Draft Environmental Impact Report

FONTANA SIERRA BUSINESS CENTER PROJECT

for the City of Fontana

SCH No. 2020100256

LEAD AGENCY

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May 2021

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Prepared for:

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Prepared by:

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1.0 EXECUTIVE SUMMARY

1.1 Introduction

The California Environmental Quality Act (CEQA) Guidelines require the preparation of an Environmental Impact Report (EIR) to be produced as a full disclosure document. In order to comply with CEQA Guidelines, the EIR must (1) inform agency decision-makers and the general public of the direct and indirect potentially significant environmental effects of a proposed action; (2) identify feasible or potentially feasible mitigation measures to reduce or eliminate potentially significant adverse impacts; and (3) identify and evaluate reasonable alternatives to a project. In accordance with §15168 of the State CEQA Guidelines (Title 14 of the California Code of Regulations [CCR]), this Draft EIR (State Clearinghouse No. 2020100256) that has been prepared for the Fontana Sierra Business Center Project (Project) and has been prepared by the City of Fontana (City).

1.2 Environmental Procedures

This DEIR has been prepared pursuant to CEQA to assess the environmental effects associated with implementation of the proposed Project, as well as anticipated future discretionary actions and approvals. CEQA established six main objectives for an EIR:

1. Disclose to decision-makers and the public the significant environmental effects of proposed activities.
2. Identify ways to avoid or reduce environmental damage.
3. Prevent environmental damage by requiring implementation of feasible alternatives or mitigation measures.
4. Disclose to the public reasons for agency approval of projects with significant environmental effects.
5. Foster interagency coordination in the review of projects.
6. Enhance public participation in the planning process.

An EIR is the most comprehensive form of environmental documentation in CEQA and the CEQA Guidelines; it is intended to provide an objective, factually supported analysis and full disclosure of the environmental consequences of a proposed project with the potential to result in significant, adverse environmental impacts.

An EIR is one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Before approving a proposed project, the lead agency must consider the information in the EIR; determine whether the EIR was prepared in accordance with CEQA and the CEQA Guidelines; determine that it reflects the independent judgment of the lead agency; adopt findings concerning the project's significant environmental impacts and alternatives; and adopt a statement of overriding considerations if significant impacts cannot be avoided.

1.3 Project Location

The Project site is located in southeastern Fontana, in San Bernardino County (County); refer to **Figure 3.0-1,** *Regional Vicinity.* The Project site is comprised of 45 vacant parcels.; refer to **Table 1-1,** *Assessor Parcel Numbers.* The Project site is located approximately 120 feet south of Interstate 10 (I-10), 0.25 miles west of Sierra Avenue, directly north of Slover Avenue, directly west of Juniper Avenue, and directly east of Cypress Avenue; refer to **Figure 3.0-2,***-Local Vicinity.*

Table 1-1: Assessor Parcel Numbers

Parcel	APN Number	Parcel	APN Number	Parcel	APN Number
1.	0251-172-46	16.	0251-172-16	31.	0251-181-27
2.	0251-172-44	17.	0251-172-06	32.	0251-181-28
3.	0251-172-41	18.	0251-172-07	33.	0251-181-18
4.	0251-172-39	19.	0251-172-08	34.	0251-181-19
5.	0251-172-25	20.	0251-172-47	35.	0251-181-01
6.	0251-172-26	21.	0251-172-10	36.	0251-181-02
7.	0251-172-22	22.	0251-181-20	37.	0251-181-03
8.	0251-172-24	23.	0251-181-23	38.	0251-181-04
9.	0251-172-18	24.	0251-181-33	39.	0251-181-05
10.	0251-172-04	25.	0251-181-22	40.	0251-181-32
11.	0251-172-32	26.	0251-181-34	41.	0251-181-08
12.	0251-172-42	27.	0251-181-15	42.	0251-181-09
13.	0251-172-33	28.	0251-181-30	43.	0251-181-10
14.	0251-172-27	29.	0251-181-31	44.	0251-181-11
15.	0251-172-29	30.	0251-181-26	45.	0251-181-36

Project Setting

The Project site is a rectangular lot that contains vacant parcels**.** According to available historical sources, the Project site was utilized for residential and orchard uses from approximately 1938-1950. After 1950, additional residential structures were built. According to available historical satellite imaging, the Project site had contained the existing commercial, industrial, and residential uses since 1996. By 2009 construction of the Cypress Avenue connection over Interstate 10 was underway along with the splitting of Boyle Avenue. The immediate surrounding properties consist of a Southern Pacific Rail Line to the north, and a mixture of residential (non-conforming), commercial, and industrial uses to the south, east, and west of the Project site.

1.4 Project Description

The Project involves the development of an approximately 705,735-square foot warehouse building within an approximately 32-net acre site, with associated facilities and improvements including approximately 4,500 square feet of 1st floor office space, vehicle parking, loading dock doors, trailer parking, on-site landscaping, and related on-site and off-site improvements; refer to **Figure 3.0-6**, *Conceptual Site Plan* and **Figure 3.0-7**, *Conceptual Elevations*. The maximum building height is 49' 6" and the Project's proposed building will have a maximum Floor Area Ratio (FAR) of .50.

The Project site will provide landscaping on approximately 19.0 percent (133,069-square-feet) of Project site; refer to **Figure 3.0-8,** *Conceptual Landscape Plan.* Project construction is anticipated to take occur in one phase, starting the second half of 2021 and culminating the second half of 2022.

The Project Applicant is pursuing the proposed Project on a speculative basis and the future occupant(s) of the Project are unknown at this time. Note that the Institute of Transportation Engineers (ITE) land use category used for the Project's Traffic Impact Analysis (TIA) was High-Cube Fulfillment Center – Sort (155). For land uses permitted under the Project's land use designations (I-G: General Industrial and I-L: Light Industrial) and zoning classifications (Light Industrial [M-1] and General Industrial [M-2]) see **Section 3.2**.

