INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

SLOVER – JUNIPER INDUSTRIAL BUILDING PROJECT
FONTANA, SAN BERNARDINO COUNTY, CALIFORNIA
MCN 20-035, GPA 20-011, ZCA 20-009, DRP 20-011

Prepared for:

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LSA Project No. LBB2001

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ACRONYMS AND ABBREVIATIONS

AAQS	Ambient Air Quality Standards
ACM	Asbestos-Containing Material
ADA	Americans with Disabilities Act
ADT	Average Daily Trips
ALUCP	Airport Land Use Compatibility Plan
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
Bcf	Billion Cubic Feet
BMP	Best Management Practice
CalEEMod	California Emission Estimator Model
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CIP	Capital Improvement Program
City	City of Fontana
CNEL	Community Noise Equivalent Level
CO_2e	Carbon Dioxide Equivalent
CWA	Federal Clean Water Act
dBA	A-weighted decibel

DCV	Design Capture Volume
DR	Design Review
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency
ESA	Environmental Site Assessment
EV	Electric Vehicle
FMMP	Farmland Mapping and Monitoring Program
FUSD	Fontana Unified School District
GHG	Greenhouse Gas
GPA	General Plan Amendment
HCP	Habitat Conservation Plan
HMBEP	Hazardous Materials Business Emergency Plan
HMMA	Hazardous Materials Management Act
HVAC	Heating, Ventilation and Air Conditioning
IEUA	Inland Empire Utilities Agency
IS	Initial Study
ITE	Institute of Transportation Engineers
kBTU	Thousand British Thermal Units
LBP	Lead-Based Paint
L_{eq}	Equivalent Continuous Sound Level
LID	Low Impact Development
L_{max}	Maximum Measured Sound Level
LOS	Level of Service
LRA	Local Responsibility Area
LST	Localized Significance Threshold
MEI	Maximum Exposed Individual
MGD	Million Gallons per Day
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
mpg	miles per gallon
MRF	Materials Recycling Facility
MT	Metric Ton
NCCP	Natural Community Conservation Plan
ND	Negative Declaration
NHTSA	National Highway Traffic and Safety Administration
NPDES	National Pollutant Discharge Elimination System
OIA	Ontario International Airport
PCE	Passenger Car Equivalent
POTWs	Publicly Owned Treatment Works
PRC	Public Resources Code
REC	Recognized Environmental Condition
RHNA	Regional Housing Needs Assessment
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board

SBCTA	San Bernardino County Transportation Authority
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCS	Sustainable Communities Strategy
SO_2	Sulfur Dioxide
STC	Sound Transmission Class
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminants
TPM	Tentative Parcel Map
USACE	United States Army Corps of Engineers
USGS	U.S. Geological Survey
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
WDR	Waste Discharge Requirement
WQMP	Water Quality Management Plan

1.0 INTRODUCTION AND PURPOSE OF THE ADDENDUM

1.1 INTRODUCTION

Section 1.0 of this Initial Study (IS) describes the purpose, environmental authorization, the intended uses of the IS, documents incorporated by reference, and the processes and procedures governing the preparation of the environmental document. Pursuant to Section 15367 of the State of California *Guidelines for Implementation of the California Environmental Quality Act* (*CEQA Guidelines*), the City of Fontana (City) is the Lead Agency under the California Environmental Quality Act (CEQA). The City has primary responsibility for compliance with CEQA and consideration of the Slover and Juniper Industrial Building Project (Project or proposed Project).

The Initial Study is organized as follows:

Section 1.0 *Introduction and Purpose* provides a discussion of the Initial Study's purpose, focus, legal requirements.

Section 2.0 *Project Description* provides a detailed description of the proposed Project.

Section 3.0 *Environmental Checklist* includes a checklist and accompanying analyses of the Project's effect on the environment. For each environmental issue, the analysis identifies the level of Project's environmental impact.

Section 4.0 *References* details the references cited throughout the document.

Appendices Include the technical material prepared to support the analyses contained in the IS.

1.2 PURPOSE

CEQA requires that the proposed Project be reviewed to determine the environmental effects that would result if the Project were approved and implemented. The City is the Lead Agency and has the responsibility for preparing and adopting the associated environmental document prior to consideration of the proposed Project. The City has the authority to make decisions regarding discretionary actions relating to implementation of the proposed Project.

This IS has been prepared in accordance with the relevant provisions of CEQA (California Public Resources Code Section 21000 et seq.); the *CEQA Guidelines,*[1] and the rules, regulations, and procedures for implementing CEQA as adopted by the City. The objective of the Initial Study is to inform City decision-makers, representatives of other affected/responsible agencies, the public, and interested parties of the potential environmental effects of the Project.

As established in *CEQA Guidelines* Section 15063(c), the purposes of an IS are to:

- Provide the Lead Agency (City of Fontana) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND);

[1] California Code of Regulations. Title 14, Chapter 3, Sections 15000 through 15387.

- Enable an applicant or Lead Agency to modify a Project, thus mitigating significant impacts before an EIR is prepared, and thereby enabling the Project to qualify for an ND or MND;
- Assist in the preparation of an EIR, if one is required;
- Facilitate environmental assessment early in the design of a Project;
- Provide a factual basis for finding in an ND or MND that a Project will not have a significant effect on the environment;
- Eliminate unnecessary EIRs; and
- Determine if a previous EIR could be used to consider the environmental effects of the Project.

1.3 INTENDED USE OF THIS INITIAL STUDY

The City formally initiated the environmental process for the proposed Project with the preparation of this Initial Study (IS). The IS screens out those impacts that would be less than significant and do not warrant mitigation, while identifying those issues that require mitigation to reduce impacts to less than significant levels. As identified in the following analyses, Project impacts related to various environmental issues either do not occur, are less than significant (when measured against established significance thresholds), or have been rendered less than significant through implementation of mitigation measures. Based on these analytical conclusions, this IS supports adoption of an MND for the proposed Project.

CEQA[2] permits the incorporation by reference of all or portions of other documents that are generally available to the public. The IS has been prepared utilizing information from City planning and environmental documents, technical studies specifically prepared for the Project, and other publicly available data. The documents utilized in the IS are identified in Section 4.0 and are hereby incorporated by reference. These documents are available for review at the City of Fontana Community Development Department, Planning Division.

1.4 PUBLIC REVIEW OF THE INITIAL STUDY

The IS and a Notice of Intent (NOI) to adopt an MND will be distributed to responsible and trustee agencies, other affected agencies, and other parties for a 30-day public review period. Written comments regarding this IS should be addressed to:

Dawn Rowe, Senior Planner
City of Fontana
Community Development Department, Planning Division
8353 Sierra Avenue
Fontana, California 92335
(909) 350-6694 / drowe@fontana.org

After the 30-day public review period, consideration of comments raised during the public review period will be taken into account and addressed prior to adoption of the MND by the City.

[2] *CEQA Guidelines* Section 15150.

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION AND SETTING

The Project is located in the southern portion of the City of Fontana, in southwestern San Bernardino County, California. The Project site is located in Section 19 of Township 1 South, Range 5 West of the San Bernardino Baseline and Meridian, as depicted on the U.S. Geological Survey (USGS) 7.5-minute series *Fontana, California* quadrangle (1980). Specifically, the center of the Project site is at latitude 34°03'49.04" N and longitude -117°26'21.68" W at an elevation of approximately 1,100 feet above mean sea level and consists of one parcel (Assessor's Parcel Number [APN] 0251-203-09-0-000).

The Project site is approximately 2.07 acres and is bounded by Slover Avenue to the south, Juniper Avenue to the west, non-conforming single-family residential properties to the north, and non-conforming single-family and manufactured mobile homes to the east.[3] The nearest sensitive receptors in proximity to the project site are single-family homes located immediately north of the Project site and single-family manufactured mobile homes located immediately east of the Project site. Commercial retail centers are located farther to the south and east, beyond Slover Avenue and Sierra Avenue, respectively. Figure 1: Regional and Project Location and Figure 2: Existing Setting depict the location of the Project site on a regional and local scale.

The Project site was previously utilized for agriculture as an orchard as early as the 1920s. The site was also occupied as a residence by that time, and the last of the remaining orchards was removed between 1953 and 1959.[4] The current iteration of the on-site residential structure was established by 1994.[5] The Project site is primarily vacant, with the exception of one vacated single-family residence with an associated detached garage in the central portion of the site, and a concrete building pad in the northeastern portion of the site. Undeveloped portions of the site contain scattered ruderal vegetation.[6] Figures 3a through 3d include photographs of the project site and surrounding land uses.

2.2 LAND USE

The Project includes a General Plan Amendment from (C-G) Commercial General to (I-L) Light Industrial and Zone Change from General Commercial (C-2) to Light Industrial (M-1). Table 2.2.A summarizes the Project site and surrounding land uses, General Plan designations, and zoning designations.

[3] The surrounding residential properties are located on land zoned for commercial uses.
[4] Partner Engineering and Science, Inc. *Phase I Environmental Site Assessment Report. 16726 Slover Avenue, Fontana, California, 92337.* Page i and Appendix B: Historical/Regulatory Documentation. June 17, 2020. (Appendix E).
[5] LSA Associates, Inc. *Cultural Resources Documentation for the Slover and Juniper Industrial Building Project in the City of Fontana.* Page 2. August 4, 2020. (Appendix D).
[6] Ruderal vegetation consists of species (often invasive) that are first to colonize disturbed lands.

Table 2.2.A: Existing and Proposed Land Uses

Direction	Existing Land Use	Existing General Plan Designation	Proposed General Plan Designation	Existing Zoning Designation	Proposed Zoning Designation
Project Site	Primarily vacant lot containing one non-conforming unoccupied residence with detached garage	(C-G) Commercial General (0.1-1.0 FAR)	(I-L) Light Industrial (0.1-0.6 FAR)	(C-2) General Commercial (0.1-1.0 FAR)	(M-1) Light Industrial (0.1-0.6 FAR)
North	Single-family residential properties, Railroad, and Interstate 10	(C-G) Commercial General (0.1-1.0 FAR) and (I-G) General Industrial (0.1-0.6 FAR)	—	(C-2) General Commercial (0.1-0.6 FAR) and (M-2) General Industrial (0.1-0.6 FAR)	—
East	Manufactured mobile homes, Sierra Avenue, and commercial retail center	(C-G) Commercial General (0.1-1.0 FAR)	—	(C-2) General Commercial (0.1-1.0 FAR) and Empire Center Specific Plan (#13)	—
South	Slover Avenue, vacant lot, commercial retail center	(C-G) Commercial General (0.1-1.0 FAR)	—	(C-2) General Commercial (0.1-1.0 FAR)	—
West	Juniper Avenue, vacant lot, single-family residential properties	(I-L) Light Industrial (0.1-0.6 FAR)	—	(M-1) Light Industrial (0.1-0.6 FAR)	—

FAR = Floor to area ratio
Sources: City of Fontana, State of California. *General Plan Land Use Map.* Adopted September 10, 2019.
City of Fontana, State of California. *Zoning District Map*. Adopted September 10, 2019.

The City's *Land Use, Zoning, and Urban Design* General Plan Element indicates warehouses that are designed in ways that limit off-site impacts are permitted on land designated (I-L) Light Industrial.[7] Pursuant to Chapter 30, Section 30-522 (Light Industrial – M-1) of the City's Zoning and Development Code, the (M-1) Light Industrial zoning district is intended to accommodate employee-intensive uses, such as business parks, research and technology centers, offices, and supporting retail uses, high cube/ warehousing 200,000 square feet or less but which does not permit heavy manufacturing, processing of raw materials, or businesses logistics which generate high volumes of truck traffic. The specific proposed warehouse use is speculative but would be subject to conditions of approval in order to be developed in a manner consistent with the proposed (I-L) Light Industrial land use designation and (M-1) Light Industrial Zoning District as a 41,000 square-foot warehouse building.

2.3 PROJECT DESCRIPTION

The Project includes development of an approximately 41,000 square foot warehouse building, of which 5,000 square feet would be designated office space across two levels. The warehouse would include three freight truck loading docks and employee and trailer parking, but it does not include cold storage/refrigeration operations. The conceptual site plan is presented as Figure 4. As stated

[7] City of Fontana, State of California. *General Plan Update 2015–2035. Chapter 15: Land Use, Zoning, and Urban Design Element.* Pages 15.25 and 15.26. Adopted November 13, 2018.

previously, the Project includes a General Plan Amendment from (C-G) Commercial General to (I-L) Light Industrial and Zone Change from General Commercial (C-2) to Light Industrial (M-1).

2.3.1 Construction

Construction activities include demolition of the existing residential structure and associated detached garage and concrete pad and removal of existing onsite fencing and vegetation, including overgrown grasses and shrubs. Construction would also include excavation, grading, paving, construction of the warehouse building and parking areas, and the installation of lighting, landscaping, and utility connections. During grading, on-site soils would be excavated and recompacted in accordance with the 2019 California Building Code (CBC) to accommodate the proposed industrial building and parking areas.

Construction parking and staging areas will occur on site. Construction hours will conform to City standards and be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. on Saturday. According to the Project conceptual grading plans, approximately 6,000 cubic yards of exported soil (cut) and 500 cubic yards of imported soil (fill) would be required for excavation, compaction, and rough grading. During Project construction, it is possible there would be temporary lane closures and/or detours necessary along Juniper Avenue and/or Slover Avenue.

Construction of the Project is anticipated to commence in early 2021 and be completed in the fall/ winter of 2021, resulting in a total construction duration of approximately eight months. Construction equipment anticipated to be used includes rubber-tired dozers, tractors/loaders/backhoes, excavators, graders, scrapers, cranes, forklifts, generators, welders, air compressors, and paving equipment.

2.3.2 Site Access

The project site is predominately flat, and lacks significant slopes. The project site is surrounded by fencing, and access consists of a concrete driveway blocked by a locked gate off Slover Avenue and an unpaved driveway blocked by a locked gate along Juniper Avenue. In the existing condition, vehicular and pedestrian access to the site is restricted due to the locked gates and the lack of pedestrian facilities along Juniper Avenue.

Proposed vehicle and pedestrian access to the Project site would be provided by two ingress/egress driveways respectively off Slover Avenue and Juniper Avenue and associated frontage improvements that would include sidewalks, street trees, and lighting. The existing Slover Avenue driveway would be demolished, and the proposed Slover Avenue driveway would be constructed 35 feet wide near the southeastern boundary of the Project site. The proposed Juniper Avenue driveway would be 40 feet wide near the northwestern boundary of the Project site. It is anticipated that passenger vehicles would enter and exit at either driveway, but freight trucks would enter the site from the Juniper Avenue driveway, which is immediately adjacent to an onsite truck staging area, to ensure adequate turning radius capacity into the truck loading area. A 30-foot-wide fire lane connecting the two driveways would facilitate internal access to parking areas and the office space and ensure adequate access for first responders to an emergency.

Entrances and exits to and from parking and loading facilities would be marked with appropriate directional signage, and all site access points and driveway aprons are designed and would be constructed to adequate widths for public safety pursuant to City Municipal Code Section No. 30-550(H).

2.3.3 Parking

Parking at the Project site will comply the City's minimum parking requirements as codified in Article XI (On-site street parking and loading regulations) of the City Municipal Code. The Project site (refer to Figure 4) would include 56 passenger vehicle parking stalls, 3 of which would be Americans with Disabilities Act (ADA) spaces and 6 of which would be clean air/vanpool/electric vehicle spaces. Additionally, the Project site would include a 12-foot by 52-foot trailer parking area, a truck staging area, and three dock doors in the northern portion of the site.

2.3.4 Pedestrian and Bicycle Connectivity

The Project site is accessible from a nearby public bus stop near the Slover Avenue/Sierra Avenue intersection approximately 975 feet east of the site, as well as via other amenities such as Class 2 and 3 bicycle lanes along nearby major corridors. Pedestrian access to the Project site would occur via curb and sidewalks to be constructed and/or improved along the Project frontage of Juniper Avenue and Slover Avenue.

2.3.5 Facility and Site Design

The Project would be a modern industrial building approximately 38 feet in height at its tallest parapet (Figure 5 details the building elevations). The industrial building would contain 5,000 square feet of office space and approximately 36,000 square feet of warehouse space. The building's design would be comprised of tempered glazed aluminum and painted concrete. The southeast corner of the building would contain a parapet with a continuous glass façade, which would provide visual relief and varied massing. The Project would include landscaped areas in accordance with Division 7 (Design Guidelines) of Article VII (Industrial Zoning Districts) of the City Municipal Code.

Design elements of the proposed Project include landscaped setbacks and street trees along the site perimeter and on-site trees throughout the parking areas and internal drive aisles. Additionally, the Project includes a 12-foot-high concrete or concrete masonry unit solid wall along the northern and eastern boundaries of the site.

Light poles would be installed throughout the surface parking lot and along on-site pedestrian pathways. The warehouse building will have security lighting located on the building façades. Additionally, streetlights will be installed along the Project frontage of Juniper Avenue and Slover Avenue. All lighting on the Project site will comply with Section No. 30-550(F) (Lighting) of the City Municipal Code, which requires light shielding, functional and aesthetic design, and compatibility with surrounding uses.

2.3.6 Landscaping

The City requires a minimum 15 percent of the site (excluding building area) to be landscaped, and the Project includes approximately 14,631 square feet of landscaping, which equates to

approximately 28.6 percent of the site. The Project would incorporate landscape through a combination of accent plantings/groundcovers, hedges, and trees along the site perimeter and include additional trees throughout the parking area and along the internal drive aisles. Enhanced landscaping would be installed throughout the Project site pursuant to Section No. 30-551(E)(4) (Landscaping), which requires the Applicant to incorporate a three-tiered planting system compatible with the scale of adjacent structures, streets, and public spaces. Proposed landscaping would be drought-tolerant and complement existing natural and manmade features, including the dominant landscaping of surrounding areas (Figure 6 details the Project landscape design).

2.3.7 Drainage

The majority of the Project site consists of pervious surface area. Currently, storm water generally sheet flows in a southwesterly direction and drains offsite onto Juniper Avenue and Slover Avenue where it enters the municipal storm drain system at the northeast corner of Slover Avenue and Juniper Avenue. The proposed Project is expected to maintain the existing drainage pattern. Upon development of the site, all on-site storm water would be captured on site in accordance with Santa Ana Regional Water Quality Control Board Order Number R8-2010-0036, National Pollutant Discharge Elimination System Permit No. CAS618036, also known as the Municipal Separate Storm Sewer System or MS4 permit. The runoff from the site would drain to multiple onsite catch basins and be pretreated with inlet filters and grate before draining to an underground infiltration system proposed in the truck staging area north of the proposed industrial building. Discharged storm water would be conveyed offsite into the municipal storm drain system at the Slover Avenue/Juniper Avenue intersection at volumes that do not exceed the existing, pre-developed condition.

2.3.8 Infrastructure and Off-site Improvements

The Project would dedicate approximately four feet of right of way along the western Project site frontage in order for the City to widen Juniper Avenue under a separate action. The Project would include installation of curb, gutter, sidewalk, landscaping, streetlights, and trees along the Project site frontage of Juniper Avenue and Slover Avenue. The Project also would interconnect to existing sewer, water, gas, and telecommunications utilities within the Slover Avenue and Juniper Avenue right-of-way. In addition, the Project would reconfigure the electrical utilities adjacent to the site by relocating the existing distribution circuit underground along Slover Avenue and Juniper Avenue pursuant to City Municipal Code Section No. 30-550(G)(3) (Utilities).

2.4 METHODOLOGY

The environmental analysis in this IS/MND provides an environmental review of the Project pursuant to CEQA. The details of this proposed Project, off-site improvements, and associated actions have been characterized in this section and are also addressed in detail throughout Section 3.0 of this IS/MND. If the Project is approved, the proposed development would be allowed without further discretionary approval, so long as the development complies with the City's regulations and project-specific mitigation measures (which will also be imposed as Conditions of Approval) and other Conditions of Approval.

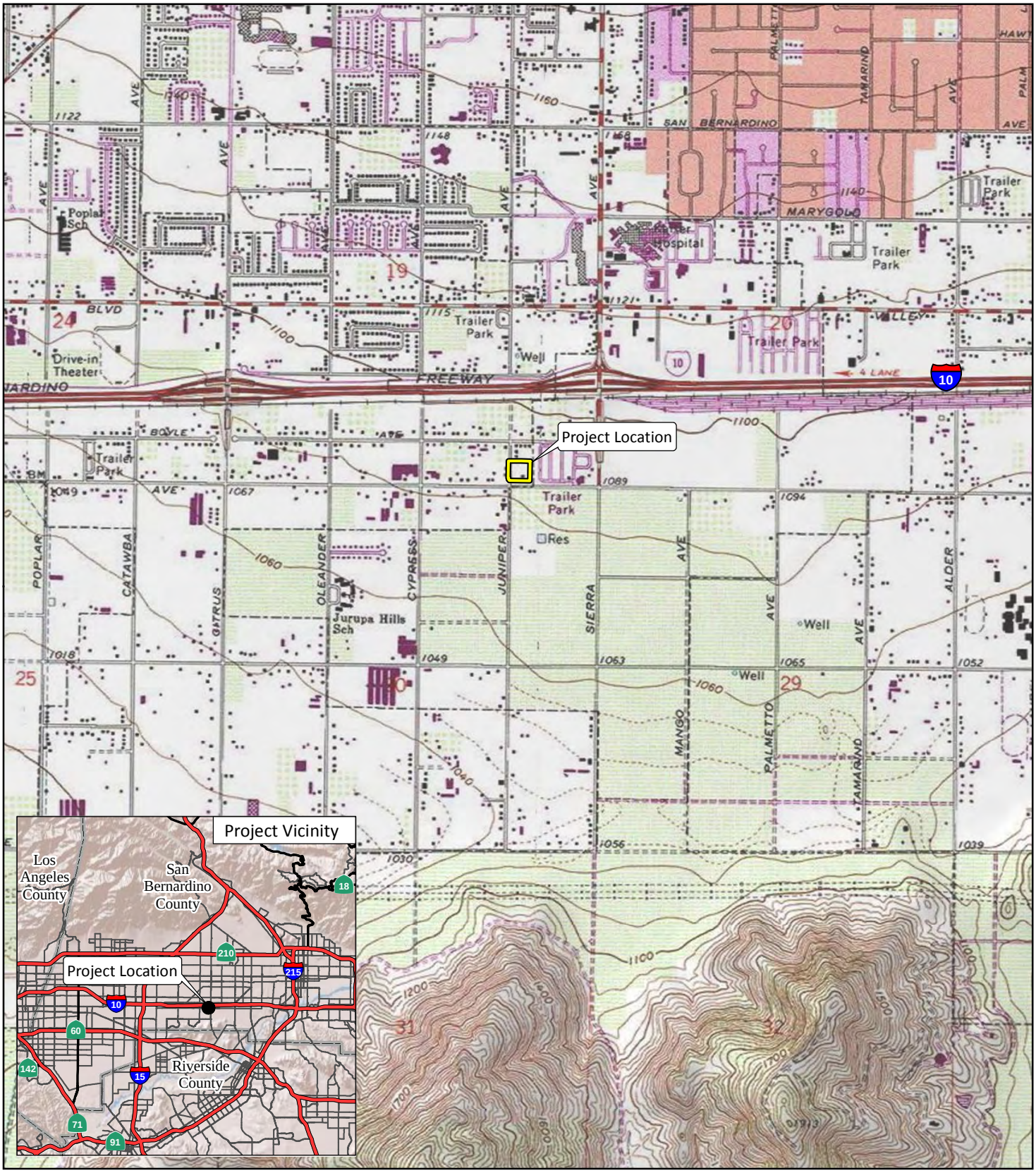
2.5 PROJECT APPROVALS

The City of Fontana is the Lead Agency as set forth in *CEQA Guidelines* Section 21067 and is expected to use this IS/MND in consideration of the proposed Slover and Juniper Industrial Building and associated actions. These actions may include, but are not limited to, the following:

- Master Case Number (MCN) 20-035;
- General Plan Amendment (GPA) 20-011
- Zone Change Amendment (ZCA) 20-009
- Design Review Project (DRP) 20-011;
- Demolition Permit; and
- Grading Permit.

The Project may require approvals from other regulatory agencies and are listed as follows:

- State Water Resources Control Board: Applicant must submit a Notice of Intent to comply with the General Construction Activity National Pollutant Discharge Elimination (NPDES) Permit;
- Santa Ana Regional Water Quality Control Board: Applicant must submit a Storm Water Pollution Prevention Plan (SWPPP); and
- Utility Providers: Connection permits.



LSA

LEGEND

Project Location

FIGURE 1

N

0 1000 2000

FEET

Slover-Juniper Industrial Building Project

Regional and Project Location

SOURCE: USGS 7.5' Quad - *Fontana* (1980), CA

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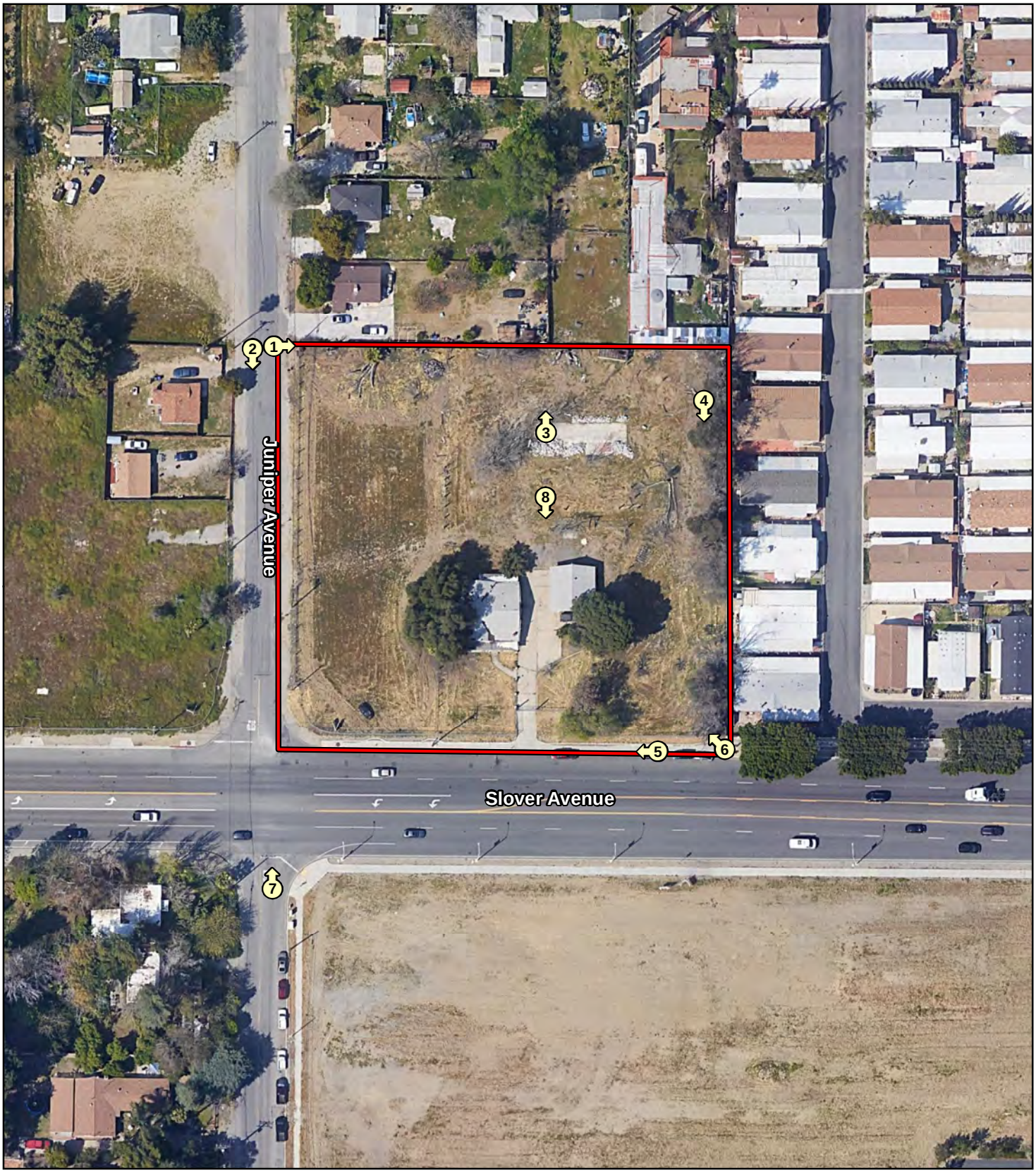

LSA

LEGEND

Project Site

Site Photograph Locations

FIGURE 2

N

0 50 100

FEET

SOURCE: Google (2018)

Slover-Juniper Industrial Building Project

Existing Setting

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Photo 1. Northern Project boundary along Juniper Avenue, facing east.

Photo 2. Western Project boundary along Juniper Avenue, facing south.

LSA

FIGURE 3a

Slover-Juniper Industrial Building Project
Site Photographs

Photo 3. Northern Project boundary overview, facing north.

Photo 4. Eastern Project boundary, facing south.

LSA

FIGURE 3b

Slover-Juniper Industrial Building Project
Site Photographs

Photo 5. Southern Project boundary along Slover Avenue, facing west.

Photo 6. Project site overview, facing northwest.

LSA

FIGURE 3c

Slover-Juniper Industrial Building Project
Site Photographs

Photo 7. Intersection of Slover Avenue & Juniper Avenue, facing north.

Photo 8. On-site buildings and central portion of the site, facing south.

LSA

FIGURE 3d

Slover-Juniper Industrial Building Project
Site Photographs

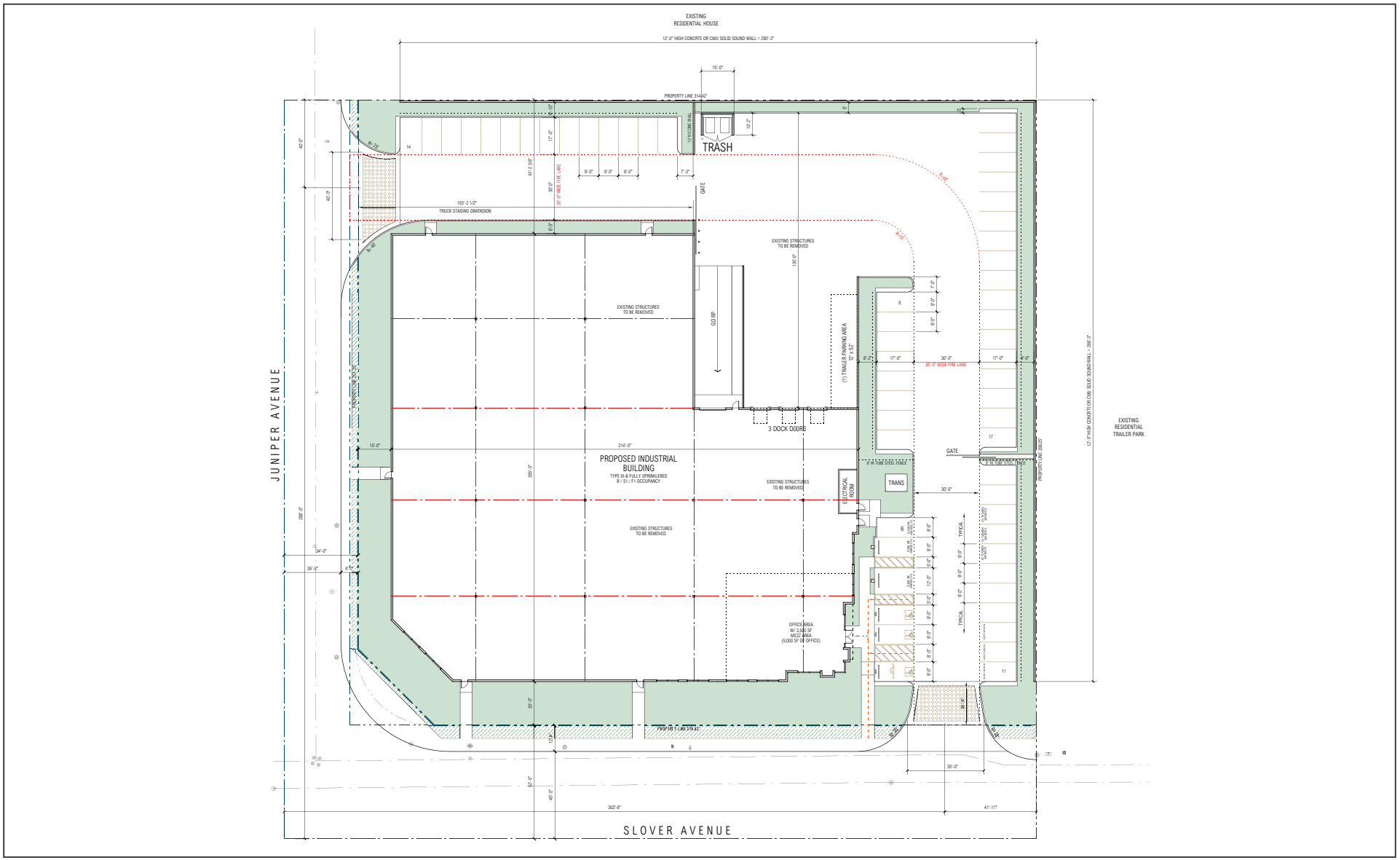

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FIGURE 4

N

0 40 80

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SOURCE: RGA Office of Architecture and Design

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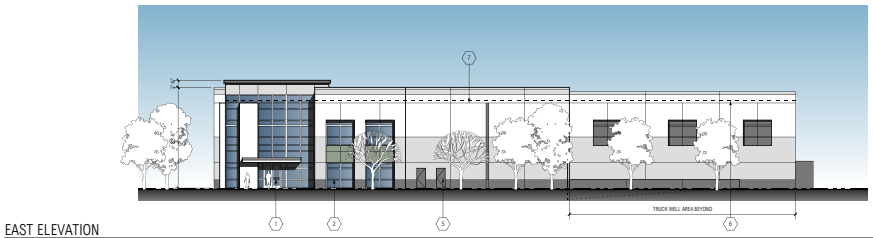
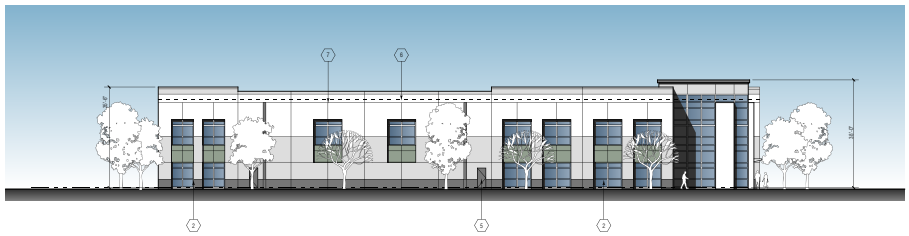
Slover-Juniper Industrial Building Project

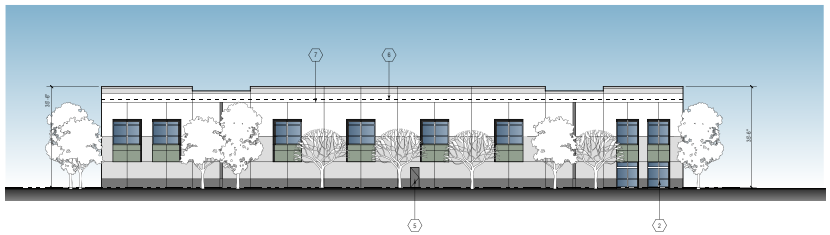
Conceptual Site Plan



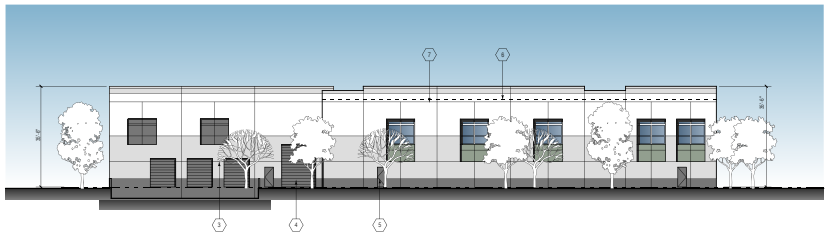
EAST ELEVATION
SCALE: 1/16" = 1'-0"



SOUTH ELEVATION
SCALE: 1/16" = 1'-0"



WEST ELEVATION
SCALE: 1/16" = 1'-0"



NORTH ELEVATION
SCALE: 1/16" = 1'-0"

KEYNOTES

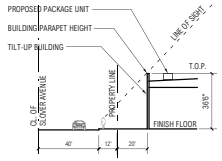
1. PRIMARY ACCESSIBLE BUILDING ENTRY
2. BLUE GLAZING IN CLEAR ANODIZED ALUMINUM STOREFRONT.
3. PAINTED DOCK HIGH TRUCK LOADING DOOR.
4. PAINTED GRADE LEVEL TRUCK LOADING DOOR.
5. 3' X 7' PAINTED METAL MAN DOOR.
6. ROOF LINE BEHIND PARAPET. ROOF MOUNTED EQUIPMENT SHALL BE HIDDEN FROM VIEW OF ADJACENT ROADWAYS / STREETS. ROOF DRAINS FACING STREET FRONTAGES SHALL BE INTERIOR PIPED. ROOF DRAIN NOT FACING STREETS SHALL BE PAINTED DOWNSPOUTS TO MATCH BUILDING COLORS.
7. PAINTED CONCRETE TILT-UP WALL PANEL WITH REVEAL SCORES.

FINISH SCHEDULE

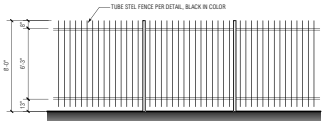
1. FIELD COLOR: IO TREASURED MOMENT A1S49
2. ACCENT COLOR: IO FOSSIL GREY A1836
3. ACCENT COLOR: IO LAS CAUX CAVE A1659
4. ACCENT COLOR: SW 6192 COASTAL PLAIN
5. GLAZING: REFLECTIVE BLUE MONOLITHIC "PACIFIC BLUE" IN CLEAR ANODIZED ALUMINUM STOREFRONT. THE MAXIMUM ALLOWABLE REFLECTANCE OF GLASS SHALL BE 25%.

NOTES:

1. ALL ROOFTOP MECH. EQUIPMENT SHALL BE SCREENED FROM VIEW.
2. PROVIDE GRAFFITI RESISTANT COATING TO A HEIGHT OF 12 FEET ON THE SOUTH ELEVATION.



