing facility; however, similar to Measure 6, its ultimate implementation is dependent on the ultimate building tenant(s), which are unknown at this time. Nevertheless, this measure could provide for a potential reduction in VMT. CAPCOA notes that implementation of this measure could reduce commute VMT by 1.0 to 15.0 percent.

The remaining four measures were rejected as infeasible as described below:

- Measure 2: Provide Pedestrian Network Improvements. Providing a pedestrian access network to link areas of the project site to encourage people to walk instead of drive. This mode shift results in people driving less and thus a reduction in VMT.

Although there are existing sidewalks off-site along portions of Santa Ana Avenue, Sierra Avenue, and Jurupa Avenue, field observations indicate there is nominal pedestrian activity in the project area likely due to the lack of diversity of land uses. Furthermore, given the industrial nature of the project and surrounding uses, it is unlikely that there would be substantive pedestrian activity even if a pedestrian network were to be expanded. This measure is therefore not evaluated further as means of providing a meaningful reduction in project-related VMT.

- Measure 3: Provide Traffic Calming Measure. Providing traffic calming measures encourages people to walk or bike instead of using a vehicle. This mode shift would result in a VTM reduction. Traffic calming features can include marked crosswalks, count-down signal timers, curb extensions, speed tables, raised crosswalks, raised intersections, median islands, tight corner radii, roundabouts or mini-circles, on-street parking, planter strips with street trees, chicanes/chokers, and others.

Given the industrial nature of the project and similar characteristics of surrounding uses, there is limited opportunity for pedestrian and bicycle activity. As such, this measure is not evaluated further as means of providing a meaningful reduction in project-related VMT.

- Measure 4: Implement Car-Sharing Program. Implementing a car-sharing program would allow individuals to have on-demand access to a shared fleet of vehicles on an as-needed basis. User costs are typically determined through mileage or hourly rates, with deposits and/or annual membership fees.

It is possible that employers within the development site could implement car-sharing programs. This may provide car access for employees on an as-needed basis, and thereby alleviate some of the costs and responsibilities of individual car ownership. However, this would not necessarily result in a reduction of VMT, but would rather transfer the VMT source from individually-owned vehicles to employee-subsidized vehicles. Moreover, CAPCOA indicates that this measure would at most result in 0.4 to 0.7 percent reduction in VMT. Since the proposed warehouse facility would exceed the 15 percent below the current regional Total VMT per service population by 35.6 percent and HBW VMT per employee by 38.3 percent, this measure is not evaluated further as means of providing a meaningful reduction in project-related VMT.

- Measure 5: Increase Transit Service Frequency and Speed. This measure serves to reduce transit-passenger travel time through more reduced headways and increased speed and reliability. This makes transit service more attractive and may result in a mode shift from automobiles to transit, which reduces VMT.

The development site and surrounding area are currently served by Omnitrans. Omnitrans Route 82 currently provides proximate service (within one-quarter mile) of the development site. Transit service is reviewed and updated by the Riverside Transit Authority periodically to address ridership, budget and community demand needs. Changes in land use can affect these periodic adjustments, which may lead to either enhanced or reduced service, where appropriate. The Applicant would need to work in conjunction with the City and Omnitrans to coordinate potential bus service directly to the development site. Since implementation of this measure would require multiagency implementation, it is not applicable for individual development projects. As such, this measure is not evaluated further as a means of providing a meaningful reduction in project-related VMT.

Overall, implementation of TDM Measures 1, 6, and 7 have the potential to reduce the Total VMT per service population generated by the proposed warehouse facility. The effectiveness of the TDM measures would be dependent in part on final project designs and occupancies, which are unknown at this time. Beyond project design and tenant considerations, land use context is a major factor relevant to the potential application and effectiveness of TDM measures. More specifically, the land use context of the project is characteristically suburban. As such, the project's suburban context reduces the range of feasible TDM measures and moderates their potential effectiveness.

Even under the most favorable circumstances, projects located within a suburban context, such as the proposed project, could realize a maximum 10 percent reduction in VMT through implementation of feasible TDM measures. For the proposed project, this could result in reduction from 37.96 to 34.16 Total VMT per service population and 19.66 to 17.69 HBW VMT per employee, which would still exceed the regional threshold of 27.99 Total VMT per service population by 22.04 percent and 14.22 HBW VMT per employee by 24.40 percent.

It is also recognized that as the project area and surrounding communities develop as envisioned under the City of Fontana and County of San Bernardino General Plans, new residential, office, retail, and industrial uses would be developed. These actions could collectively alter transportation patterns, improve the City and region's jobs/housing ratio, diminish VMT, and support implementation of new or alternative TDM measures. There are no means, however, to quantify any VMT reductions that could result. Additionally, the effectiveness of the TDM strategies that have potential to reduce VMT are also dependent on unknown building tenant(s).

Given the unknown and speculative nature of future development in the surrounding area, Measure 1 cannot be feasibly imposed on the project as a mitigation measure. The applicant would not be able to ensure at least three of the following land use types: residential, retail, park, open space, and/or office use, are developed within 0.25 miles of the proposed warehouse facility to increase diversity of land uses.

Similarly, given that the ultimate building tenant(s) of the warehouse facility are unknown, Measures 6 and 7 cannot be feasibly imposed on the project as mitigation measures. Telecommuting, carpool/vanpool, and alternative work schedules may not work for certain types of industrial businesses. For example, some businesses may require coming into the office to work rather than remote working. Additionally, the warehouse facility is anticipated to operate 24 hours a day, 7 days a week, which is not conducive to alternative work schedules, such as staggered starting times, flexible schedules, or compressed work weeks.

Therefore, no feasible mitigation is available to meaningfully reduce project-level VMT nor is there a way to enforce and quantify any VMT reductions that could result from TDM measures. The Total VMT per service population and HBW VMT per employee generated by the proposed warehouse facility would exceed the regional threshold of 15 percent below existing Total VMT per service population and HBW VMT per employee. VMT impacts generated by the proposed warehouse facility are considered significant and unavoidable.

#### **Cumulative VMT Assessment**

Total VMT was calculated for the cumulative 2040 model year for both without and with the project; refer to *Table 4.13-3: Cumulative San Bernardino County VMT*.

**Table 4.13-3: Cumulative San Bernardino County VMT**

	Cumulative Year (2040) No Project	Cumulative Year (2040) With Project
VMT	82,167,731	82,182,849
VMT / SP	21.91	21.91

Notes: VMT = vehicle miles traveled; SP = service population

Source: Urban Crossroads, *Fontana Foothills Commerce Center Vehicle Miles Traveled (VMT) Analysis*, May 4, 2020.

As shown, the project increases VMT per service population for the region by less than 0.01 VMT per service population. Nevertheless, as the project results in a net increase in VMT per service population, the project's cumulative effect on VMT is potentially significant.

As analyzed above, three TDM measures are identified that could be implemented at a project level: Measure 1 (Increase Diversity of Land Uses), Measure 6 (Encourage Telecommuting and Alternative Work Schedule), and Measure 7 (Provide Ride-Sharing Programs). However, as analyzed above, given the unknown and speculative nature of future development in the surrounding area and ultimate building tenant(s), Measures 1, 6, and 7 cannot be feasibly imposed on the project as mitigation measures. Further, the efficacy of TDM measures and quantified reduction of VMT impacts specific to the proposed warehouse facility cannot be assured and enforced. As such, cumulative VMT impacts are similarly considered significant and unavoidable.

### **Upzone Site**

According to the Upzone Site VMT Analysis, the Technical Advisory and City's VMT Guidelines both provide recommendations for projects that could be screened out of VMT analysis because they would be considered to have a less than significant impact on VMT. One of the screening thresholds is for projects within low VMT-generating TAZs, which are generally exempt from further analysis of VMT. Utilizing the draft SBCTA screening tool indicates that the upzone site is within a low VMT-generating TAZ based on VMT per capita. The jurisdictional average VMT per capita for the upzone site is 16.763 while the home-based VMT per capita TAZ is 10.329, approximately 38 percent lower than the jurisdictional average. Since the proposed zone change would maintain the upzone site as a residential use and is consistent with the land use in the TAZ, the project would be presumed to have a less than significant impact on VMT and no further analysis is required. Further, no development is proposed at the upzone site as part of this project and any future development would be required to undergo its own CEQA analysis.

### **Mitigation Measures**

No feasible mitigation is available.

### **Level of Significance After Mitigation**

Impacts would be significant and unavoidable.

## **HAZARDOUS DESIGN FEATURES**

### **Impact 4.13-3 The project could substantially increase hazards due to geometric design features or incompatible uses.**

#### **Development Site**

As shown on Development Site TIA Exhibit 1-1, *Preliminary Site Plan*, the project would construct a 754,408-square foot warehousing facility within two buildings. Passenger car and truck access would be provided via the following roadways:

- Juniper Avenue via Driveway 1 – full access for passenger cars and trucks;
- Juniper Avenue via Driveway 2 – full access for passenger cars and trucks;
- Jurupa Avenue via Driveway 3 – right-in/right-out access for passenger cars only; and
- Jurupa Avenue via Driveway 4 – right-in/right-out access for passenger cars and trucks.

#### **Site Adjacent Roadway Improvements**

*Exhibit 4.13-1: Site Adjacent Roadway and Site Access Improvements*, illustrates the proposed site-adjacent roadway improvements that would be included as conditions of approval and are anticipated to be implemented prior to project occupancy.

- Juniper Avenue. Juniper Avenue is a north-south oriented roadway located along the development site's western boundary. Juniper Avenue would be constructed to its ultimate half-section width as a collector street (80-foot right-of-way) between the development site's northern boundary and Jurupa Avenue.
- Jurupa Avenue. Jurupa Avenue is an east-west oriented roadway located along the development site's southern boundary. Jurupa Avenue would be constructed to its ultimate half-section width as a modified major highway (120-foot right-of-way) between Juniper Avenue and the development site's eastern boundary.

On-site traffic signing and striping would also be implemented in conjunction with detailed construction plans for the project site. Additionally, sight distance at each project access point would be reviewed with respect to Caltrans and City of Fontana standards at the time of final grading, landscape, and street improvement plan reviews.

#### **Site Access Improvements**

Site access improvements are also proposed for the development site and are illustrated on *Exhibit 4.13-1*. Construction of on-site and site adjacent improvements would occur in conjunction with construction of the warehousing facility to ensure adequate access.

- Juniper Avenue and Driveway 1 (Intersection No. 5). A stop control would be installed on the westbound approach and the intersection would be constructed with the following geometrics (proposed to align with a future driveway on the west side):
  - Northbound Approach: One shared through-right turn lane;
  - Southbound Approach: One shared left-through lane;
  - Eastbound Approach: Not applicable; and
  - Westbound: One shared left-right turn lane.
- Juniper Avenue and Driveway 2 (Intersection No. 6). A stop control would be installed on the westbound approach and the intersection would be constructed with the following geometrics (proposed to align with a future driveway on the west side):
  - Northbound Approach: One shared through-right turn lane;
  - Southbound Approach: One shared left-through lane;

- Eastbound Approach: Not applicable; and
- Westbound: One shared left-right turn lane.
- Juniper Avenue and Jurupa Avenue (Intersection No. 7). The intersection would be modified to accommodate the following:
  - Eastbound Approach: Modify the existing raised median along Jurupa Avenue to accommodate an eastbound left turn lane with 315 feet of storage.
- Driveway 3 and Jurupa Avenue (Intersection No. 8). A stop control would be installed on the southbound approach and the intersection would be constructed with the following geometrics:
  - Northbound Approach: Not applicable;
  - Southbound Approach: One right turn lane;
  - Eastbound Approach: Three through lanes; and
  - Westbound: Two through lanes and a shared through-right turn lane.
- Driveway 4 and Jurupa Avenue (Intersection No. 9). A stop control would be installed on the southbound approach and the intersection would be constructed with the following geometrics:
  - Northbound Approach: Not applicable;
  - Southbound Approach: One right turn lane;
  - Eastbound Approach: Three through lanes; and
  - Westbound: Two through lanes and a shared through-right turn lane.

Wherever necessary, roadways adjacent to the development site, site access points, and site-adjacent intersections would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the General Plan Circulation Element.

### **Truck Access**

Due to the typical wide turning radius of large trucks, adequate truck turning radius and curb radii were evaluated as part of the Development Site TIA. As shown on [\*Exhibit 4.13-2: Truck Access\*](#), the following curb radius and driveway changes would be implemented to accommodate the ingress and egress of heavy trucks:

- Driveway 1 on Juniper Avenue. Driveway 1 would be modified to provide a 50-foot curb radius on the southeast corner;
- Driveway 2 on Juniper Avenue. Driveway 2 would be modified to provide a 45-foot curb radius on the southeast corner; and
- Driveway 4 on Jurupa Avenue. Driveway 4 would be modified internally and the driveway would be widened by 20 feet to the west in conjunction with a 45-foot curb radius on



the northwest corner and 30-foot curb radius on the northeast corner in order to accommodate concurrent ingress and egress truck turns.

Driveway 3 would not be required to be modified for truck access as it will serve passenger vehicles only. The identified site adjacent, site access, and truck access improvements project design features and would be imposed as conditions of approval and are anticipated to be implemented prior to project occupancy. Implementation of these improvements would ensure safe access to and from the development site and would not substantially increase hazards due to geometric design features or incompatible uses. Overall, impacts would be less than significant in this regard.

### ***Upzone Site***

As stated, no development is proposed on the upzone site as part of the project. Therefore, the proposed project would not substantially increase hazards due to geometric design features or incompatible uses. Future residential development on the upzone site under the R-2 zoning would be evaluated for potential to increase hazards due to geometric design features or incompatible uses at a project level under separate environmental review. Wherever necessary, roadways adjacent to the upzone site, site access points, and site-adjacent intersections would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the General Plan Circulation Element. Thus, the project would have no impact in this regard.

### **Mitigation Measures**

No mitigation is required.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## ***CUMULATIVE IMPACTS***

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### **Impact 4.13-4 The project would potentially result in cumulative transportation impacts.**

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#### ***Development Site***

#### ***Conflict with Applicable Roadway Plans and Applicable Alternative Transportation Plans***

Construction activities associated with the proposed warehousing facility and nearby cumulative projects may overlap and result in temporary traffic impacts to local roadways. However, as stated, project construction would not result in significant traffic impacts upon implementation of a construction TMP required under Mitigation Measure TR-1. Cumulative development projects would also be required to reduce construction traffic impacts on the local circulation system and implement any required mitigation measures that may be prescribed pursuant to CEQA provisions. Therefore, the project's contribution to cumulative construction traffic impacts would not be considerable.

Additionally, as detailed under Impact Statement 4.13-1, the proposed development would not conflict with the Fontana ATP, including any existing or planned bicycle and pedestrian facilities or transit services in the vicinity of the development site. Future cumulative project's potential to conflict with the Fontana ATP and existing or planned multimodal transportation facilities would be evaluated on a case-by-case basis under separate environmental review. Because the project would not conflict with the Fontana ATP, the project would not contribute cumulatively towards conflicting with an applicable alternative transportation plan and impacts would be less than significant.

***Conflict with CEQA Guidelines Section 15064.3, subdivision (b)***

Under Impact Statement 4.13-2, the project's cumulative impact to regional Total VMT would result in an increase less than 0.01 VMT per service population; refer to **Table 4.13-3**. Nevertheless, as the project results in a net increase in VMT per service population, the project's cumulative effect on VMT is potentially significant. As analyzed above, three TDM measures are identified that could be implemented at a project level: Measure 1 (Increase Diversity of Land Uses), Measure 6 (Encourage Telecommuting and Alternative Work Schedule), and Measure 7 (Provide Ride-Sharing Programs). However, as analyzed above, given the unknown and speculative nature of future development in the surrounding area and ultimate building tenant(s), Measures 1, 6, and 7 cannot be feasibly imposed on the project as mitigation measures. Further, the efficacy of TDM measures and quantified reduction of VMT impacts specific to the proposed warehouse facility cannot be assured and enforced. As such, cumulative VMT impacts are considered significant and unavoidable.

***Hazardous Design Features***

As analyzed under Impact Statement 4.13-3, the project's potential to introduce hazardous design features would result in less than significant impacts upon implementation of proposed site adjacent, site access, and truck access improvements. Cumulative projects' potential to introduce hazardous design features would be limited to the project's vicinity and would be evaluated on a case-by-case basis under separate environmental review. As such, the project's cumulative contribution towards introducing hazardous design features would be less than significant.

***Upzone Site***

***Conflict with Applicable Roadway Plans and Alternative Transportation Plans***

No construction activities would occur on the upzone site as part of the project. Thus, the upzone site project component would not be cumulatively considerable in regard to short-term construction impacts.

As stated, aside from rezoning the upzone site from R-1 to R-2, the project does not propose any development on the upzone site. Thus, the project would not conflict with any applicable alternative transportation plans, including the Fontana ATP. Future cumulative project's potential to conflict with the Fontana ATP or any existing or planned multimodal transportation facilities would be evaluated on a case-by-case basis under separate environmental review. As such, the upzone site project component would have no cumulative impact in this regard.

***Conflict with CEQA Guidelines Section 15064.3, subdivision (b)***

The upzone site is located within a low VMT-generating TAZ based on VMT per capita. Since the proposed zone change would maintain the upzone site as a residential use and is consistent with the land use in the TAZ, the project would be screened out of additional VMT analysis and impacts in this regard would be less than significant. As such, the project's cumulative impacts in this regard would similarly be less than significant.

***Hazardous Design Features***

Given that no development is proposed on the upzone site, the project would not substantially increase hazards due to geometric design features or incompatible uses. Wherever necessary, roadways adjacent to the upzone site, site access points, and site-adjacent intersections would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the General Plan Circulation Element. The potential for cumulative projects to introduce hazardous design features would be limited to the project's vicinity and would be evaluated on a case-by-case basis under separate environmental review. As such, the upzone site project component would have no cumulative impact in this regard.

**Mitigation Measures**

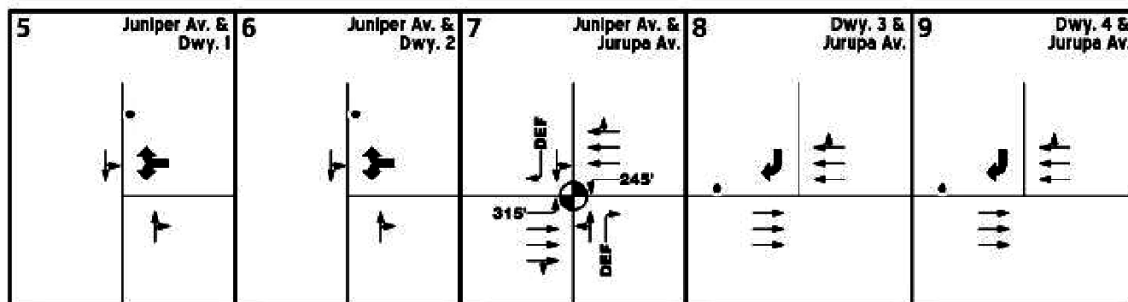
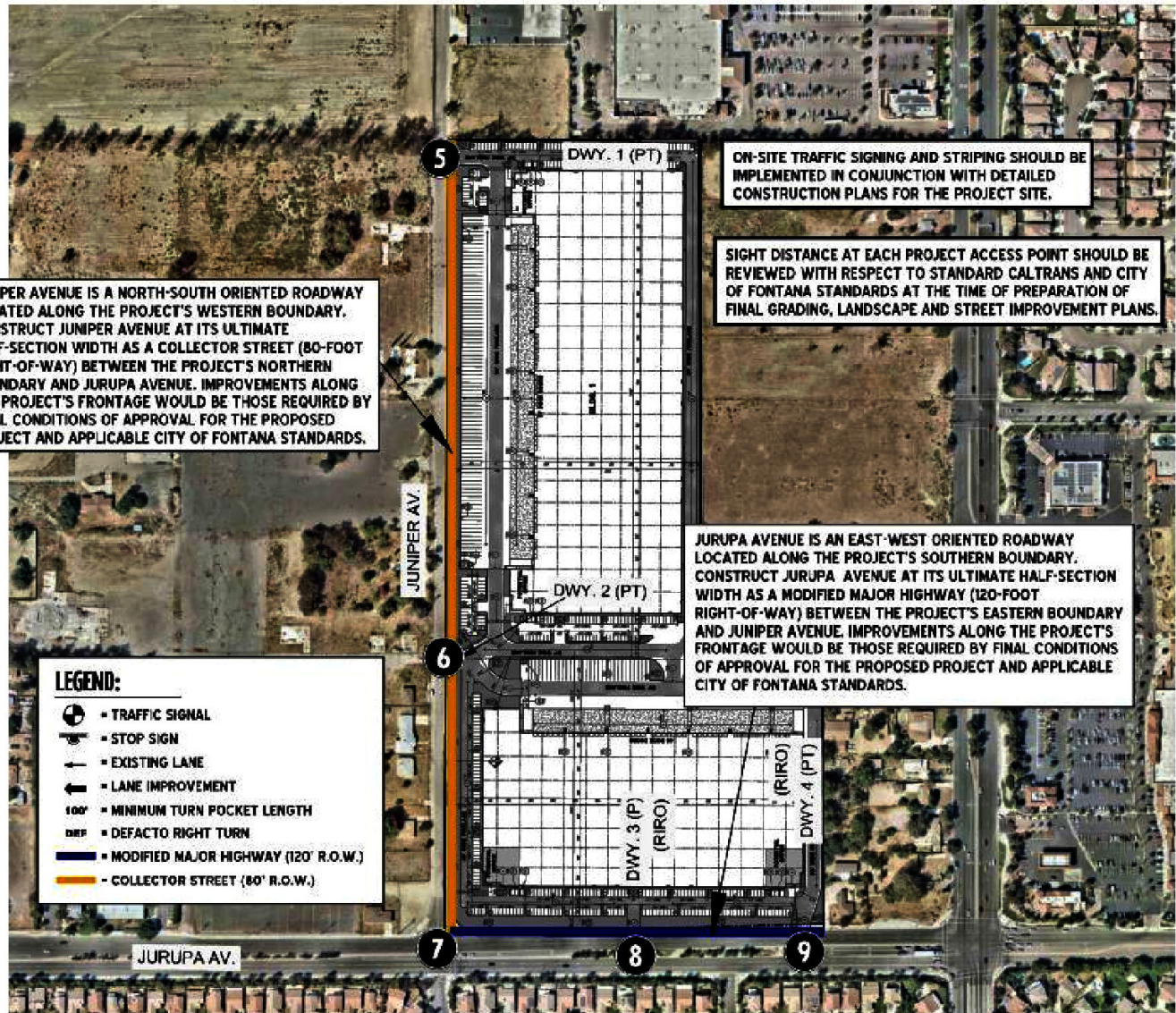
Refer to Mitigation Measure TR-1.