The following off-site improvements are proposed as part of the Project:

- **Slover Avenue:**
  - Construct right turn pocket/deceleration lane from westbound Slover Avenue to northbound Cypress Avenue.
  - Grind & Overlay 1st 12' AC paving from north curb face of Slover Avenue along Project frontage.
  - Fill in curb & gutter along existing driveways no longer in use.
  - Construct sidewalk, parkway landscaping, streetlights, and fire hydrants (as needed) within public ROW.
  - Underground aerial dry utility facilities along Project frontage.
  - Make storm drain, sewer, and water connections (fire, domestic, irrigation).
- **Juniper Avenue:**
  - Signalize intersection of Slover Ave. & Juniper Ave.
  - Remove & Replace existing AC Pavement within Juniper Avenue and construct full width AC pavement, along Juniper Avenue south of Boyle Avenue.
  - Remove & replace existing AC Pavement within Juniper Avenue north of Boyle Avenue, and construct full west half width plus 8' AC Pavement east of street centerline.
  - Construct ultimate east curb line of Juniper Avenue opposite Project frontage, along Juniper Ave. south of Boyle Avenue.
  - Construct ultimate west curb line of Juniper Avenue along Project frontage.
  - Construct sidewalk, parkway landscaping, streetlights, and fire hydrants (as needed) within west public ROW.
  - For Juniper Avenue north of Boyle Avenue, construct full cul-de-sac at north end of street.
  - Underground aerial dry utility facilities along Project frontage.
- **Cypress Avenue:**
  - Underground aerial dry utility facilities along Project frontage.
- **Boyle Avenue:**
  - Demo all existing Boyle Avenue improvements west of Juniper Avenue (necessary to construct proposed building footprint, which is planned over the existing street).
  - Abandon/remove aerial dry utility facilities within Boyle Avenue which supply power/data to the previous residential homes located on-site.

- Abandon existing 16" Fontana Water Company (FWC) water main within Boyle Avenue between Cypress Avenue & Juniper Avenue and reroute correctly sized water lines around Project site.

Roadway improvements include roadway expansions and optimization for the anticipated traffic associated with Project implementation. Utility improvements would be implemented to provide utility services to the site for stormwater, water, and electricity.

Project construction is anticipated to begin the second half of 2021 for approximately 12 months, culminating the second half of 2022.

1.5 Areas of Controversy

The State CEQA Guidelines §15123 (b)(2) and (3) require that a Draft EIR identify areas of controversy known to the Lead Agency, including issues raised by other agencies and the public and issues to be resolved, including the choice among alternatives and whether, or how to, mitigate the significant effects. The following issues of concern have been identified during the review period of the distribution of the Notice of Preparation (NOP) and public meetings.

- High number of warehouses in the area
- Increased traffic from development
- Increased emissions leading to adverse health effects
- Lack of adequate police response
- General safety of students nearby
- Road damage due to truck traffic
- Truck safety impacts
- Validity and comprehensiveness of technical studies

1.6 Issues to be Resolved

The State CEQA Guidelines require that an EIR present issues to be resolved by the Lead Agency. These issues include the choice between alternatives and whether or how to mitigate potentially significant impacts. The major issues to be resolved by the City regarding the Project are whether:

- Recommended mitigation measures should be adopted or modified;
- Different mitigation measures need to be applied to the Project; and
- The Project or an alternative should or should not be approved.

1.7 Unavoidable Significant Impacts

The Projects potentially significant impacts are defined in **Sections 4.1, Aesthetics** through **4.16, Wildfire Hazards** of this Draft EIR. As noted in these sections, most of the potentially significant impacts identified can be mitigated to a less than significant level through implementation of feasible mitigation measures.

There are unavoidable significant impacts associated with air quality, greenhouse gas emissions, and transportation and traffic, as summarized below:

- Air Quality
  - The Project would conflict with or obstruct implementation of the applicable air quality plan (Impact 4.2-1).
  - The Project would 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 (Impact 4.2-2).
  - The Project would result in significant cumulative air quality impacts.
- Greenhouse Gas Emissions
  - The Project would generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment (Impact 4.7-1).
  - The Project would conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions (Impact 4.7-2).
  - The Project would result in significant cumulative GHG emissions.
- Transportation and Traffic
  - The Project would conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) (Impact 4.13-2).

1.8 Alternatives to the Project

State CEQA Guidelines §15126.6(a) requires a Draft EIR to "describe the range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but will avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." In response to the potentially significant impacts that were identified, the EIR includes the following alternatives for consideration by decision-makers upon action related to the Project.

Alternative 1: No Project Alternative

The purpose of describing and analyzing a No Project Alternative is to allow decision-makers the ability to compare the impacts of approving the Project with impacts of not approving the Project. The No Project analysis is required to discuss the existing conditions (at the time the Notice of Preparation was published on October 8, 2020, as well as what would be reasonably expected to occur in the foreseeable future, if the Project were not approved, based on current plans and consistent with available infrastructure and services.

Under the No Project Alternative, the following would occur:

- The Applicant would not improve the site with the proposed development of a new warehouse buildings and the site would remain in its current state.

- The existing industrial, commercial, industrial and legal nonconforming single-family residential buildings would continue to occupy the site.
- New commercial and industrial uses could occupy the vacant structures as the uses would be permitted in the industrial zoning designation.
- The street improvements at Slover, Juniper, Cypress, and Boyle Avenues would not be installed.
- Utility improvements would not be implemented.

Alternative 2: Reduced Building Intensity

The Reduced Building Intensity Alternative would entail the development of a single warehouse building at a smaller square footage than what was proposed for the Project. The Alternative would involve the development of a 600,203 square foot warehousing building which includes 4,500 square feet of office space. The Reduced Building Intensity Alternative would meet most the objectives of the Project as identified above as the site would be developed for warehouse use despite the smaller building size.

Under the Reduced Building Intensity Alternative, the following would occur:

- The warehouse building would be developed at a scale 105,532 square feet smaller than the Project.
- The alternative would create decreased lot coverage and provided parking due to the lower building size.
- The alternative would produce significant unavoidable impacts in a manner similar to the Project.
- Off-site improvements to the adjacent roadways of Slover, Boyle, and Juniper Avenues would remain consistent with the Project.
- Objective 1 would not be completed to the degree of the Project.