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



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

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

LSA

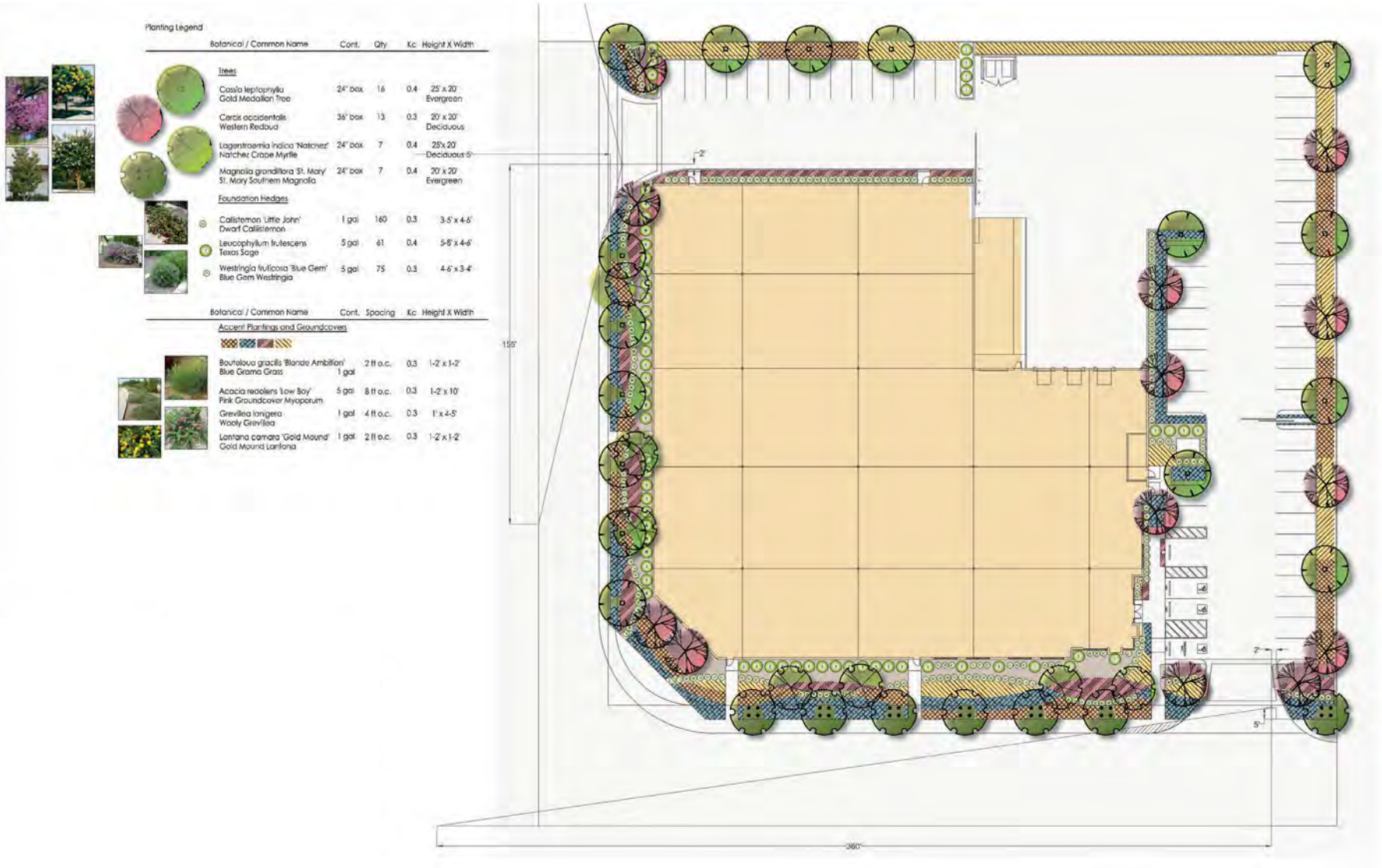
FIGURE 5

0 35 70
FEET

SOURCE: RGA Office of Architecture and Design

I:\LBB2001\G\Elevations.ai (8/27/2020)

Slover-Juniper Industrial Building Project
Conceptual Architectural Elevations



LSA

FIGURE 6

N

0 40 80

FEET

SOURCE: UES, Urban Ecosystem Solutions

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Slover-Juniper Industrial Building Project

Landscape Design

3.0 INITIAL STUDY CHECKLIST

1. **Project Title:**
   Slover and Juniper Industrial Building

2. **Lead Agency Name and Address:**
   City of Fontana
   Community Development Department, Planning Division
   8353 Sierra Avenue
   Fontana, California 92335

3. **Contact Person and Phone Number:**
   Dawn Rowe, Senior Planner
   (909) 350-6694
   drowe@fontana.org

4. **Project Location:**
   The Project is located in the southern portion of the City of Fontana, in southwestern San Bernardino County, California. The Project site is located in Section 19 of Township 1 South, Range 5 West of the San Bernardino Baseline and Meridian, as depicted on the U.S. Geological Survey (USGS) 7.5-minute series *Fontana, California* quadrangle (1980). Specifically, the center of the Project site is at latitude 34°03'49.04" N and longitude -117°26'21.68" W at an elevation of approximately 1,090 feet above mean sea level and consists of one parcel (Assessor's Parcel Number [APN] 0251-203-09-0-000). Figure 1: Regional and Project Location and Figure 2: Existing Setting depict the location of the Project site on a regional and local scale.

5. **Project Sponsor's Name and Address:**
   Lebbea, LLC
   18031 Irvine Boulevard, 106
   Tustin, California 92780

6. **General Plan Designation:**
   Existing: (C-G) General Commercial (0.1-1.0 FAR)
   Proposed: (I-L) Light Industrial (0.1-0.6 FAR)

7. **Zoning:**
   Existing: (C-2) General Commercial (0.1-1.0 FAR)
   Proposed: (M-1) Light Industrial (0.1-0.6 FAR)

8. **Description of Property:**
   The 2.07-acre Project site is currently occupied with one non-conforming single-family residence with detached garage structure and is otherwise vacant. A pile of construction rubble comprised of concrete slabs and blocks and other various refuse is clustered at the northern portion of the site. Undeveloped portions of the site contain a variety of ornamental and ruderal vegetation as a result of seasonal weed abatement activities and other on-site disturbances. Additionally, 25

tree stumps exhibiting sucker re-growth[8] are scattered throughout the site, with the majority occurring along the eastern property line. Figures 3a through 3d include photographs of the project site and surrounding land uses.

9. Surrounding Land Uses and Setting:
The Project site is approximately 2.07 acres and is bounded by Slover Avenue to the south, Juniper Avenue to the west, non-conforming single-family residential properties to the north, and non-conforming single-family and manufactured mobile homes to the east.[9] The nearest sensitive receptors in proximity to the Project site are non-conforming single-family and manufactured mobile homes located on property zoned for commercial uses adjacent to the north and east of the site, respectively.[10] Two single-family residential structures across Juniper Avenue to the west are vacated and boarded. To the south across Slover Avenue is vacant land. Refer to Figure 2 for the existing setting of the site and surroundings.

10. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, has consultation begun? Yes. Please refer to Checklist Section 3.18.
Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code Section 21083.3.2.) Information may also be available from the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code Section 21082.3(c) contains provisions specific to confidentiality.

Chapter 905, Statutes of 2004 (i.e., Senate Bill 18) of the California Government Code requires a City to consult with California Native American tribes for the purpose of preserving specified places, features, and objects described in Sections 5097.9 and 5097.995 of the Public Resources Code that are located within the city or county's jurisdiction prior to the adoption or amendment of a General Plan. Senate Bill (SB) 18 requires the Lead Agency (i.e., City of Fontana) to refer to the California Native American tribes specified by the NAHC and to provide them with opportunities for consultation.

Chapter 532, Statutes of 2014 (i.e., Assembly Bill 52), requires Lead Agencies evaluate a project's potential to affect "tribal cultural resources." Such resources include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." Assembly Bill (AB) 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a "tribal cultural resource."

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8 Suckers are a tree's attempt to grow more branches.
9 The surrounding residential properties are located on land zoned for commercial uses.
10 The distances between the various components of the Project (e.g., construction footprint, loading docks, etc.) and the nearest sensitive receptors are specific and unique for each the air quality analysis and the noise analysis because the distances are based on the respective air quality and noise/vibration assessment procedures. Refer to Section 3.3 and Section 3.13 for details.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a potentially significant impact as indicated by the checklist on the following pages.

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

DETERMINATION (TO BE COMPLETED BY THE LEAD AGENCY)

On the basis of the initial evaluation:

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

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

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

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

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

☐ I find that the amended project has previously been analyzed as part of an earlier CEQA document. Minor additions and/or clarifications are needed to make the previous documentation adequate to cover the project which are documented in this ADDENDUM to the earlier CEQA document (CEQA § 15164.)

Signature: Dawn Rowe Date: September 14, 2020
Dawn Rowe, Senior Planner

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
    a. Earlier Analysis Used. Identify and state where they are available for review.
    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
    c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
    a. The significance criteria or threshold, if any, used to evaluate each question; and
    b. The mitigation measure identified, if any, to reduce the impact to less than significance.

3.1 AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:

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

Threshold A: Would the Project have a substantial adverse effect on a scenic vista?

Less than Significant Impact

Discussion of Effects: The City General Plan indicates Fontana includes a number of scenic resources, which are viewable from scenic vistas, including the La Sierra Hills, the Jurupa Hills, the Pedley Hills, and the San Gabriel and San Bernardino Mountains.

Scenic vistas are generally not available in the Project area due to the urbanized and built-out nature of the area, and due to mature trees on adjacent properties obstructing clear views of the San Gabriel and San Bernardino Mountains to the north and the La Sierra Hills, Jurupa Hills, and Pedley Hills to the south. Views of scenic vistas such as the San Gabriel and San Bernardino Mountains from Slover Avenue and the vacant property across Slover Avenue to the south are already obstructed by mature trees and existing development, such as residential structures and aboveground utility poles up to 50 feet tall. The Project would not obstruct views of the Gabriel and San Bernardino Mountains from surrounding residential uses to the north and east, and mature trees, residential and commercial structures, and aboveground utility poles up to 50 feet tall already obstruct views of the La Sierra Hills, Jurupa Hills, and Pedley Hills from surrounding residential uses to the north. Finally, the Project would not obstruct views of scenic vistas from Juniper Avenue or the vacant property adjacent to the west across Juniper Avenue.

Views in the area primarily consist of urbanized views of commercial centers, residential developments, mature landscaping, and transportation and utility infrastructure. There are no scenic

views available from the Project site or near the Project site that would be obstructed as a result of Project implementation.

The Project would include a Zone Change Amendment from (C-2) General Commercial to (M-1) Light Industrial. Whereas the maximum building height allowed in a C-2 zone is 60 feet, the proposed warehouse structure would be constructed up to 38 feet tall at the highest parapet.[11] Figure 5 details the on-site building elevations. Furthermore, the Project would incorporate appropriate setbacks from the public right-of-way (south and west) and adjacent residential uses (north and east) in accordance with the Development Standards for Primary Structures (Article VII, Division 4, Section No. 30-535) of Chapter 30 of the City's Zoning and Development Code. Additionally, a perimeter 30-foot-wide emergency fire lane would surround the warehouse structure to the north and east, resulting in additional setback distance from the adjacent residential uses to improve the horizontal line of site and reduce visual obstructions in the area. In addition, the Project would reconfigure the electrical utilities on and adjacent to the site by relocating the distribution circuit below ground within Juniper Avenue and Slover Avenue, which would further reduce visual obstructions from surrounding properties.

Development of the proposed Project in accordance with applicable zoning regulations, including building height and setbacks detailed above, would ensure scenic vistas would not be adversely affected. Therefore, the Project would have a **less than significant impact** on scenic vistas and mitigation is not required.

Threshold B: Would the Project substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway?

No Impact

Discussion of Effects: The California Department of Transportation (Caltrans) Scenic Highway Program does not identify any State-designated scenic highways near the Project site.[12] The nearest Scenic Highway is a portion of State Route 91, approximately 14 miles southwest of the Project site.[13] Because there are no scenic highways or roadways near the Project site, the Project would not affect scenic resources within a State scenic highway. **No impact** would occur, and no mitigation is required.

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

Less than Significant Impact

Discussion of Effects: As of July 1, 2019, the United States Census Bureau estimated the City's population to be 214,547 persons and the City's land area to be approximately 42.43 square miles.[14]

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11 The (M-1) Light Industrial zoning district permits structures up to 75 feet tall.

12 City of Fontana. *Fontana Forward General Plan Update 2015-2035 Draft Environmental Impact Report. State Clearinghouse # 2016021099*. Page 5.1-8. City of Fontana. Adopted November 13, 2018.

13 California State Scenic Highway System Map. 2018. https://www.arcgis.com/apps/webappviewer/index.html?id=2e921695c43643b1aaf7000dfcc19983 (accessed July 6, 2020).

14 United States Census Bureau. *QuickFacts, Fontana City, California.* https://www.census.gov/quickfacts/fact/table/fontanacitycalifornia,US/PST045219 (accessed July 2, 2020).

The Project is located in an area with at least 1,000 persons per square mile and therefore meets the definition of *Urbanized Area* under Section 15387 of the *CEQA Guidelines*.

During construction, the presence of construction vehicles and equipment could temporarily degrade the visual quality of the Project site by removal of vegetation, heavy equipment use, and storage, excavation, and the presence of other visible general construction activity. In the existing condition, the Project property consists of a primarily vacant lot containing an abandoned and boarded single residence with detached garage. A pile of construction rubble comprised of concrete slabs and blocks and other various refuse is clustered at the northern portion of the site. Undeveloped portions of the site contain a variety of ornamental and ruderal vegetation as a result of seasonal weed abatement activities and other on-site disturbances. The presence of construction equipment and vehicles would be temporary and would cease once construction is complete, and they would not interfere with views or visual character of the surrounding area. Due to the temporary nature of construction activities and existing dilapidated visual character of the site, impacts to visual character of the site and its surroundings would be **less than significant** during construction.

Construction of the Project site includes landscape treatments over 28.6 percent of the site, or approximately 14,631 square feet, which exceeds the 15 percent minimum required under the City's (M-1) Light Industrial zoning district. Enhanced landscaping would be installed throughout the Project site pursuant to Section No. 30-551(E)(4) (Landscaping), which requires the Applicant to incorporate a three-tiered planning system[15] compatible with the scale of adjacent structures, streets, and public spaces. The Project would incorporate landscaping through a combination of larger hedges and tall street trees along the site perimeter and include additional trees, shrubs, accents, and groundcover and additional trees throughout the parking area and along the internal 30-foot wide drive aisle to balance the landscape design. The perimeter landscape treatments would include the Juniper Avenue and Slover Avenue frontages and project driveways, as well as along the northern and eastern site boundaries. Proposed landscaping shall be drought-tolerant and complement existing natural and manmade features, including the dominant landscaping of surrounding areas (Figure 6 details the Project landscape design).

Entrances and exits to and from parking and loading facilities would be marked with appropriate directional signage. All site access points and driveway aprons are designed and would be constructed to adequate widths for public safety pursuant to City Municipal Code Section No. 30-550(H).

The Project would dedicate approximately four feet of right-of-way along the western Project site frontage in order for the City to widen Juniper Avenue under a separate action. The proposed Project would also install curb, gutter, sidewalk, landscaping, streetlights, and trees along the improved portion of Juniper Avenue to the west and along Slover Avenue to the south. The Project also includes installation and expansion of utilities such as sewer, water, electrical, gas, and telecommunications within the Slover Avenue and Juniper Avenue rights-of-way for interconnection to the Project site. Whereas existing electrical utilities occur via overhead distribution circuit on wood poles, the Project would reconfigure the electrical utilities on and adjacent to the site by relocating the distribution

[15] Tier 1 is ground cover and flowering plants. Tier 2 is shrubs and vines. Tier 3 is trees. Refer to Section No. 30-551(E)(4)(b) of the City Municipal Code.

circuits underground along Slover Avenue and Juniper Avenue, which would reduce visual obstructions from surrounding properties.

Development of the Project would result in an overall improved, updated, site and streetscape through the development of a modern warehouse building. The proposed building would feature varied massing and 360-degree articulation, including a parapet with a continuous glass façade, and landscaped areas in accordance with Division 7 (Design Guidelines) of Article VII (Industrial Zoning Districts) of the City Municipal Code (Figure 5 details the on-site building elevations). The parapet would shield heating, ventilation, air conditioning (HVAC), and other rooftop equipment from view. Furthermore, the Project would incorporate minimum 20-foot setbacks with landscaping along Juniper Avenue and Slover Avenue and minimum 5-foot parking setbacks along the interior property lines to integrate the proposed development with the surrounding neighborhood (refer to Table Nos. 30-536.B. and 30-536.C. of the City Municipal Code). A perimeter 30-foot-wide emergency fire lane also would surround the warehouse structure to the east and north and create additional property line setbacks from the warehouse to reduce any potentially imposing features of the building.

The proposed Project would be designed and constructed in conformance with the requirements of the City to ensure a high-quality development compatible with the surrounding community in accordance with the (I-L) Light Industrial General Plan land use designation and (M-1) Light Industrial zoning district. Therefore, the Project would not conflict with applicable zoning and other regulations governing scenic quality. Impacts would be **less than significant,** and mitigation is not required.

Threshold D: Would the Project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

Less than Significant Impact

Discussion of Effects: Currently, there are no sources of light and glare on the Project site. The existing residential structure and associated detached garage are abandoned with boarded windows and do not produce any light or glare. Sources of light and glare in the Project area include street lighting and vehicle lighting on adjacent roadways. Slover Avenue to the south, Juniper Avenue to the west, Sierra Avenue to the east, and Interstate 10 to the north are heavily lit and well-traveled by vehicles. There are also residential light sources adjacent to the north and east of the Project site, and light from commercial sources is visible across a vacant property south of Slover Avenue. Light-sensitive uses proximal to the Project site include residential uses to the north and east.

Development of the Project site would introduce new sources of light into the Project area. Light poles would be installed throughout the surface parking lot and along on-site pedestrian pathways. The warehouse building would have security lighting located on the building façades and functional lighting at the loading docks, which face north toward single-family residential uses. Freight trucks would include head, tail, and auxiliary lights during nighttime operations.

On-site trucking operations (e.g., driving, loading/unloading, and parking) would be located a minimum of 20-feet from the Project boundary and be screened from adjacent residential uses to the north and east by 12-foot-high concrete masonry walls (refer to Figure 4) and perimeter landscaping (refer to Figure 6). Moreover, any street lighting associated with the proposed Project would be consistent with City standards. All lighting on the Project site would comply with Section Nos. 30-544

(Light and Glare) and 30-550(F) (Lighting) of the City Municipal Code, which require light shielding, functional and aesthetic design, and compatibility with surrounding uses. The purpose of these lighting standards is to minimize light pollution, glare, and spillover, conserve energy resources, and curtail the degradation of the nighttime visual environment. Additionally, the City's Design Review process includes consideration of material composition and colors to reduce potential for substantial glare from the proposed warehouse building. Therefore, through compliance with Section Nos. 30-544 and 30-550(F) of the City Municipal Code, Project impacts from light and glare would be **less than significant.** Mitigation is not required.

3.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

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

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

No Impact

Discussion of Effects: The Farmland Mapping and Monitoring Program (FMMP)[16] designates the project site as "Urban and Built-Up Land." Neither the site nor adjacent properties are designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, **no impact** to farmland would occur, and no mitigation is required.

Threshold B: Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact

Discussion of Effects: The City does not maintain any agricultural zones. No Williamson Act contracts are in effect in the City.[17] Therefore, there would be **no impact** in this regard, and no mitigation is required.

Threshold C: Would the Project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

No Impact

Discussion of Effects: As detailed in Table 2.2.A, neither the Project site nor adjacent lands are zoned for forest land or Timberland Production. Therefore, there is no potential for the Project to conflict with existing zoning for forest land or land zoned for Timberland Production. **No impact** would occur, and no mitigation is required.

Threshold D: Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact

Discussion of Effects: The Project site and adjacent land are not occupied by forest resources. Implementation of the proposed Project would not result in the loss or conversion of forest land to non-forest land. **No impact** would occur to forest land, and no mitigation is required.

Threshold E: Would the Project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?

No Impact

Discussion of Effects: Although the Project site was previously utilized for agriculture as an orchard as early as the 1920s**,** the site was also occupied as a residence by that time, and the last of the remaining

[16] California Department of Conservation. *California Important Farmland Finder.* https://maps.conservation.ca.gov/DLRP/CIFF/ (accessed July 8, 2020).

[17] California Department of Conservation. *San Bernardino County Williamson Act FY 2015/2016, Sheet 2 of 2.* 2016.

orchards was removed between 1953 and 1959.[18] No farmland or forest land occur on site or on adjacent land. Therefore, implementation of the proposed Project would not involve other changes in the existing environment which could result in the conversion of farmland to non-agricultural use, or conversion of forest land to non-forest use. **No impact** would occur and no mitigation is required.

3.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) 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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

Threshold A: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact

Discussion of Effects: The current regional air quality plan is the Final 2016 Air Quality Management Plan (AQMP) adopted by the SCAQMD on March 10, 2017.[19] The 2016 AQMP incorporates current scientific, technological, and planning assumptions including the Southern California Association of Governments (SCAG) 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and updated air pollution emission inventory methodologies for various air pollution source categories. The 2016 AQMP addresses new and changing Federal requirements, implements new technology measures to reduce air pollution, and continues the South Coast Air Quality Management District (SCAQMD) legacy of developing economically sound and flexible regulatory compliance approaches for the South Coast Air Basin (Basin).

The Basin is currently a federal and State nonattainment area for particulate matter less than 10 microns in size (PM_{10}), particulate matter less than 2.5 microns in size ($PM_{2.5}$), and ozone (O_3). The 2016 AQMP proposes attainment demonstration of the federal $PM_{2.5}$ standards through a more

[18] Partner Engineering and Science, Inc. *Phase I Environmental Site Assessment Report. 16726 Slover Avenue, Fontana, California, 92337.* Page i and Appendix B: Historical/Regulatory Documentation. June 17, 2020. (Appendix E).

[19] South Coast Air Quality Management District. *Final 2016 Air Quality Management Plan*. March 2016.

focused control of sulfur oxides (SOx), directly-emitted $PM_{2.5}$, nitrogen oxides (NOx), and volatile organic compounds (VOC).

The AQMP uses the assumptions and projections of local planning agencies to determine control strategies for regional compliance status. Since the AQMP is based on the local General Plan, projects that are deemed consistent with the General Plan are found to be consistent with the AQMP. However, the proposed Project would include a General Plan Amendment for land use designation from (C-G) Commercial General to (I-L) Light Industrial (refer to Table 2.2.A). The City's General Plan and the AQMP assumed the current commercial designation in its air quality emission estimates. The emissions associated with the proposed light industrial development were not included in the City's land use projections; therefore, the AQMP also does not anticipate emissions from the Project's proposed light industrial land use.

Pursuant to the methodology provided in Chapter 12 of the 1993 SCAQMD *CEQA Air Quality Handbook*,[20] consistency for project development proposals that differ from the land use designation assumed within the 2016 AQMP is affirmed when a project: (1) does not increase the frequency or severity of an air quality standards violation or cause a new violation; and (2) is consistent with the growth assumptions in the AQMP. Consistency review is presented below:

1. The project would result in short-term construction and long-term pollutant emissions that are below the CEQA significance emissions thresholds established in the SCAQMD's *CEQA Air Quality Handbook*, as demonstrated in Section 3.3 (Threshold B), below. Therefore, the Project would not result in an increase in the frequency or severity of any air quality standards violation and would not cause a new air quality standard violation.

2. The *CEQA Air Quality Handbook* indicates that consistency with AQMP growth assumptions must be analyzed for new or amended General Plan elements, Specific Plans, and significant projects.

   As detailed in the project-specific Trip Generation Memorandum (Appendix J), the proposed Project would generate 269 passenger-car-equivalent vehicle trips per day. However, development of the site under the existing land use designation of (C-G) Commercial General with the same floor-to-area ratio of 0.45 (i.e., 41,000 square feet of general commercial uses) would generate approximately 1,021 vehicle trips per day (refer to Appendix J). Therefore, development of the Project under proposed (I-L) Light Industrial land use designation would result in a substantially less intense use of the site when compared to the (C-G) Commercial General land use designation assumed within the 2016 AQMP.

   Based on the Institute of Transportation Engineers (ITE) *Trip Generation* (10th Edition) rates for Land Use 110 – "General Light Industrial," the proposed Project would generate approximately 67 employees.[21] For comparison, statistical figures published by SCAG for the southern California region indicate development of a 41,000 square-foot warehouse in

[20] South Coast Air Quality Management District. *CEQA Air Quality Handbook.* Chapter 12. 1993.

[21] Average 4.96 daily vehicle trips per 1,000 square feet gross floor area and average 3.05 daily vehicle trips per employee. 4.96 ÷ 3.05 = 1.63 employees per 1,000 square feet gross floor area. 1.63 × 41.00 = 67 employees.

southern California would generate approximately 43 employees.[22] Therefore, the proposed Project is expected to generate between 43 and 67 employees. According to SCAG, development of 41,000 square feet of commercial retail and services is estimated to generate an average of 1 employee for every 514 square feet of commercial retail and service land use.[23] This would equate to approximately 80 employees if the site were developed under the (C-G) Commercial General land use assumed in the 2016 AQMP.[24] Therefore, development of the Project under the proposed (I-L) Light Industrial land use designation would result in incrementally fewer employees at the site (between 43 and 67 employees) when compared to the (C-G) Commercial General land use designation (80 employees) assumed within the 2016 AQMP.

Based on the consistency analysis presented above, development of the proposed Project is not expected to exceed the growth projections anticipated in the 2016 AQMP. Furthermore, the Project does not qualify as a project of Statewide, Regional, or Areawide Significance pursuant to the criteria listed in Section 15206(b) of the California Code of Regulations.[25] Therefore, the proposed Project is consistent with the SCAQMD Final 2016 AQMP. Impacts would be **less than significant.** Mitigation is not required.

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

Less than Significant Impact

Discussion of Effects: The SCAQMD's *CEQA Air Quality Handbook* establishes suggested significance thresholds based on the volume of pollution emitted. According to the *Handbook*, any project in the South Coast Air Basin (Basin) with daily emissions that exceed any of the following thresholds generally is considered as having individually and cumulatively significant air quality impacts:

- 55 lbs. per day of VOC (volatile organic compounds) (75 lbs./day during construction);
- 55 lbs. per day of NOx (oxides of nitrogen) (100 lbs./day during construction);
- 550 lbs. per day of CO (carbon monoxide) (550 lbs./day during construction);
- 150 lbs. per day of PM_{10} (particulate matter with a diameter of 10 microns or smaller) (150 lbs./day during construction)
- 55 lbs. per day of $PM_{2.5}$ (particulate matter with a diameter of 2.5 microns or smaller) (55 lbs./day during construction); and
- 150 lbs. per day of SOx (oxides of sulfur) (150 lbs./day during construction).

[22] Southern California Association of Governments. *Employment Density Study Summary Report*. Table 2B. October 31, 2001. (41,000 square feet of "warehouse" uses ÷ 960 square feet of warehouse in southern California per employee = 42.7 employees).
[23] Southern California Association of Governments. *Employment Density Study Summary Report*. Table 2B. October 31, 2001.
[24] *Ibid.* (41,000 square feet of "other retail/service" uses ÷ 514 square feet of retail/services in southern California per employee = 80 employees).
[25] California Code of Regulations Title 14, Division 6, Chapter 3, Article 13, §15206(b). *Projects of Statewide, Regional, or Areawide Significance.*

The Project would generate short-term and long-term emissions of air pollutants, respectively, during construction and operation of the proposed warehouse. These emissions are summarized below based on the California Emissions Estimator Model, Version 2016.3.2 (CalEEMod) runs prepared for the Project-specific Air Quality, Greenhouse Gas, and Energy Impact Analysis (Appendix A). The CalEEMod calculations include both on-site and off-site construction activities as described in Section 2.3, above.

***Short-term Emissions*:** Short-term emissions would result from construction-related activities such as demolition, excavation and grading, machinery and equipment emissions, vehicle emissions from construction employees,[26] etc. Emissions during demolition, grading, and construction activities would vary as construction activity levels change. Air pollutant emission sources during project construction would include:

- Exhaust gas and particulate emissions generated by construction equipment engines;
- Fugitive dust from soil disturbance during demolition, site preparation, grading, and excavation activities; and
- Volatile organic compounds that evaporate during site paving and architectural coating (e.g., painting of new structures).

The construction analysis includes estimating the construction equipment that would be used during each construction phase, the hours of use for that construction equipment, the quantities of earth and debris to be moved, and on-road vehicle trips (worker, soil hauling, and vendor trips).

The duration of construction activity and associated construction equipment was based on the CalEEMod Version 2016.3.2 defaults for phasing. Construction is expected to start in late 2021 and conclude up to 8 months later. Default construction phase durations from CalEEMod were used for all phases except the building construction and architectural coating phases, which were adjusted according to project plans (refer to Table H of Appendix A).

Table 3.3.A identifies the maximum daily emissions associated with construction activities and indicates no criteria pollutant emission thresholds would be exceeded from construction of the proposed Project.

Table 3.3.A: Short-Term Regional Construction Emissions

Construction Phase	Total Regional Pollutant Emissions, lbs/day							
	VOC	NOx	CO	SOx	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Demolition	2	20	15	<1	<1	1	<1	<1
Site Preparation	2	18	11	<1	<1	<1	<1	<1
Grading	3	56	18	<1	5	1	2	<1
Building Construction	2	17	15	<1	<1	<1	<1	<1
Paving	1	9	12	<1	<1	<1	<1	<1
Architectural Coating	5	1	2	<1	<1	<1	<1	<1
Peak Daily	**7**	**56**	**18**	**<1**	**6**		**3**	

[26] This analysis assumes an average construction worker trip length of 14.7 miles one-way per default values in CalEEMod.

Table 3.3.A: Short-Term Regional Construction Emissions

SCAQMD Thresholds	**75**	**100**	**550**	**150**	**150**	**55**
Emissions Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Table J. *Air Quality, Greenhouse Gas, and Energy Impact Analysis. Slover-Juniper Industrial Building Project.* LSA Associates, Inc. July 2020. (Appendix A).
Note: These estimates assume the Building Construction and Architectural Coating phases would occur simultaneously and reflect control of fugitive dust required by SCAQMD Rule 403. The values shown are the maximum summer or winter daily emissions results from the California Emissions Estimator Model.

CO = carbon monoxide
lbs/day = pounds per day
NOx = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
SCAQMD = South Coast Air Quality Management District
SOx = sulfur oxides
VOC = volatile organic compounds

The construction calculations prepared for the Project assume that dust control measures would be employed to reduce emissions of fugitive dust during site grading. Adherence to Rule 403, including the implementation of Best Available Control Measures (BACMs), is a standard requirement for any construction activity occurring within the Basin. Among the requirements under this rule, fugitive dust must be controlled so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. These measures may include, but are not limited to:

- Water active sites at least twice daily (locations where grading is to occur would be thoroughly watered prior to earthmoving).
- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet (0.6 meter) of freeboard (vertical space between the top of the load and the top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.

SCAQMD published its *Final Localized Significance Threshold Methodology* in June 2003 and updated it in July 2008,[27] recommending that all air quality analyses include an assessment of both construction and operational impacts on the air quality of nearby sensitive receptors. Localized significance thresholds (LSTs) represent the maximum emissions from a project site of up to 5 acres that are not expected to result in an exceedance of the National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS) for CO, NO_2, PM_{10} and $PM_{2.5}$. LSTs are based on the ambient concentrations of that pollutant within the project Source Receptor Area (SRA) and the distance to the nearest sensitive receptor. For this Project, the appropriate SRA is the Central San Bernardino Valley area (SRA 34). Sensitive receptors include residences, schools, hospitals, and similar uses that are sensitive to adverse air quality. The nearest sensitive receptors are the residential properties adjacent to the east of the Project site; the closest residential buildings are approximately 8 to 10 feet east of the Project construction boundary and 115 feet east of the nearest loading docks.[28] The SCAQMD LST methodology specifies that, when the receptor distance is less than 25 meters (82 feet) that thresholds for 25 meters should be used.[29]

[27] South Coast Air Quality Management District. *Final Localized Significance Thresholds Methodology*. June 2003, Revised July 2008.
[28] Although the residential property lines to the east are as close as 95 feet to the loading docks, the LST analysis is based on the distance from the emission source to the nearest occupied building, which is 115 feet to the east of the loading docks.
[29] *Ibid.* Page 3-3.

The LST screening table lookup methodology was created for projects up to 5 acres in size. The Project site is approximately 2.07 acres; therefore, the 2-acre LSTs are applied for construction emissions.

Table 3.3.B indicates the on-site construction emissions would not exceed the LSTs for the nearby residences. Therefore, the construction of the Project would not result in a locally significant air quality impact.

Table 3.3.B: Construction Localized Impact Analysis

On-site Emissions Sources	Pollutant Emissions (lbs/day)			
	NOx	CO	PM_{10}	$PM_{2.5}$
Construction Equipment	20	15	4	2
LST	**170**	**972**	**7**	**4**
Emissions Exceed Threshold?	**No**	**No**	**No**	**No**

Source: Table K. *Air Quality, Greenhouse Gas, and Energy Impact Analysis. Slover-Juniper Industrial Building Project.* LSA Associates, Inc. July 2020. (Appendix A).

Note: Source Receptor Area: Central San Bernardino Valley (SRA 34), 2 acres, 25 meters (82 feet) distance

CO = carbon monoxide
lbs/day = pounds per day
LST = local significance threshold
NOx = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size

As detailed in Tables 3.3.A and 3.3.B, emissions generated during Project construction would not exceed SCAQMD thresholds for regional construction emissions or LSTs for the existing sensitive receptors adjacent to the Project site.

Long-term Emissions: The proposed Project would result in an incremental increase in the generation of regional air pollution during operation of the proposed warehouse. Long-term air pollutant emission impacts are those associated with area sources, stationary sources, and mobile sources involving any project-related changes. Area sources include architectural coatings, consumer products, hearths, and landscaping. Stationary sources include natural gas and electricity consumption for heating and lighting. Mobile-sources consist of vehicle trips associated with a Project.

The proposed Project would result in net increases in area-, stationary-, and mobile-source emissions. The area- and stationary-source emissions would come from many sources, including the use of consumer products, landscape equipment, general energy, and solid waste. Calculation of emissions from these sources is based primarily on CalEEMod defaults[30] and assumes compliance with Title 24/2019 California Building Code (CBC). Mobile source emissions assume a fleet mix of 78.6 percent passenger cars and 21.4 percent trucks assigned as 8.0 percent for 2-axles, 3.9 percent 3-axles, and 9.5 percent for 4+ axles in accordance with the Fontana *Truck Trip Generation Study*.[31] Long-term operational emissions associated with the Project were calculated using the CalEEMod (Version 2016.3.2) and are summarized in Table 3.3.C.

[30] Average round-trip lengths assumed in CalEEMod are 16.6 miles for commercial-work, 8.4 miles for commercial-customer, and 6.98 miles for other types of trips. Additionally, operation of the proposed warehouse's assumed to include two diesel-powered forklifts.

[31] City of Fontana. *Truck Trip Generation Study.* On file at the City of Fontana. August 2003.

Table 3.3.C: Long Term Regional Operational Emissions

Source	Pollutant Emissions, lbs/day					
	VOC	NOx	CO	SOx	PM_{10}	$PM_{2.5}$
Area	<1	<1	<1	0	<1	<1
Energy	<1	<1	<1	<1	<1	<1
Mobile	<1	3.74	5.36	<1	1.94	<1
Warehouse Forklifts	<1	2.11	2.31	<1	<1	<1
Total Project Emissions	**1.48**	**6.21**	**7.98**	**<1**	**2.11**	**<1**
SCAQMD Threshold	**55**	**55**	**550**	**150**	**150**	**55**
Emissions Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Table L. *Air Quality, Greenhouse Gas, and Energy Impact Analysis. Slover-Juniper Industrial Building Project.* LSA Associates, Inc. July 2020. (Appendix A).

CO = carbon monoxide
lbs/day = pounds per day
NOx = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SCAQMD = South Coast Air Quality Management District
SOx = sulfur oxides
VOC = Volatile organic compounds

As shown in Table 3.3.C, operation of the proposed warehouse would not exceed the SCAQMD daily emission thresholds for any criteria pollutant.

By design, the localized impacts analysis only includes on-site sources; however, the CalEEMod outputs do not separate on-site and off-site emissions for mobile sources. For a worst-case scenario assessment, the emissions detailed in Table 3.3.D assume all area source emissions would occur on site, all of the energy source emissions would occur off site at the utility power stations, and 5 percent of the Project-related new mobile sources, which is an estimate of the amount of Project-related on-site vehicle travel, would occur on site. Considering the total trip length included in CalEEMod, the 5 percent assumption is conservative.[32] Table 3.3.D indicates the localized operational emissions would not exceed the LSTs on site and at nearby residences. Therefore, the proposed operational activity would not result in a locally significant air quality impact.

Table 3.3.D: Long-Term Operational Localized Impacts Analysis

Emissions Sources	Pollutant Emissions (lbs/day)			
	NOx	CO	PM_{10}	$PM_{2.5}$
On-site Emissions	2	3	<1	<1
LST	**170**	**972**	**2**	**1**
Emissions Exceed Threshold?	**No**	**No**	**No**	**No**

Source: Table M. *Air Quality, Greenhouse Gas, and Energy Impact Analysis. Slover-Juniper Industrial Building Project.* LSA Associates, Inc. July 2020. (Appendix A).
Note: Source Receptor Area: Central San Bernardino Valley (SRA 34), 2 acres, 25 meters (82 feet) distance; on site traffic 5 percent of total.

CO = carbon monoxide
lbs/day = pounds per day
LST = localized significance threshold
NOx = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size

[32] Average round-trip lengths assumed in CalEEMod are 16.6 miles for commercial-work, 8.4 miles for commercial-customer, and 6.98 miles for other types of trips. Since the average on-site distance driven is unlikely to exceed even 1,000 feet (approximately 2 percent of the lowest of the CalEEMod trip lengths), the 5 percent assumption is conservative.

Vehicular trips associated with the proposed Project would contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts could occur when emissions from vehicular traffic increase as a result of the proposed Project. The primary mobile-source pollutant of local concern is CO, a direct function of vehicle idling time and, thus, of traffic flow conditions. CO transport is extremely limited; under normal meteorological conditions, it disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels, affecting local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients). Typically, high CO concentrations are associated with roadways or intersections operating with extremely high traffic volumes at unacceptable levels of service. However, The City of Fontana *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* indicate TIAs to determine if project-generated vehicle trips would adversely affect the surrounding transportation network are required if a project generates 50 or more trips during the a.m. or p.m. peak hour.[33] For projects anticipated to generate fewer than 50 peak hour trips, a trip generation memorandum generally is considered sufficient unless the City has specific concerns related to project access and interaction with adjacent intersections.