**Level of Significance After Mitigation**

Impacts would be significant and unavoidable.

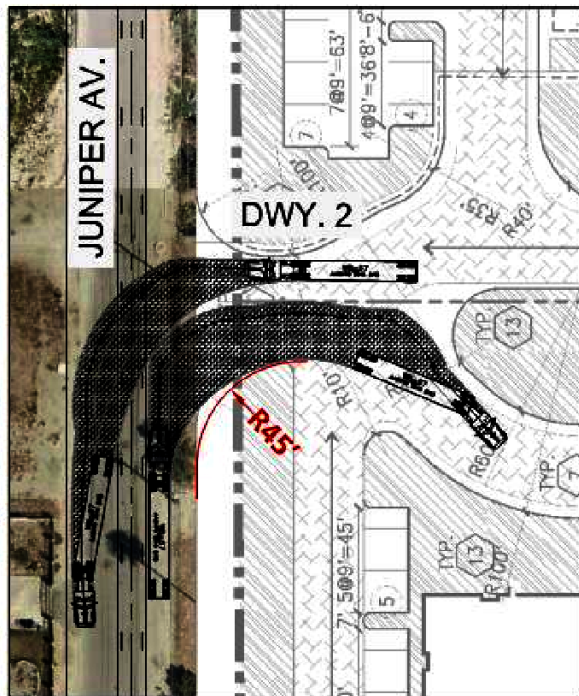
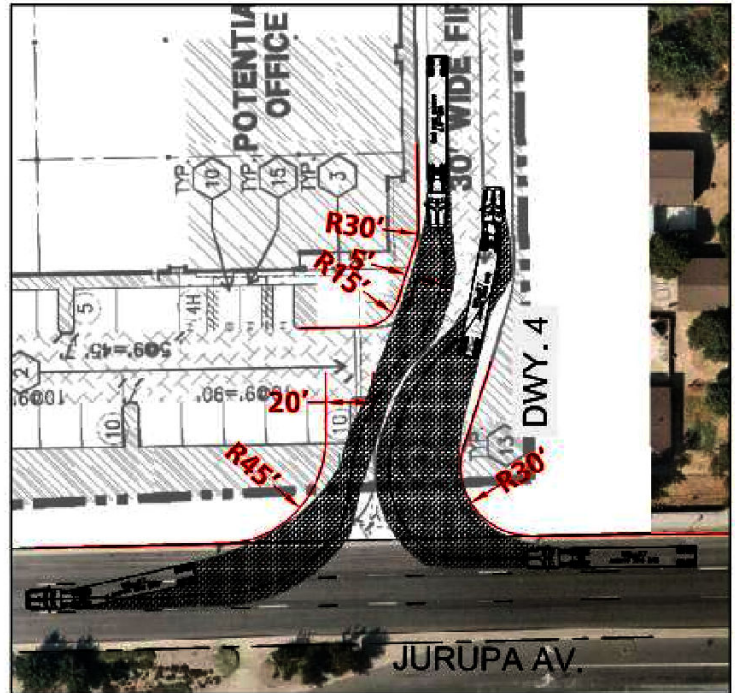
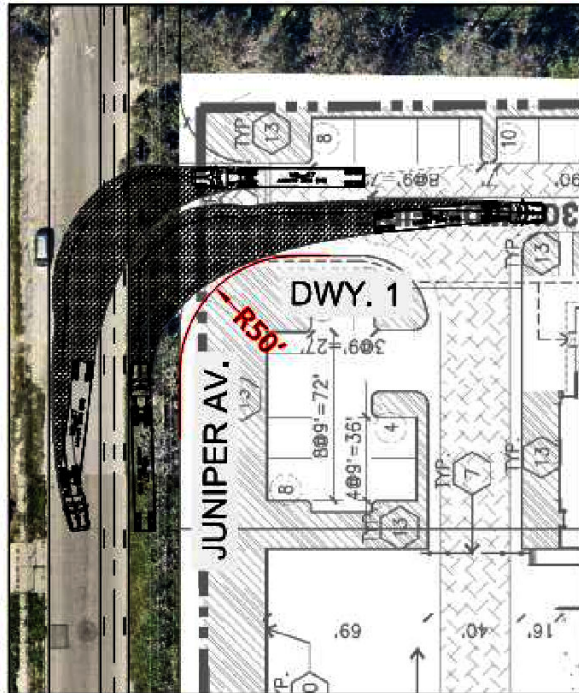
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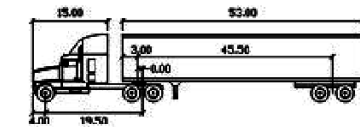


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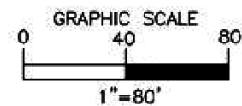


# LEGEND:



VB-67

	feet		
Traction Width	15.00	Lock to Lock Time	1.60
Trailer Width	3.00	Steering Angle	25.4
Traction Track	6.00	Articulating Angle	75.0
Trailer Track	6.50		



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## 4.14 Tribal Cultural Resources

This section of the Draft Environmental Impact Report (EIR) evaluates the potential for implementation of the proposed project to impact tribal cultural resources. Tribal cultural resources include landscapes, sacred places, or objects with cultural value to a California Native American tribe. Other potential impacts to cultural resources (i.e., prehistoric, historic, and disturbance of human remains) are evaluated in **Section 4.4, Cultural Resources**.

The analysis in this section is based in part on the following information:

- *Phase 1 Cultural and Paleontological Resources Assessment: Fontana Foothills Commerce Center Project, City of Fontana, San Bernardino County, California* (Cultural and Paleontological Resources Assessment), Material Culture Consulting, January 2020; and
- *Phase 1 Survey of Fontana Foothills Project, Fontana, San Bernardino County, CA* (Historical Resources Survey), Daly & Associates, January 31, 2020.

Collectively, these investigations have been included in **Appendix D, Cultural and Paleontological Resources Assessment and Historic Resources Survey**. It should be noted that the technical studies listed above only analyze the development site and not the upzone site as no physical development is proposed on the upzone site as part of the project. Future development on the upzone site would require separate environmental clearance, including separate tribal consultation and evaluation of tribal cultural resources. As such, this section only evaluates the project's impacts on existing tribal cultural resources on the development site.

### 4.14.1 Existing Conditions

#### Regional Setting

The City of Fontana is located in southwest San Bernardino County in southern California at the base of the San Gabriel Mountains. The City lies within the broad alluvial fan originating from the southern flank of the San Gabriel Mountains, and dips gradually southward to the confluence of North Fork and Middle Fork Lytle Creek Channel, Lower Lytle Creek Channel/Lytte Creek, and the conjunction at its southeastern-most extent, Warm Creek, which joins into the Santa Ana River one mile south at Knoll Park.

#### Project Setting

The development site is located directly north of the base of the Jurupa Mountains, a small mountain range of the Peninsular Ranges system. Topographically, both the development site and the upzone site are relatively flat with an elevation of approximately 1,050 feet above mean sea level (amsl) on the development site and approximately 1,200 amsl on the upzone site.

The development site is currently developed with a mix of commercial and residential land uses and vacant land. Twelve residential structures (11 of which are occupied and one of which is unoccupied), out buildings, gravel parking areas, equestrian areas, corals, vacant fields, irrigated pastures, nurseries, cultivated lawns, and agricultural uses occur throughout the site.

The development site is surrounded by commercial and public facilities to the north; single-family residential and vacant land to the east; single-family residential and a park/open space uses to the south; and single-family residential uses, a church, vacant land, and the proposed Goodman Logistics Center Fontana III to the west.

The upzone site is currently developed with residential land uses and vacant land. Sixteen residential structures, with associated out buildings are present throughout the site. Several parcels that compose the upzone site are either entirely or partially vacant. The upzone site is surrounded by single-family residential uses to the north, vacant land, multi-family residential, and single-family residential uses to the east, single-family residential uses to the south, and large lot single-family residential uses to the west.

As part of the cultural resources evaluation, On December 1, 2019, a search of the California Historical Resource Information System at the South Central Coastal Information Center, located at the California State University, Fullerton, in Orange County was conducted. The search covered any previously recorded cultural resources and investigations within a 1-mile radius of the development site. Additionally, a site visit of the development site was conducted on December 6, 2019. The survey consisted of walking in parallel transects spaced at approximately 10-meter intervals over the project parcels that were accessible, while closely inspecting the ground surface. All undeveloped ground surface areas within the ground disturbance portion of the project area were examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools or fire-affected rock), soil discoloration that might indicate the presence of a cultural midden, soil depressions and features indicative of the former presence of structures or buildings (e.g., postholes, foundations), or historic-era debris (e.g., metal, glass, ceramics). Existing ground disturbances (e.g., cutbanks, ditches, animal burrows, etc.) were visually inspected.

The setting with respect to cultural resources on the upzone site were not included in the project's Cultural and Paleontological Resources Assessment since no physical changes to the upzone site would occur with project implementation. Future development of the upzone site would be required to conduct a site-specific cultural and paleontological resources assessment prior to project approval.

#### **4.14.2 Regulatory Framework**

##### **Federal**

Tribal cultural resources are defined under State law, consistent with California State Assembly Bill (AB) 52. As such, there are no Federal laws applicable to tribal cultural resources. For a discussion of the Federal regulations applicable to cultural resources, refer to **Section 4.4**.

##### **State**

State historic preservation regulations affecting the project include the statutes and guidelines contained in the California Environmental Quality Act (CEQA), Public Resources Code Sections 21083.2 and 21084.1, and CEQA Guidelines Section 15064.5. CEQA requires lead agencies to carefully consider the potential effects of a project on historical resources. A historical resource includes, but is not limited to, any object, building, structure, site, area, place, record or manuscript which is historically or archaeologically significant (Public

Resources Code Section 5020.1). Section 15064.5 of the CEQA Guidelines specifies criteria for evaluating the significance or importance of historical resources, including:

- The resource is associated with events that have made a contribution to the broad patterns of California history;
- The resource is associated with the lives of important persons from our past;
- The resource embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important individual or possesses high artistic values; or
- The resource has yielded, or may be likely to yield, important information in prehistory or history.

Advice on procedures to identify such resources, evaluate their importance, and estimate potential effects is given in several agency publications such as the series produced by the Governor's Office of Planning and Research (OPR). The technical advice series produced by OPR strongly recommends that Native American concerns and the concerns of other interested persons and corporate entities, including but not limited to museums, historical commissions, associations, and societies, be solicited as part of the process of cultural resources inventory. In addition, California law protects Native American burials, skeletal remains, and associated grave goods regardless of the antiquity and provides for the sensitive treatment and disposition of those remains.

### ***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.

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 March 24, 2020, in compliance with SB 18:

- Gabrielino-Tongva Tribe
- Gabrielino-Tongva Nation
- Gabrieleno-Tongva San Gabriel Band of Mission Indians
- Gabrielino Tongva Indians of California Tribal Council
- Gabrieleño Band of Mission Indians-Kizh Nation



- San Fernando Band of Mission Indians
- Serrano Nation of Mission Indians
- Quechan Tribe of the Fort Yuma Reservation
- San Manuel Band of Mission Indians
- Agua Caliente Band of Cahuilla Indians
- Morongo Band of Mission Indians

***The letters sent by the City informed the respective tribes of the proposed project and provided the opportunity for the tribes to consult with the City pursuant to SB 18 requirements. As of July 24, 2020, the only respondent to the City's SB 18 consultation was the Gabrieleño Band of Mission Indians-Kizh Nation. No cultural resources were identified at the development or upzone sites. Assembly Bill 52***

On September 25, 2014, Governor Brown signed AB 52, which creates a new category of environmental resources that must be considered under CEQA: tribal cultural resources. The legislation imposes new requirements for consultation regarding projects that may affect a tribal cultural resource, includes a broad definition of what may be considered to be a tribal cultural resource, and includes a list of recommended mitigation measures.

AB 52 adds tribal cultural resources to the categories of cultural resources in CEQA, which had formerly been limited to historic, archaeological, and paleontological resources. Tribal cultural resources are defined as either:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are included in the State register of historical resources or a local register of historical resources, or that are determined to be eligible for inclusion in the State register; or
2. Resources determined by the lead agency, in its discretion, to treat as a tribal cultural resource.

The City contacted the following tribes via written correspondence on (April 7, 2020) in compliance with AB 52:

- Soboba Band of Luiseño Indians
- Torres Martinez Desert Cahuilla Indians
- Gabrieleño Band of Mission Indians-Kizh Nation
- San Gabriel Band of Mission Indians
- San Manuel Band of Mission Indians

The letters sent by the City informed the respective tribes of the proposed project and provided the opportunity for the tribes to consult with the City pursuant to AB 52 requirements. As of July 24, 2020, the only respondent to the City's AB 52 consultation was



the Gabrieleño Band of Mission Indians-Kizh Nation. No cultural resources were identified at the development or upzone sites.

### ***California Register of Historical Resources***

AB 2881 was signed into law in 1992, establishing the California Register of Historic Resources (CRHR). The CRHR is an authoritative guide in California 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. The criteria for eligibility for the CRHR are based on National Register of Historic Places (NRHP) criteria. Certain resources are determined by the statute to be included on the CRHR, including California properties formally determined eligible for, or listed in, the NRHP, State Landmarks, and State Points of Interest.

The California Office of Historic Preservation (OHP) has broad authority under Federal and State law for the implementation of historic preservation programs in California. The State Historic Preservation Officer makes determinations of eligibility for listing on the NRHP and the CRHR.

The appropriate standard for evaluating "substantial adverse effect" is defined in Public Resources Code Sections 5020.1(q) and 21084.1. Substantial adverse change means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired. Such impairment of significance would be an adverse impact on the environment.

Cultural resources consist of buildings, structures, objects, or archaeological sites. Each of these entities may have historic, architectural, archaeological, cultural, or scientific importance. Under the CEQA Guidelines, a significant impact would result if the significance of a cultural resource would be changed by project area activities. Activities that could potentially result in a significant impact consist of demolition, replacement, substantial alteration, and relocation of the resource. The significance of a resource is required to be determined prior to analysis of the level of significance of project activities. The steps required to be implemented to determine significance in order to comply with CEQA Guidelines are:

- Identify cultural resources.
- Evaluate the significance of the cultural resources based on established thresholds of significance.
- Evaluate the effects of a project on all cultural resources.
- Develop and implement measures to mitigate the effects of the project on significant cultural resources.

Sections 6253, 6254, and 6254.10 of the California Government Code authorize State agencies to exclude archaeological site information from public disclosure under the Public Records Act. In addition, the California Public Records Act (CPRA; Government Code Section 6250 et seq.) and California's open meeting laws (Brown Act, Government Code Section 54950 et seq.) protect the confidentiality of Native American cultural place information. The CPRA (as amended, 2005) contains two exemptions that aid in the protection of records relating to

Native American cultural places by permitting any State or local agency to deny a CPRA request and withhold from public disclosure:

- Records of Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects described in Section 5097.9 and Section 5097.993 of the Public Resources Code maintained by, or in the possession of, the Native American Heritage Commission, another State agency, or a local agency (Government Code Section 6254[r]); and
- 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, 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 (Government Code Section 6254.10).

Likewise, the Information Centers of the California Historical Resources Information System maintained by the OHP prohibit public dissemination of records and site location information. In compliance with these requirements, and those of the Code of Ethics of the Society for California Archaeology and the Register of Professional Archaeologists, the locations of cultural resources are considered restricted information with highly restricted distribution and are not publicly accessible.

Any project site located on non-Federal land in California is also required to comply with State laws pertaining to the inadvertent discovery of Native American human remains.

#### ***California Health and Safety Code Sections 7050.5, 7051, and 7054***

California Health and Safety Code Sections 7050.5, 7051, and 7054 collectively address the illegality of interference with human burial remains as well as the disposition of Native American burials in archaeological sites. The law protects such remains from disturbance, vandalism, or inadvertent destruction and establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, including the treatment of remains prior to, during, and after evaluation, and reburial procedures.

### **Local**

#### ***City of Fontana General Plan***

The City's General Plan Community and Neighborhoods Element focuses on attributes that contribute to the character and quality of life in the communities and neighborhoods where people live. This includes historic and cultural resources that link Fontana to its past. The element's goals and policies applicable to the proposed project are listed below.

#### ***Community and Neighborhoods Element***

- |            |   |
|------------|---|
| Goal 1     | The integrity and character of historic structures and cultural resources sites within the City of Fontana are preserved. |
| Policy 1.1 | Coordinate city programs and policies to support preservation goals.  |

Policy 1.2	Support and promote community-based historic preservation initiatives.
Policy 1.3	Collaborate with the Native American Heritage Commission (NAHC) and local tribal organizations about land development that may affect Native American cultural resources and artifacts.
Goal 2	Residents' and visitors' experience of Fontana is enhanced by a sense of the city's history.
Policy 2.1	Enhance public awareness of Fontana's unique historical and cultural legacy and the economic benefits of historic preservation in Fontana.
Policy 2.2	Support creation of the Fontana Historical Museum.
Goal 3	Archaeological resources are protected and preserved.
Policy 3.1	Collaborate with State archaeological agencies to protect resources.
Action A	Continue to ensure that proper protocols are observed in development proposals for sites with potential archaeological significance.
Action B	Include cultural and archaeological sites and Native American history and archaeology in programs about Fontana history.

#### **Fontana Municipal Code**

Fontana Municipal Code Chapter 5 (Buildings and Building Regulations), Article XIII (Preservation of Historic Resources) was adopted to 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 article specifies the criteria and procedures for the designation of historical resources in the City.

#### **4.14.3 Thresholds for Determination of Significance**

CEQA Guidelines Appendix G includes thresholds used for the Initial Study, included as ***Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters***, of this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on cultural resources 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 California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) (Refer to Impact 4.14-1a); 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 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. (Refer to Impact 4.14-1b)

#### 4.14.4 Impact Analysis and Mitigation Measures

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##### TRIBAL CULTURAL RESOURCES

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**Impact 4.14-1a, b**      **The project would potentially 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:**

**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**

**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 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.**

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##### ***Development Site***

As discussed in *Section 4.4, Cultural Resources*, 12 historic-age properties would be demolished in order to develop the proposed improvements on the development site, all of which were evaluated for historic significance as part of the project's *Phase 1 Survey of Fontana Foothills Project, Fontana, San Bernardino County, CA* (Historical Resources Survey), prepared by Daly & Associates, dated January 31, 2020; refer to *Appendix D, Cultural and Paleontological Resources Assessment and Historic Resources Survey*. However as described in *Section 4.4* and evaluated in *Table 4.4-1: Historical Resources Evaluation Results on the Development Site*, none of the residences evaluated are listed or eligible for listing as a State or local historical resource, nor does there appear to be evidence that the development site property has the potential to yield important information regarding the history of Fontana, San Bernardino County, or the nation..

During the tribal consultation process, the Gabrieleño Band of Mission Indians-Kizh Nation indicated that the development site is located within the vicinity of known tribal cultural resources. However, no specific known tribal cultural resources were identified at the

development site. As such, the development site is sensitive for unknown tribal cultural resources. To avoid impacting or destroying tribal cultural resources that may be inadvertently unearthed during the project's ground disturbing activities, Mitigation Measure TCR-1 would ensure that, if evidence of potential subsurface tribal cultural resources is found during ground disturbing activities, activities in the vicinity of the find are halted, appropriate parties are notified, and appropriate evaluation and treatment of said resource(s). With implementation of Mitigation Measure TCR-1, impacts would be reduced to less than significant levels.

### **Upzone Site**

Although the current project would not result in any changes to the existing condition of the upzone site, the possibility of substantial adverse changes in the significance of a tribal cultural resource in connection with any future ground-disturbing activities exists since there are multiple residences located on the upzone site that would be demolished upon redevelopment of the site. Fontana Municipal Code Chapter 5 (Buildings and Building Regulations), Article XIII (Preservation of Historic Resources) was adopted to 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 article specifies the criteria and procedures for the designation of historical resources in the City. According to the General Plan EIR, future development projects (including development of the upzone site) would be subject to applicable regulations in the Fontana Municipal Code dealing with cultural resources as well as Federal and State cultural resources laws and regulations. As such, the General Plan EIR determined that goals, policies, and actions of the General Plan would not cause significant impacts to cultural resources with implementation of future development projects. At that same time, however, the General Plan EIR included a recommended list of best practice mitigation measures that the City may adopt for future projects to reduce impacts to less than significant levels.