Alternative 3: Two Building Alternative

The "Two Building" Alternative presents a Project variation in which the proposed Project site would be developed at a lower intensity with a building site coverage of 49.2%. Alternative 3 proposes a total of 691,170-square-feet of combined warehouse building space, inclusive of 20,000-square-feet of office space (that is 14,565-square-feet of less warehouse space, or an approximately 1% reduction when compared to the proposed Project (705,735-square-foot warehouse)) and would therefore create a less intensive usage of the land area.

Under the Two Building Alternative, the following would occur:

- Alternative 3 would have negligible decreased lot coverage and provided parking due to the lower building size.
- Alternative 3 would produce significant unavoidable impacts in a manner comparable to the Project.
- Off-site improvements to the adjacent roadways of Slover, Boyle, and Juniper Avenues would remain consistent with the Project.
- Objective 1 would not be completed to the degree of the Project.

Environmentally Superior Alternative

State CEQA Guidelines requires that an Environmentally Superior Alternative be identified; that is, an alternative that would result in the fewest or least significant environmental impacts. The No Project Alternative is the environmentally superior Alternative because it would avoid many of the proposed Project's impacts. If the "No Project" Alternative is the environmentally superior Alternative, CEQA Guidelines Section 15126.6(e)(2) requires that another alternative that could feasibly attain most of the Project's basic objectives be chosen as the environmentally superior Alternative. With regards to the remaining development alternatives, the Reduced Building Intensity Alternative was evaluated as the environmentally superior Alternative as it best meets project objectives with the least impact to the environment. Refer to **Section 5.0, Alternatives** for more information.

1.9 Mitigation Monitoring and Reporting

CEQA requires public agencies to adopt monitoring and reporting programs to ensure compliance with mitigation measures adopted or made conditions of Project approval in order to mitigate or avoid the significant environmental effects identified in EIRs. A Mitigation Monitoring and Reporting Program (MMRP) incorporating the mitigation measures set forth in this EIR will be prepared and presented for consideration concurrently with the findings of this EIR and prior to approval of the Project.

1.10 Summary of Environmental Impacts & Mitigation Measures

Table 1-2, *Summary of Project Impacts and Proposed Mitigation Measures* below provides a summary of significant impacts and proposed mitigation measures associated with the Project as identified in this EIR. Refer to **Sections 4.1, Aesthetics** through **4.16, Wildfire Hazards** for a detailed description of the environmental impacts and mitigation measures for the Project. All impacts of the Project can be mitigated to less than significant levels with the exception of Air Quality, Greenhouse Gas Emissions, and Transportation.

Table 1-2: Summary of Project Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.1, Aesthetics		
Impact 4.1-1: Would the Project have a substantial adverse effect on a scenic vista?	Less than Significant Impact	No mitigation is necessary.
Impact 4.1-2: 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	No mitigation is necessary.
Impact 4.1-3: Would the Project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less than Significant Impact	No mitigation is necessary.

Resource Impact	Level of Significance	Mitigation Measure(s)
Impact 4.1-4: Would the Project create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	Less than Significant Impact	No mitigation is necessary.
Section 4.2, Air Quality		
Impact 4.2-1: Would the Project conflict with or obstruct implementation of the applicable air quality plan?	Significant and Unavoidable Impact	**MM AQ-1** Prior to issuance of occupancy permits, the Project operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. The TDM shall include, but is not limited to the following: ▪ Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options; ▪ Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site. ▪ Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day; ▪ Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and ▪ Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users. **MM AQ-2** Prior to the issuance of building permits, the City of Fontana Building and Safety Division shall confirm that the Project does not include cold storage. **MM AQ-3** All truck access gates and loading docks within the project site shall have a sign posted that states: ▪ Truck drivers shall turn off engines when not in use ▪ Truck drivers shall shut down the engine after five minutes of continuous idling operation once the vehicle is stopped, the

Resource Impact	Level of Significance	Mitigation Measure(s)
		transmission is set to "neutral" or "park," and the parking brake is engaged. ▪ Telephone numbers of the building facilities manager and CARB to report Violations **MM AQ-4** The Project Applicant shall make its tenants aware of the funding opportunities, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On-Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.
Impact 4.2-2: Would the proposed 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?	Significant and Unavoidable	Refer to Mitigation Measures **AQ-1** through **AQ-4.**
Impact 4.2-3: Would the proposed project, Expose sensitive receptors to substantial pollutant concentrations?	Less than Significant	No mitigation is necessary.
Impact 4.2-4: Would the Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact	No mitigation is necessary
Section 4.3, Biological Resources		
Impact 4.3-1: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less Than Significant with Mitigation Incorporated	**MM BIO-1** A qualified biologist(s) will conduct a pre-construction presence/absence survey for burrowing owl at least 14 days prior to ground-disturbing activities and within 24 hours immediately before ground-disturbing activities. If burrowing owl are documented on-site, a plan for avoidance or passive relocation shall be made in coordination with CDFW. If the survey is negative, the Project may proceed without further restrictions related to burrowing owls. **MM BIO-2** Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. If ground disturbance and vegetation removal cannot occur outside of the nesting season (January 15th to August 31st), a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any

Resource Impact	Level of Significance	Mitigation Measure(s)
		vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If no active nests are found, no further action will be required. If an active nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur. This protocol is in accordance with the MBTA and CDFW FGC standards.
Impact 4.3-2: Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	No Impact	No mitigation is necessary.
Impact 4.3-3: 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.	No mitigation is necessary.
Impact 4.3-4: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than Significant with Mitigation Incorporated	Refer to Mitigation Measure **BIO-2**.
Impact 4.3-5: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than Significant with Mitigation Incorporated	No mitigation is necessary.
Impact 4.3-6: 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.	No mitigation is necessary.