Ambient CO levels monitored at the Riverside-Rubidoux Station, the closest station with complete monitored CO data, showed a highest recorded 1-hour concentration of 2.7 parts per million (ppm) (the State standard is 20 ppm) and a highest 8-hour concentration of 1.3 ppm (the State standard is 9 ppm) during the past 3 years.[34] The highest CO concentrations would normally occur during peak traffic hours, so CO measured under peak traffic conditions represents the worst-case scenario. As described in the *Slover-Juniper Industrial Building Project Trip Generation Memorandum* (Appendix J), the Project is anticipated to generate approximately 29 passenger vehicle and freight truck trips during the a.m. peak hour and 25 passenger vehicle and freight truck trips during the p.m. peak hour. When freight truck trips are converted to passenger car equivalent (PCE) trips, the Project is anticipated to generate approximately 39 PCE trips during the a.m. peak hour and 33 PCE trips during the p.m. peak hour. Since the number of trips the Project would generate is below the City's threshold to prepare a TIA, the proposed Project's contribution to the surrounding transportation network would be negligible and would not result in any significant level of service change or intersection delay. Given the extremely low level of CO concentrations in the project area[35] and negligible traffic increases at nearby intersections, project-related vehicles are not expected to contribute CO emissions to the extent CO concentrations would exceed the State or federal CO standards.

The cumulative impacts analysis is based on projections in the regional AQMP. As detailed in Section 3.3 (Threshold A), the proposed Project is consistent with growth projections of the General Plan and would not conflict with or obstruct implementation of the regional AQMP.

Due to the nonattainment status of the Basin, the primary air pollutants of concern would be NOx and VOCs, which are ozone precursors, and PM_{10} and $PM_{2.5}$. As detailed in Table 3.3.C, long-term emissions were calculated for NOx, VOC, CO, SOx, PM_{10}, and $PM_{2.5}$ expected to be generated through operation of

[33] City of Fontana. Department of Engineering, Traffic Engineering Division. *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment.* Page 4. June 2020.

[34] LSA Associates, Inc. *Air Quality, Greenhouse Gas, and Energy Impact Analysis. Slover-Juniper Industrial Building Project.* Table E. July 2020. (Appendix A).

[35] *Ibid.*

the proposed Project, and Project-related emissions would not exceed the established SCAQMD daily emission thresholds for any criteria pollutants.

No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions would contribute to existing cumulatively significant impacts to air quality. The SCAQMD developed the operational thresholds of significance based on the level above which a project's individual emissions would result in a cumulatively considerable contribution to the Basin's existing air quality conditions. Therefore, a project that exceeds the SCAQMD operational thresholds would also have a cumulatively considerable contribution to a significant air quality impact. Since the proposed Project would not exceed any air quality emissions thresholds, the Project would not result in a cumulatively considerable contribution to significant air quality impacts. Short-term and long-term cumulative air quality impacts would be **less than significant.** Mitigation is not required.

Threshold C: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact

Discussion of Effects: The SCAQMD recommends the evaluation of localized CO, NOx, PM_{10}, and $PM_{2.5}$ construction- and operation-related impacts to sensitive receptors[36] in the immediate vicinity of the Project site. The appropriate SRA is the Central San Bernardino Valley are (SRA 34). The nearest sensitive receptors are the residential buildings adjacent to the east of the Project site, approximately 8 to 10 feet east of the Project construction boundary and 115 feet east of the nearest loading docks. As stated in Section 3.3 (Threshold B) above, SCAQMD LST methodology dictates that, when the receptor distance is less than 25 meters (82 feet), thresholds for 25 meters should be used.

Tables 3.3.B and 3.3.D identify the on-site construction and operational emissions of CO, NOx, PM_{10}, and $PM_{2.5}$, respectively, and demonstrate that all concentrations of pollutants would be below the SCAQMD thresholds of significance for construction and operation of the Project. Therefore, both short-term (i.e., construction) and long-term (i.e., operational) LST air quality impacts would be **less than significant**. No mitigation is required.

According to the California Air Resources Board (CARB), air pollution studies have shown that diesel exhaust and other cancer-causing chemicals emitted from cars and trucks are responsible for much of the overall cancer risk from airborne toxics in California and also have shown an association between both respiratory and other non-cancerous health effects and proximity to high-traffic roadways. Accordingly, the Project is subject to a site-specific Health Risk Assessment (HRA) (Appendix B) to estimate the increased health risk levels for people living and/or working near the site from generation of toxic air contaminants (TACs). The majority of the estimated health risks from TACs are attributed to relatively few compounds, the most important being particulate matter from diesel-fueled engines (diesel particulate matter [DPM]).

[36] According to the SCAQMD's *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* (May 6, 2005), sensitive receptors (individuals) are those segments of a population such as children, athletes, elderly, and sick that are more susceptible to the effects of air pollution than the population at large. Land uses where sensitive receptors are most likely to spend time include schools and schoolyards, parks and playgrounds, day care centers, nursing homes, hospitals, and residential communities (Pp. G-6).

In accordance with SCAQMD guidance, health risk is considered significant under the following conditions:

- Cancer risk at a nearby receptor location (i.e., area where persons reside, work, or attend school—not including streets or sidewalks) is greater than ten (10) cases per one million persons over a period of 30 years for adults and 9 years for children.
- The cumulative increase in total chronic Hazard Index[37] or total acute Hazard Index[38] for any target organ system would exceed 1.0 at any receptor location.

Table 3.3.E details the carcinogenic and chronic health risks from operation of the proposed Project. The residential risk incorporates both the risk for a child living in a nearby residence for 9 years (the standard period of time for child risk) and an adult living in a nearby residence for 30 years (considered a conservative period of time for an individual to live in any one residence).

Table 3.3.E: Health Risk Levels for Existing Residents from Operation of the Project

Location	Maximum Cancer Risk	Maximum Non-cancer Chronic Risk (Hazard Index)	Maximum Non-cancer Acute Risk (Hazard Index)
Residential Risks	0.65 in 1 million	0.0002	0.00004
SCAQMD Significance Threshold	**10 in 1 million**	**1.0**	**1.0**
Significant?	**No**	**No**	**No**

Source: LSA Associates, Inc. *Health Risk Assessment, Slover-Juniper Industrial Building Project, Fontana, California.* Table B. July 2020. (Appendix B).
SCAQMD = South Coast Air Quality Management District

As indicated in Table 3.3.E, the maximum cancer risk for the residential maximum exposed individual (MEI) would be 0.65 in 1 million, less than the threshold of 10 in 1 million. The chronic and acute health risks from operation of the proposed Project also are shown in Table 3.3.E and indicate the hazard index for each of these risks is below the threshold of 1.0.

As detailed in the Project-specific HRA (Appendix B), all health risk levels to nearby residents from Project-related emissions of TAC from operation of the proposed Project would be below SCAQMD's HRA thresholds. Impacts to sensitive receptors from TACs would be **less than significant,** and mitigation is not required.

Threshold D: Would the Project result in other emissions (such as those leading to odors adversely affecting a substantial number of people?

Less than Significant Impact

Discussion of Effects: Project construction would generate limited odors over the short term, mainly from fumes emanating from gasoline and diesel powered construction equipment and architectural

[37] Chronic Hazard Index is the ratio of the estimated long-term level of exposure to a TAC for a potential maximum exposed individual to its chronic reference exposure level. The chronic Hazard Index calculations include multipathway consideration, when applicable.

[38] Acute Hazard Index is the ratio of the estimated maximum 1-hour concentration of a TAC for a potential maximum exposed individual to its acute reference exposure level.

coating, asphalt laying, and paving activities. These odors would be temporary and are expected to be isolated to the immediate vicinity of the construction site.

SCAQMD Rule 402 regarding nuisances states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." Pursuant to SCAQMD Rule 403, fugitive dust must be controlled so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. Additionally, Title 13, Section 2449(d)(D) of the California Code of Regulations requires operators of off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and up that were not designed to be driven on road) to limit vehicle idling to five minutes or less.

SCAQMD Rules 402 and 403, and Title 13, Section 2449(d)(D) of the California Code of Regulations require the Project Applicant to implement standard control measures to limit fugitive dust and construction equipment emissions. These temporary emissions are expected to be isolated to the immediate vicinity of the construction site. Therefore, operation of fueled equipment during construction would not adversely affect a substantial number of people.

The painting of buildings and structures or the installation of asphalt surfaces may also create odors. SCAQMD Rule 1113 outlines standards for paint applications, while Rule 1108 identifies standards regarding the application of asphalt. Adherence to the standards identified in these SCAQMD rules is required for all construction projects in the City to reduce emissions and objectionable odors impacts.

Land uses generally associated with long-term objectionable odors include agricultural uses, wastewater treatment plants, food-processing plants, chemical plants, composting operations, refineries, landfills, dairies, and fiberglass molding facilities. The Project is a proposed light industrial warehouse development that does not include uses that would generate long-term objectionable odors.

During Project operation, freight trucks entering/exiting and loading/unloading at the site, as well as temporary storage of typical solid waste (refuse) associated with occupation of the site could generate potential odors. As a matter of State policy, medium and heavy-duty freight vehicles accessing the Project site must comply with the SCAQMD's and CARB's regulations pertaining to particulate filter requirements, idle time limits, smoke opacity, greenhouse gas emissions, and NOx emissions standards.[39] Furthermore, Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations.

Compliance with mandated regulatory policies designed to reduce emissions from construction equipment and materials and medium and heavy-duty freight vehicles, in conjunction with removal of solid waste (refuse) at regular intervals, would ensure the Project would not involve short-term or

[39] South Coast Air Quality Management District. *Regulations & Other Commitments.* https://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/facility-based-mobile-source-measures/regs-commitments#Trucks%20-%20Existing%20State (Accessed April 9, 2020).

long-term emissions or sources of odors that could affect a substantial number of people. Impacts would be **less than significant**. Mitigation is not required.

3.4 BIOLOGICAL RESOURCES

Would the project:

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

Threshold A: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local

or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Less than Significant Impact

Discussion of Effects: The site is bounded by Slover Avenue to the south, Juniper Avenue to the west, and single-family and manufactured homes to the north and east. Commercial retail centers are located farther to the south and east, beyond Slover Avenue and Sierra Avenue, respectively. Figure 1: Regional Location and Figure 2: Existing Setting depict the location of the Project site on a regional and local scale. Figures 3a through 3d include photographs of the project site and surrounding land uses.

The Biological Resources Assessment of the Project site included a literature review and field survey to determine the existence or potential occurrence of threatened, endangered, or candidate plant and animal species and critical habitats on or in the vicinity of the site (Appendix C). The results of the literature search indicates the Project site is not within designated critical habitat of any species. Attachment D of Appendix C contains tables that identify special-status plant and animal species known to occur or that potentially occur in the vicinity of the Project site, and also include each species' probability of occurrence within the proposed construction footprint.[40]

The Project site is an infill site completely surrounded by developed landscapes. The site was utilized for agriculture as an orchard as early as the 1920s and was also occupied as a residence by that time. The last of the remaining orchards was removed between 1953 and 1959,[41] and the site remains highly disturbed with one single-family residence and detached garage. Undeveloped portions of the site contain a variety of ornamental tree stumps and ruderal vegetation[42] as a result of seasonal weed abatement activities. Due to the Project site's previous and current disturbances, the site lacks habitat suitable to harbor the vast majority of threatened, endangered, or candidate plant and animal species with potential to occur at the site.

To determine the potential for threatened, endangered, or candidate plant and animal species to occur on the Project site, a reconnaissance field survey was conducted by a qualified LSA Biologist on June 24, 2020 (refer to Appendix C). Conditions on the Project site indicate the following five species have some potential to occur on-site:[43]

- Burrowing owl (*Athene cunicularia*), a California Species of Special Concern, occurs in open habitats with low vegetation throughout the region.
- Cooper's hawk (*Accipiter cooperii*), a California Watch List species, may occur in human-created habitats such as plantations and ornamental trees in urban landscapes.
- California horned lark (*Eremophila alpestris actia*), a California Watch List species, may occur in open grasslands and fields, agricultural area, open montane grasslands.

[40] LSA Associates, Inc. *Biological Resources Assessment for the Slover and Juniper Industrial Building Project in Fontana.* Attachment D: Summary of Special-Status Species. August 18, 2020. (Appendix C).

[41] Partner Engineering and Science, Inc. *Phase I Environmental Site Assessment Report. 16726 Slover Avenue, Fontana, California, 92337.* Page i and Appendix B: Historical/Regulatory Documentation. June 17, 2020. (Appendix E).

[42] Ruderal vegetation consists of species (often invasive) that are first to colonize disturbed lands.

[43] LSA Associates, Inc. *Biological Resources Assessment for the Slover and Juniper Industrial Building Project in Fontana.* Attachment D: Summary of Special-Status Species. August 18, 2020. (Appendix C).

- Loggerhead shrike (*Lanius ludovicianus*), a California Species of Special Concern, prefers open habitats with scattered small trees and with fences, utility lines, or other perches. Inhabits open country with short vegetation, pastures, old orchards, cemeteries, golf courses, riparian areas, and open woodlands.
- San Diego black-tailed jackrabbit (*Glaucomys sabrinus californicus*), a California Species of Special Concern, occurs in a variety of habitats including herbaceous and desert scrub areas, early stages of open forest and chaparral. Most common in relatively open habitats.

The results of the field survey indicate the Project site is strictly upland in nature and consists solely of disturbed or barren land cover and developed areas. There are no special-status natural communities within the Project site boundaries or in the immediate vicinity. Ongoing soil disturbance and the resulting competitive exclusion by invasive non-native plants limit the potential for native flora to occur or to host special-status animal species on the Project site.[44] Therefore, none of the species with potential to occur on the Project site are expected to occur based on lack of suitable habitat, as detailed in Table 3.4.A.

Table 3.4.A: Special-Status Species Summary

Species	Status	Habitat and Distribution	Occurrence Probability
BIRDS			
Agelaius tricolor (nesting colony) **Cooper's hawk**	US: – CA: WL	Forages in a wide range of habitats, but primarily in forests and woodlands. These include natural areas as well as human-created habitats such as plantations and ornamental trees in urban landscapes. Usually nests in tall trees (20 to 60 feet) in extensive forested areas (generally woodlots of 4 to 8 hectares with canopy closure of greater than 60 percent). Occasionally nests in isolated trees in more open areas.	**Low.** Site is highly disturbed and isolated from better habitat.
Athene cunicularia (burrow sites) **Burrowing owl**	US: – CA: SSC	Open country in much of North and South America. Usually occupies ground squirrel burrows in open, dry grasslands, agricultural and range lands, railroad rights-of-way, and margins of highways, golf courses, and airports. Often utilizes man-made structures, such as earthen berms, cement culverts, cement, asphalt, rock, or wood debris piles. They avoid thick, tall vegetation, brush, and trees, but may occur in areas where brush or tree cover is less than 30 percent.	**Low.** Site is too small, disturbed, and isolated by urban development; without ground squirrel burrows or other suitable nesting locations.
Eremophila alpestris actia **California horned lark**	US: – CA: WL	Open grasslands and fields, agricultural area, open montane grasslands. This subspecies is resident from northern Baja California northward throughout non-desert areas to Humboldt County, including the San Joaquin Valley and the western foothills of the Sierra Nevada (north to Calaveras County). Prefers bare ground such as plowed or fall-planted fields for nesting, but may also nest in marshy soil. During the breeding season, this is the only subspecies of horned	**Low.** Site is highly disturbed, within an urban environment with associated predators, and isolated from better habitat.

[44] *Ibid.* Page 3.

Table 3.4.A: Special-Status Species Summary

Species	Status	Habitat and Distribution	Occurrence Probability
		lark in non-desert southern California; however, from September through April or early May, other subspecies visit the area.	
Lanius ludovicianus (nesting) **loggerhead shrike**	US: – CA: SSC	Prefers open habitats with scattered small trees and with fences, utility lines, or other perches. Inhabits open country with short vegetation, pastures, old orchards, cemeteries, golf courses, riparian areas, and open woodlands. Highest density occurs in open-canopied valley foothill hardwood, valley foothill hardwood-conifer, valley foothill riparian, pinyon-juniper, juniper, desert riparian, and Joshua tree habitats. Occurs only rarely in heavily urbanized areas, but often found in open cropland. Found in open country in much of North America.	**Low.** Site is highly disturbed, within an urban environment with associated predators, and isolated from better habitat.
MAMMALS			
Lepus californicus bennettii **San Diego black-tailed jackrabbit**	US: – CA: SSC	Variety of habitats including herbaceous and desert scrub areas, early stages of open forest and chaparral. Most common in relatively open habitats. Restricted to the cismontane areas of Southern California, extending from the coast to the Santa Monica, San Gabriel, San Bernardino, and Santa Rosa Mountain ranges.	**Low.** Site is highly disturbed, within an urban environment with associated predators, and isolated from better habitat.

Source: LSA Associates, Inc. *Biological Resources Assessment for the Slover and Juniper Industrial Building Project in Fontana.* Attachment D: Summary of Special-Status Species. August 18, 2020. (Appendix C).

US: Federal Classifications	
–	No applicable classification
FE	Taxa listed as Endangered.
FT	Taxa listed as Threatened.
CA: State Classifications	
SE	Taxa State-listed as Endangered.
ST	Taxa State-listed as Threatened.
SCE	Taxa Candidate for State listing.
SSC	California Species of Special Concern. Refers to animals with vulnerable or seriously declining populations.
CFP	California Fully Protected. Refers to animals protected from take under Fish and Game Code Sections 3511, 4700, 5050, and 5515.
SA	Special Animal. Refers to any other animal monitored by the Natural Diversity Data Base, regardless of its legal or rarity status.
1B	California Rare Plant Rank 1B: Rare, threatened, or endangered in California and elsewhere.
California Rare Plant Ranks are assigned by a committee of government agency and non-governmental botanical experts and are not official State designations of rarity status.	

In addition to the species listed in Table 3.4.A , the Project site is regionally located within the Jurupa Recovery Unit (Jurupa Hills) of the federally endangered Delhi Sands flower-loving fly (*Rhaphiomidas terminates abdominalis*).[45] However, the *Final Recovery Plan for the Delhi Sands Flower Loving Fly* prepared by the United States Fish and Wildlife Service (USFWS), Pacific Region, indicates Delhi Sand Soils of the Jurupa Recovery Unit do not occur on or in the immediate vicinity of the Project site.[46]

[45] United States Fish and Wildlife Service, Pacific Region. *Final Recovery Plan for the Delhi Sands Flower Loving Fly.* Figure 5: Jurupa Recovery Unit. 1997.

[46] *Ibid.*

Additionally, the site-specific pedestrian survey revealed the Project site lacks suitable open soils required to support this species.[47] Therefore, the Delhi Sands flower-loving fly is not expected to occur at the Project site.[48]

The Project site does not provide suitable habitat for burrowing owl (*Athene cunicularia*) due to the site's previous disturbances, relatively small size, and isolation from open space with suitable habitat to support this species. Furthermore, the lack of ground squirrel burrows renders the site unlikely to facilitate nesting habitat for this species.[49] As detailed in Table 3.4.A, all special-status species with potential to occur on site have a low probability of inhabiting the site due to lack of suitable habitat from the substantial disturbances (former and current) on site and the site's isolated position relative to open space areas where suitable habitat may occur. Impacts to species identified as a candidate, sensitive, or special status species and their habitats would be **less than significant.** Mitigation is not required.

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

No Impact

Discussion of Effects: The site has been previously developed. No riparian or sensitive natural community is located on site.[50] Therefore, **no impact** to riparian habitat or other sensitive natural community would occur, and no mitigation is required.

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

No Impact

Discussion of Effects: The Project site does not include any federally protected wetlands or any drainage features, ponded areas, wetlands, or riparian habitat subject to jurisdiction by the California Department of Fish and Wildlife (CDFW), U.S. Army Corps of Engineers (USACE), and/or Regional Water Quality Control Board (RWQCB).[51] Therefore, neither Clean Water Act (CWA) Sections 404 and 401 permits nor a CDFW streambed alteration agreement are required for the Project. **No impact** on federally protected wetlands would occur, and no mitigation is required.

47 LSA Associates, Inc. *Biological Resources Assessment for the Slover and Juniper Industrial Building Project in Fontana.* Page D-8 of Attachment D: Summary of Special-Status Species. August 18, 2020. (Appendix C).
48 *Ibid.* Page 5.
49 *Ibid.*
50 *Ibid. Pages 3 through 6.*
51 *Ibid.* Page 6.

Threshold D: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant with Mitigation Incorporated

Discussion of Effects: The Project would not affect wildlife movement or nursery sites because the site is located within an urbanized area, separated from native habitat by development and roadways accompanied by substantial human activity. Any wildlife species occupying the Project site and vicinity are accustomed to urban development.

The Project site is devoid of trees, but ornamental trees that provide suitable nesting habitat for common bird species are located on properties adjacent to the site. The on-site residential building and detached garage proposed for demolition also provide suitable nesting habitat for common bird species. As identified in Section 3.4 (Threshold A), the Project site has been previously developed; therefore, there is low potential for burrowing owls to occur within the Project limits. However, because the Project site may contain nesting birds on the on-site structures and nearby trees, **Mitigation Measure BIO-1** is prescribed to ensure a qualified biologist conducts a pre-construction survey for nesting birds if construction activities occur during nesting bird season in accordance with Sections 3503–3801 of the California Fish and Game Code.

Mitigation Measure BIO-1: If demolition or ground disturbance is proposed during nesting bird season (February 15 to August 31), a pre-construction nesting survey shall be conducted by a qualified biologist (Project Biologist) within 72 hours prior to start of work pursuant to Sections 3503–3801 of the California Fish and Game Code. If the survey indicates nesting birds are present, an appropriate buffer to be established by the Project Biologist shall be marked off around the nest(s), and no demolition or construction activity shall occur in that area during nesting activities. Demolition and/or construction may resume within the established buffer when the Project Biologist determines the nest is no longer occupied and all juveniles have left the nest. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.

With implementation of **Mitigation Measure BIO-1,** impacts to native resident or migratory fish or wildlife species, established native resident or migratory wildlife corridors, and native wildlife nursery sites would be reduced to **less than significant with mitigation incorporated.**

Threshold E: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than Significant with Mitigation Incorporated

Discussion of Effects: The Project site was surveyed by a certified arborist, who identified Tree of Heaven (*Ailanthus altissima*) on the site. In California, this species is not an ornamental tree but rather an invasive species classified as a noxious weed by the California Department of Food and Agriculture

and should be eradicated from the site.[52] No other trees occur on the site; however, development of the Project would involve the removal of 25 tree stumps exhibiting sucker re-growth.[53]

Pursuant to Article III, Section 28-67(f) of the City Municipal Code, "a tree that is determined by a certified arborist to be firewood harvested or stump regrowth shall be removed and replaced with one 15-gallon tree of a species to be determined by the staff." The Biological Resources Assessment includes an inventory by a certified arborist of all tree stumps on the site and indicates the majority of tree stumps are eucalyptus (*Eucalyptus sp.*), with one stump each being white mulberry (*Morus alba*), black locust (*Robinia pseudoacacia*), Peruvian pepper (*Schinus molle*), African sumac (*Rhus lancea*), and Chinese elm (*Ulmus parvifalia*) (Appendix C). In accordance with Section 28-67(f) of Article III: Preservation of Heritage, Significant, and Specimen Trees of the City Municipal Code, the Project Applicant would replace each tree stump with one 15-gallon species to be determined by City staff, as specified in **Mitigation Measure BIO-2.**

Mitigation Measure BIO-2: Prior to removal of the 25 tree stumps exhibiting sucker re-growth from the Project site (refer to Figure 2 and Table E of Appendix C) the Project Applicant shall coordinate with City staff to identify suitable replacement trees in accordance with Section 28-67(f) of Article III: Preservation of Heritage, Significant, and Specimen Trees of the City Municipal Code. Each tree stump exhibiting sucker re-growth shall be replaced with one 15-gallon tree of a species to be determined by the staff. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.

Through implementation of **Mitigation Measure BIO-2**, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Impacts would be **less than significant with mitigation incorporated.**

Threshold F: Would the Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?

No Impact

Discussion of Effects: The Project site does not lie within an area covered by any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.[54] **No impact** would occur, and no mitigation is required.

[52] *Ibid.* Page 5.
[53] *Ibid.* Page 5 and Attachment E.
[54] *Ibid.* Page 5.

3.5 CULTURAL RESOURCES

Would the Project:

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

Threshold A: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Less than Significant Impact

Discussion of Effects: The Project site was subject to a cultural resources investigation comprising archival research, review of records search data collected between 2017 and 2020 at the South Central Coastal Information Center (SCCIC)[55,56,57] and an intensive pedestrian survey of the Project site (Appendix D).

Archival research conducted in June and July 2020 revealed the on-site residence, located at 16726 Slover Avenue (APN 0251-203-09), was built in 1923 and remodeled in 1952. By 1938, the property contained and was surrounded by groves, and a windrow of eucalyptus trees was planted along Slover Avenue. Properties surrounding the Project site were similarly developed in the area. An additional eucalyptus windrow was planted along the northern property line of the site by 1948, but the groves were removed from the site by 1959, during which time groves in the surrounding area also began to diminish. The eucalyptus windrows along the north and south property lines were mostly removed by 1994, during which time a new eucalyptus windrow was planted along the eastern property line of the site and the on-site residence appears to have been expanded.

Records search data for nearby projects indicated the Project site was not previously surveyed for cultural resources, but two archaeological sites (prehistoric site 36-005421, an artifact scatter/possible habitation, and historic period site 36-011567, building foundations and associated features), along with 18 historic-period built environment properties, are documented within one

[55] Due to the COVID-19 emergency, the SCCIC is able to provide only the data that has been digitized as of March 1, 2020. To gather archival data on resources in the Project vicinity, this analysis includes data from records searches conducted between 2017 and 2020 for three nearby Projects respectively 375 feet to the north, 400 feet to the north, and 0.5 mile to the south that provide overlap coverage of the records search radius for the proposed Project.

[56] LSA Associates, Inc. *Cultural Resources Documentation for the Transwestern-Boyle Avenue Warehouse Buildings 1 and 2 Project in the City of Fontana, San Bernardino County, California.* May 27, 2020.

[57] LSA Associates, Inc. *Cultural Resources Assessment, Southwest Fontana Logistics Center, Assessor's Parcel Numbers 0255-081-03, 04, 06, 07, 10-18, 21, 25, 28-32, 39, and 53, and 0255-091-06, 38, 40, 43, and 58-60. City of Fontana, San Bernardino County, California.* Pages 10-12. March 2017.

mile of the Project site. An intensive pedestrian survey of the Project site conducted on June 22, 2020 identified a historic period building foundation feature dating to the 1940s and confirmed the presence of the residence constructed in 1923 located at 16726 Slover Avenue. In addition, the pedestrian survey indicated the eucalyptus windrow planted along the eastern property line of the Project site was removed, and only tree stumps remain. As on June 22, 2020, no eucalyptus trees or windrows occur on the Project site.

The historic period building foundation feature dating to the 1940s is located in the northeastern portion of the property and measures 70 feet long by 25 feet wide. This feature includes associated cinderblock wall rubble but is secondary/marginal in nature, lacks any associated historic period artifacts or unique physical attributes that exemplify its age, and does not contribute to the potential of the overall property, including the residence at 16726 Slover Avenue, to be eligible for listing in the California Register of Historical Resources. Therefore, impacts to this feature would be **less than significant**.

The 1923 residence located at 16726 Slover Avenue (APN 0251-203-09) was evaluated against the CEQA criteria for historical significance pursuant to 15064.5(a) and was determined not to meet any of the criteria to be considered a *Historical Resource* as defined in *CEQA Guidelines* Section 15064.5. Although the residence was originally associated with the area's agricultural heritage, none of the agriculture remains today. Even the eucalyptus windrows that once separated the property from adjacent properties have been removed, and no windrows remain on site. Without the agricultural uses or the windrows, the residence no longer conveys association with its agricultural past. Research did not identify any historically significant person(s) associated with this residence. Although this building retains a few elements of a Craftsman bungalow, it is an example of a common property type utilizing common construction methods and materials and does not embody the distinctive characteristics of any particular architectural style. Furthermore, it has been extensively altered (siding, porch covers, windows, and doors) and therefore does not retain a high level of integrity from its period of significance. For these reasons, the property does not have the potential to yield additional information important to the history or prehistory of the local area, California, or the nation beyond its recording on California Department of Parks and Recreation Form 523 (Appendix D), and impacts to this resource would be **less than significant**.

Impacts to *Historical Resources* as defined in *CEQA Guidelines* Section 15064.5 would be **less than significant**. Mitigation is not required.

Threshold B: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less than Significant Impact

Discussion of Effects: As stated in Section 3.5 (Threshold A) above, the Project site was subject to a cultural resources investigation comprising archival research, review of records search data collected between 2017 and 2020 at the SCCIC, and an intensive pedestrian survey of the Project site (Appendix D).

Archival research did not identify the presence of archaeological resources on the Project site. The records search indicated the Project site was not previously surveyed for cultural resources, but two archaeological sites (prehistoric site 36-005421, an artifact scatter/possible habitation, and historic period site 36-011567, building foundations and associated features), along with 18 historic-period

built environment properties, are documented within one mile of the Project site. An intensive pedestrian survey of the Project site conducted on June 22, 2020 identified one historic period building foundation feature dating to the 1940s that is secondary/marginal in nature, temporally ambiguous in appearance, and lacks any associated historic period refuse, but the survey but did not reveal evidence of a possible subsurface component of any archaeological resources.

In accordance with State law, the Project would be required to comply with Title 14, California Code of Regulations (CCR) § 15064.5 and [California] Public Resources Code (PRC) § 21083.2 *California Environmental Quality Act-Archeological Resources,* which enable the City to require the Project Applicant to make reasonable effort to preserve or mitigate impacts to any affected significant or unique archaeological resource. Penal Code § 622 *Destruction of Sites,* establishes as a misdemeanor the willful injury, disfiguration, defacement, or destruction of any object or thing of archaeological or historical interest or value, whether situated on private or public lands. California Administrative Code, Title 14, Section 4307 states that no person shall remove, injure, deface or destroy any object of paleontological, archaeological, or historical interest or value. Furthermore, California Code of Regulations Section 1427 recognizes that California's archaeological resources need to be preserved and that every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archaeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor.

As discussed in Section 3.5 (Threshold A) above, none of the cultural resources identified on the Project site meet the criteria for *Historical Resources* as defined in *CEQA Guidelines* Section 15064.5(a). Therefore, the cultural resource value of the historic period building foundation feature has been realized by its recordation (refer to Appendix D), and impacts to this resource would be **less than significant**. Nevertheless, the proposed Project must comply with all applicable regulations protecting archaeological resources and would be conditioned through **Standard Conditions CUL-1** through **CUL-3** to cease excavation or construction activities if cultural, tribal cultural, or archaeological resources are identified during Project execution.

Standard Condition CUL-1: Upon discovery of any cultural, tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural, 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.

Standard Condition CUL-2: 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.

Standard Condition CUL-3: 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.

Upon implementation of **Standard Conditions CUL-1** through **CUL-3**, the proposed Project would be conditioned to cease excavation or construction activities if cultural, tribal cultural, or archaeological resources are identified during Project execution pursuant to applicable regulatory policies. Therefore, impacts to archaeological resources pursuant to §15064.5 would remain **less than significant.** Mitigation is not required.

Threshold C: Would the Project disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant Impact

Discussion of Effects: Considering the extensive ground disturbances that have occurred on the Project site (refer to Section 2.1), the likelihood of encountering human remains is minimal. In the event that human remains (or remains that may be human) are discovered at the Project site, no further disturbance shall occur within 100 feet of the find, and the Project Applicant shall notify the San Bernardino County Coroner and the City of Fontana Community Development Director or designee. The County Coroner shall make a determination of origin and disposition.[58] Section 7050.5 of the California Health and Safety Code requires that excavation be stopped in the vicinity of the discovered human remains while the coroner determines whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the Project Applicant shall comply with the State relating to the disposition of Native American burials that fall within the jurisdiction of the Native American Heritage Commission (NAHC) (PRC Section 5097). The coroner shall contact the NAHC to determine the most likely descendant(s) (MLDs). The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The MLD shall oversee disposition of the remains to determine the most appropriate means of treating the human remains and any associated grave artifacts.

[58] California Health and Safety Code. *Division 7, Dead Bodies;* Chapter 2, *General Provisions*, § 7050.5.

The specific locations of Native American burials and reburials shall be proprietary and not disclosed to the general public. The County Coroner shall notify the NAHC in accordance with California Public Resources Code 5097.98. Additionally, Section 7052 of the California Health and Safety Code states that disturbance of Native American cemeteries is a felony. As adherence to State regulations is required for all development, impacts associated with the inadvertent discovery of human remains would be **less than significant**. Mitigation is not required.

3.6 ENERGY

Would the Project:

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

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

Threshold B: Would the Project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Less than Significant Impact

Discussion of Effects: The Project's consumption of energy during construction and operation is calculated via CalEEMod (version 2016.3.2), as detailed in Appendix A.

Construction. The anticipated construction schedule assumes the Project would be built in approximately eight months. Construction would require energy for the manufacture and transport of building materials, preparation of the site for demolition and grading activities, utility installation, paving, and building construction and architectural coating. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities. However, energy usage on the Project site during construction would be temporary.

The CalEEMod output for energy consumption incorporates project compliance with SCAQMD Rule 431.2, Title 13-Section 2449 of the CCR, and California Department of Resources Recycling and Recovery (CalRecycle) Sustainable (Green) Building Program regulations, which include implementation of standard control measures for equipment emissions and materials recycling. Adherence to these

regulations, including the implementation of Best Available Control Measures (BACM), is a standard requirement for any construction or ground disturbance activity occurring within the Basin.

BACMs include, but are not limited to, requirements that the project proponent utilize only low-sulfur fuel having a sulfur content of 15 parts per million by weight or less; ensure off-road vehicles (i.e., self-propelled diesel-fueled vehicles 25 horsepower and above that were not designed to be driven on road) limit vehicle idling to five minutes or less; register and label vehicles in accordance with the California Air Resources Board (CARB) Diesel Off-Road Online Reporting System; restrict the inclusion of older vehicles into fleets; and retire, replace, or repower older engines or install Verified Diesel Emission Control Strategies (i.e., exhaust retrofits). Additionally, the construction contractor would recycle/reuse at least 65 percent of the construction material and use "Green Building Materials," such as those materials that are rapidly renewable or resource efficient and recycled and manufactured in an environmentally friendly way, for at least 10 percent of the Project in accordance with CalRecycle regulations. Through compliance with SCAQMD Rule 431.2, Title 13-Section 2449 of the CCR, and the CalRecycle Green Building Program as a matter of regulatory policy, construction of the Project would demand only the energy required, and impacts from wasteful, inefficient, or unnecessary energy consumption would be **less than significant**.

Operation. During Project operation, electricity would be the main form of energy consumed on the site. Electricity would be used for building heating and cooling, lighting, and water heating. Table 3.6.A presents the estimated annual energy use from operation of the proposed Project.

Table 3.6.A: Estimated Annual Energy Use from Project Operation

Land Use	Electricity Use (kWh/year)	Natural Gas (kBTU/year)	Gasoline (gallons per year)	Diesel (gallons per year)
41,000-square foot light industrial warehouse	416,150	1,332,090	21,797	26,640

Source: LSA Associates, Inc. *Air Quality, Greenhouse Gas, and Energy Impact Analysis. Slover-Juniper Industrial Building Project.* Table Q and Appendix B. July 2020. (Appendix A).
kWh = kilowatt hours
kBTU = thousand British thermal units

As identified in Table 3.6.A, proposed uses on the site would demand a total of 416,150 kilowatt hours (kWh) of electricity and 1,332,090 thousand British thermal units (kBTU) or 13,321 therms of natural gas on an annual basis. In addition, the Project would result in energy usage associated with consumption of motor vehicle gasoline and diesel fuel for project-related trips. Using the 2019 fuel economy average of 6.7 miles per gallon (mpg) for freight trucks and the 2015 fuel economy estimate of 22 mpg for passenger vehicles,[59] the proposed Project would result in the consumption of approximately 21,797 gallons of gasoline and 26,640 gallons of diesel per year.[60]

The State of California provides a minimum standard for building design and construction standards through Title 24 of the CCR, known as the California Building Code (CBC). The CBC is updated every three years, and the current 2019 CBC went into effect in January 2020. Compliance with Title 24 is

[59] LSA Associates, Inc. *Air Quality, Greenhouse Gas, and Energy Impact Analysis. Slover-Juniper Industrial Building Project.* Page 42. July 2020. (Appendix A).
[60] *Ibid. Appendix B: Energy Worksheet.*

mandatory at the time new building permits are issued by local governments. The California Building Standards Commission (CBSC) adopted Part 11 of the Title 24 Building Energy Efficiency Standards (also referred to as the California Green Building Standards Code, or CALGreen) in 2010 as part of the State's efforts to reduce GHG emissions and energy consumption from residential and nonresidential buildings. CALGreen code covers the following five categories: (1) planning and design, (2) energy efficiency, (3) water efficiency and conservation, (4) material conservation and resource efficiency, and (5) indoor environmental quality. The City has adopted both the CBC and CALGreen Code as part of Article XVIII (California Green Building Standards Code) of the City Municipal Code pertaining to energy conservation standards in effect at the time of construction. Accordingly, the Project would comply with the current 2019 CALGreen Code requirements and Title 24 efficiency standards**,** which would further improve energy efficiency during operation.

Electricity is provided in the State through a complex grid of power plants and transmission lines. In 2018, California's in-state electric generation totaled 194,842 gigawatt-hours (GWh); the State's total system electric generation, which includes imported electricity, totaled 285,488 GWh.[61] Population growth is the primary source of increased energy consumption in the State; population projections show annual electricity use is anticipated to increase by approximately 1 percent per year through 2027.[62] The Project's net electricity usage would total approximately 0.000215 percent[63] of electricity generated in the State in 2018, which would not represent a substantial demand on available electricity resources.

California's receipt capacity of natural gas per day totals approximately 9.8 billion cubic feet (Bcf), and the State's average consumption is approximately 5.8 Bcf per day.[64] With a surplus receipt capacity of approximately 4 Bcf of natural gas per day, the proposed Project would demand approximately 0.00000033 percent of the State's natural gas surplus receipt capacity,[65] which would not represent a substantial demand on available natural gas resources.