The Gabrieleño Band of Mission Indians-Kizh Nation indicated that the upzone site is located within the vicinity of known tribal cultural resources. However, no specific known tribal cultural resources were identified at the upzone site. As such, the upzone site is sensitive for unknown tribal cultural resources. When and if the upzone site is redeveloped, any project subject to CEQA review (meaning, non-exempt projects) would be screened by the City to determine whether an Archaeological Resources Assessment study is required based on the City's Standard Conditions of Approval for cultural and tribal cultural resources. In addition, a qualified archaeologist would be retained by the project Applicant to conduct archaeological spot-checks during ground disturbance activities and a Cultural Resource Discovery Plan would be developed and implemented to expediently address inadvertent archeological and/or tribal cultural resources discoveries. With implementation of the City's Standard Conditions of Approval, impacts related to tribal cultural resources would be less than significant.

### **Mitigation Measures**

TCR-1            In the event that potential tribal cultural resources are discovered while working on site, all work shall be suspended 50 feet around the resource(s) and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the overall project may continue outside the 50-foot buffer during this period if the following steps are taken:

- Initiate consultation between the appropriate Native American tribal entity (as determined by a qualified archaeologist meeting Secretary of Interior standards) and the City/project applicant;
- Allow for cultural resources investigations to be conducted by the appropriate Native American entity (as determined by the qualified archaeologist) as soon as possible; and
- If the qualified archaeologist, in consultation with the Native American tribal entity, determines the resource(s) to be a “unique archaeological resource” consistent with Public Resources Code Section 21083.2 or a “tribal cultural resource” consistent with Public Resources Code Section 21074, a Cultural Resources Management Plan shall be prepared by the qualified archaeologist and submitted to the City Planning Division and South Central Coast Information Center at California State University, Fullerton. This Cultural Resources Management Plan will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Work on the project site shall then be followed out consistent with the Cultural Resources Management Plan.

#### Level of Significance After Mitigation

Impacts would be less than significant.

#### **CUMULATIVE IMPACTS**

<b>Impact 4.14-2</b>	<b>The project would not result in cumulative impacts related to tribal cultural resources. Impacts would be less than significant with mitigation.</b>
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Cumulative projects that would have the potential to be considered in a cumulative context with the projects’ incremental contribution, and that are included in the analysis of cumulative impacts relative to land use and planning, are identified in *Table 4.0-1: Cumulative Projects*, in *Section 4.0: Introduction to Environmental Analysis*, of this EIR.

Ongoing development and growth in the broader project area may result in a cumulatively significant impact to tribal cultural resources due to the continuing disturbance of undeveloped areas, which could potentially contain significant, buried tribal cultural resources. Like the proposed project, cumulative development with the potential to impact tribal cultural resources would be subject to the requirements stipulated under Fontana Municipal Code Chapter 5 (Buildings and Building Regulations), Article XIII (Preservation of Historic Resources). According to the General Plan EIR, future development projects (including development of the upzone site) would be subject to applicable regulations in the Fontana Municipal Code dealing with cultural resources as well as Federal and State cultural resources laws and regulations. As such, cumulative impacts related to tribal cultural resources would be less than significant in this regard.



**Mitigation Measures**

Refer to Mitigation Measure TCR-1

**Level of Significance After Mitigation**

Impacts would be less than significant.

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## 4.15 Utilities and Service Systems

This section evaluates the existing utilities and service systems setting and the proposed project's consistency with applicable goals and policies, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the project, as applicable. The information and analysis herein rely on the General Plan and General Plan Environmental Impact Report (EIR). In addition, the *Water Supply Assessment for the Fontana Foothills Industrial Project* (WSA) was prepared for the project in July 2020 by Kimley Horn Associates for the Fontana Water Company (FWC), which has been included in *Appendix J, Water Supply Assessment*.

### 4.15.1 Existing Conditions

#### Project Setting

The development site and upzone site are served by the following utilities:

- Electricity – Southern California Edison
- Water – FWC
- Sewer – City of Fontana/Inland Empire Utilities Agency (IEUA)
- Storm Drain – City of Fontana
- Cable – Charter Communications
- Telephone – AT&T
- Natural Gas – Southern California Gas Company

#### Water

The development site and the upzone site are located within the FWC water service area. FWC is a member agency of the IEUA, a wholesale water distributor. FWC's service area is approximately 52 square miles; in 2015, FWC provided a combined 34,095 acre-feet of water to 45,045 customers.

The 2015 Regional Urban Water Management Plan (RUWMP) is FWC's most recently adopted urban water management plan; it describes water supplies that will be used by FWC to fulfill projected future demand. According to FWC's 2015 RUWMP, available water supplies are expected to meet existing and projected demands.<sup>1</sup> Groundwater accounts for approximately 73 percent of FWC's total water supply.

Under existing conditions, there are 12 residential structures and associated out buildings on the development site and 15 residential structures and associated out buildings on the upzone site, all of which currently consume water with the exception of the single vacant residence on the development site.

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<sup>1</sup> San Gabriel Valley Water Company, Fontana Water Company Division, 2015 Urban Water Management Plan, June 2016, (amended December 2017), accessed November 18, 2019, [https://www.fontanawater.com/wp-content/uploads/2018/10/San-Gabriel-Fontana\\_Amended-Final-December-2017-1.pdf](https://www.fontanawater.com/wp-content/uploads/2018/10/San-Gabriel-Fontana_Amended-Final-December-2017-1.pdf).

## **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. The City of Fontana maintains more than 250 miles of 6- to 42-inch sewer lines and six sewage pump stations, as well as providing industrial wastewater permitting and enforcement pursuant to the Clean Water Act of 1972.

## **Stormwater Drainage**

The development site and the upzone site are located within the boundaries of the San Sevaire Channel sub-watershed, which is in San Bernardino County Flood Control District (SBCFCD) Zone 1. Both the City and the SBCFCD provide flood control facilities for Fontana. The 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. 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 of Fontana implements a Municipal Storm Water Management Plan, which prohibits and regulates various types of discharges, mandates inspections and public education, puts controls on new development and redevelopment, and specifies site and construction site maintenance practices.

## **Solid Waste**

The main solid waste disposal site for the development site and the upzone site is the Mid-Valley Sanitary Landfill in Rialto. The landfill has a capacity of 7,500 tons of solid waste per day and, as of June 2019, had 61,219,377 cubic yards of capacity available (CalRecycle 2020). The facility is projected to reach capacity in 2045.

Under existing conditions, there are 12 residential structures and associated out buildings on the development site and 15 residential structures and associated out buildings on the upzone site, all of which currently receive solid waste disposal services, with the exception of the single vacant residence on the development site.

## **4.15.2 Regulatory Framework**

### **Federal**

#### ***Safe Drinking Water Act***

Passed in 1974 and amended in 1986 and 1996, the Safe Drinking Water Act gives the US Environmental Protection Agency (EPA) the authority to set drinking water standards. Such standards apply to public water systems that provide water for human consumption through at least 15 service connections or regularly serve at least 25 individuals. There are two categories of drinking water standards: National Primary Drinking Water Regulations and National Secondary Drinking Water Regulations. The primary regulations are legally enforceable standards that apply to public water systems. The secondary standards protect drinking water quality by limiting the levels of specific contaminants that can adversely affect public health and are known or anticipated to occur in water.

### ***Clean Water Act***

The Clean Water Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the Act was substantially reorganized and expanded in 1972. The CWA became the Act's common name in 1972. Thereafter, the CWA established the regulation of discharges of pollutants into waters of the United States by the EPA. Under the CWA, 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.

### **State**

#### ***Senate Bill 610***

Senate Bill (SB) 610 requires the preparation of a water supply assessment to examine existing water supply entitlements, water rights, and water service contracts relevant to the water supply for a proposed project. Projects required to prepare a WSA must meet one of the following criteria as defined by SB 610:

- Residential development of more than 500 dwelling units
- Shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor area
- Commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor area
- Hotel or motel, or both, having more than 500 rooms
- Industrial, manufacturing or processing plant, or industrial park planned to employ more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area
- Mixed-use project that includes one or more of the projects specified above
- Project that would demand an amount of water equivalent to, or greater than, the amount of water required for 500 dwelling units

Because the project proposes more than 650,000 square feet of floor area for an industrial land use, a water supply assessment is required for the project and is included as ***Appendix J***.

Under Assembly Bill (AB) 325 (Water Conservation in Landscaping Act), all developer-installed landscaping must be accompanied by a landscape package that documents how water use efficiency would be achieved through design. In addition, Title 24 of the California Code of Regulations incorporates the California Building Standards Code, included as the California Plumbing Code (Part 5), which promotes water conservation. Title 20 of the California Code of Regulations, Public Utilities and Energy, addresses public utilities and energy and includes appliance and efficiency standards that promote water conservation. A number of State laws require water-efficient plumbing fixtures in structures.

The California Fire Code (California Code of Regulations, Title 24, Part 9), Appendix B, outlines fire flow and storage reserve requirements for fire protection.

### ***Urban Water Management Planning Act***

The Urban Water Management Planning (UWMP) Act was proposed and adopted to ensure that water planning is conducted at the local level, as the State of California recognized that two water agencies in the same region could have very different impacts from a drought. The UWMP Act requires water agencies to develop UWMPs over a 20-year planning horizon, and further required UWMPs to be updated every five years. The UWMPs provide a framework for long term water planning and inform the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands.

### ***Executive Order B-37-16***

Executive Order B-37-16 builds on temporary Statewide emergency water restrictions set forth by Governor Brown and the State Water Resources Control Board in 2015, to establish longer-term water conservation measures for California. In response to the extreme and persistent drought conditions along with warmer weather and reduced snowpack expected for the State, the 2016 executive order directs permanent changes to: use water more wisely, eliminate water waste, strengthen local drought resistance, and improve agricultural water use efficiency and drought planning.

### ***Executive Order B-40-17***

Executive Order B-40-17 lifts the drought emergency in most California counties but retains prohibition on wasteful practices and advances measures to make conservation a way of life. The order also rescinds two emergency proclamations from [January 2014](#) and [April 2014](#) and four drought-related executive orders issued in 2014 and 2015.

## **Local**

### ***City of Fontana General Plan***

The City of Fontana General Plan Infrastructure and Green Systems Element include the following goals, policies, and actions that are applicable to the project:

<b>GOAL 3</b>	The city continues to have an effective water conservation program.
Action C	Continue to promote drought-tolerant landscaping and water conservation activities for homeowners, tenants, and other property owners.
<b>GOAL 6</b>	Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional one water one watershed standards.
Policy 1	Continue to implement the Water Quality Management Plan for stormwater management that incorporates low-impact and green infrastructure standards.



Policy 2	Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.
Action D	Revise development standards to reflect low-impact and green infrastructure stormwater management requirements in order to meet or exceed watershed goals.
Action F	Provide aesthetic benefits by incorporating green infrastructure in landscape design for public and private commercial projects.
<b>GOAL 8</b>	All residences, businesses, and institutions have a dependable, environmentally safe means to dispose of solid waste.
Policy 1	Continue to use best practices for environmentally safe collection, transport and disposal of hazardous wastes.

### **Fontana Municipal Code**

Fontana Municipal Code Chapter 27 (Utilities) Article III (Utility Undergrounding Requirements) sets forth the City's requirements for the undergrounding of on-site and off-site utilities and imposes obligations on persons applying for approval of subdivision maps, new development or substantial rehabilitation of existing buildings. This article is adopted to protect the public health, safety and welfare on the grounds that overhead utility lines have an undesirable impact on the character and quality of life of the residents of the community. As a permanent part of the streetscape, overhead utility lines detract from the visual quality of the neighborhood and increase the threat of hazards such as electrocution, fire and property damage due to downed utility lines and poles. New development and substantial rehabilitative projects within the City often require the construction of additional utility lines and poles and thereby contribute to the negative effect of impairing views and increasing the risk of the aforementioned hazards due to downed utility lines and poles. The intent of this article is to assure that, in conjunction with all new development and substantial rehabilitation of buildings, all on-site and off-site utilities are placed underground.

### **Water Company Urban Water Management Plan**

The *2015 Urban Water Management Plan for the San Gabriel Valley Water Company, Fontana Water Company Division* (UWMP) (finalized in June 2016 and amended in December 2017), which acts as the UWMP for FWC, includes a water system analysis, identifies improvements to correct existing deficiencies and serve projected future growth, and presents the estimated costs and phasing of the recommended improvements. As concluded in the UWMP, FWC anticipates that it will be able to meet projected demand for water within its service boundaries until at least the year 2040 in all types of climate situations, including normal, dry, and multiple consecutive dry weather years.

### **City of Fontana Storm Drain Master Plan**

The development site and upzone site are located within the boundaries of the Fontana Storm Drain Master Plan (hereafter “Storm Drain Master Plan”). The Storm Drain Master Plan was prepared to identify master-planned drainage and flood control facilities that are needed to safely convey the peak runoff from a 100-year storm through Fontana upon full buildout.

#### 4.15.3 Thresholds for Determination of Significance

California Environmental Quality Act (CEQA) Guidelines Appendix G includes thresholds used for the Initial Study, included as *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters*, this EIR. For purposes of this EIR, implementation of the proposed project would have a significant impact on utilities and service systems if it would do any of the following:

1. 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 (refer to Impact 4.15-1).
2. Have insufficient water supplies available to serve the project from existing entitlements and resources or require new or expanded entitlements (refer to Impact 4.15-2).
3. Result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has inadequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments (refer to Impact 4.15-3).
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 (refer to *Appendix A*).
5. Not comply with Federal, State, and local statutes and regulations related to solid waste (refer to *Appendix A*).

#### 4.15.4 Impact Analysis and Mitigation Measures

##### **NEW WATER, WASTEWATER, ELECTRIC POWER, NATURAL GAS, OR TELECOMMUNICATIONS FACILITIES**

<b>Impact 4.15-1</b>	<b>The project could require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.</b>
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## ***Development Site***

### Water Facilities

The development site is located within the water service area of FWC. The proposed project would require water for consumptive and sanitary purposes to support employees at the facility and for irrigation of landscaped areas. Under existing conditions, water mains are installed beneath both Jurupa Avenue and Juniper Avenue. FWC owns a blanket easement over one parcel (APN 255-101-20) within the project site area for installation, operation, and maintenance of water facilities and related access to the project site.

The current and future water supplies available to FWC to provide water service to the project are groundwater-pumped from Chino Basin, Lytle Basin, Rialto Basin, and No-Man's Land Basin; surface water diversions from Lytle Creek, imported State Water Project water from IEUA and San Bernardino Valley Municipal Water District, and recycled water. According to the WSA, FWC's available water supplies will be sufficient to meet all of the water demands of the entire project for the next 20 years through 2040, including during single and multiple dry years.

Refer to Impact 4.15-2 for a discussion regarding water supply associated with the project.

### Wastewater Facilities

Project implementation is anticipated to generate an additional 84,000 gallons per day (gpd) or 0.084 million gallons per day (mgd) of wastewater for the development site, based on wastewater generation rates previously approved by IEUA (2,500 gpd per acre for industrial uses). However, the development site's design features include site-specific sewer improvements, which would tie into the existing sewer system. Specifically, new on-site water and sewer lines would connect to existing water and sewer lines in Jurupa Avenue and Juniper Avenue.

The IEUA treats domestic wastewater for the City. The City operates wastewater conveyance facilities within the City boundaries. Treatment of wastewater generated in Fontana is handled at the IEUA's Regional Plant No. 1 in Ontario. The plant currently processes approximately 32 mgd of raw sewage. Its ultimate treatment capacity is 40 mgd, leaving a surplus capacity of approximately 8 mgd.

The San Bernardino Trunk Sewer Project was completed in April 2009. That project included the construction of approximately 19,600 linear feet of sanitary sewer main from Cypress Avenue to Mulberry Avenue, which ties into a regional pump station and force main that is operated by the IEUA. This system diverts existing sewer flows from Regional Plant No. 1 to Regional Plant No. 4, which has increased opportunities for recycled water by providing additional capacity. ***Table 4.15-1: Regional Plant No. 1 and 4 Status*** shows the current flow, current treatment capacity, and ultimate treatment capacity for Regional Plant No. 1 and 4. Future implementation of conservation strategies and the increased use of reclaimed water are expected to decrease the need for treatment capacity and serve as a beneficial reuse of water resources.

**Table 4.15-1: Regional Plant No. 1 and 4 Status**

	Regional Plant No. 1 MGD	Regional Plant No. 4 MGD
Current Flow	23.7	9.3
Current Treatment Capacity	32	14
Ultimate Treatment Capacity	40	21

Source: Email communication with Eva Brown at Inland Empire Utilities Agency on June 11, 2019.  
MGD = million gallons per day

Based on the City's General Plan, while the population and amount of commercial and industrial development is anticipated to increase through 2035, the various water conservation goals and policies, and presence or absence of drought conditions will have a direct effect on the volume of wastewater. Following significant recent growth in the City, the wastewater treatment facilities upon which the City relies are still operating below capacity. In addition, wastewater streams can be manipulated amongst Regional Plant No. 1 and Regional Plant No. 4 to a certain extent as demand may require. Given the amount of excess capacity in the existing treatment facilities serving the City, the proposed project would not trigger the need for new or expanded regional wastewater treatment facilities and/or exceed IEUA capacity. In addition, the project applicant would be required to pay standard IEUA sewer connection fees, which are used to fund wastewater treatment and regional wastewater conveyance improvements associated with new development. As such, impacts in this regard would be less than significant.

#### Stormwater Drainage Facilities

The project would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP), as required by the NPDES Construction General Permit, that would include best management practices (BMPs) that would ensure stormwater during construction does not exceed applicable standards or create adverse water quality impacts. Once operational, the proposed project would introduce impervious cover to a currently undeveloped area and would alter long-term drainage and groundwater infiltration patterns in the immediate project vicinity. Two underground infiltration systems (one for each building) are proposed for water quality and storm drainage. Stormwater drainage will flow through site and will be intercepted by inlets located at low points on-site. All drainage collected from the inlets will be routed to the two underground storage chambers (BMPs). BMP-1 will be located between Buildings 1 and 2 and have a volume of 58,114 cubic feet (cf). BMP-2 will be located between Juniper Avenue and Building 1 and have a volume of 79,798 cf. All impervious areas will be directed to the BMPs, which will provide volume storage and infiltration at the bottom of each chamber. New on-site water and sewer lines would connect to existing water and sewer lines in Jurupa Avenue and Juniper Avenue. Thus, the project's features would implement BMPs sufficient to capture stormwater volumes to ensure no significant impact to stormwater facilities would result. The project's drainage features would be implemented in compliance with the provisions of the City's Master Drainage Plan and would not conflict with that plan. Therefore, it is not anticipated that the project would require, or result in, the construction of stormwater drainage facilities or the expansion of existing facilities. A less than significant impact would occur.

### Dry Utilities (Electric Power, Natural Gas, and Telecommunications Facilities)

The new warehouse facilities on the development site would connect to existing electric power facilities owned and operated by Southern California Edison, and as part of the proposed project, existing overhead utilities would be undergrounded in compliance with the provisions of Fontana Municipal Code Chapter 27 (Utilities) Article III (Utility Undergrounding Requirements).

As discussed in ***Section 4.5, Energy***, of this EIR, an analysis of the project's electricity usage was conducted. The project's annual electricity consumption is estimated to be 1,490 megawatt-hours. According to the City's General Plan Public Facilities, Services and Infrastructure Element, electricity service is provided to newly developed areas, as part of a service contract, and generating capacity for the area is sufficient to accommodate future growth, which would account for the project's anticipated electricity usage. Therefore, the construction or relocation of electric power facilities associated with the project would not cause significant environmental effects. A less than significant impact would occur.

The new warehouse facilities on the development site would require the use of natural gas and therefore would be connected to existing natural gas lines owned and operated by the Southern California Gas Company and would also be connected to existing telecommunications facilities owned by Charter Communications (cable) and AT&T (phone). These connections would not result in the construction of any new associated facilities necessary to provide natural gas or telecommunications services.

The installation of the infrastructure improvements on the development site proposed by the project applicant would result in physical environmental impacts; however, these impacts have already been included in the analyses of construction-related effects presented throughout this EIR. In instances where the project's construction phase would result in specific significant impacts (e.g., air quality, biological resources, cultural resources), mitigation measures are provided in the applicable subsection of this EIR to reduce the project's effects to less than significant levels (or, if it is not possible to reduce the project's impacts to less than significant levels, mitigation is provided to minimize impacts to the maximum level feasible). The construction of infrastructure necessary to serve the proposed project would not result in any significant physical effects on the environment that are not already identified and disclosed elsewhere in this EIR. There are no components of the project's infrastructure improvements that would result in impacts not already disclosed in this EIR and, accordingly, additional mitigation measures beyond those identified throughout this EIR would not be required.

### ***Upzone Site***

The proposed zone change from R-1 to R-2 for the upzone site would result in capacity for ten additional residential units within the City, taking into account the displaced units from the Development Site. Therefore, the net increase associated with the upzone site is ten dwelling units. As the proposed zone change is being considered by the City as a legislative action only and no development would occur, future development of the upzone site would be required to adhere to the following, as applicable: conduct site-specific utilities and service systems impact analyses including preparation of a WSA in accordance with General Plan policies and actions and City codes and ordinances; pay standard IEUA sewer connection fees;

design site-specific storm drain improvements in compliance with the provisions of the City's Master Drainage Plan; and conduct coordination of utility connection to existing purveyors.

### **Mitigation Measures**

None required.

### **Level of Significance After Mitigation**

Impacts would be less than significant.

## **ADEQUATE WATER SUPPLY**

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<b>Impact 4.15-2</b>	<b>The project has the potential to have insufficient water supplies available to serve the project from existing entitlements and resources or require new or expanded entitlements.</b>
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### **Development Site**

The WSA prepared for the project estimated the proposed project's water demands using the developed acreage attributed to each use type including industrial and landscape irrigation. The total project water demand was estimated by multiplying the planned project site area by a water use rate of 2,200 gpd per acre derived from recorded water use data in industrial areas within FWC's service area. The estimated water demand for the commercial and industrial area of the project is approximately 43 acre-feet per year (AFY). The estimated irrigation water demand for the project is approximately 13 AFY. The total estimated water demand for the project, which includes building demands (43 AFY) and landscape irrigation (13 AFY), is approximately 56 AFY.