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.4, Cultural Resource		
Impact 4.4-1: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	No Impact.	No mitigation is necessary.
Impact 4.4-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	Less than Significant with Mitigation Incorporated	**MM CUL-1** In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment. **MM CUL-2** If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
Impact 4.4-3: Would the Project disturb any human remains, including those interred outsides of dedicated cemeteries?	Less than Significant with Mitigation Incorporated	**MM CUL-3** If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.
Section 4.5, Energy		
Impact 4.5-1:Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?	Less than Significant Impact	No mitigation is necessary.
Impact 4.5-2: Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	Less than Significant Impact	No mitigation is necessary.

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.6, Geology and Soils		
Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:		
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	Less Than Significant Impact	No mitigation is necessary.
ii) Strong seismic ground shaking?	Less Than Significant Impact with Mitigation Incorporated	**MM GEO-1** Prior to the issuance of grading permits, the City shall verify that all Project design, building, and safety recommendations outlined in the Project geotechnical investigation (located in Appendix F) are approved by the City Engineer and have been successfully incorporated into the Project plans for implementation during the Project grading and construction phases. Documentation of the implementation of the recommendations into the Project plans shall be conducted by the Project Applicant or designated representative. Successful incorporation of these specifications into the Project plans shall be verified by the Lead Agency prior to the issuance of building permits.
Impact 4.6-3: Seismic-related ground failure, including liquefaction?	Less Than Significant Impact	No mitigation is necessary.
Impact 4.6-4: Landslides?	No Impact	No mitigation is necessary.
Impact 4.6-5: Would the Project result in substantial soil erosion or the loss of topsoil?	Less than Significant Impact	No mitigation is necessary.
Impact 4.6-6: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Less than Significant Impact	No mitigation is necessary.
Impact 4.6-7: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less than Significant Impact	No mitigation is necessary.
Impact 4.6-8: Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of wastewater?	No Impact	No mitigation is necessary.

Resource Impact	Level of Significance	Mitigation Measure(s)
Impact 4.6-9: Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than Significant Impact	No mitigation is necessary.
Section 4.7, Greenhouse Gas Emissions		
Impact 4.7-1: Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?	Significant and Unavoidable Impact	Refer to Mitigation Measures **AQ-1** through **AQ-4**, from **Section 4.2, Air Quality** would be applied.
Impact 4.7-2: Would the Project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions?	Significant and Unavoidable Impact	Refer to Mitigation Measures **AQ-1** through **AQ-4**, from **Section 4.2, Air Quality** would be applied.
Section 4.8, Hazards and Hazardous Materials		
Impact 4.8-1: Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than Significant Impact with Mitigation	**MM HAZ-1** If a proposed use at the proposed Project has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, the user shall prepare and implement a Hazardous Materials Risk Management Plan for facilities that store, handle, or use regulated substances as defined in the California Health and Safety Code Section 25532 in excess of threshold quantities. This plan shall be reviewed and approved by the San Bernardino County Fire Department through the Certified Unified Program Agencies (CUPA) process prior to implementation as required by the California Accidental Release Prevention (CalARP) Program. The Uniform Fire Code UFC) has a provision for the local fire agency to collect information regarding hazardous materials at facilities for purposes of fire code implementation. Due to the demands of local needs, and the significant differences in the purposes and thresholds of UFC information, San Bernardino County Fire supports its local fire agencies in their requests for Hazardous Materials Management Plans and Hazardous Material Information Statements. The purpose of the Hazardous Materials Management Plan is to describe the proper use, handling and storage practices and procedures to be followed by people working with hazardous materials anywhere on the Project site to assist in protecting them from potential health and physical hazards presented by hazardous materials present in the workplace, and to keep chemical exposures below specified limits.

Resource Impact	Level of Significance	Mitigation Measure(s)
Impact 4.8-2: Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than Significant Impact with Mitigation	**MM HAZ-2** Prior to the issuance of a grading permit, any stockpiled materials in the Project site shall be evaluated for its suitability for use as structural fill. Determination of material suitability for use as structural fill is outlined in the Project Geotechnical Report and supplemental letters addressing the site-specific materials encountered. The report and letters are prepared by the Project Geotechnical Engineer of Record, who is a California Registered Geotechnical Engineer, based on the conditions encountered and industry standard of practice. If materials are determined to be unsuitable for use as building component, then they should be disposed of at a facility which is suitable to receive said materials. The disposal of the materials should be done in accordance with Federal, State and local regulations.
Impact 4.8-3: Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than Significant Impact	No mitigation is necessary.
Impact 4.8-4: Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than Significant Impact	No mitigation is necessary.
Impact 4.8-5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact	No mitigation is necessary.
Impact 4.8-6: Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than Significant Impact	No mitigation is necessary.
Impact 4.8-7: 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	No mitigation is necessary.

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.9, Hydrology and Water Quality		
Impact 4.9-1: Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than Significant Impact	No mitigation is necessary.
Impact 4.9-2: Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than Significant Impact	No mitigation is necessary.
Impact 4.9-3: Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces?	Less than Significant Impact	No mitigation is necessary.
Impact 4.9-4: Result in substantial erosion or siltation on- or off-site?	Less than Significant Impact	No mitigation is necessary.
Impact 4.9-5: Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	Less than Significant Impact	No mitigation is necessary.
Impact 4.9-6: Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less than Significant Impact	No mitigation is necessary.
Impact 4.9-7: Impede or redirect flood flows?	Less than Significant Impact	No mitigation is necessary.
Impact 4.9-8: In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less than Significant Impact	No mitigation is necessary.
Impact 4.9-9: Would the Project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than Significant Impact	No mitigation is necessary.
Section 4.10, Land Use and Planning		
Impact 4.10-1: Would the Project physically divide an established community?	Less than Significant Impact	No mitigation is necessary.
Impact 4.10-2: Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than Significant Impact	No mitigation is necessary.
Section 4.11, Noise		
Impact 4.11-1: Would the Project involve the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards	Less than Significant Impact	No mitigation is necessary.