The United States Environmental Protection Agency (EPA) and National Highway Traffic Safety Administration (NHTSA) indicate the average fuel economy for tractors (freight trucks) is between 5.5 and 6.5 mpg.[66] The average fuel economy for light-duty vehicles (autos, pickups, vans, and SUVs) in the United States has steadily increased from about 14.9 mpg in 1980 to 22.3 mpg in 2017.[67] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007, which originally mandated a national fuel economy standard of 35 mpg by the year 2020, and would be applicable to cars and light trucks of Model Years 2011 through 2020.[68] The EPA and the NHTSA amended the Corporate Average Fuel Economy (CAFE) standard. The new vehicle

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61 California Energy Commission. *Total System Electric Generation*. https://www.energy.ca.gov/almanac/electricity_data/total_system_power.html (accessed May 26, 2020).

62 California Energy Commission. *California Energy Demand 2018–2030 Revised Forecast.* Table ES-1. https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2017-integrated-energy-policy-report (accessed May 26, 2020).

63 0.42 GWh (proposed Project) ÷ 194,842 GWh (generated in State in 2018) = 0.000215 percent.

64 California Energy Commission. *Final 2017 Integrated Energy Policy Report*. Page 228. April 2018.

65 13,321 Btu = 0.0000000133 Bcf ÷ 4 Bcf = 0.0000003325 percent of surplus receipt capacity.

66 United States Environmental Protection Agency and the National Highway Traffic Safety Administration. *Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles – Phase 2.* Page 2-27. August 2016.

67 United States Department of Transportation, Bureau of Transportation Statistics. *Average Fuel Efficiency of U.S. Light Duty Vehicles.* https://www.bts.gov/content/average-fuel-efficiency-us-light-duty-vehicles. Table 4-23 (accessed May 26, 2020).

68 United States Department of Energy. *Energy Independence & Security Act of 2007*. https://www.afdc.energy.gov/laws/eisa (accessed May 26, 2020).

rules under the Safe Affordable Fuel-Efficient (SAFE) rule would hold the emissions standards at 2020 standards for both CAFE and SAFE until 2026. This new rules applies to the emissions of light duty cars and trucks from model years 2021 to 2026.[69]

As stated previously, implementation of the proposed Project would increase the project-related annual fuel demand by approximately 21,797 gallons of gasoline and 26,640 gallons of diesel. However, progressive improvements to freight trucks (e.g., more efficient engines and improvements to aerodynamic features) and new automobiles purchased and operated by patrons and employees driving to and from the Project site would be subject to fuel economy and efficiency standards applied throughout the State. As such, the fuel efficiency of vehicles associated with Project operation would increase throughout the life of the Project as fuel efficiency of vehicles continues to improve in order to meet the State's 2030 GHG emission reduction goals pursuant to Senate Bill 32 and beyond. In addition, purchase and use of electric passenger vehicles is expected to increase as the price and efficiency of electric passenger vehicles improve, reducing the number and use of fossil fuel-dependent vehicles on the road. Employees of the proposed Project would also benefit from improved transportation to the site, as the improvements to public transportation would result in an expanded network of municipal buses, bicycle infrastructure, and rideshare programs. The long-term operation of the Project would see a decrease in fuel consumption per mile due to continuous improvements to vehicles and transportation infrastructure, which would demand less energy consumption through the life of the Project.

Increasingly stringent electricity, natural gas, and fuel efficiency standards combined with compliance with the CBC and CALGreen Code as part of Article XVIII (California Green Building Standards Code) of the City Municipal Code and improved alternative transportation infrastructure throughout the region would ensure operation of the Project would demand only the energy required, and impacts from wasteful, inefficient, or unnecessary energy consumption would be **less than significant.**

Construction and operation of the proposed Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Impacts would be **less than significant** and mitigation is not required.

3.7 GEOLOGY AND SOILS

Would the project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as delineated on the most	☐	☒	☐	☐

[69] United States Environmental Protection Agency and United States Department of Transportation. *The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks.* August 24, 2018. https://www.govinfo.gov/content/pkg/FR-2018-08-24/pdf/2018-18418.pdf (accessed May 26, 2020).

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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? ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides?				
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Threshold A: Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

- ***i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?***
- ***ii. Strong seismic ground shaking?***
- ***iii. Seismic-related ground failure, including liquefaction?***
- ***iv. Landslides?***

Less than Significant with Mitigation Incorporated

Discussion of Effects:

i. The Project site is not located within an Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zone Act of 1972 or as defined by the City's Local Hazard Mitigation Plan.[70] In addition, there is no evidence of any faults or faulting

[70] City of Fontana. *Local Hazard Mitigation Plan*. Figure 4-9: Active Fault Map. June 2017; Approved and Adopted August 14, 2018.

activity on the Project site. The risk of ground rupture due to fault displacement beneath the site is low. Impacts would be **less than significant.** Mitigation is not required.

ii. The Project site is located within a seismically active region, with a number of faults traversing or in proximity to the City, including the Red Hill, Cucamonga, San Jacinto, and San Andreas Faults. The nearest active faults in proximity to the Project site are the Red Hill and Cucamonga Faults approximately 7.5 miles to the north, and the San Jacinto Fault Zone approximately 8 miles to the east.[71]

Due to the presence of active and inferred faults in proximity to the Project site, the Project site is expected to experience occasionally moderate to severe ground-shaking, as well as some background shaking from other seismically active areas of the Southern California region. The extent of ground-shaking associated with an earthquake is dependent upon the size of the earthquake and the geologic material of the underlying area. Construction and development of the Project would be required to comply with applicable provisions of the California Building Code (CBC). State law requires the design and construction of new structures comply with current CBC requirements, which address general geologic, seismic (including ground shaking), and soil constraints for new buildings. Accordingly, design and construction of the proposed Project would be required to adhere to 2019 CBC requirements to reduce any potential impacts from seismic related activity.

Chapter 5, Article III (California Building Code) of the City Municipal Code incorporates, by reference, the design and construction standards of the 2019 edition of the CBC. Prior to the issuance of a grading permit, the Project Applicant would be required to submit detailed grading plans and a site-specific geotechnical investigation of the Project prepared in conformance the current CBC and applicable City standards (**Mitigation Measure GEO-1**).

Mitigation Measure GEO-1: Prior to issuance of grading and/or building permits, the Project Applicant shall provide evidence to the City of Fontana (City) for review and approval that proposed structures, features, and facilities have been designed and would be constructed in conformance with applicable provisions of the 2019 edition of the California Building Code (CBC) or the most current edition of the CBC in effect at the time the Applicant's development application is deemed complete by the City.

Additionally, the Project Applicant shall prepare a site-specific geotechnical investigation of the Project and provide evidence to the City that the recommendations cited in the geotechnical investigation are incorporated into Project plans and/or implemented as deemed appropriate by the City. Geotechnical recommendations may include, but are not limited to, removal of existing vegetation, structural foundations, floor slabs, utilities, septic systems, and any other surface and subsurface improvements

[71] California Institute of Technology, Southern California Earthquake Data Center. *Historical Earthquakes and Significant Faults in Southern California*. October 16, 2012. https://scedc.caltech.edu/significant/index.html (accessed April 9, 2020).

that would not remain in place for use with the new development. Remedial earthwork, overexcavation, and ground improvement shall occur to depths specified in the geotechnical investigation to provide a sufficient layer of engineered fill or densified soil beneath the structural footings/foundations, as well as proper surface drainage devices and erosion control. Retaining wall parameters shall be in accordance with the geotechnical investigation to protect against lateral spreading and landslides. Construction of concrete structures in contact with subgrade soils determined to be corrosive shall include measures to protect concrete, steel, and other metals. Verification testing must be performed upon completion of ground improvements to confirm that the compressible soils have been sufficiently densified. The structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading.

As necessary, the City may require additional studies and/or engineering protocols to meet its requirements. This measure shall be implemented to the satisfaction of the City Director of Building and Safety or designee.

Upon implementation of **Mitigation Measure GEO-1**, post-construction differential movements of shallow foundations designed and constructed in accordance with applicable provisions of the 2019 edition of the CBC and measures identified in a Project-specific geotechnical investigation are expected to occur within the CBC tolerable limits of post-construction static and differential settlements of 1.0 and 0.5 inches, respectively. Impacts from seismic ground-shaking would be reduced to **less than significant with mitigation incorporated.**

iii. Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. A relatively shallow groundwater table (within approximately 50 feet below ground surface) or completely saturated soil conditions in conjunction with a source of ground shaking, such as an earthquake, may facilitate soil mass distortion such as liquefaction. The California Department of Water Resources indicates groundwater levels are at least 680 feet below the ground surface at monitoring wells within 0.5 mile and 1 mile of the Project site.[72] Based on the substantial groundwater depth near the Project site, the site is not located in an area susceptible to liquefaction. Compliance with **Mitigation Measure GEO-1** would reduce potential impacts from seismic-related ground failure due to seasonal saturation of the near-surface sediments to **less than significant with mitigation incorporated.**

iv. Factors that contribute to slope failure include slope height and steepness, shear strength and orientation of weak layers in the underlying geologic units, and pore water pressures. The Project site is flat with no potential for landslides. Any retaining walls proposed on site shall

[72] California Department of Water Resources. *Water Data Library (WDL) Station Map.* 2020. https://wdl.water.ca.gov/waterdatalibrary/Home.aspx (accessed August 20, 2020).

be designed and constructed pursuant to the recommendations of the Project-specific Geotechnical Investigation (refer to **Mitigation Measure GEO-1**) to protect against lateral spreading and landslides. Additionally, any retaining walls greater than 6 feet tall shall be designed for seismic lateral earth pressures pursuant to applicable provisions of the CBC, as specified in **Mitigation Measure GEO-1**. Accordingly, **Mitigation Measure GEO-1** in conjunction with the flat-lying topography of the Project site would reduce the likelihood of landslides or lateral spreading to **less than significant with mitigation incorporated.**

Threshold B: Would the Project result in substantial soil erosion or the loss of topsoil?

Less than Significant Impact

Discussion of Effects: Development on the Project site would convert a majority of existing permeable surfaces to paved surfaces, which would generally reduce the potential for soil erosion from the site. However, earthwork activities as part of the construction process would expose soils to the potential for soil erosion or loss of topsoil. Short-term erosion effects during the construction phase would be prevented through required grading permits and implementation of a Storm Water Pollution Prevention Plan (SWPPP) and incorporation of best management practices (BMPs) intended to reduce soil erosion.[73] Refer to Section 3.10(Threshold A) for additional information.

Compliance with storm water regulations include minimizing storm water contact with potential pollutants by providing covers and secondary containment for construction materials, designating areas away from storm drain systems for storing equipment and materials, and implementing good housekeeping practices at the construction site. Prior to the issuance of a grading permit, the Project Applicant would be required to prepare and submit site-specific, detailed grading plans to the City in accordance with Section 28-102 (Grading and design plan) of the City Municipal Code to minimize soil erosion, runoff, and water waste.

Operation of the Project would be subject to a Water Quality Management Plan (WQMP), which incorporates measures to capture excess storm water runoff and prevent soil erosion to downstream water courses from the conversion of permeable surfaces to impermeable surfaces pursuant to Section 23-519 of the City Municipal Code.

The SWPPP and WQMP would identify BMP measures to treat and/or limit the entry of contaminants into the storm drain system. The WQMP is required to be incorporated by reference or attached to a project's SWPPP as the Post-Construction Management Plan. Adherence to the BMPs contained in the SWPPP and WQMP would ensure that impacts related to soil erosion would remain **less than significant.** No mitigation is required.

[73] Pursuant to the National Pollutant Discharge Elimination System (NPDES) program and Chapter 23, Article IX, Section 23-519 (Regulation of construction and industrial discharges) of the City Municipal Code.

Threshold C: Would the Project be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less than Significant with Mitigation Incorporated

Discussion of Effects: The Project site is mostly flat and surrounded by urban development. There is no evidence of landslides and/or slope instabilities on the Project site. As detailed in Section 3.7(Threshold A)(iii) and (iv) above, the Project site is not located in an area considered susceptible to liquefaction or landslides. Due to the property's deep groundwater table and flat topography, and the planned site development in accordance with **Mitigation Measure GEO-1**, potential impacts from landslides, slope instabilities, lateral spreading, and/or liquefaction at the Project site would be reduced to **less than significant with mitigation incorporated.**

Based on a geotechnical investigation of nearby projects,[74] the upper 3 to 4 feet of soils underlying the Project site may be susceptible to collapse, consolidation, and/or hydrocollapse when additional loads are imposed on those soils by construction equipment and future on-site structures. Shrinkage, bulking, and subsidence are primarily dependent upon the degree of soil compaction achieved during construction. Variations in the in-situ density of existing soils and the degree to which fill soils are compacted would influence earth volume changes.

Mitigation Measure GEO-1 would ensure overexcavation and establishment of a sufficient layer of engineered fill or densified soil is prepared beneath any proposed structural footings/foundations. Upon implementation of **Mitigation Measure GEO-1**, post-construction differential movements of shallow foundations designed and constructed in accordance with applicable provisions of the 2019 edition of the CBC and measures identified in a project-specific Geotechnical Investigation would be within CBC tolerable limits of post-construction static and differential settlements of 1.0 and 0.5 inches, respectively. Therefore, impacts from subsidence and/or collapse would be reduced to **less than significant with mitigation incorporated.**

Threshold D: Would the Project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?

Less than Significant with Mitigation Incorporated

Discussion of Effects: Expansive soils generally have a substantial amount of clay particles, which can give up water (shrink) or absorb water (swell). The change in the volume exerts stress on buildings and other loads placed on these soils. The amount and types of clay present in the soil influence the extent or range of the shrink/swell. The occurrence of clayey soils is often associated with geologic units having marginal stability. Expansive soils can be widely dispersed, and they can occur along hillside areas as well as low-lying alluvial basins.

Soils on site consist of Tujunga loamy sand, 0 to 5 percent slopes, with no appreciable clay content.[75] Since Tujunga loamy sand is somewhat excessively drained with a very low runoff class and high to

[74] Southern California Geotechnical. *Geotechnical Investigation, Two Proposed Warehouses, NEC Juniper Avenue and Boyle Avenue, Fontana, California.* Pages 12 and 13. November 5, 2019.

[75] United States Department of Agriculture, Natural Resources Conservation Service. *Web Soil Survey.* San Bernardino County Southwestern Part, California (CA677). https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx (accessed August 20, 2020).

very high capacity of the most limiting layer to transmit water,[76] these soils are considered non-expansive. **Mitigation Measure GEO-1** would ensure overexcavation and establishment of a sufficient layer of engineered fill or densified soil is prepared beneath any proposed structural footings/ foundations. With implementation of **Mitigation Measure GEO-1,** the Project would not create substantial direct or indirect risks to life or property. Impacts would be **less than significant with mitigation incorporated**.

Threshold E: Would the Project Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact

Discussion of Effects: The Project would connect to the municipal wastewater collection system along Juniper and/or Slover Avenues, and no septic systems are proposed. Conversely, grading for the Project may include removal of existing septic systems that were installed during prior residential occupation of the Project site. The Project would not use septic systems, so there would be **no impact** relative to septic system or alternative wastewater disposal systems. Mitigation is not required.

Threshold F: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant with Mitigation Incorporated

Discussion of Effects: According to the United States Geological Survey (USGS), the Project site is underlain by young alluvial-fan deposits of Lytle Creek (Qyfl) ranging in age from Holocene (less than 12,000 years) to late Pleistocene (126,000 years ago).[77] Generally, Holocene sediments are too young to yield paleontological resources, but they are likely underlain by Pleistocene sediments, which have yielded significant paleontological resources elsewhere in San Bernardino, Riverside, Los Angeles, and Orange Counties.

In accordance with State law, the Project would be required to comply with Penal Code § 622 *Destruction of Sites,* which establishes as a misdemeanor the willful injury, disfiguration, defacement, or destruction of any object or thing of archaeological or historical interest or value, whether situated on private or public lands. California Administrative Code, Title 14, Section 4307 states that no person shall remove, injure, deface or destroy any object of paleontological, archaeological, or historical interest or value. Furthermore, California Code of Regulations Section 1427 recognizes that California's archaeological resources need to be preserved and that every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archaeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor.

No fossils were observed during the archaeological survey of the property. However, disturbance of subsurface sediments from past agricultural and residential activities on the Project site does not preclude the potential for paleontological resources to be encountered if excavation activities reach

[76] *Ibid.*

[77] United States Geological Survey. *Preliminary Geologic Map of the Fontana 7.5' Quadrangle, San Bernardino and Riverside Counties, California.* Version 1.0 by D.M. Morton. 1973.

Pleistocene-age sediments below the ground surface. The proposed Project must comply with all applicable regulations protecting paleontological resources and would be conditioned to cease excavation or construction activities if paleontological resources are identified during execution through **Mitigation Measures GEO-2** and **GEO-3**.

Mitigation Measure GEO-2: Prior to issuance of grading permits, the City of Fontana (City) shall verify that the following note is included on all grading plans:

> **"**If paleontological resources are encountered during the course of ground disturbance, work within 60 feet of the find shall be halted, and an exclusionary buffer shall be established. A qualified paleontologist (defined as an individual with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least one year) shall be contacted to assess the find for scientific significance. Construction personnel shall not collect or move any suspected paleontological materials or further disturb any soils within the exclusionary buffer without the consent of the paleontologist and the City Community Development Director, but construction activity may continue unimpeded on other portions of the Project site. If the paleontologist determines the find is not a paleontological resource, no further evaluation shall be required within the exclusionary buffer, and construction activity shall be allowed to resume therein. However, if the paleontologist determines the find is a paleontological resource, construction activity shall not resume within the exclusionary buffer, and **Mitigation Measure GEO-3** shall apply."

This measure shall be implemented to the satisfaction of the City Community Development Director or designee.

Mitigation Measure GEO-3: If the qualified paleontologist determines paleontological resources are encountered on the Project site, the paleontologist shall prepare a Paleontological Resource Impact Mitigation Plan (PRIMP) to be implemented during the balance of ground-disturbing activities. Implementation of the PRIMP shall include (but not be limited to) the following:

- Review of Project-specific geotechnical report data, with particular regard to location and depth of earthmoving and the rock unit(s) encountered;
- Development of a formal agreement between the Project Applicant and the San Bernardino County Museum, Natural History Museum of Los Angeles County, Western Science Center, San Diego Natural History Museum, Riverside Municipal

Museum, or other accredited museum repository for the final disposition, permanent storage, and maintenance of any fossil collections and associated data;

- The construction schedule, term/schedule of on-site paleontological monitor(s) and the extent of areas and activities to be monitored;
- Authority of paleontological monitor(s) to temporarily redirect construction activity in the vicinity of any paleontological discovery;
- Procedures for the evaluation and option to recover large fossil specimens and for the evaluation, recovery, and processing of small fossil specimens;
- Fossil specimen preparation, identification to the lowest taxonomic level possible, curation, and cataloging; and
- A report of findings.

The paleontologist shall monitor remaining ground-disturbing activities in native soils at the Project site and shall be equipped to record and salvage fossil resources that may be unearthed during construction. The paleontologist shall temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources. Significant fossils shall be offered for curation at an accredited museum repository in accordance with the PRIMP. A report of findings, including, when appropriate, an itemized inventory of recovered specimens and a discussion of their significance, shall be prepared upon completion of the steps outlined above. The report and inventory, when submitted to and approved by the City of Fontana (City), would signify completion of the program. This measure shall be implemented to the satisfaction of the City Community Development Director or designee.

With implementation of **Mitigation Measures GEO-2** and **GEO-3,** impacts to paleontological resources would be reduced to **less than significant with mitigation incorporated.**

3.8 GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Threshold A: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact

Discussion of Effects: The City of Fontana adheres to the greenhouse gas (GHG) emissions thresholds of significance developed by the SCAQMD. For mixed-use projects, under which the proposed Project most closely identifies for the purposes of GHG emissions thresholds, the City adheres to the SCAQMD Tier 3 threshold of 3,000 metric tons (MT) of carbon dioxide equivalent (CO_2e) emissions per year.[78] Therefore, the Project would be considered to have a significant impact on the environment if it would generate 3,000 or more $MTCO_2e$ per year.

The Project would generate GHG emissions during on-site construction activities (e.g., demolition, site grading, utility engines, on-site heavy-duty construction vehicles, equipment hauling materials to and from the site, asphalt paving, and motor vehicles transporting the construction crew). Additionally, long-term operation of the Project would generate GHG emissions from area and mobile sources and indirect emissions from stationary sources associated with energy consumption. Mobile-source emissions of GHGs would include project-generated vehicle trips associated with on-site facilities and customers/visitors to the Project site. Area-source emissions would be associated with activities such as landscaping and maintenance of proposed land uses, natural gas for heating, and other sources. Energy sources include natural gas consumption for space heating. The Project would include indoor low-flow water appliances and outdoor water-efficient irrigation systems in accordance with the 2019 CBC. Table 3.8.A summarizes the Project's GHG emissions from construction and operation.

Table 3.8.A: Project Greenhouse Gas Emissions

Emission Source	Emissions (metric tons per year)			
	CO_2	CH_4	N_2O	CO_2e
Construction (30-year amortized)	8	<1	0	8
Operational Emissions				
Area Sources	<1	<1	0	<1
Energy Sources	185	<1	<1	198
Mobile Sources	321	<1	0	321
Off-road Sources (forklifts)	35	<1	0	35
Waste Sources	10	<1	0	26
Water Usage	37	<1	<1	47

[78] City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.6-13. June 8, 2018.

Table 3.8.A: Project Greenhouse Gas Emissions

Emission Source	Emissions (metric tons per year)			
	CO_2	CH_4	N_2O	CO_2e
Total Annual Emissions	**596**	**<1**	**<1**	**623**
SCAQMD GHG Threshold	**—**	**—**	**—**	**3,000**
Significant Emissions?	**—**	**—**	**—**	**No**

Source: LSA Associates, Inc. *Air Quality, Greenhouse Gas, and Energy Impact Analysis. Slover-Juniper Industrial Building Project.* Table O. July 2020. (Appendix A).
Note: Numbers in table may not appear to add up correctly due to rounding of all numbers to two decimal places.
CH_4 = methane CO_2e = carbon dioxide equivalent
CO_2 = carbon dioxide N_2O = nitrous oxide

As indicated in Table 3.8.A, the Project would result in a net increase of 623 $MTCO_2e$ per year, which is less than the SCAQMD Tier 3 threshold of 3,000 $MTCO_2e$ per year for warehouse projects (Refer to Appendix A). Therefore, project-level and cumulative GHG emissions would be **less than significant,** and mitigation is not required.

Threshold B: Would the Project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact

Discussion of Effects: Chapter 12, *Sustainability and Resilience* of the City General Plan Update includes several goals designed help the City meet the State's 2030 GHG reduction goal of 40 percent below 1990 levels pursuant to Senate Bill 32.[79] The majority of these goals are designed to be implemented citywide by the City, but select goals are applicable to site- and project-specific developments such as the proposed Project:

Goal #5 Green building techniques are used in new development and retrofits.

> ***Policy 1.*** Promote green building through guidelines, awards, and nonfinancial incentives.

Goal #6 Fontana is a leader energy-efficient development and retrofits.

> ***Policy 1.*** Promote energy-efficient development in Fontana.
>
> ***Policy 2.*** Meet or exceed State goals for energy-efficient new construction.

Goal #7 Conservation of water resources with best practices such as drought-tolerant plant species, recycled water, greywater systems, has become a way of life in Fontana.

> ***Policy 1.*** Continue to promote and implement best practices to conserve water.

The proposed Project would include a General Plan Amendment for land use designation from (C-G) Commercial General to (I-L) Light Industrial (refer to Table 2.2.A). The City's General Plan and the AQMP assumed the current commercial designation in its air quality emission estimates. The emissions associated with the proposed light industrial development were not included in the City's land use projections. However, as detailed in Section 3.3 (Threshold A), the proposed Project would

[79] City of Fontana General Plan 2015-2035. *Chapter 12, Sustainability and Resilience.* Page 12.5. Adopted November 13, 2018.

generate 269 passenger-car-equivalent vehicle trips per day, while development of the site under the existing land use designation of (C-G) Commercial General with the same floor-to-area ratio of 0.45 (i.e., 41,000 square feet of general commercial uses) would generate approximately 1,021 vehicle trips per day (refer to Appendix J). Additionally, development of the Project under the proposed (I-L) Light Industrial land use designation would result in incrementally fewer employees at the site (between 43 and 67 employees) when compared to the (C-G) Commercial General land use designation (80 employees) assumed within the General Plan. Development of the Project under the proposed (I-L) Light Industrial land use designation would result in a substantially less intense use of the site when compared to the (C-G) Commercial General land use assumed within the General Plan and would result in incrementally fewer employees at the site. Therefore, the proposed Project is not expected to exceed the growth projections anticipated in the General Plan, and the programmatic GHG reduction goals designed for City-wide implementation inherently reduce the GHG contribution of the proposed Project. Furthermore, the Project shall be developed in accordance with the latest edition of Title 24/CBC and CALGreen Code pursuant to Article XVIII (California Green Building Standards Code) of the City Municipal Code.

As detailed in Section 3.6 (Threshold B), compliance with the latest edition of Title 24/CBC and CALGreen Code for energy and water conservation is required for all development projects as a matter of City and State policy. Through implementation of Title 24/CBC and CALGreen Code, the Project would not conflict with site- and project-specific GHG reduction goals administered by the State and City. Therefore, impacts would be **less than significant,** and mitigation is not required.

3.9 HAZARDS AND HAZARDOUS MATERIALS

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?	☐	☒	☐	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Threshold A: Would the Project create a significant hazard to the public through the routine transport, use, or disposal of hazardous materials?

Less than Significant with Mitigation Incorporated

Discussion of Effects: Construction of the Project has the potential to create a hazard to the public or environment through the routine transportation, use, and disposal of construction-related hazardous materials such as fuels, oils, solvents, and other materials. Additionally, demolition of existing residential structures would involve disposal of lead-based materials (LBM) and asbestos-containing materials (ACM), as indicated in the Project-specific Phase I Environmental Site Assessment (ESA) (Appendix E), which must be disposed of in accordance with the federal, State, and local (San Bernardino County Department of Public Health and SCAQMD) regulations.

Demolition/Construction. Potential hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on site during construction of the proposed Project. These materials are typical of materials delivered to construction sites. Due to the relatively small scale of proposed development (41,000-square foot light industrial warehouse on 2.07 acres), only limited quantities of these materials are expected to be used during construction, so they are not considered hazardous to the public at large.

The transport, use, and disposal of hazardous materials during construction would be regulated by the San Bernardino County Fire Department, the Fontana Fire Protection District, and the California Occupational Safety and Health Administration. The Code Enforcement Division of the Fontana Police Department is responsible for weed and rubbish abatement in coordination with other City and County departments. Additionally, the United States Department of Transportation Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials by truck and rail on State highways and rail lines, as described in Title 49 of the *Code of Federal Regulations*, and implemented by Title 13 of the CCR.

One residential structure (16726 Slover Avenue; APN 0251-203-09) proposed for demolition was constructed prior to 1978.[80] Structures constructed prior to 1978 may contain LBM as well as ACM incorporated into various construction components including paint, roof tiles, and thermal insulation. According to the Project-specific Phase I ESA (Appendix E), the existing structure that predates restrictions on using LBM and ACM is expected to contain LBM and ACM at levels that may require abatement. The San Bernardino County Department of Public Health requires that all workers be properly protected when working with materials containing lead levels at or above 0.6 milligram per square centimeter (mg/cm^2) or 600 parts per million (ppm) in accordance with Title 8, CCR Section 1532.1 (Cal/OSHA Construction Safety Orders, Lead). The Federal Environmental Protection Agency defines ACM as a material containing more than one percent asbestos as determined by polarized light microscopy, while Title 8, CCR Section 1529 (Asbestos) defines asbestos-containing materials as any manufactured construction material that contains more than one-tenth of one percent asbestos by weight. The SCAQMD (Rule 1403) and San Bernardino County Department of Public Works-Solid Waste Management Division require Asbestos Notification for proposed abatement activities and disposal tickets from an SCAQMD-approved disposal facility prior to demolition.

An ACM survey conducted for the residence at 16726 Slover Avenue (APN 0251-203-09) indicates ACM containing more than one percent asbestos as determined by polarized light microscopy is present in the structure drywall and joint compound, vinyl sheet and tile flooring and mastic, acoustic ceiling, and exterior stucco (Appendix F). Therefore, demolition activities may create a significant hazard to the public or the environment through the routine disposal of hazardous materials, and mitigation is required.

Mitigation Measure HAZ-1: Prior to the demolition of any structure identified to contain asbestos-containing materials (ACM), the Project Applicant shall retain a Certified Asbestos Consultant to abate ACM from the demolition site pursuant to South Coast Air Quality Management District (SCAQMD) Rule 1403. An Asbestos Notification shall be prepared and submitted to the SCAQMD for approval if abatement of at least 100 square feet or 160 linear feet of ACM above one percent asbestos is required. The Certified Asbestos Consultant shall provide a construction and demolition plan with disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility and SCAQMD air clearances prior to any asbestos removal activity, and an asbestos report shall be provided to the City prior to the issuance of a demolition permit. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.

[80] LSA Associates, Inc. *Cultural Resources Determination for the Slover and Juniper Industrial Building Project in the City of Fontana.* August 2020. (Appendix D).

In addition to the ACM survey already conducted, the Project Applicant is required to conduct a LBM survey in accordance with Cal/OSHA, the San Bernardino County Department of Public Health, and Title 8, CCR Section 1532.1, as codified in **Mitigation Measures HAZ-2** and **HAZ-3.**

Mitigation Measure HAZ-2: A lead-based materials (LBM) survey shall be completed for demolition of all structures constructed prior to 1978. A qualified California Department of Public Health Lead Inspector Assessor shall conduct the LBM survey. If the LBM survey reveals no detectable lead levels pursuant to Code of Federal Regulations Chapter 29, Section 1926.62 and Title 8, California Code of Regulations Section 1532.1, no further LBM survey or remedial work is required. However, if a detectable level of lead is identified within structures proposed for demolition, **Mitigation Measure HAZ-3** shall apply. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.

Mitigation Measure HAZ-3: Prior to the demolition of any structure identified to contain lead-based materials (LBM), the Project Applicant shall retain a California Department of Public Health Lead Inspector Assessor to abate LBM from the demolition site. The Lead Inspector Assessor shall provide a construction and demolition plan with disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility and South Coast Air Quality Management District air clearances prior to any lead removal activity, and a lead report shall be provided to the City prior to the issuance of a demolition permit. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.

With implementation of **Mitigation Measures HAZ-1** through **HAZ-3,** impacts to the public related to the disposal of ACM and LBM during Project demolition activities would be reduced to **less than significant with mitigation incorporated**.

The Project site was utilized for agriculture as an orchard from the 1920s until the late 1950s. Properties subject to agriculture have the potential to contain potentially hazardous pesticide chemical residues. The Phase I ESA indicates there is no evidence of on-site storage tanks that might have been used to store or mix pesticide chemicals, and vegetation on and surrounding the property shows no signs of distress that could occur from pesticide overuse. The Phase I ESA concludes development of the site would shift and redistribute soils and include a layer of engineered fill placed over underlying soils, and these variables would reduce exposure to any residual pesticides that may occur on the site.[81] However, details of past agricultural practices on the Project site are not known and there is some potential that pesticide residues could occur in near-surface soils and expose people

[81] Partner Engineering and Science, Inc. *Phase I Environmental Site Assessment Report. 16726 Slover Avenue, Fontana, California, 92337.* Pages iii, 6, and 25. June 17, 2020. (Appendix E).

working or living near the site to pesticides. Therefore, **Mitigation Measure HAZ-4** is prescribed to require a soil investigation on the site to assess the potential presence of agricultural pesticide chemicals pursuant to 15 U.S.C. §2601 et seq. (1976) (Toxic Substances Control Act), Cal/OSHA, Department of Toxic Substances Control (DTSC), and California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control).

Mitigation Measure HAZ-4: Prior to issuance of demolition and grading permits, a consultant qualified under American Society for Testing and Materials (ASTM) International Standard E1527-13 for the purposes of identifying hazardous materials shall be retained to conduct a soil investigation on APN 0251-203-09 to assess the potential presence of agricultural pesticide chemicals on site. The soil investigation shall meet or exceed the standards of the California Department of Food and Agriculture and comply with the Maximum Residue Limits established in 40 Code of Federal Regulations 180 for any pesticide chemicals identified on the site. Construction may not proceed until the extent and nature of the suspect material is determined by qualified personnel and in consultation with appropriate City staff.

The removal and/or disposal of any contaminants shall be in accordance with all applicable local, State, and federal standards to the degree that adequate public health and safety standards are maintained, to the satisfaction of the City. If appropriate, the City may enter into a Voluntary Cleanup Plan (VCP) with the California Department of Toxic Substances Control (DTSC) to coordinate remediation of the site. If a VCP is established, the City shall enter into a memorandum of agreement with the DTSC to support and strengthen efforts to achieve protective cleanups under State oversight. The City shall ensure advance payment is made and the City and/or Project Applicant is committed to paying all subsequent VCP costs, including those associated with DTSC's oversight. The VCP shall be managed by a Hazardous Substances Scientist or Hazardous Substances Engineer and shall include details about site conditions, proposed land use, and potential community concerns. In the VCP, the DTSC retains its authority to take enforcement action if, during the investigation or cleanup, it determines the site presents a serious health threat, and proper and timely action is not otherwise being taken. When remediation is complete, the DTSC shall issue either a site certification of completion or a "No Further Action" letter, depending on the Project circumstances. This means "The Site" is now property that is ready for productive economic use.

Further evaluation of soils throughout the site shall be made by a California Division of Occupational Safety and Health (Cal/OSHA) licensed Hazardous Materials Substances Removal contractor during demolition and clearing activities. This measure shall be

implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.

Due to the historic use of the Project site for agriculture, the site may contain a subsurface network of irrigation pipes from past agricultural activities. The irrigation pipes may underlie substantial portions of the site and be encountered during rough grading and other ground-disturbing activities. There is potential these features may contain asbestos since agriculture on the site occurred between the 1920s and 1950s. In addition, the Project site contains a subsurface septic system that was filled and abandoned pursuant to applicable regulatory permitting,[82] so it may be encountered during rough grading and other ground-disturbing activities. The discovery of septic tanks or similar sewage disposal facilities and subsequent abandonment requires a permit from the San Bernardino County Building and Safety Division pursuant to California Plumbing Code Section 722, which stipulates specific conditions for the safe removal of remnant sewage and componentry, backfilling, and inspection from the San Bernardino County Building & Safety Division. Since the on-site septic system was abandoned pursuant to applicable regulatory permitting, it is not an environmental concern as it lies. However, because the septic system was contemporaneous with the on-site residence, which dates back to as early as 1923, there is the potential that components of the septic system may contain asbestos. Therefore, **Mitigation Measure HAZ-5** is prescribed to require temporarily halting excavation if subsurface irrigation pipes or other features are encountered to evaluate the composition of those features pursuant to Cal/OSHA and Title 8, CCR Section 1529.

Mitigation Measure HAZ-5: In the event subsurface irrigation pipes or other features suspected to contain more than one-tenth of one percent asbestos by weight are encountered during ground-disturbing activities, excavation within 60 feet of the material shall be halted, and the Project Applicant shall retain a qualified California Division of Occupational Safety and Health (Cal/OSHA) Certified Site Surveillance Technician to evaluate whether the feature or material warrants further assessment or remediation pursuant to Title 8, CCR Section 1529. In the event the City, through consultation with the Cal/OSHA Certified Site Surveillance Technician, determines the material is not hazardous, no further remedial action is required, and the material shall be disposed of in accordance with the Code Enforcement Division of the Fontana Police Department.

In the event the material is deemed to contain asbestos, the Project Applicant shall retain a Certified Asbestos Consultant provide a construction and demolition plan with disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility. If abatement of at least 100 square feet or 160 linear feet of materials containing above one percent asbestos is required, the Certified Asbestos Consultant shall prepare and submit Asbestos Notification to the South Coast Air

[82] *Ibid.* Pages ii, 19, 20, and 24.

Quality Management District (SCAQMD) for air clearances. The Certified Asbestos Consultant shall prepare an asbestos disposal report for City review prior to final disposal. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.

With implementation of **Mitigation Measures HAZ-4** and **HAZ-5,** impacts to the public from past use of the Project site for agriculture and as a residence would be reduced to **less than significant with mitigation incorporated**.

A physical inspection of the Project site conducted on June 3, 2020 (Appendix E) revealed approximately 12 used oil filters partially obscured by wood chips on the ground surface northeast of the garage structure. No obvious signs of soil staining or hazardous materials release were observed, but the oil filters must be disposed under proper waste handling protocols. Implementation of **Mitigation Measure HAZ-6** would ensure disposal of all known hazardous materials pursuant to 15 U.S.C. §2601 et seq. (1976) (Toxic Substances Control Act), Cal/OSHA, and California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control).

Mitigation Measure HAZ-6: Prior to issuance of demolition permits, any equipment/materials and/or chemicals stored on the Project site shall be consolidated in similar hazard classes and transported off site for proper disposal by a California Division of Occupational Safety and Health Administration (Cal/OSHA) licensed Hazardous Materials Substances Removal contractor. All disposal of materials deemed to be hazardous shall occur in accordance with the 2017 City of Fontana Local Hazard Mitigation Plan and California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control). This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.

Only Cal/OSHA licensed Hazardous Materials Substances Removal contractors, and/or California State Registered Asbestos Abatement Contractors registered by the Division of Occupational Health and Safety in accordance with the California Administrative Code, Title 8, and article 2.5 and the SCAQMD Asbestos Hazard Emergency Response Act pursuant to Code of Federal Regulations Chapter 40, Part 763, subpart E would transport hazardous materials off-site. Implementation of **Mitigation Measures HAZ-1** through **HAZ-6** require the Project to comply with applicable regulations for the treatment and disposal of hazardous materials to ensure impacts from the routine transport, use, or disposal of hazardous materials during construction are reduced to **less than significant with implementation of mitigation**.

Operation. Similar to Project construction, the transport, use, and disposal of hazardous materials during Project operation would be regulated by the San Bernardino County Fire Department, the Fontana Fire Protection District, and the California Occupational Safety and Health Administration. The Code Enforcement Division of the Fontana Police Department is responsible for weed and rubbish

abatement in coordination with other City and County departments. Additionally, transport of hazardous materials by truck and rail on State highways and rail lines would be regulated by the United States Department of Transportation Office of Hazardous Materials Safety as described above.