The reliability of future water supplies available to FWC is based on FWC's longstanding water rights and access to local renewable groundwater and surface water supplies, as well as on the Chino Basin Watermaster's and IEUA's water management goals and implementation strategies, such as the Optimum Basin Management Plan, supplemental imported water distribution programs, and the use of recycled water. FWC's water supply-demand balance in normal, single dry, and multiple dry years during the next 20 years are summarized in *Tables 4.15-2: Future Water Supplies in Normal Years (AFY), 4.15-3: Comparison of 2020 Water Supply and Demand in Normal, Single Dry, and Multiple Dry Years (AFY), and 4.15-4: Comparison of 2040 Water Supply and Demand in Normal, Single Dry, and Multiple Dry Years (AFY)*, respectively.

Chino Basin is an important source of groundwater for FWC now and will continue to be in the future. In addition, the Chino Basin Watermaster's Optimum Basin Management Program will greatly increase Chino Basin's reliability and safe yield through recharge of imported water, additional local stormwater, and recycled water. FWC currently has a total pumping capacity from Chino Basin of approximately 24,700 gallons per minute (gpm). At the present time, FWC has five inactive wells in Chino Basin (with a total pumping capacity of approximately 11,300 gpm or 18,200 AFY) which cannot be used because of high levels of perchlorate and nitrate contamination.

FWC is planning to restore most, if not all, of the lost pumping capacity in Chino Basin through construction of additional wells or installing wellhead treatment on existing wells in



the near future. FWC is also planning to replace existing aging and poor producing wells, which will result in a net increase in production over existing capacity. Additional well capacity will provide emergency water supply in case of interruptions of water service due to migration of contamination, loss of power, physical damage to electrical power supply equipment, or failure of a water transmission pipeline.

**Table 4.15-2: Future Water Supplies in Normal Years (AFY)**

Year		2020	2025	2030	2035	2040
Demands from 2015 UWMP		40,140	47,536	50,773	53,711	56,562
Additional Demands (Fontana Foothills Commerce Center)		56	56	56	56	56
Additional Demands (Southwest Fontana Logistics Center Project)		104	104	104	104	104
Total FWC Projected Water Demands		40,300	47,696	50,933	53,871	56,722
Water Supplies	Surface Water	5,700	5,700	5,700	5,700	5,700
	Lyle Basin	5,000	9,400	9,400	9,400	9,400
	Chino Basin	10,080	10,576	13,313	15,751	18,102
	Rialto Basin	2,520	2,520	2,520	2,520	2,520
	No-Man's Land Basin	4,000	4,000	4,000	4,000	4,000
	Recycled Water	1,000	1,500	2,000	2,500	3,000
	Imported Water from SBCMWD	2,000	2,000	2,000	2,000	2,000
	Imported Water from IEUA	10,000	12,000	12,000	12,000	12,000
	Total	40,300	47,696	50,933	53,871	56,722

Source: Kimley Horn, Water Supply Assessment for the Fontana Foothills Industrial Project, Table 11, p. 33.

Note: The Chino Basin Judgment authorizes FWC to produce all the water it requires from Chino Basin for beneficial use by FWC's customers, subject to replenishment requirements, and more than ample water is present in Chino Basin to allow FWC to do so. FWC will construct additional wells and associated infrastructure in Chino Basin to match additional water supply with additional water demands from growth in the number of customers; refer to page 24 of the WSA. Thus, water supply totals from the Chino Basin were adjusted to cover the additional demands, which is warranted based on the anticipated future increase in capacity as discussed in WSA Section 5.0, FWC's Future Water Supplies.

**Table 4.15-3: Comparison of 2020 Water Supply and Demand in Normal, Single Dry, and Multiple Dry Years (AFY)**

Demand and Supply		2020 (Normal Year)	2025 (Single Dry Year)	Multiple Dry Years		
				2030 (Dry Year 1)	2035 (Dry Year 2)	2040 (Dry Year 3)
Demands from 2015 UWMP		40,140	29,998	37,757	36,462	29,998
Additional Demands (Fontana Foothills Commerce Center)		56	56	56	56	56
Additional Demands (Southwest Fontana Logistics Center Project)		104	78	98	94	78
Total FWC Projected Water Demands		40,300	30,132	37,907	36,612	30,132
Water Supplies	Surface Water	5,700	1,710	1,710	1,710	1,710
	Lytle Basin	5,000	5,000	4,000	4,000	4,000
	Chino Basin	10,080	7,402	16,177	14,882	8,402
	Rialto Basin	2,520	2,520	2,520	2,520	2,520
	No-Man's Land Basin	4,000	4,000	4,000	4,000	4,000
	Recycled Water	1,000	1,000	1,000	1,000	1,000
	Imported Water from SBCMWD	2,000	1,000	1,000	1,000	1,000
	Imported Water from IEUA	10,000	7,500	7,500	7,500	7,500
	Total	40,313	30,132	37,907	36,612	30,132

Source: Kimley Horn, Water Supply Assessment for the Fontana Foothills Industrial Project, Table 12, p. 34.

**Tables 4.15-2, 4.15-3, and 4.15-4** show that the water supplies available to FWC would be sufficient to meet all present and future water supply requirements of the project for the next 20 years (through 2040), including during single and multiple dry years. Therefore, the project would have sufficient water supplies available to serve the project from existing entitlements and resources, and a less than significant impact relative to water supply would occur.

### **Upzone Site**

According to the General Plan EIR, impacts to water resources associated with future development in the City were determined to be less than significant through implementation of General Plan Update Chapter 10 Infrastructure and Green Systems Goal 1, “Fontana collaborates with public and private agencies for an integrated and sustainable water resource management program” and associated policies and actions, as well as implementation of the City’s codes and ordinances related to development.

**Table 4.15-4: Comparison of 2040 Water Supply and Demand in Normal, Single Dry, and Multiple Dry Years (AFY)**

Demand and Supply		2020 (Normal Year)	2025 (Single Dry Year)	Multiple Dry Years		
				2030 (Dry Year 1)	2035 (Dry Year 2)	2040 (Dry Year 3)
Demands from 2015 UWMP		56,562	42,271	53,204	51,379	42,271
Additional Demands (Fontana Foothills Commerce Center)		56	56	56	56	56
Additional Demands (Southwest Fontana Logistics Center Project)		104	78	98	94	78
Total FWC Projected Water Demands		56,722	42,405	53,358	51,529	42,405
Water Supplies	Surface Water	5,700	1,710	1,710	1,710	1,710
	Lytle Basin	9,400	9,400	7,520	7,520	7,520
	Chino Basin	18,102	11,775	24,608	22,779	13,655
	Rialto Basin	2,520	2,520	2,520	2,520	2,520
	No-Man's Land Basin	4,000	4,000	4,000	4,000	4,000
	Recycled Water	3,000	3,000	3,000	3,000	3,000
	Imported Water from SBCMWD	2,000	1,000	1,000	1,000	1,000
	Imported Water from IEUA	12,000	9,000	9,000	9,000	9,000
	Total	56,722	42,405	53,358	51,529	42,405

Source: Kimley Horn, Water Supply Assessment for the Fontana Foothills Industrial Project, Table 13, p. 35.

As development is proposed and analyzed, including future development of the upzone site, water allocation will be required as part of permit approval and entitlement. Any new or increase in size of existing infrastructure will be a requirement of the developer. Individual projects in the City would be reviewed on a project-by-project basis to determine water requirements applicable to each development and to ensure compliance with these requirements, and it is anticipated that adequate water supplies are available through existing water entitlements as well as future conservation and reuse programs for the projected growth in population over the General Plan Update planning horizon.

### Mitigation Measures

None required.

### Level of Significance After Mitigation

Impacts would be less than significant.

#### **ADEQUATE WASTEWATER TREATMENT CAPACITY**

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<b>Impact 4.15-3</b>	<b>The project has the potential to result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.</b>
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#### ***Development Site***

Refer to the discussion for Impact 4.15-1. The wastewater treatment facilities upon which the City relies are still operating below capacity and are expected to continue to operate below capacity through the City's planning horizon because applicable water conservation measures will likely serve to reduce the per capita demand over historical levels due to diversion (graywater, recycled water), and reductions in water use from conservation efforts. The amount of excess capacity (the difference between the current treatment capacity and the ultimate treatment capacity) in the existing treatment facilities serving Fontana, as identified in *Table 4.15-1* above, is 8 mgd for Regional Plant No. 1 and 7 mgd for Regional Plant No. 4. Therefore, development of the development site would not trigger the need for new or expanded regional wastewater treatment facilities and/or exceed IEUA capacity. In addition, the project applicant would be required to pay standard IEUA sewer connection fees, which are used to fund wastewater treatment and regional wastewater conveyance improvements associated with new development. As such, impacts in this regard would be less than significant.

#### ***Upzone Site***

Similar to development of the development site, future development of the upzone site would be required to pay standard IEUA sewer connection fees, which are used to fund wastewater treatment and regional wastewater conveyance improvements associated with new development. A site-specific analysis of potential impacts to utilities and service systems would be conducted prior to future development of the upzone site.

#### **Mitigation Measures**

None required.

#### **Level of Significance After Mitigation**

Impacts would be less than significant.

#### **CUMULATIVE IMPACTS**

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<b>Impact 4.15-6</b>	<b>The project would potentially result in cumulative impacts to utilities and service systems.</b>
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Cumulative projects that would have the potential to be considered in a cumulative context with the proposed project's incremental contribution, and that are included in the analysis of cumulative impacts relative to utilities and service systems, are identified in *Table 4.0-1: Cumulative Projects*, and *Exhibit 4.0-1: Cumulative Projects*, in *Section 4.0, Introduction to Environmental Analysis*, of this Draft EIR.

Development of the development site and future development of the upzone site would result in an incremental increase in wastewater generation. However, given the existing available wastewater facility capacity, the wastewater treatment needs of the proposed project—together with related past, present, and reasonably foreseeable future projects—would not result in the need for new or expanded wastewater treatment facilities that could result in significant environmental impacts or that could cause the wastewater treatment to exceed the capacity of the wastewater treatment facilities. The cumulative impact with respect to wastewater treatment capacity would be less than significant.

Development of the development site and future development of the upzone site would result in an incremental increase in water demand. However, given the existing available water supply, the water supply needs of the proposed project—together with related past, present, and reasonably foreseeable future projects—would not result in the need for new or expanded water entitlements that could result in significant environmental impacts. As discussed above, FWC's 2015 UWMP states that available water supplies are expected to meet existing and projected demands. In addition, as discussed in the WSA prepared for the proposed project and in the discussion for Impact 4.15-2 above, the WSA has verified that adequate water supplies would be available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand associated with the proposed project, in addition to existing and planned future uses.

The cumulative impact with respect to water supply would be less than significant. In addition, as with the proposed project, any cumulative projects are required to conduct environmental review under CEQA and are approved by the City on a project-by-project basis. Since development of the development site and future development of the upzone site would not have a significant impact on water supply and would have adequate water infrastructure improvements, the project would not combine with other cumulative projects to result in significant water supply and infrastructure impacts.

Future projects in the area would result in a cumulative increase in stormwater runoff that would drain into the existing stormwater drainage system in Fontana. Development of the development site and future development of the upzone site would construct site-specific storm drain improvements as described in the relevant sections of this EIR. Similar to the proposed project, future projects would be required to conduct environmental review and construct project-specific drainage features in accordance with the provisions of the City's Master Drainage Plan. Since development of the development site and future development of the upzone site would not have a significant impact on existing stormwater drainage facilities, and future projects likewise would be constructed in accordance with City requirements, the project would not combine with other cumulative projects to result in significant impacts regarding stormwater drainage.

Future projects in the area would increase solid waste generation and decrease available capacity of the landfills in the area. However, as with the proposed project, these projects have been, or would be, required to conduct environmental review. Furthermore, the Mid- Valley Sanitary Landfill is projected to have sufficient capacity to serve current and future needs through 2045. Development of the development site and future development of the upzone site would not combine with other cumulative projects to result in significant impacts to solid waste.

No significant cumulative impact is anticipated regarding utilities and service systems, and the project's contribution is not considered cumulatively considerable.

**Mitigation Measures**

None required.

**Level of Significance After Mitigation**

Impacts would be less than significant.



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## **5.0 EFFECTS FOUND NOT TO BE SIGNIFICANT**

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## 5.0 Effects Found Not To Be Significant

The City prepared an *Initial Study/Notice of Preparation* (IS/NOP) in April 2020 to determine significant effects of the proposed project. In the course of this evaluation, certain project impacts were found to be less than significant. The effects determined not to be significant are not required to be included in the primary analysis sections of the Draft Environmental Impact Report (EIR). In accordance with CEQA Guidelines Section 15128, the following section provides a brief description of potential impacts found to be less than significant. The majority of these impacts are the same as those previously identified in the Initial Study, a copy of which is located in *Appendix A, Fontana Foothills Commerce Center Initial Study, Notice of Preparation, and Comment Letters*. The environmental impacts described in the sections below, as well as any applicable thresholds of significance relating to these impacts, can be found in Appendix G of the CEQA Guidelines.

It should be noted that it was determined that the project would result in no impact or less than significant impacts for a number of issue areas. These areas are nonetheless addressed in Sections 4.1 through 4.15 of this Draft EIR as a matter of clarification or convenience for the reader; for instance, where related subjects are addressed.

### AESTHETICS

a) Have a substantial adverse effect on a scenic vista? **Determination: Less Than Significant Impact.**

The predominant view from the development site includes the Jurupa Hills to the south, and distant views of the San Gabriel Mountains to the north may also be present under clear atmospheric conditions.

Although the General Plan does not identify specific scenic view corridors within the City, the development site is in an urbanized area approximately 9 miles south of the San Gabriel Mountains and 0.25 mile north of the Jurupa Hills. As such, motorists traveling south along Juniper Avenue have views of the Jurupa Hills, although the viewshed is partially obstructed by trees at off-site locations. Motorists traveling north along Juniper Avenue have extremely limited views of the San Gabriel Mountains, as the viewshed is obstructed by off-site trees, buildings, and atmospheric conditions. Motorists traveling east or west along Jurupa Avenue have no view of the San Gabriel Mountains to the north due to on- and off-site buildings and trees.

A scenic vista is defined as a publicly accessible, prominent vantage point that provides expansive views of highly valued landscapes or prominent visual elements composed of man-made or natural features. Juniper Avenue, with its views of the Jurupa Hills and at times, the San Gabriel Mountains, could be considered a public vantage point that provides a view of a highly valued landscape. However, the views of the San Gabriel Mountains are distant, extensively obstructed, and not expansive. The views of the Jurupa Hills are less obstructed, but the proposed project would not significantly obstruct the view of the Jurupa Hills from Jurupa Avenue. The proposed industrial warehouse buildings would have a maximum height of 45 feet, 6 inches. As such, it is not expected that the new buildings would block views of

or from the identified scenic resources. Impacts from the development site would be less than significant.

Additionally, the upzone site is located in a generally flat area with no scenic vistas in the vicinity, and there are no physical changes proposed for the upzone site. While there is a possibility that the change in zoning of the upzone site will allow for an intensification of uses at that location, there would be no change to the maximum height limit of 35 feet, as both the Single-Family Residential R-1 and R-2 zones have the same height limit. Additionally, the upzone site is surrounded by zones that also have a height limit of 35 feet. As such, impacts at the upzone site would be less than significant.

- b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?  
**Determination: No Impact.**

According to the California Department of Transportation California Scenic Highway Mapping System,<sup>1</sup> the nearest designated State scenic highway is a 16-mile portion of State Route 38 from South Fork Campground to State Lane. This portion of scenic highway is approximately 38 miles east-northeast of the development site, and 39 miles east-northeast of the upzone site. Based on this distance, the intervening natural topography, and constructed structures, the development site is not located within the viewshed of this officially designated State scenic highway. Additionally, there are no officially designated or eligible scenic highways within or adjacent to the City.<sup>2</sup> Therefore, no impact would occur.

#### **AGRICULTURE AND FORESTRY RESOURCES**

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use? **Determination: No Impact.**

According to Chapter 30, Zoning and Development Code, of the Fontana Municipal Code, animal grazing, breeding, raising, or training is permitted on property zoned for Open Space (OS-N or OS-R0) or Public Facilities (P-PF) with certain restrictions and requirements. The project development site is zoned for Residential Planned Community (R-PC) and Form Based Code (FBC). The upzone site is zoned for R-1. The nearest location that is both zoned appropriately and has the potential for agriculture is over a mile to the north of the development site, and a mile east of the upzone site, as all of the nearby areas zoned P-PF are developed and unable to be used for agricultural purposes with their current uses. Furthermore, the City restricts agricultural uses on R-PC zoned land and agricultural uses are prohibited on Commercial (C-2) zoned land.

The California Department of Conservation's Important Farmland Finder shows that the project development site is not considered to be agricultural land, as it is determined as either

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<sup>1</sup> California Department of Transportation, California Scenic Highway Mapping System, accessed February 14, 2020, [https://dot.ca.gov/hq/LandArch/16\\_livability/scenic\\_highways/index.htm](https://dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm).

<sup>2</sup> City of Fontana, General Plan Update 2015-2035 Draft Environmental Impact Report, 2018.

developed urban land or given an “Other” classification indicating non-agricultural use. The development site is located 0.3 miles north of land classified as grazing land; 1.9 miles from Prime Farmland; and 1.9 miles from Farmland of Statewide Importance.<sup>3</sup> The upzone site is located 0.1 miles south of “Other” land, 4 miles east of “Unique Farmland,” and 2 miles north of “Grazing Land.” These lands and their associated uses would not be affected by the project. In addition, the land use of the upzone site would remain residential and does not feature agricultural uses. Therefore, the project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance and no impact would occur.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?  
**Determination: No Impact.**

The project’s development site is located on land that is zoned as R-PC and FBC. As mentioned previously, these zoning designations do not allow for agricultural use. Furthermore, neither the development site, nor any portion of the City, including the upzone site, is under a Williamson Act contract.<sup>4</sup> Therefore, the project would not conflict with existing zoning for agricultural use or a Williamson Act contract, and no impact would occur.

- c) Conflict with existing zoning for, or cause rezoning of, forestland (as defined in Public Resources Code Section 12220(g)), timberland (as defined in Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? **Determination: No Impact.**

The development site is currently developed with a mix of commercial and residential land uses and vacant land. The upzone site is currently developed with residential uses. The development site and the upzone site do not contain any forestland or timberland and are not zoned for timberland production. Therefore, the project would not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production, and no impact would occur.

- d) Result in the loss of forestland or conversion of forestland to non-forest use?  
**Determination: No Impact.**

Refer to response (c), above. The development site and upzone site do not contain any forestland. Therefore, the project would not result in the loss of forestland or the conversion of forestland to non-forest use and no impact would occur.

- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use? **Determination: No Impact.**

The development site is located within an area of the City zoned for residential and commercial uses. The upzone site is located within an area of the City zoned for residential uses. There is no farmland or forestland on or adjacent to the development site or upzone site that could be

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<sup>3</sup> California Department of Conservation, California Important Farmland Finder, accessed February 14, 2020, <https://maps.conservation.ca.gov/DLRP/CIFF>.

<sup>4</sup> California Department of Conservation, San Bernardino County Williamson Act FY 2015/2016, accessed February 14, 2020, [ftp://ftp.consrv.ca.gov/pub/dlrp/wa/SanBernardino\\_so\\_15\\_16\\_WA.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/wa/SanBernardino_so_15_16_WA.pdf).

converted to non-agricultural or non-forest land uses as a result of the proposed project. Therefore, the project would have no impact.

#### **BIOLOGICAL RESOURCES**

- f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan? **Determination: No Impact.**

No approved local, regional, or State habitat conservation plans apply to the development site or upzone site.<sup>5</sup> Thus, development of the proposed project would not conflict with any approved habitat conservation plan or natural community conservation plan.

#### **GEOLOGY AND SOILS**

- a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
- a. 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. **Determination: No Impact.**

No known active or potentially active faults have been mapped within the project area and the area is not located in a Fault Rupture Hazard Zone as established by the Alquist-Priolo Earthquake Fault Zoning Act. According to the California Department of Conservation mapping system, the development site is located approximately 7.2 miles from an Alquist-Priolo Earthquake Fault Zone, and the upzone site is located approximately 6.1 miles from an Alquist-Priolo Earthquake Fault Zone.<sup>6</sup> Therefore, no impact would occur.

- b. Strong seismic ground shaking? **Determination: Less Than Significant Impact.**

The project is located in a seismically active region of Southern California. Seismic shaking activity and intensity is dependent on the distance from the fault and earthquake epicenter. The geologic structure of the entire Southern California area is dominated by the northwestern-trending faults associated with the San Andreas Fault system. Faults such as Whittier, San Jacinto, and San Andreas are all major faults in this system and are known to be active. The nearest fault is the San Jacinto Fault, located approximately 7.25 miles northeast of the development site and 6.25 miles northeast of the upzone site.

Future development associated with the development site and upzone site would be subject to compliance with the seismic safety provisions of the most recent California Building Code (CBC), as required by Municipal Code Section 5-61. The CBC includes earthquake safety

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<sup>5</sup> California Department of Fish and Wildlife, California Natural Community Conservation Plans Map, April 2019.