Resource Impact	Level of Significance	Mitigation Measure(s)
established in the local general plan or noise ordinance, or applicable standards of other agencies?		
Impact 4.11-2: Would the Project involve the generation of excessive groundborne vibration or groundborne noise levels?	Less than Significant Impact	No mitigation is necessary.
Impact 4.11-3: For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	Less than Significant Impact	No mitigation is necessary.
Section 4.12, Public Services and Recreation		
Impact 4.12-1: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:		
i) Fire Protection?	Less than Significant Impact	No mitigation is necessary.
ii) Police Protection?	Less than Significant Impact	No mitigation is necessary.
iii) Schools?	Less than Significant Impact	No mitigation is necessary.
iv) Parks?	Less than Significant Impact	No mitigation is necessary.
v) Other Public Utilities	Less than Significant Impact	No mitigation is necessary.
Impact 4.12-2: Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than Significant Impact	No mitigation is necessary.
Impact 4.12-3: Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than Significant Impact	No mitigation is necessary.

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.13, Transportation and Traffic		
Impact 4.13-1: 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	No mitigation is necessary.
Impact 4.13-2: Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Significant and Unavoidable	Impact would be significant, unavoidable and unmitigable.
Impact 4.13-3: 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	No mitigation is necessary.
Impact 4.13-4: Would the Project result in inadequate emergency access?	Less than Significant Impact	No mitigation is necessary.
Section 4.14, Tribal Cultural Resources		
Impact 4.14-1: Would the Project be developed in an area 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)?	Less than Significant Impact	No mitigation is necessary.
Impact 4.14-2: Would the Project contain a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	Less than Significant with Mitigation Applied	**MM TCR-1** The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in MM CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site. **MM TCR-2** Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.15, Utilities and Service Systems		
Impact 4.15-1: Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than Significant Impact	No mitigation is necessary.
Impact 4.15-2: Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?	Less than Significant Impact	No mitigation is necessary.
Impact 4.15-3: Would the Project result in a determination by the waste water treatment provider, which serves or may serve the Project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than Significant Impact	No mitigation is necessary.
Impact 4.15-4: Would the Project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than Significant Impact	No mitigation is necessary.
Impact 4.15-5: Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less than Significant Impact	No mitigation is necessary.
Section 4.16, Wildfire Hazards		
Impact 4.16-1: If located in or near SRA or lands classified as Very High FHSZ, would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?	Less than Significant Impact	No mitigation is necessary.
Impact 4.16-2: If located in or near SRA or lands classified as Very High FHSZ, would the Project, due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less than Significant Impact	No mitigation is necessary.
Impact 4.16-3: If located in or near SRA or lands classified as Very High FHSZ, 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	Less than Significant Impact	No mitigation is necessary.

Resource Impact	Level of Significance	Mitigation Measure(s)
may result in temporary or ongoing impacts to the environment?		
Impact 4.17-4: If located in or near SRA or lands classified as Very High FHSZ, 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	No mitigation is necessary.
Impact 4.17-5: Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact	No mitigation is necessary.
Impact 4.17-6: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact	No mitigation is necessary.

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2.0 INTRODUCTION AND PURPOSE

This document is an Environmental Impact Report (EIR) prepared for the Fontana Sierra Business Center Project in compliance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 et seq, and the California Code of Regulations §15000 et seq. This Draft EIR has been prepared for the City of Fontana (herein referred to as the "City") and evaluates the potential environmental impacts associated with planning, constructing, and operating of the proposed 705,735-square-foot warehouse building project (Project; hereafter, the "Project" or "proposed project"), is bounded by Slover Avenue to the south, I-10 Freeway to the north, Juniper Avenue to the east, and Cypress Avenue to the west, in the southern part of the City. The Project is consistent with the City's General Plan Land Use Designations and the Zoning Designations. The CEQA Guidelines are located within the California Code of Regulations (CCR), Title 14, Division 6, Chapter 3, §15000-15387, while the CEQA Statute is codified as Public Resources Code (PRC) §21000-21189.57.

This Draft EIR evaluates the potentially significant, adverse and beneficial impacts on the environment resulting from implementation of the Project. **Section 3.0, Project Description**, provides detailed descriptions of the construction and operational components of the proposed Project. **Section 4.0**, **Environmental Impact Analysis,** discusses the regulatory environment, existing conditions, environmental impacts, and mitigation measures for the Project. Following public review of the Draft EIR, a Final EIR will be prepared, in which the City of Fontana will respond to public comments on the Draft EIR.

2.1 Purpose of the EIR

According to §15121 of the CEQA Guidelines, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a proposed project. The purpose of this Draft EIR for the proposed Project is to review the existing conditions at and in the vicinity of the Project site; identify and analyze the potential environmental impacts; and suggest feasible mitigation measures or alternatives to reduce significant adverse environmental effects, as described in **Section 3.0, Project Description** and **Section 5.0, Alternatives to the Proposed Project**. The potential impacts include both temporary construction-related effects and the long-term effects of development, operation, and maintenance of the Project, as described in **Section 3.0, Project Description**.

The intent of this EIR is to address the potential Project impacts utilizing the most current and detailed plans, technical studies, and related information available. This EIR will be used by the City as the lead agency, other responsible and trustee agencies, interested parties, and the general public to evaluate the potential environmental impacts of the proposed Project (refer to **Section 3.6, Project Approvals,** for a list of anticipated responsible and trustee agencies and Project approvals).

2.2 Compliance with CEQA

According to the CEQA Guidelines (14 CCR §15064[f][1]), preparation of an EIR is required whenever a project may result in a significant effect on the environment. An EIR is an informational document used to inform public agency decision-makers and the general public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project that could feasibly attain most of the basic objectives of the project while

substantially lessening or avoiding any of the significant environmental impacts. Public agencies are required to consider the information presented in the EIR when determining whether to approve a project. CEQA requires that state and local government agencies consider the environmental effects of projects over which they have discretionary authority before taking action on those projects.