These regulations inherently safeguard life and property from the hazards of fire/explosion arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings. Implementation of **Mitigation Measures HAZ-1** through **HAZ-6** require the Project to comply with applicable regulations for the treatment and disposal of hazardous materials to ensure impacts from the routine transport, use, or disposal of hazardous materials are reduced to **less than significant with implementation of mitigation**.

Threshold B: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less than Significant with Mitigation Incorporated

Discussion of Effects: A Project-specific Phase I Environmental Site Assessment (ESA) was prepared in accordance with the American Society for Testing and Materials (ASTM) International Standard E1527-13 for the purposes of identifying recognized environmental conditions (REC), controlled recognized environmental conditions (CREC), and historical recognized environmental conditions (HREC) on the Project site (Appendix E). At the request of the City, the Phase I ESA was peer reviewed by an independent consultant qualified to perform such reviews pursuant to the provisions of ASTM Practice E1527-13 and the Environmental Protection Agency (EPA) Standards and Practices for All Appropriate Inquiries (AAI) (40 CFR Part 312) (Appendix G).

An REC means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any 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. The term is not intended to include *de minimis* conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be *de minimis* are not RECs. A CREC is defined as a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls. An HREC means an environmental condition that in the past would have been considered an REC, but which may or may not be considered an REC currently. If a past release of any hazardous substances or petroleum products has occurred in connection with the property, with such remediation accepted by the responsible regulatory agency (for example, as evidenced by the issuance of a case closed letter or equivalent), this condition shall be considered an HREC. In addition to these environmental conditions, the Phase I ESA considered "environmental issues," defined as conditions that do not meet the ASTM definition of an REC, CREC, or HREC but that warrant consideration for disclosure in the context of acquiring and/or redeveloping the site.

The Phase I ESA includes federal, State, and local records reviews (up to a one-mile radius), interviews with persons occupying [and adjacent to] the Project site, and an on-site inspection of the properties

comprising the Project site. According to the Phase I ESA, no RECs, CRECs, or HRECs occur on the project site, nor do any such environmental conditions within one mile of the Project site pose a substantial environmental hazard to the Project site or its occupants. The Phase I Peer Review is in general agreement with these findings.[83]

The Phase I ESA identified four "environmental issues" on the Project site, as described in Table 3.9.A:

Table 3.9.A: Environmental Issues Related to Hazardous Materials

Other Environmental Features (OEF)	Action
Environmental Issue 1: A septic system is located on the site and was permitted by the City to be filled and abandoned just north of the on-site dwelling.	As detailed in Section 3.9 (Threshold A), the on-site septic system was abandoned pursuant to applicable regulatory permitting, so it is not an environmental concern as it lies. **Mitigation Measure HAZ-5** is prescribed to ensure any subsurface irrigation pipes or other features suspected to contain asbestos are treated and disposed in accordance with applicable regulatory standards.
Environmental Issue 2: Approximately 12 used oil filters partially obscured by wood chips on the ground surface northeast of the garage structure. No obvious signs of soil staining or hazardous materials release were observed, but the oil filters must be disposed under proper waste handling protocols.	As detailed in Section 3.9 (Threshold A), **Mitigation Measure HAZ-6** is prescribed to ensure disposal of all known hazardous materials pursuant to 15 U.S.C. §2601 et seq. (1976) (Toxic Substances Control Act), Cal/OSHA, and California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control).
Environmental Issue 3: Past agricultural activities on the Project site included the use of pesticides which potentially could remain at residual levels on site. However, there is no indication storage tanks potentially used to store or mix pesticides occurred on site, and historical photographs of the site do not show evidence of distressed vegetation indicative of pesticide overuse. Development of the site would shift and redistribute soils and include a layer of engineered fill placed over underlying soils, and these variables would reduce exposure to any residual pesticides that may occur on the site.	As detailed in Section 3.9 (Threshold A), **Mitigation Measure HAZ-4** is prescribed to require a soil investigation on the site pursuant to applicable regulatory policy to assess the potential presence of agricultural pesticide chemicals. Pesticide use for large-scale agricultural activities ceased by the late 1950s when the last of the orchards was removed from the site. According to the Phase I ESA (refer to Appendix E), there is no evidence of pesticide overuse or that pesticides were applied in conflict with manufacturers' recommendations. However, details of past agricultural practices on the Project site are not known, so **Mitigation Measure HAZ-4** will ensure soils on which the Project will be developed are not significantly contaminated by residual pesticides and/or related degradation byproducts.
OEF 5: There are structures on the Project site that were constructed prior to 1978 and therefore may have LBM and ACM incorporated into various construction components including paint, roof tiles, and thermal insulation.	As detailed in Section 3.9 (Threshold A), **Mitigation Measures HAZ-1** through **HAZ-3** are prescribed to ensure pre-demolition surveys of the structures at the site for ACM and LBM. Suitably licensed and experienced contractors shall abate confirmed ACM and LBM prior to structure demolition in accordance with applicable regulatory standards.

Source: Partner Engineering and Science, Inc. *Phase I Environmental Site Assessment Report. 16726 Slover Avenue, Fontana, California, 92337.* Pages iii, 6, and 25. June 17, 2020. (Appendix E).

Pursuant to California Health and Safety Code Section 25507, a business shall establish and implement a Hazardous Materials Business Emergency Plan for emergency response to a release or threatened release of a hazardous material in accordance with the standards prescribed in the regulations adopted pursuant to Section 25503 if the business handles a hazardous material or a mixture

[83] Group Delta Consultants, Inc. *Environmental Due Diligence Review, Slover and Juniper Industrial Building Project, 16726 Slover Avenue (APN: 0251-203-09), Fontana, California.* Page 2. August 4, 2020 (Appendix G).

containing a hazardous material that has a quantity at any one time above the thresholds described in Section 25507(a) (1) through (8).

As stated above, the project-specific Phase I ESA (Appendix E) did not identify any RECs, CRECs, or HRECs on the Project site, but demolition and construction activities as part of the proposed Project could release hazardous materials into the environment (refer to Table 3.9.A). **Mitigation Measures HAZ-1** through **HAZ-6** would ensure the proper removal of on-site hazardous materials used during previous occupation of the Project site and abatement of ACM and LBM prior to demolition of the on-site structures in accordance with applicable regulatory standards. Health and Safety Code Section 25507 and **Mitigation Measures HAZ-1** through **HAZ-6** require the Project to comply with applicable regulations for the treatment and disposal of hazardous materials to ensure impacts from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment are reduced to **less than significant with mitigation incorporated**.

Threshold C: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?

Less than Significant Impact

Discussion of Effects: There are no existing or planned schools within a 0.25-mile radius of the Project site.[84] According to the School Boundary Maps of the Fontana Unified School District, the nearest school in proximity to the Project site is Citrus High School at 10760 Cypress Avenue, approximately 0.35 mile southwest of the project site.[85] Furthermore, any transport of hazardous materials associated with construction of the proposed project would be in accordance with the United States Department of Transportation (USDOT), which regulates the transport of hazardous materials and waste and requires carriers to register with the DTSC. Only Cal/OSHA licensed Hazardous Materials Substances Removal contractors, and/or California State Registered Asbestos Abatement Contractors registered by the Division of Occupational Health and Safety in accordance with the California Administrative Code, Title 8, and article 2.5 and the SCAQMD Asbestos Hazard Emergency Response Act pursuant to Code of Federal Regulations Chapter 40, Part 763, subpart E would transport hazardous materials off site, as detailed in Section 3.9(a).

Since no schools are located or proposed within 0.25 mile of the Project site, and any transport of hazardous materials associated with construction of the proposed Project would be in accordance with applicable regulatory policy, impacts related to an accidental release of hazardous materials or emissions of hazardous substances within one-quarter mile of an existing or proposed school would be **less than significant.** No mitigation is required.

[84] Fontana Unified School District. *School Boundary Maps and Maps to Schools*. 2019/20. https://www.fusd.net/Page/321 (accessed August 3, 2020).
[85] *Ibid.*

Threshold D: Would the Project be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact

Discussion of Effects: Hazardous materials sites compiled pursuant to Government Code Section 65962.5 are listed on the "Cortese List" (named after the Legislator who authored the legislation that enacted it), which is maintained by the California DTSC.[86] The Project site is not on any list of hazardous material sites compiled pursuant to Government Code Section 65962.5. Therefore, **no impact** would occur. Mitigation is not required.

Threshold E: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project area?

Less than Significant with Mitigation Incorporated

Discussion of Effects: The Project site is located approximately 8.2 miles east of the Ontario International Airport (ONT) within the ONT Airport Influence Area of the Ontario International Airport Land Use Compatibility Plan (ONTLUCP).[87] Although the Project site is not within an ONTLUCP Safety Zone or Noise Impact Zone,[88] the Project site is located within the ONTLUCP Overflight Notification Zone for Real Estate Transaction Disclosures and within the ONT Airspace Protection Zone for structural heights greater than 200 feet above grade.[89] Notification is a regulatory requirement for all projects within the ONTLUCP Overflight Notification Zone for Real Estate Transaction Disclosures and generally is the responsibility of real estate agents or brokers. Therefore, the City prescribes **Mitigation Measure HAZ-7** to require the Project Applicant as a condition of Project entitlement to notify prospective Project occupants of the site's proximity to the ONT and airport overflight in accordance with the ONTLUCP.

Mitigation Measure HAZ-7: Prior to issuance of occupancy permits, the Project Applicant shall provide evidence to the City of Fontana (City) that appropriate real estate disclosures identifying the impacts of airport overflight are provided to all tenants upon lease, transfer, or sale of any industrial unit on site. This measure shall be implemented to the satisfaction of the City's Building & Safety Department.

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86 California Department of Toxic Substances Control. *Hazardous Waste and Substances Site List (Cortese).* 2020. https://www.envirostor.dtsc.ca.gov/public/search.asp?page=3&cmd=search&business_name=&main_street_name=&city=&zip=&county=&status=ACT%2CBKLG%2CCOM&branch=&site_type=CSITES%2CFUDS&npl=&funding=&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29&reporttype=CORTESE&federal_superfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_pol=&business_type=&case_type=&searchtype=&hwmp_site_type=&cleanup_type=&ocieerp=&hwmp=False&permitted=&pc_permitted=&inspections=&complaints=&censustract=&cesdecile=&school_district=&orderby=city (accessed August 3, 2020).

87 Ontario International Airport Land Use Compatibility Plan. *Chapter 2: Procedural and Compatibility Policies.* Map 2-1: Airport Influence Area. April 19, 2011.

88 *Ibid.* Map 2-2: Safety Zones, and Map 2-3: Noise Impact Zones.

89 *Ibid.* Map 2-4: Airspace Protection Zones, and Map 2-5: Overflight Notification Zones.

Through implementation of **Mitigation Measure HAZ-7,** requiring the Project Applicant to notify prospective Project occupants of the site's proximity to the ONT and airport overflight in accordance with ONTLUCP's Real Estate Transaction Disclosures, impacts related to airport hazards for people residing or working on the Project site would be reduced to **less than significant with mitigation incorporated**.

Threshold F: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact

Discussion of Effects:

Construction. Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Typical City requirements include prior notification of any lane or road closures with sufficient signage before and during any closures, flag crews with radio communication when necessary to coordinate traffic flow, etc. The warehouse developer would be required to comply with these requirements, which would maintain emergency access and allow for evacuation if needed during construction activities. Compliance with these requirements would ensure that short-term impacts related to this issue are **less than significant.** Mitigation is not required.

Operation. Access to and from the Project site is available via Slover Avenue and Juniper Avenue. Implementation of the proposed Project would increase the number of trucks operating near the site and would generate an increase in the amount and volume of traffic on local and regional roadway networks. In accordance with the California Fire Code, the Project Applicant is required to design, construct, and maintain structures, roadways, and facilities to maintain appropriate emergency/ evacuation access to and from the Project site as codified in Section Nos. 30-529 (Public Safety), 30-541(D)(7)(a) and (b) (Fences and Walls), and 30-550 (H) (Site Plan Design) of the City Municipal Code.

Entrances and exits to and from parking and loading facilities would be marked with appropriate directional signage. All site access points and driveway aprons are designed and would be constructed to adequate widths for public safety pursuant to City Municipal Code Section No. 30-550(H). Off site, the Project includes dedication of four feet of right-of-way along the western frontage for the City to widen Juniper Avenue under a separate action per the General Plan standard for a Collector Street. The Applicant would install curb, gutter, sidewalk, landscaping, streetlights, and trees along the Slover Avenue and Juniper Avenue frontages.

These improvements would be subject to compliance with the City Municipal Code sections specified above and would be reviewed by the Fontana Fire Protection District and Police Department through the City's general development review process. Proper site design and compliance with standard and emergency City access requirements would allow for evacuation if necessary during ongoing warehouse operations. This would ensure that long-term impacts related to this issue are **less than significant.** Mitigation is not required.

Threshold G: Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Less than Significant Impact

Discussion of Effects: The Project is not within a Very High Fire Hazard Severity Zone (VHFHSZ) in the Local Responsibility Areas (LRAs).[90] Additionally, the Project site and vicinity are not located in areas identified by the City to be areas at risk of a wildfire event.[91] The Project is surrounded by developed land and would be required to comply with 2019 California Building Code requirements for ignition-resistant construction and with the Safety Element of the City's General Plan. In consideration of the Project site's location in a developed area of the City away from wildland areas susceptible to fires and compliance with wildland fire safety policies, it is not expected that the Project would expose people or structures to significant loss or injury from wildland fires. Impacts are **less than significant,** and mitigation is not required.

3.10 HYDROLOGY AND WATER QUALITY

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☒	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. Result in substantial erosion or siltation on- or off-site; ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide	☐	☒	☐	☐

[90] California Department of Forestry and Fire Protection (CALFIRE). *Fontana Very High Fire Hazard Severity Zones in LRA as Recommended by CALFIRE.* October 29, 2008.

[91] City of Fontana. *Local Hazard Mitigation Plan.* Figure 4-5: Fire Perimeter City of Fontana. June 2017; Approved and Adopted August 14, 2018.

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
substantial additional sources of polluted runoff; or iv. Impede or redirect flood flows?				
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☒	☐	☐

Threshold A: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant with Mitigation Incorporated

Discussion of Effects:

Construction. The City is a co-permittee under the Santa Ana Regional Water Quality Control Board Order number R8-2010-0036, NPDES Permit No. CAS618036, also known as the MS4 permit. The San Bernardino County Water Quality Management Plan was developed to implement compliance with the MS4 permit. The Project site clearing and grading phases would disturb vegetation and surface soils, potentially resulting in erosion and sedimentation. If left exposed and with no vegetative cover, the Project site's bare soil could be subject to additional wind and water erosion. Since the proposed Project involves over one acre of ground disturbance, it is subject to NPDES requirements. Coverage under an NPDES permit includes the submittal of a Notice of Intent (NOI) application to the State Water Resources Control Board (SWRCB), the receipt of a Waste Discharge Identification Number (WDIN) from SWRCB, and the preparation of an SWPPP for construction discharges.

An SWPPP is a written document that describes the construction operator's activities to comply with the requirements in the NPDES permit. The SWPPP is intended to facilitate a process whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed to prevent or control the discharge of pollutants in storm water runoff. During the demolition and construction phases, the Project would incorporate a series of BMPs to reduce erosion and sedimentation. These measures may include the use of gravel bags, silt fences, hay bales, check dams, hydroseed, and soil binders. The demolition and construction contractor(s) would be required to operate and maintain these controls throughout the duration of construction activities. In addition, the construction contractor(s) would be required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the SWRCB.

An NPDES permit would generally specify an acceptable level of a pollutant or pollutant parameter in a discharge (for example, a certain level of bacteria). The permittee may choose which technologies to use to achieve that level. Some permits, however, do contain certain generic BMPs. Table 3.10.A lists BMPs for runoff control, sediment control, erosion control, and housekeeping that may be used during the construction of the proposed Project.

Table 3.10.A: General Best Management Practices

Runoff Control	Sediment Control	Erosion Control	Good Housekeeping
• Minimize clearing • Preserve natural vegetation • Stabilize drainage ways	• Install perimeter controls • Install sediment trapping devices • Inlet protection	• Stabilize exposed soils • Protect steep slopes • Complete construction in phases	• Create waste collection area • Put lids on containers • Clean up spills immediately

Source: United States Environmental Protection Agency. *National Menu of Stormwater Best Management Practices*. https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#constr (accessed July 9, 2020). More detailed Best Management Practices are available at this web site.

Operation. Under existing conditions, the majority of the Project site consists of pervious surface area. Storm water generally sheet flows from northeast to southwest and drains to either Juniper Avenue or Slover Avenue before discharging into the existing municipal storm drain on the northeast corner of Slover Avenue and Juniper Avenue. From there, runoff drains to the Declez Channel, which drains to San Sevaine Channel, then to Santa Ana River Reach 3 before entering the Prado Dam. From Prado Dam, flows enter Santa Ana River Reach 2, then Santa Ana River Reach 1 before finally entering the Pacific Ocean. To address potential water contaminants, the Project is required to comply with applicable federal, State, and local water quality regulations. All development projects that would disturb more than one acre of land in the City are required to prepare a Water Quality Management Plan (WQMP) to reduce water pollution impacts from construction and operation of the developments. According to the Project-specific WQMP, the EPA-approved Section 303(d) listed impairments for the Project's receiving waters (Declez Channel, San Sevaine Channel, Santa Ana River Reach 3, Prado Dam, Santa Ana River Reach 2, Santa Ana River Reach 1, and the Pacific Ocean) include copper, lead, nutrients, and indicator bacteria (pathogens) (Appendix H). These are the Project's priority pollutants of concern.

Development of the Project site is expected to increase the amount of impervious surface area due to the proposed warehouse building, surface parking lot, and drive aisles. However, the Project is expected to generally maintain the existing drainage pattern, and all runoff would be infiltrated via a subterranean chamber system located on the northeast side of the proposed warehouse building prior to discharge onto Juniper Avenue and Slover Avenue at volumes that do not exceed the existing, pre-developed condition.

The Project is exempt from hydrologic conditions of concern because all downstream conveyance drain to an adequate sump (Prado Dam), and the runoff flow rate, volume, and velocity for the post-development condition of the Project would not exceed the pre-development (i.e., naturally occurring condition) for the 2-year, 24-hour rainfall event utilizing latest San Bernardino County Hydrology Manual,[92] as described below.

The Project would include a four Drainage Management Areas (DMA A, B, C, and D) to manage storm water runoff. Combined, the areas would manage runoff from the entire Project site, including the proposed building rooftop, parking lot and drive aisles, sidewalks, and landscaped areas. The

[92] San Bernardino County Department of Public Works. *San Bernardino County Water Quality Management Plan.* Appendix F, Figure F-1. http://cms.sbcounty.gov/Portals/50/Land/AppendixF-HCOCExemptionCriteriaandMap.pdf?ver=2013-02-28-193056-000 (accessed August 3, 2020).

landscaped areas from DMAs B, C, and D are considered hydrologic source control BMPs and self-mitigating. However, runoff from the building rooftop (all DMAs), and from the rooftop, parking lot and drive aisles, and sidewalks of DMA A will be collected onsite and directed into the proposed subterranean infiltration chamber system (BMP) north of the proposed warehouse building and freight truck loading docks prior to discharge into the City's municipal storm drain system.[93]

According to the Project-specific WQMP (Appendix H), the proposed infiltration chamber BMP must be sized with a design capture volume (DCV) of at least 7,138 cubic feet of runoff in order to adequately manage runoff from the building rooftop (all DMAs), and from the rooftop, parking lot and drive aisles, and sidewalks of DMA A pursuant to the NPDES MS4 Permit.[94] In order to treat identified pollutants of concern,[95] the proposed infiltration chamber BMP would be designed and constructed to capture approximately 7,234 cubic feet of runoff. With adequate DCV, the infiltration chamber BMP would treat "first-flush" runoff[96] from the Project site and ensure post-development storm water runoff volume or time of concentration would not exceed pre-development conditions by more than five percent of the 2-year peak flow pursuant to the NPDES MS4 Permit.

Mitigation Measures HYD-1 through **HYD-3** are prescribed to ensure proper engineering design and construction in conformance with the requirements of the City, the intent of the NPDES Permit for San Bernardino County and the incorporated cities of San Bernardino County within the Santa Ana Region (MS4 permit), and Project-specific recommendations outlined in a SWPPP and WQMP are implemented to reduce impacts related to water quality standards or waste discharge requirements to **less than significant with mitigation incorporated.**

Mitigation Measure HYD-1: Prior to the issuance of a grading permit, the Project Applicant shall file and obtain a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) in order to be in compliance with the State National Pollutant Discharge Elimination System (NPDES) General Construction Storm Water Permit for discharge of surface runoff associated with construction activities. Evidence that this has been obtained (i.e., a copy of the Waste Discharger's Identification Number) shall be submitted to the City of Fontana (City) for coverage under the NPDES General Construction Permit. This measure shall be implemented to the satisfaction of the City Public Works Department.

Mitigation Measure HYD-2: Prior to the issuance of a grading permit, the Project Applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City

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93 Inland Empire Survey and Engineering, Inc. *Preliminary Storm Water Quality Management Plan for Slover and Juniper Industrial Building*. Form 1-1, Form 4.3-3, and WQMP Site Plan. Revised June 4, 2020 (Appendix H).

94 Pursuant to the Santa Ana Regional Water Quality Control Board Order Number R8-2010-0033, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS618033, as amended by Order No. R8-2013-0024, also known as the Municipal Separate Storm Sewer System (MS4) permit, the hydrologic performance standard for the proposed bioretention basin is a flow duration curve of the post-development DMA not to exceed that of the pre-development, naturally occurring, DMA by more than five percent of the 2-year peak flow.

95 The project-specific priority pollutants of concern are copper, lead, nutrients, and indicator bacteria (pathogens) pursuant to Section 3.3(d) of the Clean Water Act and the United States Environmental Protection Agency. Refer to Appendix H for additional information.

96 "First-flush" runoff is the initial surface runoff of storm water along impervious surfaces, such as parking lots, and is typically more concentrated with pollutants compared to the remainder of a storm event.

of Fontana (City). The SWPPP shall include a surface water control plan and erosion control plan citing Best Management Practices (BMPs) to control on-site and off-site erosion during the entire demolition, grading, and construction period. In addition, the SWPPP shall emphasize structural and nonstructural BMPs to control sediment and non-visible discharges from the site. The SWPPP shall include inspection forms for routine monitoring of the site during the demolition, grading, and construction phases to ensure National Pollutant Discharge Elimination System (NPDES) compliance and that additional BMPs and erosion control measures would be documented in the SWPPP and utilized if necessary. The SWPPP shall be kept on site for the entire duration of Project construction and shall be available to the local Regional Water Quality Control Board (RWQCB) for inspection at any time. BMPs to be implemented may include the following:

- Sediment discharges from the site may be controlled by the following: sandbags, silt fences, straw wattles and temporary basins (if deemed necessary), and other discharge control devices. The construction and condition of the BMPs shall be periodically inspected during construction, and repairs shall be made when necessary as required by the SWPPP.
- Materials that have the potential to contribute to non-visible pollutants to storm water must not be placed in drainage ways and must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, sand, debris, and other earthen material shall be protected in a reasonable manner to eliminate any discharge from the site. Stockpiles shall be surrounded by silt fences and covered with plastic tarps.
- The construction contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sandbag barriers and other sediment control measures called for in the SWPPP. Monthly reports and inspection logs shall be maintained by the contractor and reviewed by the City and representatives of the RWQCB. In the event that it is not feasible to implement specific BMPs, the City can make a determination that other BMPs would provide equivalent or superior treatment either on or off site.

This measure shall be implemented to the satisfaction of the City Public Works Department.

Mitigation Measure HYD-3: Prior to the issuance of a grading permit, the Project Applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the City of Fontana (City) for review and approval. The Project shall include Project design features identified in the Final WQMP. The Final WQMP shall demonstrate that any proposed on-site development plan includes best management practices (BMPs) for source control, pollution prevention, site design, low impact development (LID) implementation, and structural treatment control. BMPs to be implemented may include the following:

- Property Owner/Occupant will be required to review and implement Storm Water Pollution Brochures, Hazardous Waste Guidelines, and the "After the Storm" handouts.
- Property Owner/Occupant shall clean and dispose of any hazardous spills and educate and train employees on use of pesticides and in pesticide application techniques to prevent pollution. Pesticide application must be under the supervision of a California qualified pesticide applicator.
- Property Owner/Occupant shall clean and maintain all proposed LID BMPs and ensure that underground infiltration BMP is in proper working order by inspecting and cleaning out the system of silt/sediment as needed after every qualifying event.
- Property Owner/Occupant shall implement trash management and litter control procedures in the common areas aimed at reducing pollution of drainage water.
- Industrial facility docks shall be kept in a clean and orderly condition through a regular program of sweeping and litter control and immediate cleanup of spills and broken containers. Cleanup procedures must minimize or eliminate the use of water. If wash water is used, it must be disposed of in an approved manner and not discharged to the storm drain system. If there are no other alternatives, discharge of non-stormwater flow to the sanitary sewer may be considered only if allowed by the local sewerage agency through a permitted connection.
- Stenciling shall be provided at all catch basin inlets that states "No Dumping - Drains to Ocean."
- Drainage is routed around the trash enclosure area. Additionally, the trash enclosure area shall be walled to prevent off-site transport of trash. Enclosure area shall also have a roof and attached lids to prevent rainfall from entering the containers.

- Loading dock drainage shall be directed, through use of trench drains, to the underground infiltration BMP and shall be pretreated with inlet filters and grate.
- A landscape plan is to be submitted to the City for approval. The landscape plan shall have an emphasis on efficient water use and irrigation methods and on water conservation.

BMPs shall be designed and implemented to address Section 303(d) listed pollutants and retain the Project site's minimum design capture volume and, if applicable, hydromodification volume to ensure post-development storm water runoff volume or time of concentration does not exceed pre-development storm water runoff by more than five percent of the two-year peak flow in accordance with the *Technical Guidance Document for Water Quality Management Plans* prepared for the County of San Bernardino Areawide Stormwater Program, National Pollutant Discharge Elimination System Permit Number CAS618036, Order Number R8-2010-0036. The proposed LID BMPs specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the City for review and approval. Periodic maintenance of any required BMPs and landscaped areas during Project occupancy and operation shall be in accordance with the schedule outlined in the Final WQMP. This measure shall be implemented to the satisfaction of the City Public Works Department.

The Project is located within the Chino North (Chino 3 Antidegradation) Groundwater Management Zone, which lists municipal supply, agricultural supply, and industrial service supply and industrial process supply[97] as beneficial uses.[98] High levels of total dissolved solids (TDS) affect groundwater in this area, which migrates into the Prado Basin Management Zone. To treat the TDS within the Chino North (Chino 3 Antidegradation) Groundwater Management Zone, the Chino Desalter Authority (CDA) operates two desalination[99] facilities, the Chino I Deslater and Chino II Desalter. The Chino I Desalter maintains a desalination capacity of 14.2 million gallons per day (mgd), and the Chino II Desalter maintains a desalination capacity of 10.0 mgd.[100] The Fontana Water Company (FWC), which would supply water to the Project site via groundwater supplies from three adjudicated basins, including the Chino Basin, Rialto-Colton Basin and the Lytle Basin and one unadjudicated basin called No Man's Land Basin, is looking for new sources of water supply and is receptive in coordinating with agencies such as the CDA that have ocean water desalination programs to negotiate an agreement for potential transfers of CDA water and/or water rights to increase its desalinated water opportunities.[101]

97 Industrial service supply is industrial uses that do not depend on water quality (e.g., mining, hydraulic conveyance, gravel washing, and fire protection), while industrial process supply is industrial uses dependent on water quality, including food processing.

98 Santa Ana Regional Water Quality Control Board. *Santa Ana Region Basin Plan*. Region 8 Basin Plan Map – Chino Area Groundwater Management Zones. September 2013.

99 Desalination is a process that removes dissolved minerals from seawater, brackish water, or treated wastewater.

100 San Gabriel Water Company, Fontana Water Company Division. *2015 Urban Water Management Plan.* Page 6-19. June 2016, Amended December 2017.

101 *Ibid*.

Nonetheless, as discussed below, additional desalinated water opportunities are not needed to satisfy the Project's water demand.

As detained in the FWC Urban Water Management Plan (UWMP),[102] perchlorate and nitrite have been detected at or above the Maximum Contaminant Level (MCL) in select wells within the Chino Basin. Wells that receive treatment at FWC's Plant F17, which removes perchlorate to non-detectable levels and reduces nitrate to levels below the MCL, continue to operate, while wells that exceed the MCL for nitrate and do not receive treatment are currently not used or are blended with water from wells with low nitrate concentrations. Tetrachloroethylene (PCE) has previously been detected above the MCL in select wells within the Rialto-Colton Basin and No Man's Land Basin. Prior to entry into the distribution system, groundwater from contaminated wells is treated with liquid phase granular activated carbon at FWC's Plant F10 and blended with water from non-contaminated wells. The California Department of Public Health (CDPH) requires frequent monitoring at the source and at the effluent of the treated water. Groundwater from FWC wells within the Lytle Basin meets all CDPH standards for drinking water.

The Project site has been previously developed and is located in a developed and urbanized area of the City. Historic high groundwater in the Project vicinity has been recorded greater than 300 feet below the ground surface at nearby monitoring wells.[103] Maximum depths during site development are expected to occur during construction of the subterranean infiltration chamber system, which would extend approximately 21 feet below existing site grades[104] and therefore would not reach depths that would impair or alter the direction or rate of flow of groundwater or introduce TDS or other contaminants into the groundwater table. Additionally, no groundwater extraction would occur as part of the Project.

FWC plans to install treatment or drill replacement wells in order to maintain the health and adequate capacity of the basins supplying groundwater to its customers. Project implementation of the NPDES permit ensures that the State's mandatory standards for the maintenance of clean water and the federal minimums are met. The Santa Ana RWQCB regulates waste discharges to minimize and control their effects on the quality of the region's groundwater and surface waters. The Project-specific SWPPP and Final WQMP would be reviewed and approved as routine actions during the processing of the Project by the City; therefore, the required measures and features detailed in the SWPPP and WQMP to safeguard surface and groundwater quality would be incorporated into the proposed Project. Water and groundwater quality and waste discharge impacts would be reduced to **less than significant with mitigation incorporated** through implementation of **Mitigation Measures HYD-1** through **HYD-3**.

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102 *Ibid*. Pages 6-6 through 6-8.

103 Inland Empire Survey and Engineering, Inc. *Preliminary Storm Water Quality Management Plan for Slover and Juniper Industrial Building*. Attachment F: LID BMP Supporting Documents. Revised June 4, 2020 (Appendix H).

104 *Ibid.* Attachment D: Underground Infiltration Manufacturer Plan and Specifications.

Threshold B: Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

Less than Significant with Mitigation Incorporated

Discussion of Effects: As discussed in Section 3.10 (Threshold A), above, the FWC would supply water to the Project site via groundwater supplies from three adjudicated basins, including the Chino Basin, Rialto-Colton Basin, and the Lytle Basin, and one unadjudicated basin called No Man's Land Basin. Local and regional authorities in medium and high priority groundwater basins have formed Groundwater Sustainability Agencies (GSAs) that oversee the preparation and implementation of a local Groundwater Sustainability Plan (GSP). Per the Sustainable Groundwater Management Act (SGMA), adjudicated basins[105] are not required to form GSAs or prepare GSPs. These basins are required to submit an annual report to the Department of Water Resources (DWR), which provide much of the same information required by Courts during the adjudication process. As detailed below, three of the four basins from which the FWC (and ultimately the project itself) may obtain water have previously been adjudicated, and the No Man's Land Basin is not in critical condition of overdraft; therefore, the Project does not conflict with the stated purpose or provisions of the SGMA.

The Chino Basin is the main source of water for the FWC. Adjudicated in 1975 under the Chino Basin Judgment, the Chino Basin is managed by the Chino Basin Optimum Management Plan. This basin lies in the southwest corner of San Bernardino County, bordered on the east by the Rialto-Colton Fault and on impermeable rock of the San Gabriel Mountains, Jurupa Mountains, and Puente Hills. This area is drained by San Antonio Creek and Cucamonga Creek southerly to the Santa Ana River. The basin has a safe operating yield of 145,000 acre-feet per year (AFY). FWC's groundwater production from the Chino Basin from 2011 to 2015 averaged approximately 11,100 AFY. FWC's production from the Chino Basin in 2015 was 14,504 acre-feet.[106]

The Rialto Basin is adjudicated pursuant to the 1961 Rialto Basin Degree. The surface area of the Rialto-Colton Basin is approximately 30,100 acres. The principal recharge areas within the Rialto-Colton groundwater basin are Lytle Creek, Reche Canyon in the southeastern part of the subbasin, and the Santa Ana River in the south-central part of the subbasin. A lesser amount of recharge is provided by percolation of precipitation to the valley floor, underflow, and irrigation and septic returns. Underflow occurs from fractured basement rock and through the San Jacinto Fault in younger river deposits at the south end of the subbasin in the northern reaches of the San Jacinto Fault system and artificial recharge. FWC's groundwater production from the Rialto-Colton Basin from 2011 to 2015 averaged approximately 6,000 AFY. FWC's production from the Rialto-Colton Basin in 2015 was 2,728 AF. A preliminary injunction granted in 2015 by a San Bernardino County Superior Court judge allows the FWC to pump up to 2,520 AFY from the Rialto-Colton Basin, which is the amount projected to be available to FWC from this basin in future normal and single dry or multiple dry years.[107]

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105 Through adjudication, the courts can assign specific water rights to water users and can compel the cooperation of those who might otherwise refuse to limit their pumping of groundwater. Watermasters are typically appointed by the court to ensure that pumping conforms to the limits defined by the adjudication.

106 San Gabriel Water Company, Fontana Water Company Division. *2015 Urban Water Management Plan.* Page 6-6. June 2016, Amended December 2017.

107 *Ibid.* Pages 6-6 and 6-7.

Lytle Basin is adjudicated pursuant to the McKinley Decree of 1897. The surface area of the Lytle Basin is approximately 22.3 square miles. FWC's average groundwater production from the Lytle Basin is approximately 9,400 AFY in normal rainfall years. This amount is estimated to be available for pumping and diversion by FWC during normal rainfall years in 2025 through 2040. However, due to recent drought conditions, FWC conservatively projects to receive 5,000 AFY of groundwater from the Lytle Basin during normal years in 2020. Additionally, the Lytle Basin is subject to significant changes in groundwater elevation due to highly permeable sediments and a high specific yield of the aquifer, which would result in a 20 percent reduction of water production during multiple dry years.[108]

The No Man's Land Basin is an unadjudicated subbasin of the Upper Santa Ana Valley Basin. FWC's groundwater production from the No Man's Land Basin from 2011 to 2015 averaged approximately 4,000 AFY. FWC's production from the No Man's Land Basin in 2015 was 4,523 AF.[109]

According to the FWC UWMP, none of the basins supplying groundwater to the FWC are in "critical condition of overdraft."[110] FWC's current available pumping capacity totals approximately 39,300 gallons per minute (gpm), with individual well production ranging from approximately 165 gpm to 2,700 gpm. Current pumping capacity (as of March 2016) from each basin is as follows:[111]

- Chino Basin: 31,007 gpm.
- Lytle Basin: 3,700 gpm.
- Rialto-Colton Basin: 1,650 gpm (pursuant to Court-ordered Groundwater Production Injunction).
- No-Man's Land: 3,314 gpm.

Based on the Institute of Transportation Engineers (ITE) *Trip Generation* (10th Edition) rates for Land Use 110 – "General Light Industrial," the proposed Project would generate approximately 67 employees.[112] For comparison, statistical figures published by SCAG for the southern California region indicate development of a 41,000 square-foot warehouse in southern California would generate approximately 43 employees.[113] Therefore, the proposed Project is expected to generate between 43 and 67 employees. The FWC UWMP indicates FWC's Normal Year demand projection is 156 gallons per capita per day (GPCD) for 2020, and 176 GPCD for 2025 and subsequent years through 2040.[114] Based on a rate of 176 GPCD, the projected employees of the Project would consume approximately 11,792 gallons per day[115] or 4.3 million gallons or 13.2 AFY, which would be a worst-case scenario assuming the employees would occupy the site 24 hours per day.

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108 *Ibid.* Pages 6-7 and 6-8.
109 *Ibid.* Pages 6-7 and 6-8.
110 *Ibid.* Page 6-19.
111 *Ibid.* Page 6-5.
112 Average 4.96 daily vehicle trips per 1,000 square feet gross floor area and average 3.05 daily vehicle trips per employee. 4.96 ÷ 3.05 = 1.63 employees per 1,000 square feet gross floor area. 1.63 × 41.00 = 67 employees.
113 Southern California Association of Governments. *Employment Density Study Summary Report*. Table 2B. October 31, 2001. (41,000 square feet of "warehouse" uses ÷ 960 square feet of warehouse in southern California per employee = 42.7 employees).
114 San Gabriel Water Company, Fontana Water Company Division. *2015 Urban Water Management Plan.* Page 7-5. June 2016, Amended December 2017.
115 176 gal/person/day × 67 persons = 11,792 gallons per day

According to SCAG, development of 41,000 square feet of commercial retail and services is estimated to generate an average of 1 employee for every 514 square feet of commercial retail and service land use.[116] This would equate to approximately 80 employees if the site were developed under the exiting (C-G) Commercial General land use.[117] Based on a rate of 176 GPCD, development of the site under the existing (C-G) Commercial General land use would generate approximately 14,080 gallons per day[118] or 5.14 million gallons or 15.77 AFY, which would be a worst-case scenario assuming the employees would occupy the site 24 hours per day.

The FWC production capacity for 2040 is 56,562 AFY and assumes the site would be developed under the (C-G) Commercial General land use. However, the Project is anticipated to generate less water demand under the proposed Light Industrial land use (up to 13.2 AFY) than if the site were developed under the existing General Commercial land use designation (15.77 AFY). Furthermore, the anticipated water demand of the proposed Project (under a Light Industrial land use) is less than 0.033 percent of available FWC supplies in 2020.[119] Therefore, the amount of water available for the Project is sufficient for normal, single-dry, and multiple-dry years for the next 23 years. Since planned supplies are sufficient, the Project would not substantially decrease groundwater supplies. Furthermore, implementation of **Mitigation Measure HYD-3** would ensure the Project would include an infiltration chamber system designed to capture and infiltrate storm water runoff at rates in accordance with the NPDES MS4 Permit, which would not interfere substantially with groundwater recharge or impede sustainable groundwater management of the basins supplying groundwater to the Project. Impacts to groundwater supply and sustainability of groundwater management are reduced to **less than significant with mitigation incorporated**.