<sup>6</sup> California Department of Conservation, EQ Zapp: California Hazards Zone Application, accessed February 21, 2020, <https://www.conservation.ca.gov/cgs/geohazards/eq-zapp>.



standards based on a variety of factors including occupancy type, types of soils and rocks on-site, and strength of probable ground motion at the project site. Therefore, the project would not directly or indirectly cause potential substantial adverse effects involving strong seismic ground shaking and a less than significant impact would occur.

c. Seismic-related ground failure, including liquefaction? **Determination: Less Than Significant Impact.**

According to the City of Fontana Local Hazard Mitigation Plan, there are no areas of liquefaction susceptibility on or adjacent to the development site or the upzone site.<sup>7</sup> However, to minimize potential damage to building structures caused by liquefaction, project construction would comply with the latest CBC standards, as required by the City Municipal Code Section 5-61. Implementation of CBC standards would include provisions for seismic building designs. There are also no physical changes proposed to the upzone site. Therefore, impacts associated with risk of loss, injury, or death involving seismic-related ground failure including liquefaction would be less than significant.

d. Landslides? **Determination: Less Than Significant Impact.**

According to the City of Fontana Local Hazard Mitigation Plan, there have been no reported historical occurrences of landslides in the City and landslides are not a major concern in the City. Additionally, there are no areas of landslide susceptibility on the development site.<sup>8</sup> There are areas of low-to-moderate landslide susceptibility located approximately 0.25 miles south of the development site within the Jurupa Hills, and the upzone site is located over 3 miles from the nearest hillsides. The topography of both the development site and upzone site is flat and does not present hazards of landslides. Therefore, impacts relative to landslides would be less than significant.

b) Result in substantial soil erosion or the loss of topsoil? **Determination: Less Than Significant Impact.**

Grading and construction of the project could expose large amounts of soil and could result in soil erosion if effective erosion control measures are not used. Best management practices for erosion control are required under National Pollution Discharge Elimination System (NPDES) regulations pursuant to the Federal Clean Water Act. NPDES requirements for construction projects one acre or more in area are set forth in the General Construction Permit issued by the State Water Resources Control Board.<sup>9</sup> Furthermore, the project's land clearing, grading, and construction activities would be required to comply with South Coast Air Quality Management District Rules 403 and 403.2 regulating fugitive dust emissions, thus minimizing wind erosion from such ground-disturbing activities.

The development site and upzone site are located in an urbanized area and are mostly flat with minimal rises or changes in elevation. No major slopes or bluffs are on or adjacent to the

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<sup>7</sup> City of Fontana, Local Hazard Mitigation Plan, Appendix E, Map 7, Geologic Hazard Overlays – Landslide & Liquefaction Susceptibility (South), 2017.

<sup>8</sup> Fontana, Local Hazard Mitigation Plan, Appendix E, Map 7, 2017.

<sup>9</sup> State Water Resources Control Board, Order No. 2009-0009-DWQ, 2009, [https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2009/wqo/wqo2009\\_0009\\_dwq.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2009/wqo/wqo2009_0009_dwq.pdf).

either site. At project completion, the development site and upzone site would not contain exposed soil. Thus, the potential for soil erosion or the loss of topsoil is anticipated to be nominal during operations.

- d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?  
**Determination: Less Than Significant Impact.**

According to the Geotechnical Investigation, the near-surface soils on the development site generally consist of sands and silty sands with no appreciable clay content. These materials have been visually classified as non-expansive. Therefore, no design considerations related to expansive soils are considered warranted for the development site. A less than significant impact relative to expansive soils would occur.

A site-specific geotechnical investigation would be required for future development of the upzone site at such time that development is proposed for the upzone site, in order to address potential impacts relative to expansive soils.

- e) 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 wastewater? **Determination: No Impact.**

The proposed project would not require the installation of a septic tank or alternative wastewater disposal system. The project would be connected to the existing City sewer via one or more service lines. No impact would occur.

#### **HAZARDS AND HAZARDOUS MATERIALS**

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  
**Determination: No Impact.**

The nearest school (Sycamore Hills Elementary School) is located approximately 0.6 miles northeast of the development site. The nearest school to the upzone site is West Randall Elementary School and is located approximately 0.30 miles southwest from the site. As such, the closest schools are located outside of a 0.25 miles radius around the development site and upzone site. Therefore, no impacts would occur associated with emitting or handling hazardous materials within one-quarter mile of a school.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment? **Determination: No Impact.**

Neither the development site nor the upzone site are listed pursuant to Government Code Section 65962.5. Additionally, neither the development site nor upzone site are located in areas with other cleanup sites in their vicinity. As a result, development of the project would not create a significant hazard to the public or the environment.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?

**Determination: Less Than Significant Impact.**

Airport-related hazards are generally associated with aircraft accidents, particularly during takeoffs and landings. Other airport operation hazards include incompatible land uses, power transmission lines, wildlife hazards (e.g., bird strikes), and tall structures that penetrate the imaginary surfaces surrounding an airport.

The nearest airport to the development site, Flabob Airport (Federal Aviation Administration airport identifier KRIR), is located approximately 4.5 miles to the southeast. The development site is located within the influence area of the Ontario International Airport (Federal Aviation Administration airport identifier ONT), located approximately 7.75 miles to the west. The upzone site is not within this airport influence area. The project would not have the potential to affect air traffic patterns, including an increase in traffic levels or a change in flight path location that results in a substantial safety risk. Implementation of the project would not introduce a safety hazard associated with airport operations. A less than significant impact would occur.

- f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? **Determination: Less Than Significant Impact.**

The project would not impair or physically interfere with an adopted emergency response or evacuation plan. The City has adopted an Emergency Operations Plan which identifies evacuation routes, emergency facilities, and City personnel and equipment available to effectively deal with emergency situations.<sup>10</sup> No revisions to the adopted Emergency Operations Plan would be required as a result of the project. In addition, primary access to all major roads would be maintained during construction. Therefore, impacts would be less than significant.

- g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? **Determination: No Impact.**

The development site and upzone site consist of, and are surrounded by, urban/developed land and are not identified as Very High Fire Hazard Severity Zones by the California Department of Forestry and Fire Protection (Cal Fire).<sup>11</sup> Therefore, project implementation

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<sup>10</sup> City of Fontana, *Ready Fontana Guide*, accessed February 21, 2020, <https://www.fontana.org/DocumentCenter/View/29672>.

<sup>11</sup> California Department of Forestry and Fire Protection, Very High Fire Hazard Severity Zones Map, 2008, accessed February 21, 2020, <https://osfm.fire.ca.gov/media/5943/fontana.pdf>.

would not expose people or structures to a significant risk involving wildland fires, and no impacts would occur in this regard.

#### **HYDROLOGY AND WATER QUALITY**

- b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? **Determination: Less Than Significant Impact.**

Temporary construction-related activities associated with the project are not anticipated to have a significant impact on groundwater supplies because construction would be short term and does not consist of water-intensive activities that could, ultimately, draw down supplies of groundwater.

Water for the project would be provided by Fontana Water Company (FWC), which has sufficient water supplies to serve the project. According to FWC's 2015 Regional Urban Water Management Plan, available water supplies are expected to meet existing and projected demands.<sup>12</sup> Groundwater accounts for approximately 73 percent of FWC's total water supply. Therefore, a portion of the project's operational water supplies would indirectly include groundwater supplies.

Both the development site and upzone site are underlain by the Chino Basin, which is fully adjudicated and managed by the Chino Basin Watermaster. Stormwater capture and infiltration occurs at 18 recharge basins in the Chino Basin.<sup>13</sup> The project would not interfere with groundwater recharge activities associated with these facilities such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table, as the project is not located in one of the Chino Basin's 18 groundwater recharge areas. A less than significant impact would occur.

- d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? **Determination: No Impact.**

#### **Flood Hazards**

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map No. 06071C7915H (2008) identifies the development site as being in Flood Hazard Zone X. FEMA Flood Insurance Rate Map No. 06071C8654H (2008) identifies the upzone site as being in Flood Hazard Zone X. Zone X is defined as an area of minimal flood hazard outside of both a 1 percent Annual Chance Flood Hazard Zone (100-year floodplain) and a 0.2 percent Annual Chance Flood Hazard Zone (500-year floodplain). Neither the development site nor the upzone site are located in a flood hazard area; thus, project implementation would not risk release of pollutants due to project inundation.

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<sup>12</sup> San Gabriel Valley Water Company, Fontana Water Company Division, 2015 Urban Water Management Plan (amended 2017), [https://www.fontanawater.com/wp-content/uploads/2018/10/San-Gabriel-Fontana\\_Amended-Final-December-2017-1.pdf](https://www.fontanawater.com/wp-content/uploads/2018/10/San-Gabriel-Fontana_Amended-Final-December-2017-1.pdf).

<sup>13</sup> Chino Basin Watermaster, 2020 Optimum Basin Management Program Update Report, [http://www.cbwm.org/docs/OBMP%20Update/20200124\\_Final%202020%20OBMP%20Update%20Report.pdf](http://www.cbwm.org/docs/OBMP%20Update/20200124_Final%202020%20OBMP%20Update%20Report.pdf).

## **Tsunami**

A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. The project is located over 48 miles inland from the Pacific Ocean and is located at a sufficient distance so as not to be subject to tsunami impacts. No impacts would occur in this regard.

## **Seiche**

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. The project site is not in the vicinity of a reservoir, harbor, lake, or storage tank capable of creating a seiche. No impacts would occur in this regard.

- e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? **Determination: Less Than Significant Impact.**

No potable groundwater wells are proposed as part of the project. The project would be served with potable water by the FWC. Domestic water from this service provider are supplied via the groundwater from multiple sources. This includes the Chino Groundwater Basin, the Rialto Groundwater Basin, the Lytle Groundwater Basin, and the No Man's Land Groundwater Basin. These sources provide the City with most of its water needs, with room for expansion. Impacts would be less than significant.

## **LAND USE AND PLANNING**

- a) Physically divide an established community? **Determination: Less Than Significant Impact.**

The physical division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility within an existing community or between a community and an outlying area.

The project is located within a primarily developed portion of the City. The development site is currently developed with a mix of commercial and residential land uses and vacant land. The upzone site is currently developed with residential uses. Both sites are not used as a connection between two established communities. Instead, connectivity in the surrounding project area is facilitated via local roadways. Development of the proposed project would be consistent with existing and planned development on surrounding properties and would not impede movement through the area. Therefore, a less than significant impact associated with division of an existing community would occur.

## **MINERAL RESOURCES**

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? **Determination: No Impact.**

According to the Conservation, Open Space, Parks and Trails Chapter of the General Plan, the most significant mineral resources in the City are sand and gravel deposits located in the alluvial fan that extends southward from the base of the San Gabriel foothills.<sup>14</sup> Also, no known deposits of precious gemstones, ores, or unique or rare minerals have been identified within City limits.

Historical uses of the development site have not included mineral extraction, nor do the development site or upzone sites currently support mineral extraction. In addition, the project does not propose any mineral extraction activities. The project proposes the construction of industrial warehouse buildings with no planned mining operations. Therefore, the proposed project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the State, and no impact would occur.

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? **Determination: No Impact.**

There are no mineral resource recovery sites on or near the development site, and as discussed above in response a), the project would not result in the loss of availability of mineral resources, including locally important mineral resource recovery sites. No impact would occur in this regard.

## **NOISE**

- a) 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? **Determination: No Impact.**

The closest airport to the development site is Flabob Airport (KRIR), located approximately 4.5 miles to the southeast. The closest airport is the Ontario International Airport, located approximately 7.75 miles to the southwest of the upzone site and approximately 7.75 miles west of the development site.<sup>15</sup> While the development site is located within the Ontario International Airport Influence Area, neither the development site or the upzone site are located within a noise contour of either Ontario International Airport or Flabob Airport.<sup>16</sup> The project would not expose people residing or working in the area to excessive airport-related noise levels. In addition, the project is not in the vicinity of a private airstrip. Therefore, no impact related to airport land use compatibility would occur.

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<sup>14</sup> Fontana, General Plan Update, Chapter 7: Conservation, Open Space, Parks and Trails, 2018.

<sup>15</sup> City of Ontario, *RLA/Ontario International Airport Land Use Compatibility Plan*, adopted April 19, 2011.

<sup>16</sup> County of Riverside, *Riverside County Airport Land Use Compatibility Plan Policy Document*, adopted December 2004.



## POPULATION AND HOUSING

- a) Induce substantial 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)? **Determination: Less Than Significant Impact.**

The project would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the project area. The temporary workforce would be needed to construct the industrial warehouse buildings and associated improvements.

Because the future tenant is unknown, the number of jobs generated by the project cannot be precisely determined. Thus, for purposes of analysis, employment estimates were calculated using average employment density factors reported by the Southern California Association of Governments (SCAG). In its October 31, 2001, Employment Density Study Summary Report,<sup>17</sup> SCAG reported that for every 1,195 square feet of warehouse space in San Bernardino County, the median number of jobs supported is one employee. The project would include 754,408 SF of industrial warehouse buildings. As such, the estimated number of employees required for operation would be approximately 631. This number may vary, depending on the specific tenant and operation that occupies the facility.

According to the SCAG Demographics & Growth Forecast (an appendix to the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy),<sup>18</sup> the number of jobs in Fontana is anticipated to grow from 47,000 in 2012 to 70,800 in 2040, and it is estimated that in 2040 Fontana will have a population of approximately 280,900. The project-related increase of 631 employees would be minimal in comparison to the increase anticipated in the SCAG growth forecast, and any associated population growth within the City would be within the levels of growth already forecast by the City. Further, it is anticipated that the project would provide jobs to local City residents, helping to fill the employment need.

In addition, to comply with SB 330, the project would also be required to rezone a site to offset the potential loss of housing units resulting from the proposed Zone Change from a residential designation to a Specific Plan designation. Specifically, the project would change the proposed upzone site's existing zoning designation from R-1, which accommodates a density of up to 5 du per acre, to R-2, which accommodates a density of up to 7.6 du per acre and single-family attached or multi-family housing up to 12 du per acre, thus exceeding the density requirement of 87 new residential units by 10 units. This slight increase in potential residential density; however, would not result in substantial population growth in the City, and it would be consistent with levels of growth already forecast by the City and accounted for by the City in its latest General Plan Update.<sup>19</sup> A less than significant impact would occur.

<sup>17</sup> Southern California Association of Governments, Employment Density Study Summary Report, October 31, 2001.

<sup>18</sup> Southern California Association of Governments, 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy, 2016, Demographics & Growth Forecast, <http://scagrtpscsc.net/Pages/FINAL2016RTPSCS.aspx>.

<sup>19</sup> City of Fontana, General Plan Update 2015–2035 (adopted December 2018), Chapter 2: Trends for Fontana's Future, page 17.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? **Determination: Less Than Significant Impact.**

The project would involve the demolition of twelve residential structures currently on the development site, as well as associated out buildings. All property owners are voluntarily selling their property and would be compensated for their property. At this time, no evictions are anticipated. It is expected that residents would have the ability to relocate based on the availability of existing housing stock in the area. According to the 2019 housing estimates provided by the California Department of Finance, there are 54,945 housing units in the City, which are anticipated to more than accommodate residents of the limited number of housing units on the development site.<sup>20</sup> As a result, the construction of replacement housing would not be necessary. As noted above, although future development of the upzone site could result in the demolition of 15 residential units, the buildout associated with the upzone site would allow for the development of up to 97 new residential units. For this reason, the upzone site would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. A less than significant impact would occur in this regard.

#### **PUBLIC SERVICES**

- a) 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:

- c. Schools? **Determination: Less Than Significant Impact.**

The Fontana Unified School District currently requires school mitigation impact fees for commercial/industrial development and residential uses. The project applicant for the development site and future development proposals for the rezone site would be required to pay the district's current developer impact fees in effect at the time of building permit application. The school district uses these fees to pay for facility expansion and upgrades needed to serve new students. 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.

- d. Parks? **Determination: Less Than Significant Impact.**

The development project would be industrial in nature and would not be expected to directly affect community recreational facilities. Although future development of the upzone site could cause a proportional increase in demand for local parks compared to existing conditions or existing zoning, future development permitted on the upzone site would only exceed the project's

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<sup>20</sup> California Department of Finance, E-5 Population and Housing Estimates for Cities, Counties, and the State (2019), accessed March 5, 2020, <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>.

density requirement by 10 units. Less than significant impacts would occur in this regard.

e. Other Public Facilities? **Determination: Less Than Significant Impact.**

The future development associated with the development site would be industrial in nature and would not be expected to directly affect other public facilities (i.e., libraries). Although future development of the upzone site could cause a proportional increase in demand for local parks compared to existing conditions or existing zoning, future development permitted on the upzone site would only exceed the project's density requirement by 10 units. Less than significant impacts would occur in this regard.

## RECREATION

- a) Would the proposed 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? **Determination: Less Than Significant Impact.**

The demand for parks is determined by changes in housing and population. In this case, the project is commercial/industrial in nature, and no new residents or housing would be introduced to the area. While the project would involve a rezoning of 13.65 acres of land in Fontana from R-1 to R-2 zoning, no physical changes such as an increase in housing stock is proposed by the project. The total increase of potential housing capacity in the City would be 10 units, compared to the current housing stock of 54,945 dwelling units. Additionally, according to Exhibit 7.7 of the General Plan,<sup>21</sup> the upzone site is not within walking distance to either a public park or a school recreation area. Therefore, park usage resulting from development of the upzone site would be spread throughout Fontana, which maintains approximately 5.7 acres of parkland per 1,000 residents, and is consistent with the General Plan policy of maintaining at least 5 acres of parkland per 1,000 residents.<sup>22</sup> Thus, the deterioration of park facilities would not occur or be accelerated from the warehouse facilities at the development site or the zoning change at the upzone site. Therefore, the project would not directly or indirectly induce population growth or increase demand on parks and recreational resources. Impacts would be less than significant.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment? **Determination: No Impact.**

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

<sup>21</sup> Fontana Forward General Plan Update, Conservation and Open Space Element, Exhibit 7.7, 2018, accessed April 2, 2020, <https://www.fontana.org/DocumentCenter/View/26746/Chapter-7---Conservation-Open-Space-Parks-and-Trails>.

<sup>22</sup> Fontana Forward General Plan Update, Conservation and Open Space Element, Goal 5, 2018, accessed April 2, 2020, <https://www.fontana.org/DocumentCenter/View/26746/Chapter-7---Conservation-Open-Space-Parks-and-Trails>.

the type of project being proposed would not result in an increased demand for recreational facilities. No impact would occur.

#### **TRANSPORTATION**

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  
**Determination: Less Than Significant Impact.**

All improvements associated with the project would be constructed in accordance with the provisions of Municipal Code Chapter 25, Article VI, “Driveway Construction” and Chapter 30, Zoning and Development Code. No hazardous geometric design features or incompatible uses would be implemented with the project; therefore, impacts would be less than significant.

- d) Result in inadequate emergency access? **Determination: Less Than Significant Impact.**

The project is subject to the City’s design review to ensure that the project as designed does not temporarily or permanently interfere with the provision of emergency access or with evacuation routes. New project driveways are required to meet access standards of the Fontana Fire Protection District. Project construction is not expected to require road closures or otherwise affect emergency access around the site perimeter. As a standard practice, if road closures (complete or partial) were necessary, the Fontana Police Department and Fontana Fire Protection District would be notified of the construction schedule, and any required detours would allow emergency vehicles to use alternate routes for emergency response. Therefore, the project would not result in inadequate emergency access and impacts would be less than significant.

#### **UTILITIES AND SERVICE SYSTEMS**

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? **Determination: Less Than Significant Impact.**

Implementation of the project is anticipated to generate additional solid waste during the temporary, short-term construction phase, as well as the operational phase, but it would not be expected to result in inadequate landfill capacity. Solid waste services for the City are provided by the Mid-Valley Sanitary Landfill located in the northern portion of the City. According to the California Department of Resources Recycling and Recovery (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 61.2 million cubic yards. The landfill has an expected operational life through 2033 with the potential for vertical or downward expansion.<sup>23</sup> For these reasons, the project’s solid waste disposal needs are anticipated to be met by the Mid-Valley Sanitary Landfill. The project would have a less than significant impact.

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<sup>23</sup> CalRecycle, SWIS Facility Detail, Mid-Valley Sanitary Landfill (36-AA-0055), accessed February 21, 2020, <https://www2.calrecycle.ca.gov/swfacilities/Directory/36-AA-0055/>.

- e) Comply with Federal, state, and local management and reduction statutes and regulations related to solid waste? **Determination: No Impact.**

As discussed above under response a), the project would generate waste during the construction phase, as well as the operational phase; however, it would not be expected to result in inadequate landfill capacity. The project, as with all other development in the city, would be required to adhere to applicable Federal, State, and City ordinances with respect to waste reduction and recycling. As a result, the project would comply with all Federal, State, and local regulations regarding solid waste and no impacts are anticipated.

#### **WILDFIRE**

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan? **Determination: No Impact.**

According to the CalFire Fire and Resource Assessment Program, the development site and the rezone site are not located in or near a State Responsibility Area (SRA); the nearest SRAs to the development site are located 8 miles to north and 8 miles to the east, and 6 miles to the north and 10 miles to the east of the upzone site.<sup>24</sup> In addition, the development site and rezone site do not contain lands classified as very high fire hazard severity zones, and development of the project would not otherwise impair any adopted emergency response plan or emergency evacuation plan, such as the City's Local Hazard Mitigation Plan.<sup>25</sup> No impact would occur in this regard.

- b) If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? **Determination: No Impact.**

Refer to response a), above.

- c) If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? **Determination: No Impact.**

Refer to response a), above.

- d) If located in or near State responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of

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<sup>24</sup> Board of Forestry and Fire Protection, State Responsibility Area Viewer, accessed February 24, 2020, <https://bof.fire.ca.gov/projects-and-programs/state-responsibility-area-viewer/>.