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

Based on significance criteria, the effects of the Project have been categorized as either "no impact," "less than significant impact," "less than significant with mitigation incorporated," or "significant unavoidable impact" (refer to **Section 4.0, Environmental Impact Analysis**). Mitigation measures are recommended for potentially significant impacts, to avoid or lessen impacts. In the event the Project results in significant unavoidable impacts, even with implementation of feasible mitigation measures, the decision-makers may approve the Project based on a "Statement of Overriding Considerations." This determination would require the decision-makers to balance the benefits of the Project to determine if they outweigh identified unavoidable impacts. The CEQA Guidelines §15093 provides in part the following:

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

2.3 Notice of Preparation/Early Consultation

In compliance with the CEQA Guidelines, the City has provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft EIR, efforts were made to contact various federal, State, regional, and local government agencies and other interested parties to solicit comments on the scope of review in this document. This included the distribution of the Notice of Preparation (NOP) to various responsible agencies, trustee agencies, and interested parties. Pursuant to CEQA Guidelines §15082, the City circulated the NOP directly to public agencies, special districts, and members of the public who had requested such notice. The NOP was distributed on October 8, 2020 and October 9, 2020 with a 30-day public review period ending on November 9, 2020. The NOP and comment letters received are provided in Appendix A, Notice of Preparation and Scoping Meeting Notice.

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

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

The NOP also noted that cumulative and growth-inducing impacts would be analyzed and that alternatives would be considered. Discussions of cumulative impacts can be found at the end of each resource section (Sections 4.1 through 4.16 of this Draft EIR). A discussion of alternatives can be found in Section 5.

Public Scoping Meetings

A notice of a public scoping meeting for the Project was included within the original NOP. A public scoping meeting was held on October 28, 2020 virtually via Microsoft Teams.

A total of five comment letters were received in response to the NOP. The comment letters received during the NOP period, along with the NOP are included in Appendix A.

Areas of concern that were identified during the scoping meetings include:

- Aesthetics
- Noise
- Air Quality
- Greenhouse Gas
- Land Use
- Traffic

Native American Consultation

In accordance with Assembly Bill 52 (AB 52), the City of Fontana requested formal tribal consultation with tribes on August 31, 2020. The following tribes were contacted for consultation: Torres Martinez Desert Cahuilla Indians, Soboba Band of Luiseno Indians, San Manuel Band of Mission Indians (SMBMI), and the Gabrieleno Band of Mission Indians-Kizh-Nation. On September 4, 2020, the San Manuel Band of Mission Indians requested consultation for the proposed Project. SMBMI responded and requested formal consultation. The formal consultation took place on January 27, 2021. At which point SMBMI noted that proposed Project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed Project, and given the Cultural Resources Management (CRM) Department's present state of knowledge, SMBMI does not have any concerns with the Project's implementation, as planned, at this time. As a result, SMBMI requested a set of two

mitigation measures to be made a part of the Project/permit/plan conditions. Additionally, neither Torres Martinez Desert Cahuilla Indians, Soboba Band of Luiseno Indians, or the Gabrieleno Band of Mission Indians-Kizh-Nation requested consultation.

2.4 Compliance with CEQA

The Draft EIR is available to the public for review at the locations listed below and on the City of Fontana website at:

https://www.fontana.org/2137/Environmental-Documents

In accordance with CEQA Guidelines §15087 and 15105, this Draft EIR will be circulated for a 45-day public review period. The public is invited to comment in writing on the information contained in this document. Interested agencies and members of the public are invited to provide written comments on the Draft EIR and are encouraged to provide information that they believe should be included in the EIR.

Comment letters should be sent to:

Paul Gonzales, Senior Planner
City of Fontana Planning Division
8353 Sierra Avenue
Fontana, CA 92335
pgonzales@fontana.org

Final EIR

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

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

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

Certification of the Final EIR

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

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

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

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

Project Consideration

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

2.5 Format of the EIR

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

This Draft EIR is organized into twelve sections:

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

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

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

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

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

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

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

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

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

2.6 Responsible and Trustee Agencies

Lead Agency

City of Fontana

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

Trustee, Responsible, and Cooperating Agencies

Other federal, state, and local agencies are involved in the review and approval of the proposed project, including trustee and responsible agencies under CEQA. Under CEQA, a trustee agency is a state agency that has jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California. A responsible agency is an agency other than the lead agency that has responsibility for carrying out or approving a project. Responsible and trustee agencies are consulted by the CEQA lead agency to ensure the opportunity for input and also review and comment on the Draft EIR. Responsible agencies also use the CEQA document in their decision-making. Several agencies other than the City of Fontana may require permits, approvals, and/or consultation in order to implement various elements of the project, as listed in **Section 3.6, Project Approvals.**

2.7 Incorporation by Reference

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

online and at the City. Information contained within these documents has been utilized for various sections of this EIR.

Fontana Forward General Plan. The City of Fontana adopted the Fontana Forward General Plan in 2003 and was updated in 2018. The sixteen chapters or "elements summary of existing conditions and current trends, the planning process, and goals, policies and actions for many different topic areas that will affect the physical and economic development of the city over the next twenty years. The Community and Neighborhood (CN) Element focuses on attributes that contribute to the form, character and quality of life in the communities and neighborhoods where people live. The Housing (H) Element provides a summary of the State-approved 2014-2021 Housing Element, prepared according to State requirements and on the State timetable. The Building a Healthier Fontana (BHF) element identifies a shared vision and set of values for addressing health and wellness within Fontana, including goals for the future physical development that will result in a healthier city. The Conservation, Open Space, Parks and Trails (COPT) Element describes measures for the preservation of open space for the protection of natural resources, and for public health and safety. The Public and Community Services Department (PCS) Element focuses on three important aspects of municipal service provision: public safety, public facilities, and the many services provided by the Community Services department. The Community Mobility and Circulation Element (CMC) expand the options for transit and "active transportation" (pedestrian and bicycle mobility) for Fontana. It is aligned with the Southern California Association of Governments (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy concepts of Neighborhood Mobility Areas and Livable Corridors.