Threshold C: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- ***i. Result in substantial erosion or siltation on or off site;***
- ***ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;***
- ***iii. 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; or***
- ***iv. Impede or redirect flood flows?***

Less than Significant with Mitigation Incorporated

Discussion of Effects: Currently, storm water generally sheet flows from northeast to southwest and drains to either Juniper Avenue or Slover Avenue before discharging into the existing municipal storm drain on the northeast corner of Slover Avenue and Juniper Avenue. The proposed Project is expected

116 Southern California Association of Governments. *Employment Density Study Summary Report*. Table 2B. October 31, 2001.
117 *Ibid.* (41,000 square feet of "other retail/service" uses ÷ 514 square feet of retail/services in southern California per employee = 80 employees).
118 176 gal/person/day × 80 persons = 14,080 gallons per day
119 San Gabriel Water Company, Fontana Water Company Division. *2015 Urban Water Management Plan.* Table 6-12. June 2016, Amended December 2017. (13.2 acre-feet Project demand ÷ 40,140 acre-feet FWC supply = 0.0329 percent)

to generally maintain the existing drainage pattern. Upon development of the site, all on-site storm water would be captured on site in accordance with Santa Ana Regional Water Quality Control Board Order Number R8-2010-0036, National Pollutant Discharge Elimination System Permit No. CAS618036, also known as the Municipal Separate Storm Sewer System or MS4 permit. The runoff would be infiltrated via a subterranean chamber system located on the north side of the proposed warehouse building prior to discharge into the municipal storm drain system at volumes that do not exceed the existing, pre-developed condition.

i. The majority of the Project site consists of pervious surface area. Construction activities for the proposed Project would remove the remaining structures and pervious driveways, as well as the on-site vegetation, consisting primarily of non-native grasses and tree stumps producing sucker re-growth. These activities would expose surface soils to the potential for wind and water erosion. Pursuant to **Mitigation Measure HYD-2**, the Project Applicant would submit to the City a SWPPP that shall include a surface water control plan and erosion control plan citing specific measures to control on-site and off-site erosion during the entire demolition, grading, and construction period. In addition, the SWPPP shall emphasize structural and nonstructural BMPs to control sediment and non-visible discharges from the site. The SWPPP would include inspection forms for routine monitoring of the site during construction phases to ensure NPDES compliance and that additional BMPs and erosion control measures would be documented in the SWPPP and utilized if necessary. Upon completion of construction and during operation, the Project site would be paved and vegetated, which would prevent erosion and siltation of sediments. Through implementation of **Mitigation Measure HYD-2,** impacts from substantial erosion or siltation on or off site would be reduced to **less than significant with mitigation incorporated**.

ii. On-site conversion of permeable surfaces to impermeable surfaces could increase storm water runoff rates and/or volume. NPDES regulations require development projects to retain storm water runoff on site at levels that generally do not exceed the existing condition. Pursuant to **Mitigation Measure HYD-3,** the Project Applicant shall prepare a Final WQMP that details incorporation of self-treating or self-retaining areas such as landscaped areas of permeable surfaces to the greatest extent practicable and streets/sidewalks/parking lots designed to minimum permitted widths to increase permeable areas. The Final WQMP shall verify the site's minimum DCV of runoff and specify appropriate LID BMPs to ensure post-development storm water runoff volume or time of concentration does not exceed pre-development storm water runoff by more than five percent of the 2-year peak flow in accordance with the NPDES MS4 Permit. Periodic maintenance of any required BMPs during Project occupancy and operation would be in accordance with the schedule outlined in the Final WQMP.

   The Project-specific SWPPP and WQMP would be reviewed and approved as routine actions during the processing of the Project by the City; therefore, the required measures and features detailed in the SWPPP and WQMP to maintain drainage patterns and control the rate and volume of runoff would be incorporated into the proposed Project. Risks from flooding due to increases in storm water runoff would be reduced to **less than significant with mitigation incorporated** through implementation of **Mitigation Measures HYD-2** and **HYD-3**.

iii. The Clean Water Act (CWA) delegates authority to the states to issue NPDES permits for discharges of storm water from construction, industrial, and municipal entities to Waters of the

United States. The purpose of the MS4 permit is to meet the SWRCB's requirements to mitigate for the negative impact of increases in storm water runoff caused by new development and redevelopment. The Project storm water discharge rates cannot exceed the pre-development runoff condition for 2-year 24-hour storm total or the 85th percentile 24-hour storm runoff event by more than five percent to be in compliance with the MS4 post-construction and site design requirements.

The Project is over one acre in size and is required to have coverage under the State's General Permit for Construction Activities SWPPP. Pursuant to **Mitigation Measure HYD-2,** a SWPPP would be prepared and detail BMPs to be implemented during construction to reduce/eliminate adverse water quality impacts resulting from development. All impacts related to runoff during demolition, site preparation, and construction would be addressed through implementation of the SWPPP.

Pursuant to **Mitigation Measure HYD-3,** the Applicant shall prepare a WQMP to address Section 303(d) listed pollutants and retain the project site's minimum DCV. Through implementation of **Mitigation Measure HYD-3,** BMPs shall be designed and implemented to ensure post-development storm water runoff volume or time of concentration does not exceed pre-development storm water runoff by more than five percent of the 2-year peak flow in accordance with the NPDES MS4 Permit. Additional Project design features, such as roof downspouts draining into pervious, landscaped areas, and maintenance of existing surface flows across the Project site into a subterranean infiltration chamber system, would further maintain the site's existing drainage pattern and prevent additional sources of polluted runoff. Periodic maintenance of the infiltration chamber system and landscaped areas during Project occupancy and operation shall be in accordance with the schedule outlined in the Final WQMP.

Proposed storm drain infrastructure along Juniper Avenue includes curb and gutter along the east side of Juniper Avenue and reinforced concrete pipe between 18 inches and 36 inches in diameter beneath Juniper Avenue. The existing storm drains and catch basins at the intersection of Slover Avenue and Juniper Avenue would be reconfigured under a separate action of the City in anticipation of the development of the overall area along Juniper Avenue north of Slover Avenue, including the proposed Project site. All storm drain infrastructure would be constructed to specifications detailed in Section 3000 (Storm Drain) of the City construction standards and Chapters 23 (Sewers and Sewage Disposal), Article V of Chapter 26 (Storm Drainage Benefit Area Fees), and Section 30-526(D) (Infrastructure, Storm Drains) of the City Municipal Code. The City Public Works Department would review these proposed storm drain improvements as part of the routine plan check process required by the City to ensure adequate capacity.

BMPs to mitigate the pollutants of concern would treat runoff prior to discharge to the Municipal storm drain system. Storm water from the Project site would be conveyed to an on-site infiltration chamber system north of the proposed warehouse building in accordance with **Mitigation Measures HYD-3**. Any sources of storm water pollution would be addressed through adherence to NPDES permit requirements. Implementation of **Mitigation Measures HYD-2** and **HYD-3** would ensure polluted runoff during demolition, site preparation, and construction would be addressed by the SWPPP, and post-development storm water runoff volume or time of concentration would not exceed pre-development conditions by more than five percent of the 2-year peak flow.

Therefore, impacts related to the creation or contribution of runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff would be reduced to **less than significant with mitigation incorporated**.

iv. According to the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) No. 06071C8654H the Project site is located in Zone X, which is defined as an area determined to be outside the 0.2 percent annual chance floodplain.[120] Currently, storm water sheet flows generally in a southwesterly direction across the site toward Slover Avenue and Juniper Avenue. Upon development of the Project, storm water on impervious surfaces would flow toward the subterranean infiltration chamber north of the proposed warehouse building. The site's DCV would be captured so that storm water runoff volume and time of concentration would not exceed pre-development conditions by more than five percent of the 2-year peak flow as it discharges to the improved drainage infrastructure proposed along Juniper Avenue and Slover Avenue (refer to the discussion in Section 3.10(c)(iii) above). Therefore, the Project would be designed and constructed in accordance with the NPDES MS4 Permit, and impacts would be **less than significant**. Mitigation is not required.

Threshold D: In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

Less than Significant Impact

Discussion of Effects: According to the City's Local Hazard Mitigation Plan, the Project site is not located in flood hazard or inundation zones,[121] and the site is not located near bodies of water or enclosed water storage features that could result in tsunamis or seiches. Impacts would be **less than significant,** and mitigation is not required.

Threshold E: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant with Mitigation Incorporated

Discussion of Effects: Please refer to the discussion presented in Sections 3.10 (Threshold A) and 3.10 (Threshold B). **Mitigation Measures HYD-1** through **HYD-3** would ensure the Project would not substantially degrade surface or groundwater quality, inhibit groundwater recharge potential, or substantially deplete groundwater supplies, and the Project would not conflict with any applicable water quality control plan or sustainable groundwater management plan. Impacts would be reduced to **less than significant with mitigation incorporated**.

120 Federal Emergency Management Agency. *Flood Insurance Rate Map No. 06071C8654H*. https://msc.fema.gov/portal/search?AddressQuery=highland%2C%20california?AddressQuery=highland%2C%20california#searchresultsanchor (exported April 20, 2020).

121 City of Fontana. *Local Hazard Mitigation Plan*. Figure 4-1: Flood Hazard Map and Figure 4-2: Dam Inundation areas in Fontana. June 2017; Approved and Adopted August 14, 2018.

3.11 LAND USE AND PLANNING

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Threshold A: Would the Project physically divide an established community?

Less than Significant Impact

Discussion of Effects: The Project site is bounded by Slover Avenue to the south, Juniper Avenue to the west, non-conforming single-family residential properties to the north, and non-conforming single-family and manufactured mobile homes to the east.[122] Properties across Slover Avenue to the south are vacant and planned for future commercial development, while properties across Juniper Avenue to the west are partially vacant and partially developed with residential uses that are boarded up and abandoned in anticipation of a future warehouse project. Because the Project site is situated at the northeast corner of Slover Avenue and Juniper Avenue, these roadways already create physical barriers between the existing residential uses to the north and east and properties on the other side of the streets (Figure 2), which are vacant and anticipated for future development of commercial and industrial uses. Therefore, impacts from the physical division of an established community would be **less than significant**. Mitigation is not required.

Threshold B: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact

Discussion of Effects: The Project includes a General Plan Amendment from (C-G) Commercial General to (I-L) Light Industrial and Zone Change from General Commercial (C-2) to Light Industrial (M-1). Table 2.2.A summarizes the Project site and surrounding land uses, General Plan designations, and zoning designations.

The City's *Land Use, Zoning, and Urban Design* General Plan Element indicates warehouses that are designed in ways that limit off-site impacts are permitted on land designated (I-L) Light Industrial.[123] Pursuant to Chapter 30, Section 30-522 (Light Industrial – M-1) of the City's Zoning and Development Code,

[122] The surrounding residential properties are located on land zoned for commercial uses.

[123] City of Fontana, State of California. *General Plan Update 2015–2035. Chapter 15: Land Use, Zoning, and Urban Design Element.* Pages 15.25 and 15.26. Adopted November 13, 2018.

the (M-1) Light Industrial zoning district is intended to accommodate employee-intensive uses, such as business parks, research and technology centers, offices, and supporting retail uses, high cube/ warehousing 200,000 square feet or less but which does not permit heavy manufacturing, processing of raw materials, or businesses logistics which generate high volumes of truck traffic. The specific warehouse use is speculative but would be conditioned consistent with the proposed (I-L) Light Industrial land use designation and (M-1) Light Industrial Zoning District as a 41,000-square foot warehouse building.

The SCAG functions as the Metropolitan Planning Organization (MPO) for six counties, including San Bernardino County, wherein the Project is located. As the designated MPO, SCAG is federally mandated to research and plan for transportation, growth management, hazardous waste management, and air quality. SCAG's main responsibilities under State and federal law are preparing the Regional Housing Needs Assessment (RHNA) and the Regional Transportation Plan (RTP). Although SCAG does not have formal regulatory authority and cannot directly implement land use decisions, SCAG guides land use planning for the southern California region through intergovernmental coordination and consensus building. The City's General Plan bases the City's target growth forecast on regional growth forecasts detailed in SCAG's latest [2016–2040] RTP/SCS. Therefore, the analysis of the proposed Project's impacts to the City's growth forecast is based on the latest data provided in SCAG's 2016–2040 RTP/SCS.[124]

Typically, growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans and land use plans. Significant growth impacts could also occur if the project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies.

The City's General Plan has a year 2035 buildout horizon; however, the General Plan does not specify or anticipate when complete buildout would occur, as long-range demographic and economic trends are speculative. The designation within the General Plan of a site for a certain use does not necessarily mean that the site would be developed with that use during the planning period, as most development depends on property owner initiative. Although the Project site's existing land use designation is (C-G) Commercial General, amending the land use designation to (I-L) Light Industrial would not result in growth in the area or City beyond that which was planned for at General Plan buildout.

As of July 1, 2019, the United States Census Bureau estimated the City's population to be 214,547 persons.[125] Development of the proposed Project and other projects in the City and in San Bernardino County would lead to increases in population, housing, and employment. As stated previously, the proposed Project would generate approximately 67 employees based on the ITE *Trip Generation* (10th Edition) rates for Land Use 110 – "General Light Industrial.[126] For comparison, statistical figures published by SCAG for the southern California region indicate development of a 41,000-square foot warehouse in southern California would generate approximately 43 employees.[127] Therefore, the proposed Project is

[124] Southern California Association of Governments. *Final 2016/2040 Regional Transportation Plan/Sustainable Communities Strategy.* Table 11 in Demographics & Growth Forecast Appendix. Adopted April, 2016.

[125] United States Census Bureau. *QuickFacts, Fontana City, California.* https://www.census.gov/quickfacts/fact/table/fontanacitycalifornia,US/PST045219 (accessed July 2, 2020).

[126] Average 4.96 daily vehicle trips per 1,000 square feet gross floor area and average 3.05 daily vehicle trips per employee. 4.96 ÷ 3.05 = 1.63 employees per 1,000 square feet gross floor area. 1.63 × 41.00 = 67 employees.

[127] Southern California Association of Governments. *Employment Density Study Summary Report*. Table 2B. October 31, 2001. (41,000 square feet of "warehouse" uses ÷ 960 square feet of warehouse in southern California per employee = 42.7 employees).

expected to generate between 43 and 67 employees. According to SCAG, development of 41,000 square feet of commercial retail and services is estimated to generate an average of 1 employee for every 514 square feet of commercial retail and service land use.[128] This would equate to approximately 80 employees if the site were developed under the existing (C-G) Commercial General land use.[129] Therefore, development of the Project under the proposed (I-L) Light Industrial land use designation would result in incrementally fewer employees at the site (between 43 and 67 employees) when compared to the existing (C-G) Commercial General land use designation (80 employees).

The 2016–2040 RTP/SCS analyzed the region's transportation system, future growth projections, and potential funding sources in order in order to develop a long-term framework for transportation improvements and maintenance.[130] The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections. As part of the RTP, SCAG developed an SCS, which was required by Senate Bill 375, the Sustainable Communities Act of 2008. The SCS is intended to combine land use and transportation planning with the overall goal of reducing greenhouse gas emissions generated by vehicle travel.

According to trip generation calculations, the proposed Project would generate 269 passenger-car-equivalent vehicle trips per day (Appendix J). If the site were developed under the existing land use designation of (C-G) Commercial General with the same floor-to-area ratio of 0.45 (i.e., 41,000 square feet of general commercial uses), approximately 1,021 vehicle trips would be generated in the neighborhood per day (refer to Appendix J). Therefore, development of the Project under proposed (I-L) Light Industrial land use designation would result in a substantially less intense use of the site when compared to the (C-G) Commercial General land use designation assumed in the General Plan. Furthermore, the Project is not expected to generate VMT at levels that would result in significant impacts to the climate from generation of GHG emissions or to the circulation network from generation of traffic (refer to Section 3.17, Threshold B).

Amendments to land use designations do not in and of themselves constitute a significant environmental impact. Changes to planned land uses are considered to be environmental impacts only when they would result in direct physical impacts or where those changes relate to avoiding or mitigating environmental impacts. As such, associated physical environmental impacts that could be generated from development of the Project site as proposed (Light Industrial) rather than as previously anticipated in the General Plan (General Commercial) are discussed in this Initial Study under specific topical sections. The Project is consistent with the 2016 AQMP, and impacts to the environment resulting from the proposed Project are subject to applicable mitigation and local, State, and/or federal regulations, which would render the Project consistent with the ONTLUCP and Santa Ana RWQCB Basin Plan. Additionally, the Project does not foster growth or a concentration of population in excess of what is assumed in the City's General Plan. Therefore, impacts related to conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect are **less than significant**. No additional mitigation is required.

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128 Southern California Association of Governments. *Employment Density Study Summary Report*. Table 2B. October 31, 2001.

129 *Ibid.* (41,000 square feet of "other retail/service" uses ÷ 514 square feet of retail/services in southern California per employee = 80 employees).

130 Southern California Association of Governments. *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy: A Plan for Mobility, Accessibility, Sustainability, and a High Quality of Life*. April 2016.

3.12 MINERAL RESOURCES

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☒	☐
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 plans?	☐	☐	☒	☐

Threshold A: Would the Project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

And

Threshold B: Would the Project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plans?

Less than Significant Impact

Discussion of Effects: The project site is located within Mineral Resource Zone 2 (MRZ-2),[131] which is defined as an area where adequate information indicates that significant mineral resources are present, or where it is judged that a high likelihood for their presence exists. Land included in MRZ-2 is of prime importance because it contains known economic mineral deposits.[132]

The project site comprises 2.07 acres of underutilized land surrounded by residential development to the north and east, vacated land to the south and west across Slover Avenue and Juniper Avenue, respectively, and commercial retail centers located farther to the south and east, beyond Slover Avenue and Sierra Avenue, respectively. The Project includes a General Plan Amendment from (C-G) Commercial General to (I-L) Light Industrial and Zone Change from General Commercial (C-2) to Light Industrial (M-1). Mineral resources mining is not a use compatible with either the existing or the proposed on-site and surrounding land uses, and the Project site has minimal potential to be mined in the future because of its small size and location surrounded by urban development. Additionally, the Project site and vicinity are not considered a State-designated mineral resource extraction zone. Mineral resources extraction would conflict with the purpose and scope of the existing and proposed General Plan and Zoning District in this part of the City. Therefore, impacts from the loss of available mineral resources would be **less than significant**. Mitigation is not required.

131 California Department of Conservation. *Mineral Land Classification Map, San Bernardino P-C Region.* Fontana Quadrangle, Special Report 143, Plate 7.6. 1975.

132 California Department of Conservation State Mining and Geology Board. *Guidelines for Classification and Designation of Mineral Lands.* http://www.conservation.ca.gov/smgb/guidelines/documents/classdesig.pdf (accessed April 21, 2020).

3.13 NOISE

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in 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?	☐	☒	☐	☐
b) Result in generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

Threshold A: Would the Project result in 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?

Less than Significant with Mitigation Incorporated

Discussion of Effects: Section 30-543(a) of the City's Municipal Code establishes daytime (7:00 a.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) exterior noise standards of 70 and 65 a-weighted decibels (dBA), respectively for residential-zoned property from industrial-zoned uses. This standard is used as a conservative approach because, although the adjacent properties to the north and east are zoned (C-2) General Commercial (refer to Table 2.2.A), they consist of non-conforming residential uses, which are considered noise-sensitive land uses where people reside or where the presence of unwanted sound could adversely affect the use of the land.[133] Section 18-63(b)(7) of the City's Municipal Code establishes exemption criteria for construction activities, specifically exempting noise generated from 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 5:00 p.m. on Saturdays. Finally, the General Plan identifies three main categories (audible, potentially audible, and inaudible) associated with noise impacts; only an audible change in noise level, which is a change of 3 dBA or more, is considered potentially significant.[134]

The following analysis is based on a Project-specific Noise and Vibration Impact Analysis prepared for the Slover-Juniper Industrial Building (Appendix I). In order to establish baseline conditions, two short-

[133] Occupants of residences, hospitals, schools, guest lodging, libraries, churches, nursing homes, auditoriums, concert halls, amphitheaters, playgrounds and parks are considered noise-sensitive receptors.

[134] City of Fontana. *Fontana Forward General Plan Update 2015–2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.10-4. June 8, 2018.

term (20-minute) and two long-term (24-hour) ambient noise level measurements were conducted between June 17 and 18, 2020,[135] as detailed in Tables 3.13.A and 3.13.B.

Table 3.13.A: Short-Term Ambient Noise Level Measurements

Monitor No.	Location[1]	Date	Start Time	Noise Level (dBA)[2]			Noise Source(s)
				L_{eq}	L_{max}	L_{min}	
ST-1	Northeast corner of the Project site, approximately 10 feet from the northern property line and 70 feet from the eastern property line.	6/17/20	10:24 a.m.	52.1	67.8	42.4	Traffic on Slover Avenue and Juniper Avenue. Faint traffic on Interstate 10.
ST-2	East side of Project site, approximately 10 feet from the eastern property line and 150 feet from southern property line.	6/17/20	10:51 a.m.	53.8	72.3	46.9	Traffic on Slover Avenue and Juniper Avenue. Faint traffic on Interstate 10.

Source: LSA Associates, Inc. *Slover-Juniper Industrial Building Noise and Vibration Impact Analysis.* Table F. August 2020 (Appendix I).
[1] Monitoring locations are depicted in Figure 3 of Appendix I.
[2] Noise measurements were conducted during the stay at home order due to COVID-19 and the results of measured noise levels may be lower than typical conditions.
dBA = A-weighted decibel
L_{eq} = equivalent continuous sound level L_{max} = maximum measured sound level L_{min} = minimum measured sound level

Table 3.13.B: Long-Term Ambient Noise Monitoring Results

Monitoring No.	Location[1]	Start Date	Start Time	Duration (hours)	Noise Level (dBA)[2]		Noise Source(s)
					L_{eq}	CNEL	
LT-1	Northwestern corner of the Project site, on a wooden utility pole.	6/17/20	11:00 a.m.	24	59.6	65.0	Traffic on Slover Avenue and Juniper Avenue.
LT-2	Southern portion of the Project site, on a wooden utility pole to the right of the existing resident driveway.	6/17/20	11:00 a.m.	24	64.9	69.4	Traffic on Slover Avenue and Juniper Avenue.

Source: LSA Associates, Inc. *Slover-Juniper Industrial Building Noise and Vibration Impact Analysis.* Table I. August 2020 (Appendix I).
[1] Monitoring locations are depicted in Figure 3 of Appendix I.
[2] Noise measurements were conducted during the stay at home order due to COVID-19 and the results of measured noise levels may be lower than typical conditions.
dBA = A-weighted decibels L_{eq} = Equivalent Continuous Sound Level
CNEL = Community Noise Equivalent Level

Temporary (Construction) Noise. Noise increases from the proposed Project would be generated on a short-term basis during temporary construction activities. Noise impacts associated with construction activity are a function of the noise generated by the type of equipment used, the location and sensitivity of nearby land uses, and the timing and duration of the noise-generating activities. Two types of short-

[135] The ambient noise level measurements were conducted during the stay-at-home order due to COVID-19, and the results of measured noise levels may be lower than typical conditions.

term construction noise would occur during project construction. The first type would be from construction crew commutes and the transport of construction equipment and materials to the Project site and would incrementally raise noise levels on roadways leading to the site.

Although there would be a relatively high single-event noise exposure potential causing intermittent noise nuisance (passing trucks at 50 feet would generate up to a maximum of 84 dBA) during equipment and material delivery to and from the site for construction preparation, the effect on longer-term ambient noise levels would be negligible because the daily construction-related vehicle trips are few when compared to existing daily traffic volume on Slover Avenue and Juniper Avenue. The grading phase would generate the most trips out of all of the construction phases, at 155 trips per day based on the CalEEMod, Version 2016.3.2. Slover Avenue and Juniper Avenue have estimated existing daily traffic volumes of 14,045 and 465, respectively, near the Project site. Construction-related traffic could increase ambient noise by up to 1.3 dBA along these roadways, which may be potentially audible in an outdoor environment according to the General Plan EIR, but it would not exceed the City's impact threshold of 3dBA.[136] Therefore, no short-term, construction-related impacts associated with worker commute and transport of construction equipment and material to and from the Project site would occur.

The second type of short-term construction noise is related noise generated from heavy equipment used during construction activities. The Project includes demolition, site preparation, grading, building construction, architectural coating, and paving phases of construction. These various sequential phases change the character of the noise generated on a project site. Typical noise levels range up to 88 dBA maximum measured sound level (L_{max}) at 50 feet during the noisiest construction phases. The demolition and site preparation phases, which include excavation and grading of the site, tend to generate the highest noise levels because the noisiest construction equipment is earthmoving equipment. Noise associated with the use of earthmoving equipment is estimated to be between 55 dBA L_{max} and 85 dBA L_{max} at a distance of 50 feet from the active construction area. The maximum noise level generated by each grader is assumed to be approximately 85 dBA L_{max} at 50 feet. Each bulldozer would generate approximately 85 dBA L_{max} at 50 feet. The maximum noise level generated by water trucks/pickup trucks is approximately 55 dBA L_{max} at 50 feet from these vehicles.

Each doubling of the sound sources with equal strength increases the noise level by 3 dBA. Assuming that each piece of construction equipment operates at some distance from the other equipment, the worst-case combined noise level during this phase of construction would be 88 dBA L_{max} at a distance of 50 feet from the active construction area. Based on a usage factor of 40 percent, the worst-case combined noise level during this phase of construction would be 84 dBA[137] equivalent continuous sound level (L_{eq})[138] at a distance of 50 feet from the active construction area.

The receptors sensitive to noise that are closest to the Project construction boundary are residences located less than 50 feet to the north and east and may be subject to short-term construction noise

[136] City of Fontana. *Fontana Forward General Plan Update 2015–2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.10-4. June 8, 2018.

[137] The usage factor of 40 percent is approximately 4 dBA less than the maximum noise level (88 dBA maximum noise level - 4 dBA usage factor = 84 dBA).

[138] The L_{eq} noise level is provided to describe construction noise levels for a longer period of time (compared to the maximum instantaneous noise level, L_{max}) and compare it to ambient noise levels anticipated to be generated by the proposed Project.

reaching 88 dBA L_{max} (84 dBA L_{eq}) or higher as measured from the receptor property line. These noise levels represent a worst-case scenario that is typically associated with grading activity, which only represents a limited duration in time during the overall construction period. Ambient noise levels at the closest residential property lines to the north and east range between 56.7 and 67.6 dBA L_{eq} and 79.3 and 92.0 dBA L_{max} based on long-term ambient noise measurements taken at the Project site.[139] Although the noise generated by Project construction activities could exceed the ambient noise levels and may result in a temporary increase in the ambient noise levels, construction noise would stop once project construction is completed.

The proposed Project is required to comply with the construction hours specified in Section 18-63(b)(7) of the City Municipal Code. As codified in **Mitigation Measure NOI-1**, Section 18-63(b)(7) of the City Municipal Code requires construction activities within the City to occur only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday and between 8:00 a.m. and 5:00 p.m. on Saturdays; constriction is prohibited on Sundays and federal holidays.

Mitigation Measure NOI-1: Prior to issuance of demolition, grading, and building permits, the Project Applicant shall provide evidence to the City that construction plans include direction to limit construction activities, including operating or causing the operation of any tools or equipment used in construction, drilling, repair, alteration, grading, or demolition work, to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturdays. No construction shall be allowed at any time on Sundays and federal holidays 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. This measure shall be implemented to the satisfaction of the City of Fontana Building Inspector.

Since the City's Municipal Code Section 18-63(b)(7) allows construction noise in excess of normally defined thresholds 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, implementation of **Mitigation Measure NOI-1** would ensure the Project would not generate a substantial temporary increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance. Impacts would be reduced to **less than significant with mitigation incorporated**.

Permanent (Operational) Noise. Long-term noise associated with the Project would be generated from vehicle traffic entering and exiting the site and on-site stationary sources, such as truck delivery and loading/unloading activities. These mobile and stationary operational noise sources are analyzed separately in relation to the ambient noise environment because the City's applicable noise standards are different for mobile versus stationary noise sources. Whereas mobile noise sources such as vehicle

[139] LSA Associates, Inc. *Slover-Juniper Industrial Building Noise and Vibration Impact Analysis.* Page 18 and Table G. August 2020 (Appendix I).

traffic are measured as CNEL, stationary noise sources such as truck loading/unloading, parking lot activities, and heating ventilation air conditioning are measured as L_{max} and L_{eq}. Additionally, anticipating the timing of noise events (continuous versus intermittent) would be speculative, as they differ for the various stationary noise sources. However, reasonable assumptions are made as specified for each noise source described below in order to combine the stationary noise levels anticipated to be generated by the proposed Project and compare them to the ambient noise environment in terms of L_{eq}.[140]

Mobile Noise: Noise levels from vehicle traffic (including employee passenger vehicles and freight trucks) entering and exiting the site are analyzed along roadway segments in the project vicinity using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (1977; FHWA RD-77-108). Data for existing (2020) and opening year (2021) average daily traffic (ADT) volumes were obtained from the Focused Traffic Impact Analysis (TIA) of the Transwestern Boyle Avenue Warehouse Building 1 Project proposed approximately 400 feet to the northeast,[141] and the Project-specific Trip Generation Memorandum (Appendix J). The standard vehicle mix for southern California roadways was used for traffic on these roadway segments under the without Project scenario. Under the with Project scenario, the vehicle mix was adjusted based on the Project's vehicle mix.

Tables 3.13.C and 3.13.D summarize the existing (2020) and opening year (2021) traffic noise levels without and with the Project along roadways in the Project vicinity. These noise levels represent the worst-case scenario, which assumes that no shielding is provided between the traffic and the location where the noise contours are drawn.

As detailed in Tables 3.13.C and 3.13.D, Project-related traffic would increase ambient noise in the Project vicinity by up to 1.6 dBA (Juniper Avenue between Project Driveway 1 and Slover Avenue). The increase in ambient noise from Project-related traffic may be potentially audible in an outdoor environment according to the General Plan EIR, but it would not exceed the City's impact threshold of 3 dBA.[142] Therefore, traffic noise impacts from project-related traffic on off-site sensitive receptors would be **less than significant**.

Truck Delivery and Loading/Unloading Activities: Truck delivery and truck loading/unloading activities during operation of the Project would be located on the northeast corner of the warehouse building, as shown in Figure 4. These activities would occur during both daytime and nighttime hours. Noise levels generated from these activities would result in a maximum noise level of 75 dBA L_{max} at 50 feet. Although a typical truck-unloading process takes an average of 15–20 minutes, this maximum noise level occurs in a much shorter period of time (less than 5 minutes). As a worst case scenario, if up to five delivery trucks were to visit the site within an hour of time, and each truck is assumed to generate the maximum noise level for a cumulative period of 5 minutes, the maximum noise level during truck

[140] The L_{eq} noise level is provided to describe operatonal noise levels for a longer period of time (compared to the maximum instantaneous noise level, L_{max}) and compare them to ambient noise levels anticipated to be generated by the proposed Project.

[141] LSA Associates, Inc. *Focused Traffic Impact Analysis, Transwestern Building 1 Project, City of Fontana, San Bernardino County, California.* June 2020.

[142] City of Fontana. *Fontana Forward General Plan Update 2015–2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.10-4. June 8, 2018.

Table 3.13.C: Existing (2020) Traffic Noise Levels Without and With Project

Roadway Segment	Without Project Traffic Conditions					With Project Traffic Conditions					
	ADT	Centerline to 70 dBA CNEL (feet)	Center-line to 65 dBA CNEL (feet)	Center-line to 60 dBA CNEL (feet)	CNEL (dBA) 50 feet from Centerline of Outermost Lane	ADT	Center-line to 70 dBA CNEL (feet)	Center-line to 65 dBA CNEL (feet)	Center-line to 60 dBA CNEL (feet)	CNEL (dBA) 50 feet from Center-line of Outermost Lane	Increase from Baseline Conditions
Juniper Avenue between Project Driveway 1 and Slover Avenue	465	< 50	< 50	< 50	47.4	567	< 50	< 50	< 50	49.0	1.6
Slover Avenue between Cypress Avenue and Juniper Avenue	14,045	< 50	98	203	66.5	14,125	< 50	98	203	66.5	0.0
Slover Avenue between Juniper Avenue and Project Driveway 2	18,493	60	116	242	67.7	18,595	60	116	243	67.7	0.0
Slover Avenue between Project Driveway 2 and Sierra Avenue	18,493	60	116	242	67.7	18,616	60	116	244	67.7	0.0

Source: LSA Associates, Inc. *Slover-Juniper Industrial Building Noise and Vibration Impact Analysis.* Table N. August 2020 (Appendix I).

Note: Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
ADT = average daily traffic
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibels

Table 3.13.D: Opening Year (2021) Traffic Noise Levels Without and With Project

Roadway Segment	Without Project Traffic Conditions					With Project Traffic Conditions					
	ADT	Center-line to 70 dBA CNEL (feet)	Center-line to 65 dBA CNEL (feet)	Center-line to 60 dBA CNEL (feet)	CNEL (dBA) 50 feet from Centerline of Outermost Lane	ADT	Center-line to 70 dBA CNEL (feet)	Center-line to 65 dBA CNEL (feet)	Center-line to 60 dBA CNEL (feet)	CNEL (dBA) 50 feet from Centerline of Outermost Lane	Increase from Baseline Conditions
Juniper Avenue between Project Driveway 1 and Slover Avenue	917	< 50	< 50	< 50	50.3	1,019	< 50	< 50	< 50	50.9	0.6
Slover Avenue between Cypress Avenue and Juniper Avenue	16,058	< 50	106	221	67.1	16,138	< 50	106	222	67.1	0.0
Slover Avenue between Juniper Avenue and Project Driveway 2	20,869	64	125	263	68.2	20,971	64	125	263	68.2	0.0
Slover Avenue between Project Driveway 2 and Sierra Avenue	20,869	64	125	263	68.2	20,992	64	125	264	68.2	0.0

Source: LSA Associates, Inc. *Slover-Juniper Industrial Building Noise and Vibration Impact Analysis.* Table O. August 2020 (Appendix I).

Note: Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
ADT = average daily traffic
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibels

delivery and loading/unloading would occur over a cumulative period of 25 minutes in any hour.[143] Based on the assumptions above, truck delivery and truck loading and unloading activities would generate a noise level of 71.2 dBA L_{eq} at 50 feet.[144]

The closest residential property lines to the Project's truck delivery and truck loading/unloading activities are approximately 140 feet north, 95 feet east, and 350 feet southwest. The Project includes 12-foot high concrete tilt-up screen walls along the northern and eastern Project boundaries to shield the surrounding properties from the Project loading docks. The screen walls would provide a minimum noise reduction of 14 dBA.[145] In addition, the proposed warehouse building would serve to shield residential properties to the southwest from truck delivery and truck loading/unloading noise by providing a minimum noise reduction of 14 dBA.[146] Therefore, noise generated from on-site truck delivery and truck loading/unloading activities at the closest residential properties would range between 40.3 dBA L_{eq} and 51.6 dBA L_{eq} (refer to Table 3.13.E below).

Parking Lot Activity: The Project includes surface parking on the north and east side of the warehouse building for employees and delivery trucks. Noise generated from parking lot activities would result from vehicles traveling at slow speeds, engine start-up noise, car door slams, car horns, car alarms, and tire squeals. Representative parking activities would generate approximately 60 to 70 dBA L_{max} at 50 feet. Parking activities from employees and delivery trucks are assumed to generate the maximum noise level for a cumulative period of 15 minutes in any hour, which would result in a noise level of 64.0 dBA L_{eq} at 50 feet.[147]

The closest residential property lines to the Project's parking lots are approximately 12 feet north, 12 feet east, and 365 feet southwest. As stated above, the proposed 12-foot high concrete tilt-up screen walls along the northern and eastern Project boundaries would shield the surrounding properties from the Project parking lots and would provide a minimum noise reduction of 14 dBA. Therefore, noise generated from on-site parking lot activities at the closest residential properties would range between 46.7 dBA L_{eq} and 62.4 dBA L_{eq} (refer to Table 3.13.E below).

Heating-Ventilation-Air Conditioning (HVAC) Activity: The Project includes up to two rooftop HVAC units shielded from public view by four-foot high parapets. The HVAC equipment could operate 24 hours per day. Each rooftop HVAC unit would generate a noise level of 66.6 dBA L_{eq} at a distance of 5 feet. Two HVAC units operating simultaneously would generate a noise level of 69.6 dBA L_{eq} at a distance of 5 feet. Sound levels decrease approximately 6 dB for each doubling of distance from the source,[148] so HVAC noise at 50 feet would reach 49.6 dBA L_{eq}.[149]

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143 The trip generation for the Project indicates approximately two 2-axle trucks, one 3-axle truck, and three 4-axle trucks (total of six trucks) would visit the site during the a.m. peak hour of 7 a.m. to 9 a.m. As a worst case scenario, the noise analysis assumes five of the six trucks expected to visit the site during peak hours would occur within one of either of the peak hours. In addition, the proposed industrial building has only three dock doors (refer to Figure 4).

144 LSA Associates, Inc. *Slover-Juniper Industrial Building Noise and Vibration Impact Analysis.* Page 24. August 2020 (Appendix I).

145 *Ibid.*

146 *Ibid.*

147 *Ibid.*

148 According to the Inverse Square Law, sound levels decrease approximately 6 dB for each doubling of distance from the source. Georgia State University. *Estimating Sound Levels with the Inverse Square Law.* HyperPhysics, Department of Physics and Astronomy. 2016. http://hyperphysics.phy-astr.gsu.edu/hbase/Acoustic/isprob2.html (accessed June 2, 2020).

149 LSA Associates, Inc. *Slover-Juniper Industrial Building Noise and Vibration Impact Analysis.* Pages 24 and 25. August 2020 (Appendix I).

The closest residential property lines to the Project's HVAC equipment are approximately 80 feet north, 115 feet east, and 205 feet southwest. As stated above, the HVAC units would be shielded by four-foot high parapets, which would provide a minimum noise reduction of 8 dBA. Therefore, noise generated from HVAC equipment at the closest residential properties would range between 29.3 dBA L_{eq} and 37.5 dBA L_{eq} (refer to Table 3.13.E below).