<sup>25</sup> Cal Fire, Fire and Resource Assessment Program, FHSZ Viewer, accessed February 24, 2020, <https://egis.fire.ca.gov/FHSZ>; Fontana Local Hazard Mitigation Plan, 2017 <https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan>.

runoff, post-fire slope instability, or drainage changes? **Determination: No Impact.**

Refer to response **a)**, above.



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## **6.0 OTHER CEQA CONSIDERATIONS**

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## 6.0 Other CEQA Considerations

### 6.1 Long-Term Implications of the Proposed Project

#### 6.1.1 CEQA Requirements

Section 15126.2 (b) of the California Environmental Quality Act (CEQA) Guidelines requires that an environmental impact report (EIR) discuss any significant impacts associated with the project.

*Section 4.0, Environmental Analysis*, of this EIR, describes the potential environmental impacts of the proposed project and recommends mitigation measures to reduce impacts to a less than significant level, where feasible. *Section 1.0, Executive Summary*, contains *Table 1.0-1, Mitigation Summary*, which summarizes the impacts, mitigation measures, and levels of significance before and after mitigation.

#### Significant and Unavoidable Environmental Impacts

Section 15162(b) of the CEQA Guidelines requires an EIR to discuss the significant environmental effects of a proposed project that cannot be avoided if the proposed project is implemented, including those which can be mitigated, but not reduced to a less than significant level. These impacts are referred to as “significant and unavoidable impacts” of a project. More information on these impacts is found in *Section 4.0* of this EIR.

- Air Quality
  - Impact 4.2-1: The project would potentially conflict with or obstruct implementation of the applicable air quality plan (or applicable air quality thresholds);
  - Impact 4.2-2: The project would violate an air quality standard or contribute substantially to an existing or projected air quality violation; and
  - Impact 4.2-5: The project would potentially create a cumulative air quality impact.
- Greenhouse Gas Emissions
  - Impact 4.7-1: The project would potentially generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
  - Impact 4.7-2: The project would potentially conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases; and
  - Impact 4.7-3: The project would potentially result in cumulatively significant greenhouse gases emissions.
- Transportation
  - Impact 4.13-3: The project could potentially conflict with CEQA Guidelines Section 15064.3, subdivision (b).

### **Significant Irreversible Environmental Changes**

Section 15126.2(c) of the CEQA Guidelines requires an EIR to discuss the significant irreversible environmental changes that would result from implementation of a proposed project. Examples include: primary or secondary impacts of the project that would generally commit future generations to similar uses (e.g., highway improvements at the access point); uses of nonrenewable resources during the initial and continued phases of the project (because a large commitment of such resources make removal or nonuse thereafter unlikely); and/or, irreversible damage that could result from any potential environmental accidents associated with the project.

Potential environmental accidents of concern include those events that would adversely affect the environment or public due to the type or quantity of materials released and the receptors exposed to that release. Demolition and construction activities associated with the proposed project would involve some risk of environmental accidents, for which Mitigation Measures HAZ-1 (asbestos containing material evaluation) and HAZ-2 (lead-based paint evaluation) would be implemented to reduce potential impacts to a less than significant level. However, light industrial and residential land uses typically do not generate, store, or dispose of large quantities of hazardous materials. Further, light industrial and residential land uses generally do not involve dangerous or volatile operational activity that may expose persons to large quantities of hazardous materials. As an industrial business park, heavy-duty trucks would frequent the development site to transport goods and could potentially introduce or require hazardous materials associated with vehicle maintenance (i.e., oils or petroleum-based fuels). The use of these materials would be in small quantities and would be used, handled, stored, and disposed of in accordance with the manufacturer's instructions and applicable government regulations and standards. Compliance with these regulations and standards would serve to protect against significant and irreversible environmental change resulting from the accidental release of hazardous materials.

Implementation of the proposed project would require the long-term commitment of land and natural resources as follows:

- Construction of the proposed project would require the use of water, timber, steel, sand, gravel, and other minerals and natural resources. Although the project would not result in unusual demand for these resources during construction, they nonetheless represent an incremental increase in demand for nonrenewable resources.
- Nonrenewable energy sources such as oil-based fuels would be used during project construction and operation; and
- Heavy machinery would be used during construction, resulting in proportionate air emissions and noise levels.

Once the life span of the proposed project on the development site is reached, it is probable that the site would continue to support industrial uses. The large investment of capital resources that would be expended on the proposed project site, infrastructure, and amenities would likely continue beyond the average life span of the project. Consequently, the project would largely commit the project site to similar uses in the future.

Construction and implementation of the proposed project would commit energy, labor, and building materials. This commitment would be commensurate with that of other projects of similar nature and magnitude. Energy, labor, and building materials would also be committed to the construction of buildings and infrastructure necessary to support the redevelopment of the existing site. Ongoing maintenance of the project site would entail a long-term commitment of energy resources in the form of natural gas and electricity. This commitment of energy, labor, and building materials would be a long-term obligation, because once the project site has been developed, it is highly unlikely that the land could be returned to its original condition.

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## **7.0 GROWTH INDUCING IMPACTS**

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## 7.0 Growth Inducing Impacts

### 7.1 Introduction

Section 15126.2(d) of the California Environmental Quality Act (CEQA) Guidelines requires that an environmental impact report (EIR) discuss a project's potential to 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 chapter of the EIR analyzes such potential growth-inducing impacts, based on criteria 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:

- 1) Remove an impediment to growth (e.g., establish an essential public service or provide new access to an area);
- 2) Foster economic expansion or growth (e.g., change revenue base, expand employment, etc.);
- 3) Foster population growth (e.g., construct additional housing), either directly or indirectly;
- 4) Establish a precedent-setting action (e.g., an innovation, a change in zoning, or a general plan amendment approval); or
- 5) Develop or encroach on an isolated or adjacent area of open space (distinct from an "infill" type of project).

Should a project meet any one of the above-listed criteria, it may be considered growth inducing. The potential growth-inducing impacts of the proposed project are evaluated against these five criteria in this chapter.

Section 15126.2(d) of the CEQA Guidelines requires that an EIR "discuss the ways" a project could be growth inducing and to "discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively." However, the CEQA Guidelines do not require that an EIR predict (or speculate), specifically where such growth would occur, in what form it would occur, or when it would occur. The answers to such questions may require speculation, which CEQA discourages (see CEQA Guidelines Section 15145).

#### 7.1.1 Removal of Barrier to Growth

Projects that physically remove obstacles to growth, or projects that indirectly induce growth, are those that may provide a catalyst for future unrelated development in the area. Several types of projects can induce population growth by removing obstacles that prevent growth, such as provision of new access to an area or establishing an essential public service. An example of this type of project would be the expansion of a wastewater treatment plant, which would accommodate additional sewer connections within a service area, and therefore, would allow future construction and growth.

The development site involves the development of a 754,408-square-foot (SF) warehouse facility consisting of two warehouse and distribution buildings (Building 1 and Building 2) within an approximately 33.6-acre property, with associated facilities and improvements such as a guard booth, parking, landscaping, and drainage facilities. Parking and site paving would be concrete and asphalt, and would represent approximately 89 percent of the site coverage. All existing structures on the development site would be demolished prior to project construction. In addition, the project involves a General Plan Amendment and change of zoning from Single Family Residential R-1 to R-2 for the upzone site. Applying the R-2 designation on the upzone site would accommodate the future development of 165 residential units.

Because the development site is currently served by utilities and service systems and based on correspondence with service providers, it is expected that existing utilities and service systems can be readily expanded and/or extended to serve that aspect of the project. This would not remove an impediment to growth associated with the establishment of an essential public service and is not considered growth-inducing in this regard. The proposed infrastructure enhancements and upgrades, including water system, sewer system and storm drain system, would be designed to accommodate the proposed project. These infrastructure capacity increases would remove impediments that currently inhibit growth associated specifically with the development site, resulting in the potential environmental impacts as discussed throughout this Draft EIR. However, the proposed infrastructure improvements have been sized to serve the proposed project and do not contain adequate excess capacity to support substantial, unplanned growth. Therefore, growth-inducing impacts are precluded because the infrastructure is sized to serve only the proposed project. Likewise, the proposed changes to the General Plan land use designation and the rezoning for the upzone site would principally offset the loss in residential capacity associated with the development site by adding capacity to an existing residential area. These changes would not remove any barriers to growth.

The development site and upzone site are also served by existing roadway network and would not provide new access to an area; refer to **Section 4.13, Transportation**. Therefore, the project would not remove an impediment to growth associated with the provision of new access to an area and is not considered growth-inducing in this regard.

### **7.1.2 Economic Growth**

Economic growth would likely occur as a result of the project's operation as an industrial logistics center. The proposed project would require a temporary construction workforce and a permanent operational workforce. For the development site, the temporary workforce would be needed to construct the warehouse building and associated improvements, and for future development of the upzone site, the temporary workforce would be needed to construct the residential units and associated improvements. The development site is anticipated to be developed in one phase over a duration of 12 months.

Because the future tenants are not yet known, the number of jobs that the proposed project would generate cannot be precisely determined. Therefore, for the purposes of this analysis, employment estimates were calculated using average employment density factors reported by the Southern California Association of Governments (SCAG). SCAG reports that for every 1,195 square feet of warehouse space in San Bernardino County, the median number of jobs

supported is one employee (SCAG 2001). The project would include 754,408 square feet of warehouse space. As such, the estimated number of employees required for operation would be approximately 631 people.

According to the SCAG Demographics & Growth Forecast (an appendix to the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy [RTP/SCS]), employment in the City of Fontana is anticipated to grow from 47,000 in 2012 to 70,800 in 2040. The project-related increase of 631 employees would be minimal in comparison to the increase anticipated in the SCAG growth forecast.

Employees associated with the project, for both short-term construction and long-term operations, would purchase goods and services in the region. However, any secondary increase in employment associated with meeting these goods and services demands is expected to be accommodated by existing goods and service providers. As such, based on the amount of existing and planned future commercial and retail services available in areas near the project site, potential economic growth resulting from the project would be unlikely to result in any unanticipated, adverse physical impacts to the environment.

### **7.1.3 Population Growth and Housing**

County of San Bernardino. The County encompasses approximately 20,105 square miles. It is bordered by Inyo County to the north, the California-Nevada State line to the east, Riverside County to the south, and Los Angeles County and Kern County to the west. As of January 2020, the County had a population of 2,180,537 people. This represents an increase of approximately 6.9 percent over the County's 2010 population of 2,038,771.

The Southern California Association of Governments (SCAG) serves as the metropolitan planning organization (MPO) for Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial Counties. Generally, SCAG serves as the regional planning organization for growth management, transportation, and a range of additional planning and environmental issues within Southern California. SCAG develops, refines, and maintains SCAG's regional and small area socioeconomic forecasting/allocation models. The socioeconomic estimates and projections are used for Federally and State-mandated long-range planning efforts such as the RTP/SCS, the Air Quality Management Plan, the Federal Transportation Improvement Program, and the Regional Housing Needs Assessment. As part of its forecasting, SCAG projects that the County's population will reach 2,731,300 by 2040.

City of Fontana. ***Table 7.0-1, Population Estimates***, summarizes both 2020 and 2040 population estimates for San Bernardino County and the City of Fontana. On a local level, Fontana's January 2020 population is 213,000. This represents an increase of approximately 8.6 percent over the City's 2010 population of 196,069. SCAG projects that the City's population will reach 280,900 by 2040, adding an additional 76,000 people (a 31.9 percent increase) in the next 20 years.

**Table 7.0-1: Population Estimates**

Year	County of San Bernardino	City of Fontana
2010 Census <sup>1</sup>	2,035,210	196,069
January 2020 <sup>2</sup>	2,180,537	213,000
<i>2010-2020 Change</i>	<i>+145,327</i>	<i>+16,931</i>
<i>2010-2020 % Change</i>	<i>6.9%</i>	<i>+8.6%</i>
2020 SCAG Forecasts <sup>3</sup>	2,197,400	204,900
<i>2012-2020 Change</i>	<i>+129,400</i>	<i>+4,700</i>
2040 SCAG Forecasts <sup>3</sup>	2,731,300	280,900
<i>2020-2040 Change</i>	<i>+533,900</i>	<i>+76,000</i>

Sources:

1. State of California, Department of Finance, *E-8 Historical Population and Housing Estimates for Cities, Counties, and the State, 2000-2010*, Sacramento, California, November 2012.
2. State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020, With 2010 Benchmark*, Sacramento, California, May 2020.
3. Southern California Association of Governments, *2016-2040 RTP/SCS Final Growth Forecast by Jurisdiction*, [http://www.scag.ca.gov/Documents/2016\\_2040RTPSCS\\_FinalGrowthForecastbyJurisdiction.pdf](http://www.scag.ca.gov/Documents/2016_2040RTPSCS_FinalGrowthForecastbyJurisdiction.pdf), accessed May 5, 2020.

County of San Bernardino. **Table 7.0-2, Housing Estimates**, provides a summary of housing estimates for the County of San Bernardino and the City of Fontana. The County's housing stock was estimated to be 726,680 units in January 2020. This represents an increase of approximately 3.9 percent over the estimated 699,637 housing units reported in 2010. The vacancy rate in January 2020 was estimated to be approximately 11.1 percent, and the persons per household estimate for occupied units was approximately 3.31. SCAG projections indicate that the number of households within the County will increase to 759,473 in 2040.

City of Fontana. The City's housing stock was estimated to be 55,093 units in January 2020 with 52,592 households (occupied housing units). This represents an increase of approximately 6.2 percent over the estimated 51,857 housing units reported in 2010 and an increase in households of 7.1 percent. The vacancy rate in January 2020 was estimated to be approximately 4.5 percent, with the persons per household estimate for occupied units being 4.04. According to SCAG projections, the number of households in the City is expected to be 70,670 in 2040.

**Table 7.0-2: Housing Estimates**

Year	County of San Bernardino		City of Fontana	
	Dwelling Units	Households	Dwelling Units	Households
Census 2010 <sup>1</sup>	699,637	611,618	51,857	49,116
January 2020 <sup>2</sup>	726,680	646,226	55,093	52,592
<i>2010-2020 Change</i>	<i>+27,043</i>	<i>+34,608</i>	<i>+3,236</i>	<i>+3,476</i>
<i>2010-2020 % Change</i>	<i>3.9%</i>	<i>5.7%</i>	<i>6.2%</i>	<i>7.1%</i>
2020 Vacancy Rate <sup>2</sup>	11.1%	--	4.5%	--



Year	County of San Bernardino		City of Fontana	
	Dwelling Units	Households	Dwelling Units	Households
2020 Persons per Household <sup>2</sup>	--	3.31	--	4.04
2020 SCAG Forecasts <sup>3,4</sup>	687,100	610,832	53,500	51,093
<i>2012-2020 Change</i>	<i>+71,800</i>	<i>+68,298</i>	<i>+3,900</i>	<i>+3,725</i>
2040 SCAG Forecasts <sup>3,4</sup>	4,300 <sup>4</sup>	759,473	74,000	70,670
<i>2020-2040 Change</i>	<i>+167,200</i>	<i>+148,641</i>	<i>+20,500</i>	<i>+19,577</i>

Sources:

1. State of California, Department of Finance, *E-8 Historical Population and Housing Estimates for Cities, Counties, and the State, 2000-2010*, Sacramento, California, November 2012.
2. State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2017, With 2010 Benchmark*, Sacramento, California, May 2020.
3. Southern California Association of Governments, *2016-2040 RTP/SCS Final Growth Forecast by Jurisdiction*, [http://www.scag.ca.gov/Documents/2016\\_2040RTPSCS\\_FinalGrowthForecastbyJurisdiction.pdf](http://www.scag.ca.gov/Documents/2016_2040RTPSCS_FinalGrowthForecastbyJurisdiction.pdf), accessed May 5, 2020.
4. Dwelling unit forecasts are based on 2020 vacancy rate.

As discussed above, the project is expected to employ approximately 631 employees. Data provided by the California Employment Development Department in March 2020 found that the unemployment rate for Riverside and San Bernardino Counties is at 5.1 percent, which is similar to the State (5.6 percent) and above the national (4.5 percent) averages. As such, the project's temporary and permanent employment opportunities could be met by the local labor force without people needing to relocate into the project region, and the project would not stimulate significant population growth or a population concentration above what is assumed in local and regional land use plans. While there is potential that employees could move to the City for jobs at the proposed project, indirect population growth would be limited.

In addition, to comply with SB 330, the project would also be required to rezone a site to offset the potential loss of housing units resulting from the proposed Zone Change from a residential designation to a Specific Plan designation. Specifically, the project would change the proposed upzone site's existing zoning designation from R-1, which accommodates a density of up to 5 du per acre, to R-2, which accommodates a density of up to 7.6 du per acre and single-family attached or multi-family housing up to 12 du per acre, thus accommodating the future development of 165 units, offsetting the proposed project's lost dwelling unit potential of 155 units by 10 units. As such, the project would result in a planned net increase in the City's available residential density and would not result in a loss of residential capacity in the City or induce substantial unplanned growth.

#### 7.1.4 Establishment of a Precedent-Setting Action

The proposed project includes a General Plan Amendment to change the existing land use designation of the development site from Residential–Planned Community (R-PC)/Walkable Mixed-Use Downtown and Corridors (WMXU-1) to General Industrial (I-G), a Specific Plan Amendment to expand the boundary of the Southwest Industrial Park Specific Plan Land Use Plan to include the development site, and a Zone Change to change the zoning designation of all parcels within the development site from R-PC and FBC–Transitional to Specific Plan (Southwest Industrial Park) (refer to **Section 3.0, Project Description**, for detailed information regarding the proposed General Plan Amendment). Project implementation would also require a General Plan Amendment to amend the existing land use designation for

all parcels within the upzone site from R-SF to Medium Density Residential (R-M) and a Zone Change from R-1 to R-2 to offset the potential loss of housing units resulting from the change in designation of the development site, in compliance with the requirements of SB 330. These actions are not considered to be precedent setting actions (defined as any act, decision, or case that serves as a guide or justification for subsequent situations), as they are commonly undertaken on a regular basis by many jurisdictions and relate specifically to the development site and upzone site, respectively.

#### **7.1.5 Development or Encroachment on Open Space**

Both the development site and the upzone site are situated within highly urbanized portions of Fontana and are currently developed with existing residences, infrastructure, and outbuildings. As indicated in *Section 4.3, Biological Resources*, the development site is currently developed with a mix of commercial and residential land uses and vacant land, and existing vegetation predominately consists of ruderal plants including various non-native grasses and weedy species. Thus, the project would not be considered growth inducing with respect to development or encroachment on open space. In addition, future development of the upzone site would also not be considered growth inducing with respect to development or encroachment on open space due to the urbanized/developed nature of the upzone site.

## **7.2 Conclusion**

Overall, development of the development site would create new jobs and would foster some economic expansion and population growth. However, while the project's employees (both short-term construction and long-term operational) likely would purchase goods and services in the region, any secondary increase in employment associated with meeting these goods and services demands is expected to be accommodated by existing goods and services providers and, based on the amount of existing and planned future commercial and retail services available in areas near the development site, would be unlikely to result in any unanticipated, adverse physical impacts to the environment. Likewise, while development of the development site would create jobs, a majority of these jobs likely would be filled by residents of the housing units either already built or planned for development in the region. Accordingly, because it is anticipated that most of the development site's future employees already would be living in the area, the project's introduction of employment opportunities on the development site would not induce substantial growth in the area. With respect to the upzone site, future residential development on the site would be within the scope of residential growth already contemplated in long-term planning documents, would be served by existing infrastructure, and would not otherwise foster substantial further growth. Based on the foregoing, the project would not result in substantial, adverse growth-inducing impacts.

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## **8.0 ALTERNATIVES**

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## 8.0 Alternatives

Under the California Environmental Quality Act (CEQA), the identification and analysis of alternatives to a project is a fundamental part of the environmental review process. CEQA Public Resources Code Section 21002.1(a) establishes the need to address alternatives in an environmental impact report (EIR) by stating that in addition to determining a project's significant environmental impacts and indicating potential means of mitigating or avoiding those impacts, "the purpose of an environmental impact report is ... to identify alternatives to the project."

Direction regarding the definition of project alternatives is provided in the CEQA Guidelines as follows:

*An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.<sup>1</sup>*

The CEQA Guidelines emphasize that the selection of project alternatives be based primarily on the ability to reduce significant effects relative to the proposed project, "even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly."<sup>2</sup> The CEQA Guidelines further direct that the range of alternatives be guided by a "rule of reason," such that only those alternatives necessary to permit a reasoned choice are addressed.<sup>3</sup>

In selecting project alternatives for analysis, potential alternatives must pass a test of feasibility. CEQA Guidelines Section 15126.6(f)(1) states that:

*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).*

Beyond these factors, the CEQA Guidelines require the analysis of a "no project" alternative and an evaluation of alternative location(s) for the project, if feasible. Based on the alternatives analysis, an environmentally superior alternative is to be identified. If the environmentally superior alternative is the No Project Alternative, then the EIR shall identify an environmentally superior alternative among the other alternatives.<sup>4</sup> In addition, CEQA Guidelines Section 15126.6(c) requires that an EIR identify any alternatives that were considered for analysis but rejected as infeasible and discuss the reasons for their rejection.

The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision making. The range of potential

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<sup>1</sup> CEQA Guidelines Section 15126.6(a).

<sup>2</sup> CEQA Guidelines Section 15126.6(b).

<sup>3</sup> CEQA Guidelines Section 15126.6(f).

<sup>4</sup> CEQA Guidelines Section 15126.6(e)(2).

alternatives to the proposed project shall also include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. Among the factors that may be considered 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). Only locations that would avoid or substantially lessen any of the project's significant effects need be considered for inclusion. An alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative need not be considered.