The Infrastructure and Green Systems (IGS) Element focuses on maintenance of city property, including parks and trails, streets, sewer lines and lift stations, and City buildings; for stormwater management; and for maintaining the City fleet. The Noise and Safety (NS) Element's goal is to combine the Goals and Policies of the Noise and Safety Elements of the 2003 General Plan into one Noise and Safety Element supported by detailed recent data in the Hazard Mitigation Plan. The Sustainability and Resilience (SR) element focuses especially on resource efficiency and planning for climate change. The Economy, Education, and Workforce Development (EEWD) element focuses on providing more jobs in Fontana for Fontana residents by promoting a diversified economy that builds on existing businesses and develops, attracts and retains future job-creating sectors. The Downtown Area Plan (DTAP) element ensure that new infill development is compatible in scale and character with the existing neighborhood while ensuring that transportation and utility infrastructure keeps pace with the neighborhood character. The Land Use, Zoning, and Urban Design (LUZUD) element includes an amended Land Use Plan. The amendments will provide new development opportunities in targets areas and along corridors that can accommodate such development. The final element, Stewardship and Implementation (SI), discusses overall stewardship of the plan to keep it useful and current by creating systems and procedures to make sure that the plan is used to guide decision-making and that it is evaluated regularly to see if strategies are working and if it continues to reflect community goals.

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

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3.0 PROJECT DESCRIPTION

3.1 Purpose

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

1. The precise location and boundaries of the proposed Project shown on a detailed map, along with a regional location map;
2. A statement of the objectives sought by the proposed Project including the underlying purpose of the project and project benefits;
3. A description of the proposed Project's technical, economic, and environmental characteristics along with engineering and public service facilities details;
4. A statement describing the intended uses of the EIR, including a list of all necessary approvals and permits, a list of agencies that may use the document in their decision-making, and a list of related consultation and environmental review necessary under local, state, and federal laws, regulations, and policies.

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

3.2 Project Overview

The Project includes the development of an approximately 705,735 square foot warehouse building including approximately 4,500 square feet of office area on approximately 32 net acres in the southeastern portion of the City of Fontana. The Project Applicant is pursuing the proposed Project on a speculative basis and the future occupant(s) of the Project are unknown at this time. Note that the Institute of Transportation Engineers (ITE) land use category used for the Project's Traffic Impact Analysis (TIA) was High-Cube Fulfillment Center – Sort (155).

The Project is consistent with the City's General Plan Land Use Designations and the Zoning Designations. The Project site's industrial land use category designations are I-G: General Industrial and I-L: Light Industrial. I-G: General Industrial (0.1 to 0.6 FAR) allows for uses such as manufacturing, warehousing, fabrication, assembly, processing, trucking, equipment, and automobile and truck sales and services. I-L: Light Industrial (0.1 to 0.6 FAR) allows for employee-intensive uses, including business parks, research and development, technology centers, corporate and support office uses, clean industry, supporting retail

uses, truck and equipment sales and related services. Warehouses that are designed in ways that limit off-site impacts are also permitted.[1]

General uses permitted (either by right, minor use permit, or conditional use permit) under the industrial zoning districts (Light Industrial [M-1] and General Industrial [M-2]) include manufacturing, food processing, service and repair, storage and open yards, warehousing uses, retail sales, restaurants and bars, administrative and professional offices, educational, and miscellaneous uses. For a detailed list of permitted uses, see Table No. 30-530: Permitted Uses in Industrial Zoning Districts of the City's Zoning and Development Code here:

https://library.municode.com/ca/fontana/codes/zoning_and_development_code?nodeId=CH30ZODECO_ARTVIIINZODI.

3.3 Project Location, Setting, Surrounding Land Uses and Land Use and Zoning Designations

Project Location

The Project site is located in southeastern Fontana, in San Bernardino County (County); refer to **Figure 3.0-1**, *Regional Vicinity.* The Project site is comprised of 45 total parcels; refer to **Table 3.0-1**, *Assessor Parcel Numbers.* The Project site is located approximately 120 feet south of Interstate 10 (I-10), 0.25 miles west of Sierra Avenue, directly north of Slover Avenue, directly west of Juniper Avenue, and directly east of Cypress Avenue; **Figure 3.0-2**, *Local Vicinity*.

Table 3.0-1: Assessor Parcel Numbers

Parcel	APN Number	Parcel	APN Number	Parcel	APN Number
1.	0251-172-46	16.	0251-172-16	31.	0251-181-27
2.	0251-172-44	17.	0251-172-06	32.	0251-181-28
3.	0251-172-41	18.	0251-172-07	33.	0251-181-18
4.	0251-172-39	19.	0251-172-08	34.	0251-181-19
5.	0251-172-25	20.	0251-172-47	35.	0251-181-01
6.	0251-172-26	21.	0251-172-10	36.	0251-181-02
7.	0251-172-22	22.	0251-181-20	37.	0251-181-03
8.	0251-172-24	23.	0251-181-23	38.	0251-181-04
9.	0251-172-18	24.	0251-181-33	39.	0251-181-05
10.	0251-172-04	25.	0251-181-22	40.	0251-181-32
11.	0251-172-32	26.	0251-181-34	41.	0251-181-08
12.	0251-172-42	27.	0251-181-15	42.	0251-181-09
13.	0251-172-33	28.	0251-181-30	43.	0251-181-10
14.	0251-172-27	29.	0251-181-31	44.	0251-181-11
15.	0251-172-29	30.	0251-181-26	45.	0251-181-36

Project Setting

The Project site is a rectangular lot that contains vacant parcels**.** According to available historical sources, the Project site was utilized for residential and orchard uses from approximately 1938-1950. After 1950,

[1] City of Fontana. 2018. Chapter 15 – Land Use, Zoning, and Urban Design. Available at https://www.fontana.org/DocumentCenter/View/26754/Chapter-15---Land-Use-Zoning-and-Urban-Design, accessed February 2021.

additional residential structures were built. According to available historical satellite imaging, the Project site had contained the existing commercial, industrial, and residential uses since 1996. By 2009 construction of the Cypress Avenue connection over Interstate 10 was underway along with the splitting of Boyle Avenue. In summer 2020, demolition permits were issued by the City for existing structures within the Project site. These demolition permits were issued due to the vacant state of the residential structures and to minimize safety risks due to vagrancy, and therefore would have been issued regardless of Project implementation. The structures for which the permits were issued were eventually demolished in summer of 2020. The immediate surrounding properties consist of a Southern Pacific Rail Line to the north, and a mixture of residential (non-conforming), commercial, and industrial uses to the south, east, and west of the Project site.