Table 3.13.E details the combined stationary noise from truck delivery and truck loading and unloading activities, parking activities from employees and truck delivery, and rooftop HVAC equipment at the closest residential property. The measurements account for the various shielding features (i.e., screen walls, the warehouse building, and rooftop parapets) and distance attenuation of 6 dBA for every doubling of distance from the noise source.[150]

Table 3.13.E: Stationary Noise Levels

Land Use	Direction	Noise Source	Reference Noise Level at 50 feet (dBA L_{eq})	Distance from Source to Receptor (feet)	Distance Attenuation (dBA)	Shielding (dBA)	Noise Level (dBA L_{eq})	Combined Noise Level (dBA L_{eq})
Residential	North	Truck delivery, loading, and unloading	71.2	140	8.9	14[1]	48.3	62.6
		Parking activities	64.0	12	12.4	14[1]	62.4	
		HVAC noise	49.6	80	4.1	8[2]	37.5	
Residential	East	Truck delivery, loading, and unloading	71.2	95	5.6	14[1]	51.6	62.8
		Parking activities	64.0	12	12.4	14[1]	62.4	
		HVAC noise	49.6	115	27.2	8[2]	34.4	
Residential	Southwest	Truck delivery, loading, and unloading	71.2	350	16.9	14[3]	40.3	47.7
		Parking activities	64.0	365	17.3	0	46.7	
		HVAC noise	49.6	205	12.3	8[2]	29.3	

Source: LSA Associates, Inc. *Slover-Juniper Industrial Building Noise and Vibration Impact Analysis.* Table P. August 2020 (Appendix I).
1 The proposed 12-foot-high screen walls along the north and east property lines would provide a minimum noise reduction of 14 dBA.
2 The four-foot-high parapet and roofline would provide a minimum noise reduction of 8 dBA.
3 The proposed warehouse building would provide a minimum noise reduction of 14 dBA.
dBA = A-weighted decibels
HVAC = heating, ventilation, and air conditioning
L_{eq} = equivalent continuous sound level

As shown in Table 3.13.E, the combined stationary noise level generated by the Project is 62.6 dBA L_{eq}, 62.8 dBA L_{eq}, and 47.7 dBA L_{eq} for the residential properties to the north, east, and southwest,

[150] Georgia State University. *Estimating Sound Levels with the Inverse Square Law.* HyperPhysics, Department of Physics and Astronomy. 2016. http://hyperphysics.phy-astr.gsu.edu/hbase/Acoustic/isprob2.html (accessed June 2, 2020).

respectively. The combined stationary noise levels generated by the proposed Project would not exceed the City's exterior daytime and nighttime noise standards of 70 dBA and 65 dBA, respectively.

The analysis above is based on a Project-specific Noise and Vibration Impact Analysis prepared for the Slover-Juniper Industrial Building (Appendix I). The analysis included short-term and long-term ambient noise measurements taken at the Project site and examined how short-term construction and long-term operational noise generated by the proposed Project would affect the surrounding land uses based on existing baseline conditions. As detailed above, the Project would not result in 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. With implementation of **Mitigation Measure NOI-1** for construction activities, impacts would be reduced to **less than significant with mitigation incorporated**.

Threshold B: Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant with Mitigation Incorporated

Discussion of Effects: The following analysis is based on a Project-specific Noise and Vibration Impact Analysis prepared for the Slover-Juniper Industrial Building (Appendix I).

Groundborne noise is typically assessed at locations where there is no airborne noise path, or for buildings with substantial sound insulation such as a recording studio. For typical buildings, the interior airborne noise levels are often higher than the groundborne noise levels. Therefore, the main focus of the discussion/analysis is groundborne vibration. A vibration level of 94 vibration velocity decibels (VdB) (0.2 peak particle velocity [PPV] inches per second [in/sec]) is the threshold used to evaluate construction vibration impacts to buildings because this vibration level has the potential to damage residential structures made of non-engineered timber.[151]

The City does not specify the vibration level that can be felt but indicates predicted vibration levels that would occur during construction hours specified pursuant to Municipal Code Section 18-63(b)(7) are considered "an acceptable intrusion of the ambient noise within that project area."[152] For operational impacts, this analysis uses a vibration perception threshold of 78 VdB for residential uses, which is the approximate threshold of perception for many humans, 84 VdB for commercial or office uses, and 90 VdB for industrial uses that are not as sensitive to vibration to determine community annoyance.[153]

Construction Vibration. The greatest levels of vibration are anticipated to occur during the demolition and site preparation/grading phases, during which a large bulldozer and loaded trucks would generate groundborne vibration of up to 87 VdB (0.089 PPV [in/sec]) and 86 VdB (0.076 PPV [in/sec] when measured at 25 feet, respectively. All other construction phases are expected to result in lower

151 Federal Transit Administration (FTA). *Transit Noise and Vibration Impact Assessment Manual. FTA Report No. 0123.* September 2018. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf (accessed June 2, 2020).

152 City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.10-7. June 8, 2018.

153 *Ibid.*

vibration levels. Table 3.13.F summarizes the reference vibration levels at a distance of 25 feet for each type of standard construction equipment according to the Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual.*[154]

Table 3.13.F: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV/L_V at 25 ft	
	PPV (in/sec)	L_V (VdB)[1]
Pile Driver (Impact), Typical	0.644	104
Pile Driver (Sonic), Typical	0.170	93
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large Bulldozer	**0.089**	**87**
Caisson Drilling	0.089	87
Loaded Trucks[2]	**0.076**	**86**
Jackhammer	0.035	79
Small Bulldozer[2]	**0.003**	**58**

Source: Federal Transit Administration. *Transit Noise and Vibration Impact Assessment Manual. FTA Report No. 0123.* September 2018. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf
Note: Equipment shown in **bold** is expected to be used on site.

[1] RMS vibration velocity in decibels (VdB) is 1 µin/sec.
[2] Rubber tire equipment.

µin/sec = micro-inches per second
ft = foot/feet
FTA = Federal Transit Administration
in/sec = inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square
VdB = vibration velocity decibels

The distance to the nearest buildings for vibration impact analysis is measured between the nearest off-site buildings, including garages and storage sheds, and the Project construction limits because vibration impacts normally occur within buildings.[155] The closest structures are an ancillary building approximately 10 feet to the north and a residential mobile home approximately 8 feet to the east of the expected project construction boundary, and the use of heavy construction equipment (e.g., large bulldozers and loaded trucks) during construction has potential to result in vibration impacts to these structures. Table 3.13.G lists the projected vibration levels at the nearest structures from the heaviest construction equipment expected to be used on the Project site.

As shown in Table 3.13.G, the buildings closest to the Project construction boundary to the north and east would experience vibration levels of up to 99 VdB (0.352 PPV in/sec) and up to 102 VdB (0.492 PPV in/sec), respectively. These vibration levels could result in community annoyance because they would exceed FTA's vibration perception threshold of 78 VdB for residential uses. However, implementation of **Mitigation Measure NOI-1** would ensure vibration would be restricted to 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, during which time the City considers vibration "an acceptable intrusion of the ambient

[154] Federal Transit Administration. *Transit Noise and Vibration Impact Assessment Manual.* Table 7-4. September 2018. https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impact-assessment-manual-fta-report-no-0123_0.pdf
[155] Buildings sensitive to vibration impacts include not only occupied residential structures but any structure such as garages and storage sheds.

noise within that project area."[156] Therefore, with **Mitigation Measure NOI-1**, community annoyance from construction vibration would be **less than significant with mitigation incorporated.**

Table 3.13.G: Summary of Construction Vibration Levels without Mitigation

Land Use	Direction	Equipment/ Activity	Reference Vibration Level		Distance (feet)[1]	Maximum Vibration Level (Vdb)	Maximum Vibration (PPV)
			Vdb at 25 feet	PPV (in/sec) at 25 feet			
Residential	North	Large bulldozer	87	0.089	10	99	0.352
		Loaded truck	86	0.076	10	98	0.300
Residential	East	Large bulldozer	87	0.089	8	102	0.492
		Loaded truck	86	0.076	8	101	0.420
Residential	Southwest	Large bulldozer	87	0.089	160	63	0.005
		Loaded truck	86	0.076	160	62	0.005
Residential (Future planned warehouse)[2]	West	Large bulldozer	87	0.089	50	78	0.031
		Loaded truck	86	0.076	50	77	0.027

Source: LSA Associates, Inc. *Slover-Juniper Industrial Building Noise and Vibration Impact Analysis.* Table M. August 2020 (Appendix I).
Note: The FTA-recommended building damage threshold is 94 VdB (0.2 PPV [in/sec]) at the receiving building structures.
1 Distances reflect the nearest structure to the nearest Project construction boundary.
2 This residential structure was evaluated because the structure was present at the time of this analysis even though the City anticipates the structure will be demolished to facilitate a future industrial warehouse on that site.
FTA = Federal Transit Administration
in/sec = inches per second
PPV = peak particle velocity
VdB = vibration velocity decibels

Furthermore, construction vibration levels would have the potential to result in building damage because they would exceed the FTA damage threshold of 94 VdB (0.2 PPV [in/sec]), and additional mitigation is required.

Mitigation Measure NOI-2: Prior to issuance of demolition and grading permits, the Project Applicant shall provide evidence to the City that the construction contractor will prohibit the use of heavy construction equipment (i.e., large bulldozers) along the Project north and east construction boundaries. The construction contractor shall ensure only small bulldozers as defined in Table 7-4 of the Federal Transit Administration (FTA) 2018 *Transit Noise and Vibration Impact Assessment Manual* operate within five (5) feet of the Project site's northern construction boundary (15 feet from the nearest structure) and within seven (7) feet of the Project site's eastern construction boundary (15 feet from the nearest structure). In addition, the construction contractor shall ensure loaded trucks do not operate

[156] City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.10-7. June 8, 2018.

within five (5) feet of the Project site's northern construction boundary (15 feet from the nearest structure) and within seven (7) feet of the Project site's eastern construction boundary (15 feet from the nearest structure) when the ground surface is not paved or a smooth earthen surface. The Project Applicant shall ensure temporary on-site signage is placed in the immediate vicinity of the Project site's northern and eastern construction boundaries notifying construction personnel of the restrictions. An acoustical engineer shall verify the erection of temporary signage on the first day of demolition and construction activities and pursuant to a weekly schedule thereafter. This measure shall be implemented to the satisfaction of the City of Fontana Building Inspector.

With implementation of **Mitigation Measure NOI-2,** operation of only small bulldozers within five (5) feet of the Project site's northern construction boundary (15 feet from the nearest structure) and within seven (7) feet of the Project site's eastern construction boundary (15 feet from the nearest structure) and prohibition of loaded trucks within these distances to the respective Project boundaries would ensure construction vibration levels at the nearest structures to the north and east would not exceed the FTA damage threshold of 94 VdB (0.2 PPV [in/sec]) for non-engineered timber and masonry buildings. Construction vibration impacts would be reduced to **less than significant with mitigation incorporated**.

Long-Term Operational Vibration. Operation of the proposed warehouse would not generate substantial vibration. In addition, vibration generated from Project-related traffic on the adjacent roadways (Slover Avenue and Juniper Avenue) is not expected to be substantial for on-road vehicles because the rubber tires and suspension systems of on-road vehicles provide vibration isolation. Therefore, vibration generated from Project-related operations and traffic on the adjacent roadways would be **less than significant.** Mitigation is not required.

Threshold C: For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels

Less than Significant Impact

Discussion of Effects: The Ontario International Airport is 8.2 miles west of the Project site. The Compatibility Policy Map: Noise Impact Zones from the LA/Ontario International Airport Land Use Compatibility Plan shows that the Project site is outside of the 60 to 65 dBA CNEL noise contour.[157] Therefore, the Project would not expose people working in the project area to excessive airport-related noise levels. Impacts would be **less than significant** and mitigation is not required.

[157] Ontario International Airport Land Use Compatibility Plan. *Chapter 2: Procedural and Compatibility Policies.* Map 2-3: Noise Impact Zones. April 19, 2011.

3.14 POPULATION AND HOUSING

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (e.g., new homes and businesses) or indirectly (e.g., extension of roads and infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

Threshold A: Would the Project induce substantial unplanned population growth in an area, either directly (e.g., new homes and businesses) or indirectly (e.g., extension of roads and infrastructure)?

Less than Significant Impact

Discussion of Effects: *CEQA Guidelines* Section 15126.2[d] identifies a project as growth inducing if it fosters economic or population growth, or the construction of additional housing either directly or indirectly in the surrounding environment. New employees from commercial or industrial development and new population from residential development represent direct forms of growth, which have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area.

Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, the growth-inducing potential of a project would be considered substantial if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies (e.g., SCAG).

As detailed in Section 3.11 (Land Use and Planning), the Project includes a General Plan Amendment from (C-G) Commercial General to (I-L) Light Industrial and Zone Change from General Commercial (C-2) to Light Industrial (M-1). Table 2.2.A summarizes the Project site and surrounding land uses, General Plan designations, and zoning designations.

The City's *Land Use, Zoning, and Urban Design* General Plan Element indicates warehouses that are designed in ways that limit off-site impacts are permitted on land designated (I-L) Light Industrial.[158] Pursuant to Chapter 30, Section 30-522 (Light Industrial – M-1) of the City's Zoning and Development Code, the (M-1) Light Industrial zoning district is intended to accommodate employee-intensive uses, such as business parks, research and technology centers, offices, and supporting retail uses, high cube/ warehousing 200,000 square feet or less but which does not permit heavy manufacturing,

[158] City of Fontana, State of California. *General Plan Update 2015–2035. Chapter 15: Land Use, Zoning, and Urban Design Element.* Pages 15.25 and 15.26. Adopted November 13, 2018.

processing of raw materials, or businesses logistics which generate high volumes of truck traffic. The specific warehouse use is speculative but would be conditioned consistent with the proposed (I-L) Light Industrial land use designation and (M-1) Light Industrial Zoning District as a 41,000 square-foot warehouse building.

The SCAG functions as the MPO for six counties, including San Bernardino County, wherein the Project is located. As the designated MPO, SCAG is federally mandated to research and plan for transportation, growth management, hazardous waste management, and air quality. SCAG's main responsibilities under State and federal law are preparing the RHNA and the RTP. Although SCAG does not have formal regulatory authority and cannot directly implement land use decisions, SCAG guides land use planning for the southern California region through intergovernmental coordination and consensus building. The City's General Plan bases the City's target growth forecast on regional growth forecasts detailed in SCAG's latest [2016–2040] RTP/SCS. Therefore, the analysis of the proposed Project's impacts to the City's growth forecast is based on the latest data provided in SCAG's 2016–2040 RTP/SCS.[159]

The City's General Plan has a year 2035 buildout horizon; however, the General Plan does not specify or anticipate when complete buildout would occur, as long-range demographic and economic trends are speculative. The designation within the General Plan of a site for a certain use does not necessarily mean that the site would be developed with that use during the planning period, as most development depends on property owner initiative. Although the Project site's existing land use designation is (C-G) Commercial General, amending the land use designation to (I-L) Light Industrial would not result in growth in the area or City beyond that which was planned for at General Plan buildout.

As of July 1, 2019, the United States Census Bureau estimated the City's population to be 214,547 persons.[160] Development of the proposed Project and other projects in the City and in San Bernardino County would lead to increases in population, housing, and employment. As stated previously, the proposed Project would generate approximately 67 employees based on the ITE *Trip Generation* (10th Edition) rates for Land Use 110 – "General Light Industrial.[161] For comparison, statistical figures published by SCAG for the southern California region indicate development of a 41,000 square-foot warehouse in southern California would generate approximately 43 employees.[162] Therefore, the proposed Project is expected to generate between 43 and 67 employees. According to SCAG, development of 41,000 square feet of commercial retail and services would generate approximately 80 employees if the site were developed under the existing (C-G) Commercial General land use.[163] Therefore, development of the Project under the proposed (I-L) Light Industrial land use designation

159 Southern California Association of Governments. *Final 2016/2040 Regional Transportation Plan/Sustainable Communities Strategy.* Table 11 in Demographics & Growth Forecast Appendix. Adopted April, 2016.

160 United States Census Bureau. *QuickFacts, Fontana City, California.* https://www.census.gov/quickfacts/fact/table/fontanacitycalifornia,US/PST045219 (accessed July 2, 2020).

161 Average 4.96 daily vehicle trips per 1,000 square feet gross floor area and average 3.05 daily vehicle trips per employee. 4.96 ÷ 3.05 = 1.63 employees per 1,000 square feet gross floor area. 1.63 × 41.00 = 67 employees.

162 Southern California Association of Governments. *Employment Density Study Summary Report*. Table 2B. October 31, 2001. (41,000 square feet of "warehouse" uses ÷ 960 square feet of warehouse in southern California per employee = 42.7 employees).

163 *Ibid.* (41,000 square feet of "other retail/service" uses ÷ 514 square feet of retail/services in southern California per employee = 80 employees).

would result in incrementally fewer employees at the site (between 43 and 67 employees) when compared to the existing (C-G) Commercial General land use designation (80 employees).

The 2016–2040 RTP/SCS analyzed the region's transportation system, future growth projections, and potential funding sources in order in order to develop a long-term framework for transportation improvements and maintenance.[164] The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections. As part of the RTP, SCAG developed an SCS, which was required by Senate Bill 375, the Sustainable Communities Act of 2008. The SCS is intended to combine land use and transportation planning with the overall goal of reducing greenhouse gas emissions generated by vehicle travel.

According to trip generation calculations, the proposed Project would generate 269 passenger-car-equivalent vehicle trips per day (Appendix J). If the site were developed under the existing land use designation of (C-G) Commercial General with the same floor-to-area ratio of 0.45 (i.e., 41,000 square feet of general commercial uses), approximately 1,021 vehicle trips would be generated in the neighborhood per day (refer to Appendix J). Therefore, development of the Project under proposed (I-L) Light Industrial land use designation would result in a substantially less intense use of the site when compared to the (C-G) Commercial General land use designation assumed in the General Plan.

Although the potential exists for the proposed Project to result in population growth through employment opportunities, the Project is not expected to exceed the City's growth projections or those of SCAG for the City and region. Therefore, population increase as a result of the proposed Project is not considered substantial or unplanned. The proposed Project would have a **less than significant** impact to the environment from population growth. Mitigation is not required.

Threshold B: Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Less than Significant Impact

Discussion of Effects: As of July 2019, Fontana had approximately 214,547 residents, 53,510 households, and an average of 3.89 persons per household.[165] The Project site contains one residential structure that is vacated (i.e., no one lives on the site). However, according to the City's average persons per household estimate of 3.89 persons per household, the on-site residential unit could house four persons that would be displaced by the proposed Project. It is possible that relocation of these City residents would require some incremental amount of new housing to be constructed, but it is more likely that these displaced residents would find adequate housing within the existing unoccupied housing stock within the City or adjacent communities. According to recent housing data, the City has a housing vacancy of approximately 4 percent.[166] Based on 53,510 households in the City, there are approximately 2,140 vacant residential units in the City. Assuming the on-site residence were not vacant and abandoned, the four residents that could reside in the household displaced from the Project site would respectively

[164] Southern California Association of Governments. *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy: A Plan for Mobility, Accessibility, Sustainability, and a High Quality of Life*. April 2016.

[165] United States Census Bureau. *QuickFacts, Fontana City, California.* https://www.census.gov/quickfacts/fact/table/fontanacitycalifornia,US/PST045219 (accessed July 2, 2020).

[166] TownCharts. *Fontana, California Housing Data.* Figure 35: Occupied and Vacant Housing Units in Fontana, CA. https://www.towncharts.com/California/Housing/Fontana-city-CA-Housing-data.html (accessed April 21, 2020). 2019 American Community Survey.

represent approximately 0.0019 percent of the City's population and 0.047 percent of the City's available vacant housing stock. Therefore, an adequate amount of vacant housing is available in the City for residents and households displaced by the proposed Project to relocate, and the Project would not displace a substantial number of people or housing that would necessitate the construction of housing elsewhere. Impacts would be **less than significant.** Mitigation is not required.

3.15 PUBLIC SERVICES AND FACILITIES

Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Fire protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☒	☐
e) Other Public Facilities, including Libraries?	☐	☐	☒	☐

Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:

Threshold A: Fire Protection services?

Less than Significant Impact

Discussion of Effects: The San Bernardino County Fire Department provides fire protection, fire prevention, and emergency services to the Fontana Fire Protection District (FFPD) for the City of Fontana and the Project site. San Bernardino County Fire Station 77 located at 17459 Slover Avenue approximately 1 mile to the east is the closest station to the Project site. Fire Station 77 is staffed with one captain, one engineer, two firefighter paramedics, and one firefighter and is equipped with one medic engine and one medic squad.[167] Average travel time between Fire Station 77 and the Project site is 3 minutes. Through compliance with California Vehicle Code 21806(A)(1), which requires all

[167] City of Fontana. *About the Fontana Fire District, Stations & Equipment, Fire Station 77.* https://www.fontana.org/639/Stations-Equipment (accessed May 26, 2020).

vehicles to yield to emergency vehicles, the proposed Project is not expected to reduce the FFPD's response times.

Development of the proposed warehouse may incrementally increase the demand for fire protection services through generation of between 43 and 67 employees working at the site, but not to the degree that the existing fire stations within the City could not meet demand. Project design features incorporated into the structural design and layout of the proposed warehouse would keep service demand increases to a minimum. For example, the Project must coordinate with the FFPD during the development review process to identify and mitigate any fire hazards and ensure adequate emergency water flow, fire-resistant design and materials, early warning systems and evacuation routes, and a 30-foot-wide fire lane encircling the site on the north and east sides of the building where existing roadways currently do not provide emergency access. Additionally, the City maintains mutual aid agreements with surrounding cities (e.g., Rancho Cucamonga, Ontario, and Rialto) and San Bernardino County, which allow for the services of nearby fire departments to assist the City during major emergencies.

The proposed Project design would be submitted to and approved by the FFPD prior the issuance of building permits. Furthermore, the Project would be required to pay Development Impact Fees (DIFs) used to fund capital costs associated with constructing new public safety structures such as fire stations and purchasing equipment for new public safety structures. Based on the information and analysis above, the addition of a 41,000 square foot light industrial warehouse building constructed in accordance with applicable policies designed to minimize fires (i.e., CBC and California Fire Code) would not require new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts. Therefore, impacts would be **less than significant,** and mitigation is not required.

Threshold B: Police Protection?

Less than Significant Impact

Discussion of Effects: The City of Fontana Police Department (FPD) headquarters is located at 17005 Upland Avenue, approximately 3.5 miles north of the Project site. Implementation of the Project would incrementally increase the demand for police services; however, the proposed warehouse could operate 24 hours per day, which would help reduce the overall potential for crime on the site. The Project would incorporate Crime Prevention Through Environmental Design (CPTED) features to keep service demand increases to a minimum. For example, the Project would incorporate public zones and private zones via physical and symbolic barriers to define acceptable uses of the proposed warehouse facilities and determine who has a right to occupy such zones. Additionally, the Project site would be equipped with formal surveillance through the use of closed-circuit television, electronic monitoring, and potentially security patrols, as well as informal surveillance such as architecture, landscaping, and lighting designed to minimize visual obstacles and eliminate places of concealment for potential assailants. The FPD employs CPTED principles during the development review process for new construction and offers CPTED inspection services free of charge to reduce the likelihood of criminal activity and create safer places for the community.[168]

[168] City of Fontana. *Crime Prevention Through Environmental Design.* https://www.fontana.org/295/Crime-Prevention-Through-Environmental-D (accessed May 26, 2020).

The City monitors staffing levels to ensure that adequate police protection and response times continue to be provided as individual development projects are proposed and on an annual basis as part of the City Council's budgeting process. Additionally, the City employs a 5-year strategic planning process to ensure adequate police services as buildout of the City occurs. The continual monitoring of police staffing levels by the City would ensure the proposed Project would not result in a significant reduction in police response times.

Funding for new police facilities commensurate with the increased demand for services in the City would be provided from capital improvement fees levied on new development. These DIFs are one-time charges applied to new development and are imposed to raise revenue for the construction or expansion of capital facilities such as police stations located outside of project boundaries of a new development that benefit the area. DIFs enable the City to collect fair-share fees from new development projects to fund new infrastructure and services, including police services. DIFs are collected for specific infrastructure needs and are deposited into different accounts representing these requirements.

The Project would be designed and operated per applicable standards required by the City for new development with regard to public safety. The Project would be required to pay DIFs used to fund capital costs associated with constructing new public safety structures and purchasing equipment for new public safety structures. In addition, the City maintains mutual aid agreements with police agencies in the surrounding cities (e.g., Rancho Cucamonga, Ontario, and Rialto) and with the San Bernardino County Sheriff's Department, which allow for the services of nearby police departments to assist the FPD during major emergencies. Payment of DIFs commensurate with the increased demand for services in the City would offset any increase in demand for police services.

Based on the information and analysis provided above, the addition of a 41,000-square foot light industrial warehouse building constructed in accordance with applicable policies designed to minimize crime (e.g., CPTED) would not require new or physically altered police protection facilities, the construction of which could cause significant environmental effects. Therefore, impacts would be **less than significant,** and mitigation is not required.

Threshold C: Schools?

No Impact

Discussion of Effects: The Project does not include housing; therefore, no increase in the number of school-age students is expected. California Government Code (Section 65995[b]) establishes the base amount of allowable developer fees imposed by school districts. These base amounts are commonly referred to as "Level 1 fees" and are subject to inflation adjustment every two years. School districts are placed into a specific "level" based on school impact fee amounts that are imposed on the development. With the adoption of Senate Bill 50 and Proposition 1A in 1998, schools meeting certain criteria can now adopt Level 2 and 3 developer fees. The amount of fees that can be charged over the Level 1 amount is determined by the district's total facilities needs and the availability of State matching funds. If there is State facility funding available, districts are able to charge fees equal to 50

percent of their total facility costs, termed "Level 2" fees. If, however, there are no State funds available, "Level 3" fees may be imposed for the full cost of their facility needs.[169]

Per California Government Code, "The payment or satisfaction of a fee, charge, or other requirement levied or imposed … are hereby deemed to be full and complete mitigation of the impacts … on the provision of adequate school facilities." The Project Applicant would be required to pay these development fees in accordance with Government Code 65995 and Education Code 17620. Through payment of development fees, **no impacts** related to school services would occur. Mitigation is not required.

Threshold D: Parks?

Less than Significant Impact

Discussion of Effects: Please refer to Section 3.16 below.

Threshold E: Other Public Facilities, including Libraries?

Less than Significant Impact

Discussion of Effects: The type of use of the proposed Project (light industrial warehouse) does not generate substantial unplanned population in the City that would require access to public facilities, including the City's three libraries (Lewis Library at 8437 Sierra Avenue, Summit Branch Library at 15551 Summit Avenue, and Library at Kaiser High School at 11155 Almond Avenue). Even if the employees of the proposed Project (between 43 and 67 employees) would require access to public facilities, the projected increase in population (through employment generation) would be consistent with planned population growth in the City, as detailed in Section 3.11 (Land Use and Planning) and Section 3.14 (Population and Housing) above. This minimal increase in population would incrementally increase the need for a number of public services, such as libraries and City administrative facilities, as well as those listed above. In the same manner for those facilities, the Project would be required to pay DIFs used to fund capital costs associated with constructing new public facility structures and purchasing equipment for new public facilities, including libraries.

Based on the information and analysis provided above, the incremental increase of employment by the Project would not exceed anticipated population growth in the City or for the site and is not expected to result in the need to construct or expand other public facilities, including libraries. Therefore, impacts would be **less than significant,** and mitigation is not required.

[169] California State Legislature, Legislative Analyst's Office. *An Evaluation of the School Facility Fee Affordable Housing Assistance Programs*, January 2001. http://www.lao.ca.gov/2001/011701_school_facility_fee.html (accessed May 26, 2020).

3.16 RECREATION

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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?	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Threshold A: Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less than Significant Impact

Discussion of Effects: The City maintains a performance standard of 5 acres for every 1,000 residents. Although the Project-generated employees (between 43 and 67 employees) could elect to utilize the City's park facilities, the Project would not involve the addition of any housing units that would permanently increase the City's population, and it is speculative to assume the number of employees who would reside in the City. The closest parks to the Project site are Sycamore Hills Park located at 11075 Mayberry Street 1.4 miles to the south and Jack Bulik Park and Multi-Purpose Rink located at 16581 Filbert Avenue 1.6 miles to the north. These parks are open to the public, and the amenities include basketball courts, baseball/softball field, skate park and rink, restrooms, playgrounds, and open space. The Project would be required to pay applicable development fees to offset impacts from deterioration to parks and recreation facilities in the City. Therefore, development of the Project would not create a significant increase in the use of existing neighborhood, regional parks, or other recreational facilities. Impacts would be **less than significant,** and mitigation is not required.

Threshold B: Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less than Significant Impact

Discussion of Effects: The City currently exceeds its performance standard of 5 acres for every 1,000 residents by approximately 300 acres of parkland citywide.[170] Since the Project is consistent with City growth projections, as detailed in Section 3.11 (Land Use and Planning) and Section 3.14 (Population

[170] City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.12-34. June 8, 2018.

and Housing) above, it is not expected to require construction of new or expansion of existing park facilities. Impacts would be **less than significant,** and mitigation is not required.

3.17 TRANSPORTATION AND TRAFFIC

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with *CEQA Guidelines* Section 15064.3, Subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Threshold A: Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than Significant Impact

Discussion of Effects: A Traffic Impact Analysis (TIA) is typically prepared to assess the impacts of traffic generated by a development project on the surrounding transportation network. TIAs serve as tools for the City to evaluate the effects specific development projects would have on the City's transportation infrastructure and address Section XVII (Transportation/Traffic) of Appendix G of the *CEQA Guidelines*.

The San Bernardino County Transportation Authority's (SBCTA) *Congestion Management Plan (CMP) TIA Guidelines* (dated June 2016) indicate any project that generates 250 or more two-way peak hour trips of which at least 50 two-way peak hour trips would occur on a State highway facility is required to prepare a Traffic Impact Analysis (TIA) report for City and Caltrans' review. The City of Fontana *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* indicate TIAs to determine if project-generated vehicle trips would adversely affect the surrounding transportation network are required if a project generates 50 or more trips during the a.m. or p.m. peak hour.[171] For projects anticipated to generate fewer than 50 peak hour trips, a trip generation memorandum generally is considered sufficient unless the City has specific concerns related to project access and interaction with adjacent intersections.

[171] City of Fontana. Department of Engineering, Traffic Engineering Division. *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment.* Page 4. June 2020.

The *Slover-Juniper Industrial Building Project Trip Generation Memorandum* (Appendix J) prepared for the Project indicates the Project is anticipated to generate approximately 29 passenger vehicle and freight truck trips during the a.m. peak hour and 25 passenger vehicle and freight truck trips during the p.m. peak hour. When freight truck trips are converted to passenger car equivalent (PCE) trips, the Project is anticipated to generate approximately 39 PCE trips during the a.m. peak hour and 33 PCE trips during the p.m. peak hour.[172] Since the number of trips the Project would generate is below the SBCTA and City's 50 peak hour trips threshold to prepare a TIA, the proposed Project's contribution to the surrounding transportation network would be negligible.

To help reduce vehicle miles travelled (VMT) in the Project vicinity, public transit is provided via Omnitrans Route 82 at the intersection of Slover Avenue and Sierra Avenue 0.2 mile east of the site. Omnitrans Route 82 traverses the entire City in a north-south direction, interconnecting the Project site with the Fontana Downtown area and major transit facilities such as the South Fontana Transfer Center and Fontana Metrolink Station, as well as neighboring Ontario and Rancho Cucamonga.[173] Development of the Project site would not conflict with any program, plan, ordinance, or policy designed to promote or enhance the City's transit facilities. Rather, development of a modern light industrial warehouse as proposed would promote the continued use of Omnitrans Route 82 by introducing employment opportunities onto a vacant and underutilized property in proximity to an Omnitrans bus stop consistent with the Goals and Policies of the City's General *Community Mobility and Circulation Element.*[174] Additionally, the Project would construct new curb and sidewalk along the entire roadway frontage of the Project site to help fill in gaps in the City's sidewalk network pursuant to General Plan *Community Mobility and Circulation Element* Goals 1 and 2. Finally, the Project site would include bicycle parking, and alternative access to the Project site would be available via proposed Class 2 and 3 bicycle lanes to be implemented by the City at a future date along nearby major corridors such as Cypress Avenue 0.25 mile to the west and Sierra Avenue 0.2 mile to the east. These project design features would be installed in accordance with City Municipal Code Section No. 30-554 (Trip Reduction Measures).

The proposed Project addresses several key issues and implements policies of the General Plan that reduce vehicle miles traveled without generating a substantial increase in vehicle trips in accordance with the City's *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment.* Therefore, the Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impacts would be **less than significant,** and mitigation is not required.

Threshold B: Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, Subdivision (b)?

Less than Significant Impact

Discussion of Effect: *CEQA Guidelines* Section 15064.3, subdivision (b) establishes "vehicle miles traveled" criteria in lieu of "level of service" (LOS) for analyzing transportation impacts and was signed

[172] LSA Associates, Inc. *Slover – Juniper Industrial Building Project Trip Generation Analysis and Vehicle Miles Traveled Analysis Memorandum.* Page 1 and Table A. September 2020. (Appendix J).

[173] City of Fontana, State of California. *General Plan Update 2015-2035. Chapter 9: Community Mobility and Circulation.* Exhibit 9.3: Mobility. Adopted November 13, 2018.

[174] *Ibid.* Pages 9.5 and 9.6.

into law as Senate Bill (SB) 743 in 2013. As detailed in Section 3.17 (Threshold A), the Project would facilitate access to alternative, shared, and community transportation opportunities that satisfy key policies of the General Plan that reduce VMT without generating a substantial unanticipated increase in population or vehicle trips to the circulation network. The City of Fontana is currently updating its *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment*[175] to refine the "Low Project Type Screening" VMT thresholds. Under the updated VMT screening thresholds, projects that generate less than 500 average daily trips are anticipated to have less than significant VMT impact.[176] The Project is anticipated to generate only 269 daily PCE trips.[177] Therefore, the Project would have a **less than significant impact** on VMT and can be screened out from further VMT analysis. Mitigation is not required.

Threshold C: Would the Project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than Significant Impact

Discussion of Effects: Roadway improvements in and around the Project site would be designed and constructed to satisfy all City requirements for street widths, corner radii, intersection control, as well as incorporate design standards tailored specifically to site access requirements pursuant to Division 7 (Design Guidelines) of Article VII (Industrial Zoning Districts) of the City Municipal Code. Entrances and exits to and from parking and loading facilities would be marked with directional signage, and all site access points and driveway aprons are designed and would be constructed to adequate widths for public safety pursuant to City Municipal Code Section No. 30-550(H). Off site, the Project would dedicate approximately four feet of right of way along the western Project site frontage in order for the City to widen Juniper Avenue under a separate action. The Project would include installation of curb, gutter, sidewalk, landscaping, streetlights, and trees along the Project site frontage of Juniper Avenue and Slover Avenue.

The City, at final plan check, would ensure that all improvements associated with the Project are consistent with City standards and requirements. Adherence to applicable City requirements would ensure the proposed development would not include any sharp curves or dangerous intersections. Therefore, no substantial increase in hazards due to a design feature would occur. Impacts are **less than significant,** and mitigation is not required.

Threshold D: Would the Project result in inadequate emergency access?

Less than Significant Impact

Discussion of Effects:

Construction. Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Typical City requirements include prior notification of any lane or road closures with sufficient signage before and during any closures, flag crews with radio communication

[175] City of Fontana. Department of Engineering, Traffic Engineering Division. *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment.* Page 13. June 2020.
[176] City of Fontana. Department of Engineering, Traffic Engineering Division. *Electronic Mail dated August 27, 2020.*
[177] LSA Associates, Inc. *Slover – Juniper Industrial Building Project Trip Generation Analysis and Vehicle Miles Traveled Analysis Memorandum.* Page 2. September 2020. (Appendix J).

when necessary to coordinate traffic flow, etc. The warehouse developer would be required to comply with these requirements, which would maintain emergency access and allow for evacuation if needed during construction activities. Compliance with these requirements would ensure that short-term impacts related to this issue are **less than significant.** Mitigation is not required.

Operation. Access to and from the Project site would occur along Slover Avenue and Juniper Avenue. In accordance with the California Fire Code, the Project Applicant is required to design, construct, and maintain structures, roadways, and facilities to maintain appropriate emergency/evacuation access to and from the Project site as codified in Section Nos. 30-529 (Public Safety), 30-541(D)(7)(a) and (b) (Fences and Walls), and 30-550 (H) (Site Plan Design) of the City Municipal Code.

These improvements would be subject to compliance with the City Municipal Code sections specified above and would be reviewed by the Fontana Fire Protection District and Police Department through the City's general development review process. Proper site design and compliance with standard and emergency City access requirements would allow for evacuation if necessary during ongoing warehouse operations. This would ensure that long-term impacts related to this issue are **less than significant.** Mitigation is not required.

3.18 TRIBAL CULTURAL RESOURCES

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:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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)?	☐	☐	☒	☐
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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☐	☒	☐

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:

Threshold 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)?

And

Threshold 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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Less than Significant Impact

Discussion of Effects: The term "California Native American tribe" is defined as "a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission (NAHC)."

Chapter 905, Statutes of 2004 (i.e., Senate Bill 18) of the California Government Code requires a City to consult with California Native American tribes for the purpose of preserving specified places, features, and objects described in Sections 5097.9 and 5097.995 of the Public Resources Code that are located within the city or county's jurisdiction prior to the adoption or amendment of a General Plan. Senate Bill (SB) 18 requires the Lead Agency (i.e., City of Fontana) to refer to the California Native American tribes specified by the NAHC and to provide them with opportunities for consultation.

Chapter 532, Statutes of 2014 (i.e., Assembly Bill 52), requires Lead Agencies evaluate a project's potential to affect "tribal cultural resources." Such resources include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." Assembly Bill (AB) 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a "tribal cultural resource."

CEQA defines a "historical resource" as a resource that meets one or more of the following criteria: (1) is listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) is listed in a local register of historical resources as defined in PRC §5020.1(k); (3) is identified as significant in a historical resource survey meeting the requirements of PRC §5024.1(g); or (4) is determined to be a historical resource by a project's Lead Agency (PRC §21084.1 and *State CEQA Guidelines* §15064.5[a]).

"Local register of historical resources" means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

A resource may be listed as a historical resource in the California Register of Historical Resources if it meets any of the following National Register of Historic Places criteria as defined in PRC §5024.1(C):

A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

B. Is associated with the lives of persons important in our past.

C. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

D. Has yielded, or may be likely to yield, information important in prehistory or history.

A "substantial adverse change" to a historical resource, according to PRC §5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired."