Potential environmental impacts associated with the following alternatives are compared to the proposed project's impacts:

- Alternative 1 – “No Development” Alternative;
- Alternative 2 – “Existing General Plan” Alternative; and
- Alternative 3 – “Reduced Density” Alternative.

These alternatives were selected based on their potential to implement certain components of the project (such as development of a warehouse facility), to accomplish some or most of the basic objectives of the project and avoid or substantially lessen one or more of the proposed project's significant effects. Specifically, the “No Development” and “Existing General Plan” Alternatives are considered to enable the decision-makers to compare the impacts of approving the project with the impacts of not approving the project. The “Reduced Density” Alternative was selected for analysis to evaluate a version of the project that would reduce the significant and unavoidable impacts associated with the proposed project. Throughout the following analysis, the alternatives' impacts are analyzed for each environmental issue area, as examined in *Section 4.1, Aesthetics*, through *Section 4.15, Utilities and Service Systems*, of this EIR. In this manner, each alternative can be compared to the project on an issue-by-issue basis. A table is included at the end of this section that provides an overview of the alternatives analyzed and a comparison of each alternative's impact in relation to the project. This section also identifies alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process. Among the factors used to eliminate alternatives from detailed consideration are: failure to meet most of the basic project objectives; infeasibility; or inability to avoid significant environmental impacts. *Section 8.7, Environmentally Superior Alternative*, references the “environmentally superior” alternative, as required by the CEQA Guidelines.

## 8.1 Summary of Project Objectives

An EIR must only discuss in detail an alternative that is capable of feasibly attaining most of the basic objectives associated with the action, while at the same time avoiding or substantially lessening any of the significant effects associated with the proposed project. As discussed in *Section 3.0, Project Description*, the proposed project involves two components: constructing a 754,408-square-foot warehouse facility on a 35.55-acre site (development site), and rezoning a 13.76-acre area of land (upzone site) from Single-Family Residential (R-1) to Medium Density Residential (R-2) to offset the proposed project's lost dwelling unit potential pursuant to Senate Bill (SB) 330.



Below is a summary of the project objectives, as provided in **Section 3.0**:

- **Objective 1:** Implement the City of Fontana’s desire to attract high-quality industrial businesses by developing a light industrial facility that stimulates employment and that will contribute towards the City’s economic development goals.
- **Objective 2:** Entitle a light industrial facility that provides employment for skilled construction and labor trades while improving the local balance of housing and jobs.
- **Objective 3:** Uphold the City of Fontana’s goal of revitalizing vacant and underutilized lands that are appropriate for infill development.
- **Objective 4:** Entitle a light industrial use that is adjacent to existing infrastructure and available public services and existing facilities.
- **Objective 5:** Develop a light industrial facility with an architectural design, landscaping, and signage that is consistent with the Southwest Industrial Park Specific Plan.
- **Objective 6:** Preserve the City of Fontana’s goal to provide a wide variety of housing sizes and types to meet the needs of residents through all life stages and ranges of affordability that will contribute towards the City’s housing goals.

## 8.2 Summary of Significant Impacts

Pursuant to CEQA Guidelines Section 15126.6(a), an EIR shall describe a range of reasonable alternatives to the project which would feasibly attain most of the basic objectives of the project and would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. Only those impacts found significant and unavoidable are relevant in making the final determination of whether an alternative is environmentally superior or inferior to the proposed project. As such, a description of significant and unavoidable impacts associated with the project is provided below. This information is based on the analysis provided within **Section 4.1** through **Section 4.15** of this EIR.

- **Air Quality**
  - Project-level and cumulative operational nitrous oxide (NO<sub>x</sub>) emissions
  - Consistency with an applicable air quality plan
- **Greenhouse Gas (GHG) Emissions**
  - Project-level and cumulative GHG emissions
  - Consistency with an applicable GHG reduction plan
- **Transportation**
  - Project-level and cumulative vehicle miles traveled (VMT)

### 8.3 Alternatives Considered But Rejected

In accordance with CEQA Guidelines Section 15126.6(c), an EIR should identify any alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection. According to CEQA Guidelines, among the factors that may be used to eliminate alternatives from detailed consideration are the alternative's failures to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. The following possible alternative was considered but not carried forward for additional analysis, since it would not accomplish most of the basic objectives of the project and was considered infeasible.

#### **"ALTERNATIVE SITE" ALTERNATIVE**

The "Alternative Site" Alternative proposes that the warehouse facility be constructed on another site within the City of Fontana. Due to the large size of the proposed project, there are limited sites within the City that could accommodate the warehouse facility, specifically large enough sites that are also located near major transportation corridors (e.g., Interstate 10). A project site that is located away from major transportation corridors could result in greater localized impacts due to truck traffic traveling on neighborhood and local streets. Further, the "Alternative Site" Alternative may not achieve Objective 3 (Revitalize vacant and underutilized lands that are appropriate for infill development), Objective 4 (Entitle a warehouse use adjacent to existing infrastructure and available public services and existing facilities), and Objective 5 (Develop a warehouse facility consistent with the Southwest Industrial Park Specific Plan) depending on where the alternative site is located within Fontana. Similar to the proposed project, an alternative site for the warehouse facility may also require upzoning another site within the City to offset potential loss in residential development pursuant to SB 330. For these reasons, the "Alternative Site" Alternative was rejected from further consideration.

### 8.4 "No Development" Alternative

In accordance with the CEQA Guidelines, "the no project analysis shall discuss the existing conditions ..., as well as what would be reasonably 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."<sup>5</sup> The CEQA Guidelines state that "in certain instances, the no project alternative means 'no build' wherein the existing environmental setting is maintained."<sup>6</sup> The "No Development" Alternative includes a discussion and analysis of the existing baseline conditions at the time the Notice of Preparation was published on April 14, 2020.

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<sup>5</sup> CEQA Guidelines Section 15126.6(e)(2).

<sup>6</sup> CEQA Guidelines Section 15126.6(e)(3)(B).

## DESCRIPTION OF THE ALTERNATIVE

The “No Development” Alternative assumes no new development would occur on the development site and the upzone site would not be rezoned to allow for higher density residential development in the future. Existing conditions on both the development site and upzone site would be maintained. Specifically, the 12 existing residential structures, out buildings, gravel parking areas, equestrian areas, corrals, vacant fields, irrigated pastures, nurseries, cultivated lawns, and agricultural uses would be preserved on the development site. The upzone site, currently developed with 16 residential structures, out buildings, parking areas, and vacant land, would also be maintained. No new development would occur beyond existing conditions.

The following discussion evaluates the potential environmental impacts associated with the “No Development” Alternative, as compared to impacts from the proposed project.

## IMPACT COMPARISON TO THE PROPOSED PROJECT

### Aesthetics

Under the “No Development” Alternative, no new development would occur and existing conditions would remain. Therefore, the existing residences, outbuildings, parking areas, pastures, agricultural uses, and vacant land on both the development and upzone sites would be preserved. Thus, no short-term construction impacts related to aesthetics would occur and mitigation would not be required.

Operational impacts of the project involve altering the existing development site from a predominantly residential and commercial area into a warehouse facility with associated office spaces and surface parking areas and increasing light and glare in the vicinity. Additionally, rezoning the upzone site under the project would allow higher density residential development and associated light and glare to be introduced to the upzone site, which is currently developed with mostly residential uses with some ancillary structures and vacant land. While the proposed warehouse use and future development on the upzone site would comply with the City’s Development Code, the project would alter the existing visual character of the project sites, particularly the development site, and its surroundings to a more industrial area compared to existing conditions.

Considering both short- and long-term impacts, the “No Development” Alternative would be environmentally superior to the proposed project.

### Air Quality

As no development would occur under this alternative, no short-term construction or long-term operational emissions would be generated beyond existing conditions and no mitigation would be required. Additionally, no General Plan Amendment or Zone Change would be required that may conflict with the South Coast Air Quality Management District’s (SCAQMD) *2016 Air Quality Management Plan* (2016 AQMP). Thus, this alternative would eliminate the project’s significant and unavoidable impacts related to operational air emissions and consistency with the 2016 AQMP and would be environmentally superior to the project in this regard.

## **Biological Resources**

Existing site conditions would remain as is under this alternative and no construction or operational activities would occur on the development or upzone sites. Thus, no special status plant or wildlife species would be impacted by construction activities and no mitigation related to burrowing owl and nesting bird clearance surveys would be required. While none of the on-site trees were determined to be protected trees, as defined by the City's tree preservation ordinance, this alternative would not require the removal of any on-site trees. Overall, this alternative would be environmentally superior to the proposed project.

## **Cultural Resources**

No ground-disturbing activities, including demolition, site preparation, grading, or excavation, would occur under this alternative. As such, this alternative would have no potential to adversely impact any undiscovered cultural resources on the development or upzone sites and no mitigation would be required. The "No Development" Alternative would be environmentally superior to the proposed project.

## **Energy**

No new development would occur under this alternative. Therefore, no new energy consumption associated with the proposed warehouse facility on the development site or future higher density residential development on the upzone site would occur. This alternative would be environmentally superior to the proposed project.

## **Geology and Soils**

The development site is susceptible to geological hazards, including seismic ground shaking, subsidence, and collapse, and would require implementation of the recommended design and construction specifications detailed in the Geotechnical Study. Future development on the upzone site would also require site-specific soils reports to identify any required design and construction actions to minimize impacts associated with geological hazards and/or unstable soils. As no development would occur under this alternative, any existing geological hazards associated with the development and upzone sites would not be exacerbated. Additionally, as no ground-disturbing activities would occur, this alternative would have no impact on previously undiscovered paleontological resources. Thus, the "No Development" Alternative is environmentally superior to the proposed project.

## **Greenhouse Gas Emissions**

As no development would occur under this alternative, no GHG emissions would be generated beyond existing conditions and the project's significant and unavoidable impacts would be eliminated. Thus, this alternative would be environmentally superior to the proposed project.

## **Hazards and Hazardous Materials**

While existing structures on the development and upzone sites were constructed prior to 1978 and have the potential to contain asbestos-contain materials (ACMs) or lead-based paint (LBP), no demolition or construction activities would occur under this alternative.

Therefore, the potential to release ACMs or LBP into the air resulting in hazardous health impacts would not occur and no mitigation would be required. Additionally, this alternative would not involve construction or operational activities associated with the warehouse facility that could routinely transport, use, or dispose of hazardous materials. Thus, the “No Development” Alternative would be environmentally superior to the proposed project in this regard.

### **Hydrology and Water Quality**

As no construction or operational activities would occur beyond existing conditions, this alternative would not require preparation and implementation of a stormwater pollution prevention plan (SWPPP) or water quality management plan (WQMP) and associated best management practices (BMPs). This alternative also would not increase impervious surfaces or alter existing drainage patterns on the development or upzone sites in a manner that could result in erosion/siltation or flooding on- or off-site. Thus, this alternative is environmentally superior to the proposed project.

### **Land Use and Planning**

The proposed project would require the following discretionary approvals: General Plan Amendment (for the development site and upzone site), Specific Plan Amendment, Zone Change (for the development site and upzone site), Design Review, Tentative Parcel Map, and a Development Agreement. Given that no development would occur under this alternative, no discretionary approvals would be required and existing site conditions would not conflict with the General Plan, Municipal Code, or the Southern California Association of Governments’ (SCAG) 2016-2040 *Regional Transportation Plan/Sustainable Communities Strategy*. This alternative would be environmentally superior to the proposed project in this regard.

### **Noise**

Existing noise conditions at the development and upzone sites would remain as is under this alternative. No new construction or operational noise impacts associated with the proposed project would occur and thus, this alternative would be environmentally superior in regard to noise.

### **Public Services**

Existing conditions would remain under this alternative for the development and upzone sites. Therefore, this alternative would not increase demand for fire or police protection services in Fontana. This alternative would be environmentally superior to the proposed project.

### **Transportation**

#### ***Development Site***

As no construction activities would occur under this alternative, no short-term traffic impacts would occur on the development site and no mitigation would be required. As no development would occur, this alternative would eliminate the proposed development’s significant and unavoidable impacts related to project and cumulative VMT.

### **Upzone Site**

Similar to the proposed project, this alternative would not involve any construction activities on the upzone site. Therefore, no short-term traffic impacts would occur. Overall, this alternative would be environmentally superior to the proposed project in regard to transportation.

### **Tribal Cultural Resources**

The development and upzone sites would remain as is and no development would occur. Thus, this alternative would have no impact on known or unknown tribal cultural resources in the project vicinity and no mitigation would be required. This alternative would be environmentally superior to the proposed project.

### **Utilities and Service Systems**

As no development would occur, no new demand for water supply and conveyance, wastewater treatment and collection, storm drain facilities, dry utilities, or solid waste collection and disposal would be generated. This alternative would be environmentally superior to the proposed project.

### **Relationship to Project Objectives**

Because no development would occur on the development site or upzone site, the “No Development” Alternative would not accomplish any of the project objectives.

## **DESCRIPTION OF THE ALTERNATIVE**

As stated, in accordance with the CEQA Guidelines, “the no project analysis shall discuss the existing conditions ..., as well as what would be reasonably 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.”<sup>7</sup> The “Existing General Plan” Alternative assumes the project site would be developed under the City’s existing land use and zoning designations.

According to the General Plan, 28.92 acres of the 33.55-acre development site is designated Residential – Planned Community (R-PC) and the southeastern 4.63 acres is designated Walkable Mixed-Use Downtown and Corridors (WMXU-1); refer to ***Exhibit 3.0-5: Existing Land Use Designations – Development Site***. Additionally, the development site is currently zoned Residential – Planned Community (R-PC) and Form Based Code (FBC); refer to ***Exhibit 3.0-7: Existing Zoning - Development Site***. The General Plan specifies that the R-PC designation has a residential density of up to 3 dwelling units per acre. The WMXU-1 land use designation allows for medium- to high-density residential uses (24 to 39 dwelling units per acre) and retail and services, office, entertainment, and education and civic uses with a maximum 2.0 floor area ratio.

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<sup>7</sup> CEQA Guidelines Section 15126.6(e)(2).



**Table 8.0-1: “No Development” Alternative and Project Objectives**

Objective	Discussion
<u>Objective 1:</u> Implement the City of Fontana’s desire to attract high-quality industrial businesses by developing a warehouse facility that stimulates employment and that will contribute towards the City’s economic development goals.	This alternative would not develop a warehouse facility and thus would not stimulate employment or contribute towards the City’s economic development goals.
<u>Objective 2:</u> Entitle a warehouse facility that provides employment for skilled construction and labor trades while improving the local balance of housing and jobs.	A warehouse facility would not be developed under this alternative. Therefore, the “No Development” Alternative would not achieve this objective.
<u>Objective 3:</u> Uphold the City of Fontana’s goal of revitalizing vacant and underutilized lands that are appropriate for infill development.	The development and upzone sites would not be revitalized to allow for infill development, and the “No Development” Alternative would not achieve this objective.
<u>Objective 4:</u> Entitle a warehouse use that is adjacent to existing infrastructure and available public services and existing facilities.	This alternative would not entitle a warehouse facility and thus, would not achieve this project objective.
<u>Objective 5:</u> Develop a warehouse facility with an architectural design, landscaping, and signage that is consistent with the Southwest Industrial Park Specific Plan.	A warehouse facility would not be developed under this alternative. Therefore, the “No Development” Alternative would not achieve this objective.
<u>Objective 6:</u> Uphold the City of Fontana’s goal to provide a wide variety of housing sizes and types to meet the needs of residents through all life stages and ranges of affordability that will contribute towards the City’s housing goals.	No new development would occur on the development and upzone sites. Thus, the “No Development” Alternative would not provide new housing to contribute towards the City’s housing goals. This alternative would not meet this project objective.

## 8.5 “Existing General Plan” Alternative

Based on the General Plan, the upzone site is currently designated Single Family Residential (R-SF), which generally allows for detached, single family housing at 2.1 to 5 dwelling units per acre; refer to ***Exhibit 3.0-6: Existing Land Use Designations (Upzone Site)***. Additionally, the upzone site is currently zoned Single-Family Residential (R-1); refer to ***Exhibit 3.0-8, Existing Zoning (Upzone Site)***. As the “Existing General Plan” Alternative would not involve redesignating or rezoning the development site for warehouse use (i.e., displacing potential residential development), rezoning of the upzone site pursuant to SB 330 would not be required under this alternative.

As such, the following discussion evaluates the potential environmental impacts associated with the “Existing General Plan” Alternative, as compared to impacts from the proposed project.

## IMPACT COMPARISON TO THE PROPOSED PROJECT

### Aesthetics

Under this alternative, the development site would be developed with a mix of residential and non-residential development pursuant to the site’s R-PC and WMXU-1 land use designations. Construction activities associated with both scenarios would result in short-term construction related impacts that would be reduced to less than significant levels with

mitigation incorporated. While this alternative would not develop a warehouse facility, developing a mixture of residential uses and retail and services, office, entertainment, and education and civic uses on-site would also alter the existing visual character and quality of the project vicinity. As such, this alternative would be neither environmentally superior nor inferior to the proposed project.

### **Air Quality**

Under the “Existing General Plan” Alternative, the development site would be developed as currently permitted under the General Plan and Zoning Code. Compared to the proposed warehouse use, the reduced development intensity allowed under the development site’s existing land use designations would substantially reduce the project’s short-term construction and long-term operational air quality emissions. Specifically, this alternative would not generate heavy truck trips associated with the proposed warehouse facility and thus, would eliminate the project’s significant and unavoidable operational impacts associated with NO<sub>x</sub> emissions. Given that no General Plan Amendment or Zone Change is required, this alternative also would be consistent with the SCAQMD’s 2016 AQMP. Thus, the proposed project’s significant and unavoidable impacts related to long-term operational air emissions and cumulative operational emissions, as well as the potential to conflict with the 2016 AQMP, would be eliminated under this alternative. This alternative would be environmentally superior to the proposed project.

### **Biological Resources**

Similar to the proposed project, the “Existing General Plan” Alternative would involve demolishing existing structures on the development site and thus, would require vegetation removal that could impact special status wildlife species and plant communities. Thus, this alternative would also require mitigation to conduct burrowing owl and nesting bird clearance surveys prior to vegetation removal activities on the development site. This alternative would also remove on-site trees; however, as detailed in the Arborist Report, none of the trees on-site are identified as protected trees under the City’s tree preservation ordinance. Overall, this alternative would be neither environmentally superior nor inferior to the proposed project.

### **Cultural Resources**

While a warehouse facility would not be constructed under this alternative, residential and non-residential development could be constructed on the development site pursuant to the site’s existing land use designations and zoning. Thus, construction activities may involve ground disturbing activities that could adversely impact previously undiscovered cultural resources. Similar to the proposed project, implementation of mitigation would ensure impacts in this regard are reduced to less than significant levels. Thus, this alternative would be neither environmentally superior nor inferior to the proposed project.

### **Energy**

Compared to the proposed project, impacts from energy usage related to electricity and natural gas consumption would substantially decrease given that the development intensity allowed under the development site’s existing land use designations and zoning would be less

than proposed for the project's warehouse facility. Thus, the "Existing General Plan" Alternative would be environmentally superior to the proposed project.

### **Geology and Soils**

As stated, the development site is susceptible to geological hazards, including seismic ground shaking, subsidence, and collapse, and would require implementation of the recommended design and construction specifications detailed in the Geotechnical Study. Development of the site pursuant to existing land use designations and zoning would similarly introduce structures and people to existing geologic hazards associated with the development site and may require implementation of site-specific construction and/or design standards to minimize potential impacts. Thus, this alternative would be neither environmentally superior nor inferior to the proposed project.

### **Greenhouse Gas Emissions**

Based on the reduced intensity of development permitted under the development site's existing land use designations and zoning, the "Existing General Plan" Alternative would reduce and eliminate the project's significant and unavoidable impacts related to GHG emissions and consistency with applicable GHG reduction plans (i.e., California Air Resources Board's [CARB] *2008 Scoping Plan* and *2017 Scoping Plan Update*), particularly due to the elimination of truck trips associated with the warehouse facility. The "Existing General Plan" Alternative would be environmentally superior to the proposed project.

### **Hazards and Hazardous Materials**

Buildout of the development site under existing land use designations and zoning would involve demolishing residences and structures that could release ACMs and LBP that result in hazardous conditions. Thus, similar to the project, this alternative would require implementation of mitigation to reduce such impacts. Additionally, construction and operations of a mix of residential uses and retail and services, office, entertainment, and education and civic uses on-site could involve the routine use, transport, and disposal of hazardous materials, or the accidental release of hazardous materials. As such, this alternative would be neither environmentally superior nor inferior to the proposed project.

### **Hydrology and Water Quality**

Based on reduced development intensity allowed under the development site's existing land use designations and zoning, the "Existing General Plan" Alternative would proportionally reduce impervious surfaces on-site. Similar to the project, future development under this alternative that disturbs more than one acre of soil would be required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) and prepare and implement a SWPPP and WQMP and associated BMPs. This alternative is also not expected to alter existing drainage patterns in a manner that would result in soil erosion or flooding on- or off-site upon implementation of the required BMPs. Overall, compared to the project, the "Existing General Plan" Alternative would reduce impacts with respect to hydrology and water quality given the reduced development intensity anticipated if development under the site's existing land use designations and zoning were implemented. As such, this alternative would be environmentally superior to the proposed project.

## **Land Use and Planning**

As stated, the proposed project would require a number of discretionary approvals, including a General Plan Amendment, Specific Plan Amendment, and Zone Change, among others. This alternative would develop the development site as currently allowed under existing land use designations and zoning, would not conflict with the General Plan or Municipal Code, or require a General Plan Amendment, Specific Plan Amendment, or Zone Change. Additionally, as stated, this alternative would not require rezoning the upzone site to offset the loss in residential development potential under SB 330. Thus, this alternative would be environmentally superior to the proposed project.