CEQA Guidelines do not preclude identification of historical resources as defined in Public Resources Code Sections 5020.1(j) or 5024.1. Pursuant to *State CEQA Guidelines* Section 15064.5[c][4], if an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study, but they need not be considered further in the CEQA process. [178]

Per SB 18 (specifically California Government Code 65352.4), "consultation" means the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance. The City engaged the NAHC for a contact list of tribes pursuant to California Government Code 65352.3.

Per AB 52 (specifically California Public Resources Code 21080.3.1), Native American consultation is required upon request by interested California Native American tribes that have previously requested that the City provide them with notice of such projects.

The City mailed notices of the proposed Project to thirteen (13) Native American tribes on July 13, 2020 pursuant to SB 18 and AB 52. One Tribe responded with a request to review the cultural resources investigation attached to this Initial Study as Appendix D. The City did not receive additional requests for consultation.

The City has prescribed the following three Standard Conditions through consultation with Native American tribes pursuant to SB 18 and AB 52:

Standard Condition CUL-1: Upon discovery of any cultural, tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All cultural, tribal cultural and archaeological resources unearthed by Project construction activities

[178] Pursuant to Section 21082.3(c) of the Public Resources Code, details on the nature, extent, and location of Tribal Cultural Resources identified by Native American Tribes shall remain confidential for the purposes of this analysis.

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.

Standard Condition CUL-2: 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.

Standard Condition CUL-3: 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.

With regard to human remains, compliance with State Health and Safety Code § 7050.5 is required for all development as a matter of regulatory policy and would apply to the Project outright regardless of mitigation or conditions of approval. Compliance with **Standard Conditions CUL-1** through **CUL-3** would ensure the Project would be conditioned to cease excavation or construction activities if cultural, tribal cultural, or archaeological resources are identified during execution and would include provisions for Native American Monitoring of ground-disturbing activities in such an instance. These conditions also would ensure further consultation with interested Native American Tribes for the appropriate treatment of Tribal Cultural Resources. Therefore, impacts to Tribal Cultural Resources would remain **less than significant.** Mitigation is not required.

3.19 UTILITIES AND SERVICE SYSTEMS

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?	☐	☒	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Comply with federal, State, and local management reduction statutes and regulations related to solid waste?	☐	☒	☐	☐

Threshold A: Would the Project require or result in the relocation or construction of new or expanded water, drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which would cause significant environmental effects?

Less than Significant with Mitigation Incorporated

Discussion of Effects: Construction and expansion of water, drainage, electric, gas, and telecommunications facilities is described in Section 2.3.8. The proposed warehouse facility would interconnect to existing utilities where available along the site frontage of Slover Avenue and Juniper Avenue. In addition, the Project would reconfigure the electrical utilities adjacent to the site by relocating the existing distribution circuit underground along Slover Avenue and Juniper Avenue pursuant to City Municipal Code Section No. 30-550(G)(3) (Utilities).

The approval of drainage features and other utility improvements occurs through the building plan check process. As part of this process, all Project-related drainage features and utility infrastructure would be required to comply with City Municipal Code Chapter 21, Section 21-85(c) (Additional Public Improvements), Chapter 27 (Utilities) and Chapter 30, Section 30-550 (Site Plan Design), as well as Santa Ana RWQCB standards. On-site Project-related drainage features would be designed, installed,

and maintained per City MS4 standards and the requirements identified in the Final WQMP (per **Mitigation Measure HYD-3**).

All proposed improvements and interconnection to drainage, electric power, water, and wastewater facilities would be installed simultaneously with finish grading activities and required Project frontage improvements (curb, gutter, sidewalk, landscaping, streetlights, and trees) along Slover Avenue and Juniper Avenue. The areas of potential impact from drainage and utility infrastructure improvements is included in the analytical footprint of this Initial Study and associated technical studies, and impacts are mitigated where necessary to less than significant levels. As a result, interconnection to the existing utilities in the Project vicinity would not result in substantial disturbance to native habitat or soils, or to the operation of existing roadways and utilities. There would be no significant environmental effects specifically related to the installation of utility interconnections that are not encompassed within the Project's construction and operational footprints, and therefore already identified, disclosed, and subject to all applicable mitigation measures, as well as local, State, and federal regulations, as part of this Initial Study. Therefore, impacts related to relocation of utilities would be reduced to **less than significant with mitigation incorporated**.

Threshold B: Would the Project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Less than Significant Impact

Discussion of Effects: As detailed in Section 3.10 (Threshold B), the FWC would supply water to the Project site via groundwater supplies from three adjudicated basins, including the Chino Basin, Rialto-Colton Basin, and the Lytle Basin, and one unadjudicated basin called No Man's Land Basin. The Chino Basin is the main source of water for the FWC. According to the FWC UWMP, none of the basins supplying groundwater to the FWC is in "critical condition of overdraft."[179] FWC's current available pumping capacity totals approximately 39,300 gallons per minute (gpm), with individual well production ranging from approximately 165 gpm to 2,700 gpm. Current pumping capacity (as of March 2016) from each basin is as follows:[180]

- Chino Basin: 31,007 gpm.
- Lytle Basin: 3,700 gpm.
- Rialto-Colton Basin: 1,650 gpm (pursuant to Court-ordered Groundwater Production Injunction).
- No-Man's Land: 3,314 gpm.

Based on regional employment/square footage averages detailed in Section 3.14 (Threshold A), FWC's Normal Year demand projection is 156 gallons per capita per day (GPCD) for 2020, and 176 GPCD for 2025 and subsequent years through 2040.[181] Based on a rate of 176 GPCD, the projected employees of the Project would consume approximately 11,792 gallons per day[182] or 4.3 million gallons or 13.2

[179] San Gabriel Water Company, Fontana Water Company Division. *2015 Urban Water Management Plan.* Page 6-19. June 2016, Amended December 2017.
[180] *Ibid.* Page 6-5.
[181] *Ibid.* Page 7-5.
[182] 176 gal/person/day × 67 persons = 11,792 gallons per day

AFY, which would be a worst-case scenario assuming the employees would occupy the site 24 hours per day.

According to SCAG, development of 41,000 square feet of commercial retail and services is estimated to generate an average of 1 employee for every 514 square feet of commercial retail and service land use.[183] This would equate to approximately 80 employees if the site were developed under the exiting (C-G) Commercial General land use.[184] Based on a rate of 176 GPCD, development of the site under the existing (C-G) Commercial General land use would generate approximately 14,080 gallons per day[185] or 5.14 million gallons or 15.77 AFY, which would be a worst-case scenario assuming the employees would occupy the site 24 hours per day.

The FWC production capacity for 2040 is 56,562 AFY and assumes the site would be developed under the (C-G) Commercial General land use. However, the Project is anticipated to generate less water demand under the proposed Light Industrial land use (up to 13.2 AFY) than if the site were developed under the existing General Commercial land use designation (15.77 AFY). Furthermore, the anticipated water demand of the proposed Project (under a Light Industrial land use) is less than 0.033 percent of available FWC supplies in 2020.[186] Therefore, the amount of water available for the Project is sufficient for normal, single-dry, and multiple-dry years for the next 23 years. Since planned supplies are sufficient, impacts would be **less than significant** and mitigation is not required.

Threshold C: Would the Project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less than Significant Impact

Discussion of Effects: The Project site is within the sewer service area of the City of Fontana and the Inland Empire Utilities Agency (IEUA). Operational discharge flows treated by the IEUA would be required to comply with waste discharge requirements for that facility. IEUA serves approximately 830,000 people over 242 square miles in the Western San Bernardino County and provides services to the Cities of Chino, Chino Hills, Fontana, Montclair, Ontario, Upland, and Rancho Cucamonga.[187] IEUA operates four Regional Water Recycling Plants (RPs), including RP-1, RP-4, RP-5, and the Carbon Canyon Water Recycling Facility. IEUA's RP-4 located near the intersection of Etiwanda Avenue and 6th Street in the City of Rancho Cucamonga treats local wastewater generated by the City of Fontana.

IEUA's four RPs have a combined treatment capacity of 84 million gallons per day (MGD)[188] and currently treat over 50 MGD.[189] RP-1 has a capacity of 44 MGD, treats an average flow of 28 MGD of wastewater, and is operated in conjunction with RP-4 to provide recycled water to users. RP-4 has

183 Southern California Association of Governments. *Employment Density Study Summary Report*. Table 2B. October 31, 2001.
184 *Ibid.* (41,000 square feet of "other retail/service" uses ÷ 514 square feet of retail/services in southern California per employee = 80 employees).
185 176 gal/person/day × 80 persons = 14,080 gallons per day
186 San Gabriel Water Company, Fontana Water Company Division. *2015 Urban Water Management Plan.* Table 6-12. June 2016, Amended December 2017. (13.2 acre-feet Project demand ÷ 40,140 acre-feet FWC supply = 0.0329 percent)
187 Inland Empire Utilities Agency. *Strategic Plan, Fiscal Years 2015-2019.* Page 4. Updated July 1, 2014.
188 *Ibid.* Page 5.
189 Inland Empire Utilities Agency. *Fiscal Year 2016/17 Ten-Year Capital Improvement Plan.* Page 13. April 2016.

recently been expanded to a capacity of 14 MGD and treats an average flow of 10 MGD, with a surplus capacity of approximately 4 MDG.[190]

The average wastewater flow is 100 gallons per person per day.[191] Under a worst-case scenario where the Project site would be occupied 24 hours per day, the Project would generate 6,700 gallons of wastewater per day[192] or 2.446 million gallons of wastewater per year. The Project's estimated wastewater treatment demand represents 0.17 percent of RP-4's current daily surplus capacity.[193] As sufficient surplus treatment capacity is available, impacts would be **less than significant,** and mitigation is not required.

Threshold D: Would the proposed Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact

Discussion of Effects: Solid waste collection is a "demand-responsive" service, and current service levels can be expanded and funded through user fees. Solid waste from the proposed Project would be hauled by Burrtec Waste Industries, Inc. and transferred to the West Valley Materials Recycling Facility (MRF)/Transfer Station. From the MRF, the non-recyclable material would be transferred to regional landfills as available. Solid waste generated by the proposed on-site uses would be collected and processed by Burrtec, after which non-recyclable material would be sent to Mid-Valley Landfill. Mid-Valley Landfill has a daily throughput of 7,500 tons with a remaining capacity of 61,219,377 cubic yards.[194]

Based on a generation rate of 11.9 pounds per employee per day (between 43 and 67 employees),[195] the Project would generate between 511.7 and 797.3 pounds of solid waste per day.[196] This amount is equivalent to as much as 0.0053 percent of the daily throughput at Mid-Valley Landfill.[197] The Mid-Valley Landfill has adequate capacity to serve the proposed Project. As adequate daily surplus capacity exists at the receiving landfill, and the Project would comply with local and State waste reduction strategies, the Project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. Impacts would be **less than significant,** and mitigation is not required.

190 Inland Empire Utilities Agency. *Facilities.* https://www.ieua.org/facilities/ (accessed May 27, 2020).
191 ESA Associates, Inc. *IEUA Facilities Master Plan Draft Program Environmental Impact Report. SCH #2016061064.* Page 2-38. December 2016.
192 100 gallons/person/day × 67 persons = 6,700 gallons per day
193 6,700 gallons per day ÷ 4 MGD surplus capacity at RP-4 = 0.1675 percent of surplus capacity
194 California Department of Resources Recycling and Recovery (CalRecycle). *Facility/Site Summary Details: Mid-Valley Sanitary Landfill.* https://www2.calrecycle.ca.gov/swfacilities/Directory/36-AA-0055/ (accessed May 27, 2020).
195 California Department of Resources Recycling and Recovery (CalRecycle). California's 2017 Per Capita Disposal Rate Estimate. https://www.calrecycle.ca.gov/lgcentral/goalmeasure/disposalrate/mostrecent/ (accessed May 27, 2020).
196 11.9 pounds per employee per day × 43 employees = 511.7 pounds of solid waste per day. 11.9 pounds per employee per day × 67 employees = 797.3 pounds of solid waste per day.
197 797.3 pounds of solid waste per day ÷ 7,500 tons (15,000,000 pounds) daily surplus = 0.0053 percent.

Threshold E: Would the Project comply with federal, State, and local management reduction statutes and regulations related to solid waste?

Less than Significant with Mitigation Incorporated

Discussion of Effects: The Project proposes to demolish one building and associated garage structure constructed prior to regulation of ACM and LBM. The City would require the Project Applicant to prepare a Construction Waste Management Plan (CWMP) to ensure a minimum 65 percent of all demolition and construction waste would be recycled/reused in accordance with CalGreen Code Sections 4.408 and 5.408. Implementation of **Mitigation Measures HAZ-1** through **HAZ-3** would ensure a Certified Asbestos Consultant and Lead Inspector Assessor would prepare disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility and SCAQMD air clearances prior to any asbestos removal activity. Additionally, **Mitigation Measures HAZ-4** would ensure any soils containing residual pesticides in excess of regulatory standards are disposed pursuant to 15 U.S.C. §2601 et seq. (1976) (Toxic Substances Control Act), Cal/OSHA, DTSC, and California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control). **Mitigation Measure HAZ-5** would ensure unanticipated subsurface features would be evaluated for asbestos and disposed in accordance with Cal/OSHA and Title 8, CCR Section 1529. **Mitigation Measure HAZ-6** would ensure known hazardous materials will be disposed pursuant to 15 U.S.C. §2601 et seq. (1976) (Toxic Substances Control Act), Cal/OSHA, and California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control).

The Project operator is required to coordinate with Burrtec Waste Industries, Inc., which would collect solid waste from the site and transfer the solid waste to the MRF. The MRF would sort the solid waste into recyclable and non-recyclable waste and would transfer the non-recyclable waste to Mid-Valley Landfill for disposal. All development within the City, including the proposed Project, is required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other local, State, and federal solid waste disposal standards.

Through preparation of a CWMP and implementation of **Mitigation Measures HAZ-1** thought **HAZ-6,** the proposed Project would not conflict with applicable federal, State, and local statutes and regulations related to solid waste. Impacts would be reduced to **less than significant with mitigation incorporated.**

3.20 WILDFIRE

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
b) If located in or near State Responsibility Areas or lands classified as very high fire	☐	☐	☒	☐

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
hazard severity zones, would the Project, due to slope and/or prevailing winds, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				
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?	☐	☐	☒	☐
d) If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Threshold A: If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact

Discussion of Effect: According to the California Department of Forestry and Fire Protection (CALFIRE), the Project site is not located within a wildfire State Responsibility Area, nor is the site classified as a Very High Fire Hazard Severity Zone (VHFHSZ).[198] The nearest VHFHSZ is located approximately 2.5 miles south of the site. The Project is located in an area that is developed with local roads and regional highways that provide adequate access and departure from the area in the event of an emergency, such as a wildfire. The Project is designed to comply with the current California Fire Code (2019 California Fire Code) standards for development for industrial uses, Fontana Building Code Standards, and standards as set forth by the FFPD. Adequate emergency access points also are included in the design of the Project. Therefore, the proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan within a VHFHSZ. Impacts are **less than significant,** and mitigation is not required.

[198] California Department of Forestry and Fire Protection (CALFIRE). *Fire Hazard Severity Zones Maps for San Bernardino County.* https://osfm.fire.ca.gov/divisions/wildfire-prevention-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/ (accessed July 8, 2020).

Threshold 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 and/or prevailing winds, expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less than Significant Impact

Discussion of Effect: As described above, the proposed Project is not located within or near a wildfire State Responsibility Area, nor is the land classified as a VHFHSZ. The project site is predominately flat, and lacks significant slopes. Wildfires have the tendency for uncontrolled spread when the terrain is hilly or mountainous and not conducive to practicable firefighting capabilities. The likelihood of uncontrolled spread of a wildfire near or on the Project site is relatively low since the surrounding topography is relatively flat and substantially developed.

San Bernardino County and Fontana are subject to seasonal wind events including times during the fall when Santa Ana Wind conditions are prevalent. Santa Ana Wind conditions in the area of the proposed Project typically blow from a northeast to southwest direction (an offshore flow). Wildfires have been recorded to occur in such Santa Ana Wind events sometimes leading to uncontrolled spread of wildfires. CALFIRE and the San Bernardino County Fire Department have taken these conditions and the locations of Fire Hazard Severity Zones into consideration when determining potential impacts associated with wildfire spread within the City of Fontana and surrounding cities. If such a conflagration[199] driven by winds were to get out of control, the City's FFPD and San Bernardino County Fire Department have procedures in place to respond to such an emergency and evacuate residents and employees as needed.[200]

Wind events can also result in smoke drift from nearby wildfires resulting in smoke settling in low-lying areas. The City is located in a valley between the San Bernardino/San Gabriel Mountains and the Jurupa Mountains; as such, the potential for smoke settlement from nearby wildfires is a possibility. Such smoke settlement would be temporary and would more than likely clear out within a couple days of when settlement commenced (based on weather conditions).

Overall, implementation of the proposed Project would have a low probability of exposing occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope or prevailing winds. Impacts would be **less than significant.** Mitigation is not required.

Threshold 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?

Less than Significant Impact

Discussion of Effect: As described above, the proposed Project is not located within or near a wildfire State Responsibility Area, nor is the land classified as a VHFHSZ. The Project includes development of a light industrial building, on-site utility infrastructure, surface parking lots, and off-site improvements

[199] Conflagration is an extensive fire that destroys a great deal of land or property.
[200] City of Fontana. *Local Hazard Mitigation Plan*. Page 176. June 2017; Approved and Adopted August 14, 2018.

to the Project frontage and utility infrastructure. The Project would not incorporate infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other non-existing utilities) that may exacerbate fire risk because all improvements would be implemented in an urbanized setting in accordance with the 2019 CBC, California Fire Code, and applicable local ordinances. Impacts would be **less than significant** and mitigation is not required.

Threshold D: If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, would the Project expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes?

Less than Significant Impact

Discussion of Effect: As described above, the proposed Project is not located within or near a wildfire State Responsibility Area, nor is the land classified as a VHFHSZ. According to the City's Local Hazard Mitigation Plan, the Project site is not located in flood hazard or inundation zones,[201] and the site is not located near bodies of water or enclosed water storage features which could result in tsunamis or seiches. Therefore, risks associated with runoff caused by post-fire slope instability or post-fire drainage change are low.

The Project site is located on land that is relatively flat, and the foothills of the Jurupa Mountains are approximately 2.6 miles south of the site and 30 feet down gradient. Additionally, the land between the Project site and the Jurupa Mountains is developed with residential, commercial, and industrial uses. The distance, slope, and intervening uses between the Project site and foothills of the Jurupa Mountains precludes the Project site from significant risks due to landslides caused by post-fire slope instability or post-fire drainage changes. Impacts would be **less than significant** and mitigation is not required.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

Would the Project:

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?	☐	☒	☐	☐

[201] City of Fontana. *Local Hazard Mitigation Plan*. Figure 4-1: Flood Hazard Map and Figure 4-2: Dam Inundation areas in Fontana. June 2017; Approved and Adopted August 14, 2018.

Issues:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Have possible environmental effects which are individually limited but cumulatively considerable?	☐	☒	☐	☐
c) Have environmental effects that would cause substantial adverse effects on humans either directly or indirectly?	☐	☒	☐	☐

Threshold A: Would the Project substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of major periods of California history or prehistory?

Less than Significant with Mitigation Incorporated

Discussion of Effect: T The Project site is an infill site completely surrounded by developed landscapes. The site was utilized for agriculture as an orchard as early as the 1920s and was also occupied as a residence by that time. The last of the remaining orchards was removed between 1953 and 1959,[202] and the site remains highly disturbed with one single-family residence and detached garage. Undeveloped portions of the site contain a variety of ornamental tree stumps and ruderal vegetation[203] as a result of seasonal weed abatement activities.

Although potential hydrology and water quality impacts could result from the proposed Project, implementation of NPDES permits ensures the State's mandatory standards for the maintenance of clean water and the federal minimums are met. Compliance with the provisions of the NPDES permit and implementation of the LID BMPs specified in the WQMP are regulatory requirements detailed as **Mitigation Measures HYD-1** through **HYD-3** to be included in the conditions of approval for this Project. A Final WQMP will be approved as a routine action during the processing of the Project by the City; therefore, the required measures and features detailed in the WQMP to safeguard water quality would be incorporated into the Project. Adherence to **Mitigation Measures HYD-1** through **HYD-3** and the requirements included in the NPDES permit, SWPPP, and WQMP would ensure impacts to water quality would be reduced to **less than significant with mitigation incorporated.**

No riparian or sensitive natural community is located on site, and there is no designated critical habitat within or adjacent to the Project site for any species.[204] The Project site does not include any federally protected wetlands or any drainage features, ponded areas, wetlands, or riparian habitat subject to jurisdiction by the CDFW, USACE, and/or RWQCB.[205] The Project-specific Biological Resources Assessment included a literature search and pedestrian survey of the site and indicates none of the

202 Partner Engineering and Science, Inc. *Phase I Environmental Site Assessment Report. 16726 Slover Avenue, Fontana, California, 92337.* Page i and Appendix B: Historical/Regulatory Documentation. June 17, 2020. (Appendix E).

203 Ruderal vegetation consists of species (often invasive) that are first to colonize disturbed lands.

204 LSA Associates, Inc. *Biological Resources Assessment for the Slover and Juniper Industrial Building Project in Fontana.* Pages 3 through 6 and Page D-8 of Attachment D: Summary of Special-Status Species. August 18, 2020. (Appendix C)

205 *Ibid.*

threatened, endangered, or candidate species with potential to occur in the project vicinity (refer to Table 3.4.A) are located on the site due to lack of suitable habitat.[206] Additionally, the Project site does not provide suitable habitat for burrowing owl (*Athene cunicularia*) due to the site's previous disturbances, relatively small size, and isolation from open space with suitable habitat to support this species. Furthermore, the lack of ground squirrel burrows renders the site unlikely to facilitate nesting habitat for this species.[207] All other non-listed special-status species with potential to occur on site have a low probability of inhabiting the site due to lack of suitable habitat as a result of prior and current disturbances.

Ornamental trees that provide suitable nesting habitat for common bird species are located on properties adjacent to the site, and the on-site residential building and detached garage proposed for demolition also provide suitable nesting habitat for common bird species. The Project would be conditioned via **Mitigation Measure BIO-1** to ensure a qualified biologist conducts a pre-construction survey for nesting birds if construction activities occur during nesting bird season in accordance with Sections 3503–3801 of the California Fish and Game Code. Additionally, the Project would be conditioned to comply with Article III: Preservation of Heritage, Significant, and Specimen Trees of the City Municipal Code as specified in **Mitigation Measure BIO-2** by ensuring the Project Applicant replaces each of the 25 tree stumps with one 15-gallon species to be determined by City staff.

With implementation of **Mitigation Measure BIO-1,** impacts to native resident or migratory fish or wildlife species, established native resident or migratory wildlife corridors, and native wildlife nursery sites would be reduced to **less than significant with mitigation incorporated.** Through implementation of **Mitigation Measure BIO-2**, the Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The Project-specific Cultural Resources Assessment (Appendix D) identified a residence constructed in 1923 located at 16726 Slover Avenue (Project site) and a historic period building foundation feature dating to the 1940s located in the northeastern portion of the property. The foundation feature includes associated cinderblock wall rubble but is secondary/marginal in nature, temporally ambiguous in appearance, lacks any associated historic period refuse, and does not contribute to the potential of the overall property, including the residence at 16726 Slover Avenue, to be eligible for listing in the California Register of Historical Resources. None of the known cultural resources on site exhibit the integrity required to define them as Historical Resources under *CEQA Guidelines* Section 15064.5, so impacts to these resources would be **less than significant.** To further comply with all applicable regulations protecting cultural, tribal cultural, or archaeological resources, **Standard Conditions CUL-1** through **CUL-3** are prescribed to ensure the Project would be conditioned to cease excavation or construction activities if cultural, tribal cultural, or archaeological resources are identified during execution and would incorporate archaeological and Native American Monitoring of ground-disturbing activities in such an instance. These conditions also would ensure further consultation with interested Native American Tribes for the appropriate treatment of Tribal Cultural Resources. Additionally, implementation of **Mitigation Measures GEO-2** and **GEO-3** would ensure unanticipated paleontological resources encountered during construction would be managed pursuant to applicable regulatory policy. Accordingly, impacts to important examples of major periods

206 *Ibid.*
207 *Ibid.*

of California history or prehistory would be reduced to **less than significant with mitigation incorporated.**

The proposed Project has either no impact, a less than significant impact, or a less than significant impact with mitigation incorporated with respect to all natural resources issues pursuant to CEQA. Due to the limited scope of physical impacts to the environment associated with the proposed Project, implementation of the Mitigation Measures described above would ensure impacts to the quality of the environment would be reduced to **less than significant with mitigation incorporated**.

Threshold B: Would the Project have possible environmental effects which are individually limited but cumulatively considerable?

Less than Significant with Mitigation Incorporated

Discussion of Effect: In evaluating the cumulative effects of the Project, Section 21100(e) of the *CEQA Guidelines* states that "previously approved land use documents including, but not limited to, general plans, specific plans, and local coastal plans, may be used in cumulative impact analysis." As detailed in Section 3.11 (Land Use and Planning), the Project includes a General Plan Amendment from (C-G) Commercial General to (I-L) Light Industrial and Zone Change from General Commercial (C-2) to Light Industrial (M-1). Table 2.2.A summarizes the Project site and surrounding land uses, General Plan designations, and zoning designations.

The City's *Land Use, Zoning, and Urban Design* General Plan Element indicates warehouses that are designed in ways that limit off-site impacts are permitted on land designated (I-L) Light Industrial.[208] Pursuant to Chapter 30, Section 30-522 (Light Industrial – M-1) of the City's Zoning and Development Code, the (M-1) Light Industrial zoning district is intended to accommodate employee-intensive uses, such as business parks, research and technology centers, offices, and supporting retail uses, high cube/ warehousing 200,000 square feet or less but which does not permit heavy manufacturing, processing of raw materials, or businesses logistics which generate high volumes of truck traffic. The specific warehouse use is speculative but would be conditioned consistent with the proposed (I-L) Light Industrial land use designation and (M-1) Light Industrial Zoning District as a 41,000 square-foot warehouse building.

The SCAG functions as the MPO for six counties, including San Bernardino County, wherein the Project is located. As the designated MPO, SCAG is federally mandated to research and plan for transportation, growth management, hazardous waste management, and air quality. SCAG's main responsibilities under State and federal law are preparing the RHNA and the RTP. Although SCAG does not have formal regulatory authority and cannot directly implement land use decisions, SCAG guides land use planning for the southern California region through intergovernmental coordination and consensus building. The City's General Plan bases the City's target growth forecast on regional growth forecasts detailed in SCAG's latest [2016–2040] RTP/SCS. Therefore, the analysis of the proposed

[208] City of Fontana, State of California. *General Plan Update 2015–2035. Chapter 15: Land Use, Zoning, and Urban Design Element.* Pages 15.25 and 15.26. Adopted November 13, 2018.

Project's impacts to the City's growth forecast is based on the latest data provided in SCAG's 2016–2040 RTP/SCS.[209]

The City's General Plan has a year 2035 buildout horizon; however, the General Plan does not specify or anticipate when complete buildout would occur, as long-range demographic and economic trends are speculative. The designation within the General Plan of a site for a certain use does not necessarily mean that the site would be developed with that use during the planning period, as most development depends on property owner initiative. Although the Project site's existing land use designation is (C-G) Commercial General, amending the land use designation to (I-L) Light Industrial would not result in growth in the area or City beyond that which was planned for at General Plan buildout.

As of July 1, 2019, the United States Census Bureau estimated the City's population to be 214,547 persons.[210] Development of the proposed Project and other projects in the City and in San Bernardino County would lead to increases in population, housing, and employment. As stated previously, the proposed Project would generate approximately 67 employees based on the ITE *Trip Generation* (10th Edition) rates for Land Use 110 – "General Light Industrial.[211] For comparison, statistical figures published by SCAG for the southern California region indicate development of a 41,000 square-foot warehouse in southern California would generate approximately 43 employees.[212] Therefore, the proposed Project is expected to generate between 43 and 67 employees. According to SCAG, development of 41,000 square feet of commercial retail and services would generate approximately 80 employees if the site were developed under the existing (C-G) Commercial General land use.[213] Therefore, development of the Project under the proposed (I-L) Light Industrial land use designation would result in incrementally fewer employees at the site (between 43 and 67 employees) when compared to the existing (C-G) Commercial General land use designation (80 employees).

The 2016–2040 RTP/SCS analyzed the region's transportation system, future growth projections, and potential funding sources in order in order to develop a long-term framework for transportation improvements and maintenance.[214] The RTP includes policies and regulations set forth to ensure development within the SCAG regional area is within planned and forecast socioeconomic projections. As part of the RTP, SCAG developed an SCS, which was required by Senate Bill 375, the Sustainable Communities Act of 2008. The SCS is intended to combine land use and transportation planning with the overall goal of reducing greenhouse gas emissions generated by vehicle travel.

According to trip generation calculations, the proposed Project would generate 269 passenger-car-equivalent vehicle trips per day (Appendix J). If the site were developed under the existing land use

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209 Southern California Association of Governments. *Final 2016/2040 Regional Transportation Plan/Sustainable Communities Strategy.* Table 11 in Demographics & Growth Forecast Appendix. Adopted April, 2016.

210 United States Census Bureau. *QuickFacts, Fontana City, California.* https://www.census.gov/quickfacts/fact/table/fontanacitycalifornia,US/PST045219 (accessed July 2, 2020).

211 Average 4.96 daily vehicle trips per 1,000 square feet gross floor area and average 3.05 daily vehicle trips per employee. 4.96 ÷ 3.05 = 1.63 employees per 1,000 square feet gross floor area. 1.63 × 41.00 = 67 employees.

212 Southern California Association of Governments. *Employment Density Study Summary Report*. Table 2B. October 31, 2001. (41,000 square feet of "warehouse" uses ÷ 960 square feet of warehouse in southern California per employee = 42.7 employees).

213 *Ibid.* (41,000 square feet of "other retail/service" uses ÷ 514 square feet of retail/services in southern California per employee = 80 employees).

214 Southern California Association of Governments. *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy: A Plan for Mobility, Accessibility, Sustainability, and a High Quality of Life*. April 2016.

designation of (C-G) Commercial General with the same floor-to-area ratio of 0.45 (i.e., 41,000 square feet of general commercial uses), approximately 1,021 vehicle trips would be generated in the neighborhood per day (refer to Appendix J). Therefore, development of the Project under proposed (I-L) Light Industrial land use designation would result in a substantially less intense use of the site when compared to the (C-G) Commercial General land use designation assumed in the General Plan.

Although the potential exists for the proposed Project to result in population growth through employment opportunities, the Project is not expected to exceed growth projections or generate any increase in population that otherwise would not have been planned for in the City or by SCAG.

As discussed in Section 3.3 (Threshold B), construction and operation of the Project would not generate criteria pollutants in excess of SCAQMD emissions thresholds. Therefore, the Project would not contribute significantly to cumulative impacts for any air quality pollutants for which the region is in nonattainment. As for cumulative impacts to regional air quality, the discussion in Section 3.3 (Threshold A) indicates the proposed Project would neither conflict with the SCAQMD's AQMP nor jeopardize the region's attainment of air quality standards. The Project is consistent with the population growth projections used by the City and SCAG to identify future regional air pollutant concentrations necessary to meet the attainment standards identified in the AQMP. The SCAQMD uses project-level significance thresholds to determine whether a project's emissions are cumulatively considerable. Because the Project's emissions do not exceed the SCAQMD's regional significance thresholds, as detailed in Section 3.3 (Threshold B), the SCAQMD does not consider the Project to contribute significantly to a cumulative air quality impact.

The *Slover-Juniper Industrial Building Project Trip Generation Memorandum* (Appendix J) prepared for the Project indicates the Project is anticipated to generate approximately 29 passenger vehicle and freight truck trips during the a.m. peak hour and 25 passenger vehicle and freight truck trips during the p.m. peak hour. When freight truck trips are converted to passenger car equivalent (PCE) trips, the Project is anticipated to generate approximately 39 PCE trips during the a.m. peak hour and 33 PCE trips during the p.m. peak hour. Since the number of trips the Project would generate is below the SBCTA and City's 50 peak hour trips threshold to prepare a TIA, the proposed Project's contribution to the surrounding transportation network would be negligible and would not result in any significant LOS change or intersection delay.

As detailed in Tables 3.13.C and 3.13.D, Project-related traffic would increase ambient noise in the Project vicinity by up to 1.6 dBA (Juniper Avenue between Project Driveway 1 and Slover Avenue). The increase in ambient noise from Project-related traffic may be potentially audible in an outdoor environment according to the General Plan EIR, but it would not exceed the City's impact threshold of 3dBA.[215] Therefore, traffic noise impacts from cumulative Project-related traffic on off-site sensitive receptors would be **less than significant**.

Finally, as detailed throughout Section 3.19, Utilities and Service Systems, sufficient utility facilities and resources are available to serve the Project in addition to existing entitlements.

[215] City of Fontana. *Fontana Forward General Plan Update 2015–2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.10-4. June 8, 2018.

The Project has no impact or a less than significant impact with respect to all environmental issues. Therefore, a **less than significant** cumulative impact would occur, and mitigation is not required.

Threshold C: Would the Project have environmental effects that would cause substantial adverse effects on humans either directly or indirectly?

Less than Significant with Mitigation Incorporated

Discussion of Effect: All development associated with the proposed Project must comply with applicable provisions of the 2019 CBC and the City's building regulations. Accordingly, proper engineering design and construction in conformance with the 2019 CBC standards and a site-specific geotechnical investigation prepared in conformance the current CBC and applicable City standards (**Mitigation Measure GEO-1**) would ensure that the Project does not subject people to significant geologic hazards.

The Project proposes to demolish one building and associated garage structure constructed prior to regulation of ACM and LBM. With implementation of **Mitigation Measures HAZ-1** through **HAZ-3,** impacts to the public through the disposal of ACM and LBM during Project demolition activities would remain l**ess than significant.** Additionally, **Mitigation Measures HAZ-4** would ensure any soils containing residual pesticides in excess of regulatory standards are disposed pursuant to 15 U.S.C. §2601 et seq. (1976) (Toxic Substances Control Act), Cal/OSHA, DTSC, and California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control). **Mitigation Measure HAZ-5** would ensure unanticipated subsurface features would be evaluated for asbestos and disposed in accordance with Cal/OSHA and Title 8, CCR Section 1529. **Mitigation Measure HAZ-6** would ensure known hazardous materials will be disposed pursuant to 15 U.S.C. §2601 et seq. (1976) (Toxic Substances Control Act), Cal/OSHA, and California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control).

Only California Division of Occupational Safety and Health Administration (Cal/OSHA) licensed Hazardous Materials Substances Removal contractors, and/or California State Registered Asbestos Abatement Contractors registered by the Division of Occupational Health and Safety in accordance with the California Administrative Code, Title 8, and article 2.5 and the SCAQMD Asbestos Hazard Emergency Response Act pursuant to Code of Federal Regulations Chapter 40, Part 763, subpart E would transport hazardous materials off-site. Implementation of **Mitigation Measures HAZ-1** through **HAZ-6** require the Project to comply with applicable regulations for the treatment and disposal of hazardous materials to ensure impacts would be reduced to **less than significant with mitigation incorporated**.

The Project site is located within the ONTLUCP Overflight Notification Zone for Real Estate Transaction Disclosures and within the ONT Airspace Protection Zone for structural heights greater than 200 feet above grade.[216] Notification is a regulatory requirement for all projects within the ONTLUCP Overflight Notification Zone for Real Estate Transaction Disclosures and generally is the responsibility of real estate agents or brokers. Therefore, the City prescribes **Mitigation Measure HAZ-7** to require the Project Applicant as a condition of Project entitlement to notify prospective Project occupants of the

[216] Ontario International Airport Land Use Compatibility Plan. *Chapter 2: Procedural and Compatibility Policies.* Map 2-4: Airspace Protection Zones, and Map 2-5: Overflight Notification Zones. April 19, 2011.

site's proximity to the ONT and airport overflight in accordance with the ONTLUCP. Impacts from the Project's proximity to ONT would be reduced to **less than significant with mitigation incorporated.**

As indicated in Table 3.3.E, the maximum cancer risk for the residential MEI would be 0.65 in 1 million, less than the threshold of 10 in 1 million. The chronic and acute health risks from operation of the proposed Project also are shown in Table 3.3.E and indicate the hazard index for each of these risks is well below the threshold of 1.0. Therefore, all health risk levels to nearby residents from Project-related emissions of TAC would be below SCAQMD's HRA thresholds. Impacts to sensitive receptors from TACs would be **less than significant,** and mitigation is not required.

As detailed in Section 3.13, construction and operation of the Project would not generate a substantial temporary or permanent increase in ambient noise levels or generate vibration in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance with implementation of **Mitigation Measure NOI-1.** Furthermore, implementation of **Mitigation Measure NOI-1** would ensure vibration would be restricted to 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, during which time the City considers vibration "an acceptable intrusion of the ambient noise within that project area."[217] **Mitigation Measure NOI-2** would ensure construction vibration levels at the nearest structures to the north and east would not exceed the FTA damage threshold of 94 VdB (0.2 PPV [in/sec]) for non-engineered timber and masonry buildings.

Through compliance with existing regulations and policy as codified in **Mitigation Measure GEO-1**, **Mitigation Measures HAZ-1** through **HAZ-7,** and **Mitigation Measures NOI-1** and **NOI-2,** substantial direct or indirect effects on human beings would be reduced to **less than significant with mitigation incorporated**.

[217] City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.10-7. June 8, 2018.

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APPENDIX A

AIR QUALITY, GREENHOUSE GAS, AND ENERGY IMPACT ANALYSIS

APPENDIX B

HEALTH RISK ASSESSMENT

APPENDIX C

BIOLOGICAL RESOURCES ASSESSMENT

APPENDIX D

CULTURAL RESOURCES ASSESSMENT

APPENDIX E

PHASE I ENVIRONMENTAL SITE ASSESSMENT

APPENDIX F

ASBESTOS BUILDING MATERIAL SURVEY

APPENDIX G

PEER REVIEW OF PHASE I ENVIRONMENTAL SITE ASSESSMENT

APPENDIX H

WATER QUALITY MANAGEMENT PLAN

APPENDIX I

NOISE AND VIBRATION IMPACT ANALYSIS

APPENDIX J

TRIP GENERATION AND VEHICLE MILES TRAVELED ASSESSMENT

APPENDIX K

MITIGATION MONITORING AND REPORTING PROGRAM