## **Noise**

As discussed, the “Existing General Plan” Alternative would allow development in accordance with the development site’s existing land use designations and zoning. The reduced development intensities allowed under the site’s existing land use designations and zoning would proportionally reduce anticipated construction and operational noise and vibration compared to development of the warehouse facility under the proposed project. Specifically, developing a mixture of residential uses and retail and services, office, entertainment, and education and civic uses on-site would reduce operational noise impacts associated with the project-generated heavy truck trips. As such, this alternative would be environmentally superior to the proposed project.

## **Public Services**

Buildout of the development site with a mixture of residential uses and retail and services, office, entertainment, and education and civic uses would proportionally reduce anticipated construction and operational impacts to certain public services, such as fire and police protection services. The proposed project would develop a warehouse facility, and, as such, its implementation would not induce population growth and associated demand for schools, parks, or library services. However, the residential development associated with this alternative would induce residential population growth and thus, increase demand for schools, parks, and library services. Thus, this alternative would be environmentally inferior to the proposed project in this regard.

## **Transportation**

Construction activities associated with both development scenarios would involve short-term traffic impacts that would be reduced to less than significant levels with mitigation incorporated. Operationally, the land uses and reduced development intensities allowed under the development site’s existing land use designations and zoning would result in a proportional reduction of average daily trips and traffic and circulation impacts within the project vicinity in comparison to the proposed project. Given that this alternative would develop a mixture of residential, retail and services, office, entertainment, and education and civic uses on-site, this alternative would likely eliminate the project’s significant and unavoidable related to project and cumulative VMT. Overall, this alternative would be environmentally superior to the proposed project.

## Tribal Cultural Resources

Similar to the proposed project, development associated with the “Existing General Plan” Alternative would have the potential to impact tribal cultural resources during ground disturbing activities and would be reduced to less than significant impacts with mitigation incorporated. As such, this alternative would be neither environmentally superior nor inferior to the proposed project in this regard.

## Utilities and Service Systems

Compared to the proposed project, impacts related to utilities and service systems under the “Existing General Plan” Alternative would be proportionally reduced given that the allowed uses and development intensity allowed under the development site’s existing land use designations and zoning are less intensive than the proposed warehouse facility. Water and dry utility demands and wastewater and solid waste generation on-site would also proportionally reduce under this alternative. As such, this alternative would be environmentally superior to the proposed project.

## Relationship to Project Objectives

The “Existing General Plan” Alternative would not develop a warehouse facility and thus, would not achieve most of the project objectives.

**Table 8.0-2: “Existing General Plan” Alternative and Project Objectives**

Objective	Discussion
<u>Objective 1:</u> Implement the City of Fontana’s desire to attract high-quality industrial businesses by developing a warehouse facility that stimulates employment and that will contribute towards the City’s economic development goals.	This alternative would not develop a warehouse facility on the development site and industrial uses are not allowed under the existing land use designations and zoning. Thus, this alternative would not achieve this project objective.
<u>Objective 2:</u> Entitle a warehouse facility that provides employment for skilled construction and labor trades while improving the local balance of housing and jobs.	A warehouse facility would not be developed under this alternative. Therefore, the “Existing General Plan” Alternative would not generate new jobs in the City to improve the local jobs-housing balance. This alternative would not achieve this objective.
<u>Objective 3:</u> Uphold the City of Fontana’s goal of revitalizing vacant and underutilized lands that are appropriate for infill development.	Redeveloping the development site based on its existing land use designations and zoning would revitalize the currently underutilized and vacant portions of the development site with new infill development. Thus, this alternative would achieve this project objective.
<u>Objective 4:</u> Entitle a warehouse use that is adjacent to existing infrastructure and available public services and existing facilities.	This alternative would not entitle a warehouse facility and thus, would not achieve this project objective.
<u>Objective 5:</u> Develop a warehouse facility with an architectural design, landscaping, and signage that is consistent with the Southwest Industrial Park Specific Plan.	A warehouse facility would not be developed under this alternative. Therefore, the “Existing General Plan” Alternative would not achieve this objective.
<u>Objective 6:</u> Uphold the City of Fontana’s goal to provide a wide variety of housing sizes and types to meet the needs of residents through all life stages and ranges of affordability that will contribute towards the City’s housing goals.	Based on the site’s existing land use designations and zoning, this alternative could provide a variety of housing sizes and types in a range of affordability that would contribute towards the City’s housing goals. The “Existing General Plan” Alternative would achieve this objective.

## **8.6 “Reduced Density” Alternative**

### **DESCRIPTION OF THE ALTERNATIVE**

The “Reduced Density” Alternative would reduce the proposed development intensity of the warehouse facility on the development site by approximately 33 percent. Compared to the proposed project, the proposed 754,408 warehouse facility would be reduced in size by approximately 248,955 square feet to 505,453 square feet. The facility would still consist of two separate buildings (Buildings 1 and 2) with office uses to support warehousing and distribution uses, with associated surface parking, landscaping, and truck loading docks for loading/unloading equipment and supplies. Building 1 would be reduced in size to approximately 289,821 square feet and Building 2 would be reduced to approximately 215,632 square feet. The buildings would have slightly fewer dock doors given the smaller building sizes although would maintain a maximum building height of 60 feet. It is assumed that the reduction in building footprint and required parking spaces would provide slightly more pervious areas on-site. Similar to the proposed project, this alternative would include a guard booth, landscaping, security gates, lighting, perimeter fencing/walls, and drainage facilities. Access to the development site would also be similar to the project and be provided via four driveways, two driveways along Jurupa Avenue and two driveways on Juniper Avenue.

Pursuant to SB 330 requirements, this alternative would similarly require rezoning the upzone site from R-1 to R-2 to offset the proposed project’s lost residential development potential. Similar to the project, applying the R-2 zone on the 13.76-acre upzone site would accommodate the future development of 165 units, resulting in no net loss of the residential capacity for the City with the rezoning of the development site.

This alternative was selected for analysis due to its ability to reduce the project’s significant and unavoidable air quality impacts associated with project-level and cumulative operational NO<sub>x</sub> emissions, which are generated predominantly by heavy truck trips associated with the proposed warehouse use, to a level of insignificance. This alternative could also potentially lessen, but not reduce to a level of insignificance, significant and unavoidable impacts for the project related to GHG emissions and VMT.

The following discussion evaluates the potential environmental impacts associated with the “Reduced Density” Alternative, as compared to impacts from the proposed project.

### **IMPACT COMPARISON TO THE PROPOSED PROJECT**

#### **Aesthetics**

Both the proposed project and “Reduced Density” Alternative would have short-term visual impacts associated with demolition, grading, and construction activities and require similar mitigation. Although this alternative would result in 33 percent less development, construction-related impacts to visual character and quality would be only nominally reduced, if not similar, to the project.

Operations of a smaller warehouse facility under this alternative would alter the long-term visual character of the development site and its surroundings to a lesser degree than the proposed project since the warehouse facility would be reduced in size by approximately



248,955 square feet. Additionally, the reduced development density would result in smaller building footprints and fewer surface parking spaces and thus, slightly more pervious surfaces, such as landscaping. The smaller buildings and reduced vehicular trips associated with this alternative would also reduce new light and glare mobile and stationary sources in the vicinity of the development site.

Compared to the project, no changes are proposed to the upzone site under this alternative and thus, no changes in impacts in regard to aesthetics would occur on the upzone site. Overall, aesthetic impacts under this alternative would be reduced compared to the proposed project, and this alternative would be environmentally superior.

### **Air Quality**

The 33 percent reduction in development density under this alternative would result in fewer short-term air quality emissions associated with construction activities, including demolition, grading, building, worker trips, and truck hauling. As a result, construction emissions associated with this alternative would be reduced compared to the proposed project and similarly result in less than significant impacts with mitigation incorporated.

Operations of the project would result in 79.49 pounds per day of NO<sub>x</sub> emissions (under summer scenario) and 81.94 pounds per day of NO<sub>x</sub> emissions (under winter scenario) that would exceed SCAQMD's operational NO<sub>x</sub> threshold of 55 pounds per day, mostly due to a substantial increase in mobile emissions from truck trips. Due to this alternative's 33 percent reduction in building development and associated average daily trips, including truck trips, long-term air quality impacts from mobile and area source pollutant emissions generated under this alternative would be proportionally reduced to 53.26 pounds per day of NO<sub>x</sub> emissions (under summer scenario) and 54.90 pounds per day of NO<sub>x</sub> emissions (under winter scenario) and would eliminate the significant and unavoidable impacts associated with project-level and cumulative operational NO<sub>x</sub> emissions. However, given that this alternative would still require a General Plan Amendment and Zone Change, it would still result in a significant and unavoidable impact related to consistency with the 2016 AQMP.

Compared to the project, no changes are proposed to the upzone site under this alternative and thus, no changes in impacts in regard to air quality would occur on the upzone site. Overall, the "Reduced Density" Alternative would be environmentally superior to the proposed project.

### **Biological Resources**

Although this alternative would reduce total building square footage by 33 percent, the "Reduced Density" Alternative would still result in similar ground disturbance as the proposed project for hardscape and landscaping improvements. As a result, this alternative would involve similar mitigated less than significant impacts to special status plant, wildlife species, and sensitive vegetation communities as the proposed project.

Compared to the project, no changes are proposed to the upzone site under this alternative and thus, no changes in impacts in regard to biological resources would occur on the upzone site. The "Reduced Density" Alternative would have similar impacts to biological resources and would be neither environmentally superior nor inferior to the project in this regard.

## **Cultural Resources**

Although the total building square footage would be reduced by 33 percent, this alternative would involve similar ground disturbance as the proposed project for hardscape and landscaping improvements. Thus, construction activities may involve ground disturbing activities that could adversely impact previously undiscovered cultural resources. Similar to the proposed project, implementation of mitigation would ensure impacts in this regard are reduced to less than significant levels.

No changes are proposed to the upzone site under this alternative; therefore, impacts related to cultural resources on the upzone site would remain the same. Overall, this alternative would be neither environmentally superior nor inferior to the proposed project.

## **Energy**

Compared to the project, impacts from energy usage related to electricity, natural gas, and fuel consumption under the “Reduced Density” Alternative would be proportionally reduced given that development intensity would be reduced by 33 percent. Compared to the project, no changes are proposed to the upzone site under this alternative and thus, no changes in impacts in regard to energy consumption would occur on the upzone site. Overall, energy impacts would be reduced, and this alternative would be environmentally superior to the project.

## **Geology and Soils**

Given that the development site limits would remain the same under the project and this alternative, none of the existing site-specific geologic conditions and hazards would be altered under this alternative. However, reducing overall development by 33 percent would proportionally reduce the size of the warehouse buildings and number of workers on-site. As such, this alternative would expose fewer people to potential adverse effects associated with seismic, geologic, and soil hazards. Thus, this alternative is environmentally superior to the proposed project.

As stated, no changes are proposed to the upzone site under this alternative; therefore, impacts related to geology and soils on the upzone site would remain the same.

## **Greenhouse Gas Emissions**

The proposed warehouse facility would generate approximately 7,887.10 metric tons of carbon dioxide equivalent per year (MTCO<sub>2</sub>e), which would exceed the SCAQMD’s recommended numeric threshold of 3,000 MTCO<sub>2</sub>e and result in a significant and unavoidable impact with respect to GHG emissions. Reducing the project’s development intensity by 33 percent would proportionally reduce project-generated GHG emissions to 5,284.40 MTCO<sub>2</sub>e. Thus, the 33 percent reduction in development intensity would not eliminate the project’s significant and unavoidable impacts related to GHG emissions or consistency with CARB’s *2008 Scoping Plan* and *2017 Scoping Plan*. Nevertheless, GHG emissions impacts associated with the smaller warehouse facility would still be reduced and the “Reduced Density” Alternative would be environmentally superior to the proposed project.

As no changes are proposed to the upzone site under this alternative, impacts related to GHG emissions on the upzone site would remain the same.

### **Hazards and Hazardous Materials**

Demolition of existing uses on the development site under the “Reduced Density” Alternative could similarly release hazardous materials into the environment through reasonably foreseeable upset and accident conditions involving LBP and ACMs; however, similar to the project, this impact would be mitigated to less than significant. This alternative would reduce development intensity by 33 percent, and thus would likely require a shorter construction period and less overall construction; however, the same construction materials, including hazards and hazardous materials, would be utilized. As such, the project’s mitigated less than significant impacts related to hazards and hazardous materials during construction would be similar to, but potentially slightly less than the project. Long-term operational impacts related to the transport, use, and/or storage of hazardous materials under this alternative would be proportionally reduced although the materials used and stored at the warehouse facility would be the same under either scenario.

No changes are proposed to the upzone site under this alternative; therefore, impacts related to hazards and hazardous materials on the upzone site would remain the same. Overall, this alternative would be neither environmentally superior nor inferior to the proposed project.

### **Hydrology and Water Quality**

Like the project, the “Reduced Density” Alternative would be required to comply with NPDES requirements to reduce water quality impacts, including the preparation and implementation of an SWPPP and WQMP and associated BMPs. However, given the 33 percent reduction in development, this alternative would have slightly more pervious areas on the development site and a proportional reduction in runoff volumes. Upon implementation of required BMPs, this alternative is not expected to alter existing drainage patterns in a manner that would result in soil erosion or flooding on- or off-site. Overall, compared to the project, the “Reduced Density” Alternative would reduce impacts with respect to hydrology and water quality.

No changes are proposed to the upzone site under this alternative; therefore, impacts related to hydrology and water quality on the upzone site would remain the same. Overall, this alternative would be environmentally superior to the proposed project.

### **Land Use and Planning**

This alternative would develop 33 percent fewer square feet of industrial uses on the development site and rezone the upzone site similar to the project. This alternative would also involve the same entitlements as the project and would not conflict with applicable land use plans, policies, and regulations. As a result, this alternative would involve similar land use impacts as the project and would be neither environmentally superior nor inferior to the proposed project in this regard.

### **Noise**

Compared to the project, short-term noise impacts from demolition, grading, and construction activities associated with the “Reduced Density” Alternative would be

proportionally reduced due to an anticipated shorter construction schedule; however, even with a reduced square footage, construction noise impacts would be generally similar to the project.

Long-term operational noise impacts associated with a smaller warehouse facility with fewer truck docks would proportionally reduce mobile noise impacts from average daily trips, particularly truck trips, on the surrounding roadway network. Operational stationary noise sources, such as heating, ventilation, and air conditioning equipment, would remain the same under both development scenarios. This alternative would be environmentally superior to the proposed project given the reduction in operational noise impacts.

No changes are proposed to the upzone site under this alternative; therefore, impacts related to noise on the upzone site would remain the same.

### **Public Services**

Impacts related to public services under this alternative would be proportionally reduced given that the development intensity would be reduced by 33 percent. Thus, the project's less than significant impacts concerning fire and police protection services would be reduced, and this alternative would be environmentally superior to the project.

No changes are proposed to the upzone site under this alternative; therefore, impacts related to public services on the upzone site would remain the same.

### **Transportation**

This alternative would reduce the square footage of development by approximately 33 percent. Therefore, construction-related trips would slightly decrease and impacts would similarly be reduced to less than significant levels with mitigation.

The "Reduced Density" Alternative would not avoid the project's significant and unavoidable impacts related to project and cumulative VMT given that the proposed project would already substantially exceed the 15 percent below existing regional VMT per service population by 35.6 percent and home-based work VMT per employee by 38.3 percent. The 33 percent reduction in development intensity would not bring the project below the established 15 percent below existing regional VMT per service population threshold.

No changes are proposed to the upzone site under this alternative; therefore, impacts related to transportation on the upzone site would remain the same.

### **Tribal Cultural Resources**

Although this alternative would reduce total building square footage by 33 percent, the "Reduced Density" Alternative would still result in a similar disturbance footprint as the proposed project. As a result, this alternative could similarly impact tribal cultural resources during ground disturbing activities. Impacts would be reduced to less than significant levels with mitigation incorporated. Overall, this alternative would be neither environmentally superior nor inferior to the project.

As stated, no changes are proposed to the upzone site under this alternative; therefore, impacts related to tribal cultural resources on the upzone site would remain the same.

## Utilities and Service Systems

Compared to the project, impacts related to utilities and service systems under the “Reduced Density” Alternative would be incrementally reduced given that development square footage would be reduced by 33 percent. Impacts related to water and dry utility demands and wastewater and solid waste generation on the development site would be proportionally reduced and be similarly less than significant. Overall, this alternative would be environmentally superior to the project in this regard.

No changes are proposed to the upzone site under this alternative; therefore, impacts related to utilities and service systems on the upzone site would remain the same.

## Relationship to Project Objectives

Compared to the proposed project, the “Reduced Density” Alternative assumes a smaller warehouse facility would be developed while the upzone site would similarly be rezoned to allow higher density residential development in the future. As analyzed, this alternative would meet all of the project objectives but some to a lesser extent than the proposed project.

**Table 8.0-3: “Reduced Density” Alternative and Project Objectives**

Objective	Discussion
<u>Objective 1:</u> Implement the City of Fontana's desire to attract high-quality industrial businesses by developing a warehouse facility that stimulates employment and that will contribute towards the City's economic development goals.	This alternative would develop a smaller warehouse facility compared to the proposed project. Therefore, while it would stimulate employment, it would not generate as much employment and contribute towards the City's economic development goals to the same extent as the proposed project.
<u>Objective 2:</u> Entitle a warehouse facility that provides employment for skilled construction and labor trades while improving the local balance of housing and jobs.	A warehouse facility would be entitled and developed that would generate new skilled construction and labor jobs in Fontana. However, as the warehouse facility would be smaller under this alternative, it would not generate as many skilled construction and labor jobs as the project. The “Reduced Density” Alternative would achieve this project objective to a lesser extent than the proposed project.
<u>Objective 3:</u> Uphold the City of Fontana's goal of revitalizing vacant and underutilized lands that are appropriate for infill development.	This alternative would redevelop the development site with a warehouse facility and rezone the upzone site to allow higher density residential infill development in the future. Thus, this alternative would meet this project objective.
<u>Objective 4:</u> Entitle a warehouse use that is adjacent to existing infrastructure and available public services and existing facilities.	A warehouse facility would be developed on the development site adjacent to existing infrastructure and available public services. The “Reduced Density” Alternative would meet this objective.
<u>Objective 5:</u> Develop a warehouse facility with an architectural design, landscaping, and signage that is consistent with the Southwest Industrial Park Specific Plan.	Similar to the proposed project, the warehouse facility under this alternative would be required to comply with development standards and design guidelines associated with the Southwest Industrial Park Specific Plan. Thus, the “Reduced Density” Alternative would meet this objective.

Objective	Discussion
Objective 6: Uphold the City of Fontana's goal to provide a wide variety of housing sizes and types to meet the needs of residents through all life stages and ranges of affordability that will contribute towards the City's housing goals.	The upzone site would be rezoned to allow higher density residential development in the future, thereby providing a variety of housing sizes and types that would contribute towards the City's housing goals. This alternative would meet this project objective.

## 8.7 Environmentally Superior Alternative

**Table 8.0-4: Comparison of Alternatives**, summarizes the comparative analysis presented above (i.e., the alternatives compared to the proposed project). Review of **Table 8.0-4** indicates that the “No Development” Alternative is the environmentally superior alternative, as it would avoid or lessen the majority of impacts associated with development of the proposed project. According to CEQA Guidelines Section 15126.6(e), “if the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” Accordingly, the “Reduced Density” Alternative is identified as the environmentally superior alternative.

Although the “Reduced Density” Alternative would avoid the project’s significant and unavoidable impact related to project-level and cumulative operational NO<sub>x</sub> emissions, the 33-percent reduction in development intensity under this alternative would achieve the project objectives to a lesser extent for Objective 1 (Develop a warehouse facility that stimulates employment and contributes towards the City’s economic development goals) and Objective 2 (Entitle a warehouse facility that provides employment and improves local jobs-housing balance). Similarly, the “Reduced Density” Alternative would not avoid the project’s significant and unavoidable GHG and transportation impacts. As a result, although this alternative would achieve all of the project objectives, it would provide a reduced level of benefit due to the reduced facility size.

**Table 8.0-4: Comparison of Alternatives**

Sections	Proposed Project	“No Development” Alternative	“Existing General Plan” Alternative	“Reduced Density” Alternative
Aesthetics	LTS/M	✓	=	✓
Air Quality	S/U	✓*	✓*	✓*
Biological Resources	LTS/M	✓	=	=
Cultural Resources	LTS/M	✓	=	=
Energy	LTS	✓	✓	✓
Geology and Soils	LTS/M	✓	=	✓
Greenhouse Gas Emissions	S/U	✓*	✓*	✓
Hazards and Hazardous Materials	LTS/M	✓	=	=
Hydrology and Water Quality	LTS	✓	✓	✓



Sections	Proposed Project	"No Development" Alternative	"Existing General Plan" Alternative	"Reduced Density" Alternative
Land Use and Planning	LTS	✓	✓	=
Noise	LTS	✓	✓	✓
Public Services	LTS	✓	▲	✓
Transportation	S/U	✓*	✓*	✓
Tribal Cultural Resources	LTS/M	✓	=	=
Utilities and Service Systems	LTS	✓	✓	✓

Notes: LTS = less than significant; LTS/M = less than significant with mitigation; S/U = significant and unavoidable

- ▲ Indicates an impact that is greater than the proposed project (environmentally inferior).
- ✓ Indicates an impact that is less than the proposed project (environmentally superior).
- = Indicates an impact that is equal to the proposed project (neither environmentally superior nor inferior).
- \* Indicates the alternative would eliminate the proposed project's significant and unavoidable impact.

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