Topography[2]

According to the contour lines on the United States Geological Survey (USGS) Devore, California Quadrangle 7.5-minute series topographic map, the Project site is located at approximately 1,098 feet above mean sea level (MSL). In general, the site slopes gently downward from north to the south, with a change in ground surface elevation from approximately 1,098 feet to 1,085 feet across the Project site.

Hydrology[3]

The Project site is located within Management Zone 3 of the Chino Subbasin. Groundwater recharge to the Chino Subbasin occurs primarily through percolation of direct precipitation and streamflow in the Santa Ana River and its tributaries that drain the surrounding mountain ranges. Additional recharge to the subbasin is believed to include underflow across the bounding faults, underflow from the Temescal Basin, and returns from beneficial use. The general direction of groundwater flow in the subbasin is to the southwest, toward the Santa Ana River and the Prado Flood Control Basin. While considered a single basin from a geologic perspective, the Chino Subbasin has been subdivided into five flow systems that act as separate and distinct hydrologic units, each of which is considered a separate Management Zone.

Consistent with the regional groundwater flow direction toward Prado Dam, groundwater beneath the Project site is assumed to flow to the south-southwest. Based on data from a groundwater supply well located approximately 1,500 feet southeast of the Project site, groundwater is expected to be encountered at approximately 330 feet below ground surface.

Geology and Soils[4]

The natural soils within the Project site consist predominately of silty sand and sand with silt with varying amounts of gravel and cobbles to a depth of approximately 15 feet, with a layer of sandy silt encountered in some of the borings to a depth of approximately 20 feet. The deeper soils consist of layered sand with silt, silty sand, and sandy silt to the 51-foot depth explored. In general, the native soils were medium dense to dense and firm to very stiff. The natural soils have a moderate to high strength and low to medium compressibility characteristics.

[2,3] Geotechnical Investigation, Sierra Business Center, October 8, 2019 & March 20, 2020
[3] Phase I Environmental Site Assessment, November 20, 2019 & April 7, 2020
[4] https://www.fontana.org/DocumentCenter/View/4473/Flood-Insurance-Rate-Map-11x17

Flood Zone Information

According to the City of Fontana Flood Insurance Rate Map[5], published by the Federal Emergency Management Agency, Community Panel Number 06071C8654H, dated January 17, 2017, the Project site appears to be located in Unshaded Zone X, an area located outside of the 100-year and 500-year flood plains.

Surrounding Land Uses, Land Use and Zoning Designations[6]

The City's General Plan Update 2015 – 2035 (General Plan) Land Use Map was updated and adopted on September 10, 2019.[7] The site's existing Land Use designation, as of the date previously stated, is General Industrial (I-G) and Light Industrial (I-L); the existing Zoning is Light Industrial (M-1) and General Industrial (M-2); refer to **Figure 3.0-3**, *General Plan Land Use Designations,* **Figure 3.0-4**, *Existing Zoning Designations,* **Figure 3.0-5**, *Project Footprint and APNs*, and **Table 3.0-2**, *Surrounding Land Use and Zoning Designations*. As previously discussed, the Project is consistent with the City's General Plan Land Use Designations and the Zoning Designations.

Table 3.0-2: Surrounding Land Use and Zoning Designations[8]

Location	General Plan Land Use Designation	Existing Zoning Designation
Project Site	General Industrial (I-G) Light Industrial (I-L)	Light Industrial (M-1), General Industrial (M-2)
North	Public Facilities (P-PF)(Right of Way for I-10 Freeway and rail line)	Right of Way for I-10 Freeway and rail line
South	Light Industrial (I-L)	Light Industrial (M-1)
East	General Industrial (I-G) General Commercial (C-G)	General Industrial (M-2) General Commercial (C-2)
West	General Industrial (I-G) Light Industrial (I-L)	Light Industrial (M-1) General Industrial (M-2)

3.4 Proposed Project

The Project involves the development of an approximately 705,735-square foot warehouse building within an approximately 32-net acre site, with associated facilities and improvements including approximately 4,500 square feet of 1st floor office space, vehicle parking, loading dock doors, trailer parking, onsite landscaping, and related onsite and off-site improvements; refer to **Figure 3.0-6**, *Conceptual Site Plan* and **Figure 3.0-7**, *Conceptual Elevations*. The maximum building height is approximately 49' 6" and the Project's proposed building will have a maximum Floor Area Ratio (FAR) of 0.50. Future occupant(s) of the building are not known at this time.

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

Landscaping

Landscaping would be provided on approximately 19.0 percent (133,069 square feet) of the Project site. Refer to **Figure 3.0-8**, *Conceptual Landscape Plan*.

Project Circulation and Parking

Regional Project access would be from Interstate 10 (I-10) via the officially designated local truck route[9] Sierra Avenue; refer to **Figure 3.0-9**, *Local Truck Routes.* Local access would be provided via Slover Avenue and Juniper Avenue. Project site ingress and egress would be via four driveways; two approximately forty-foot driveways on Juniper Avenue and two driveways on Slover Avenue (one at 40-feet and one at 35-feet). Vehicular access for the Project site would be via one right-in/right-out driveway and one full access driveway on Slover Avenue, and one right-in/right-out driveway and one full access driveway on Juniper Avenue. All four Project driveways would be unsignalized.

The Project would provide 330 parking stalls and 179 trailer stalls. Additionally, a total of 98 dock doors would be provided on both the west and east sides of the building.

Project Phasing and construction

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

Off-site Improvements

The following off-site improvements are proposed as part of the Project:

- **Slover Avenue:**
  - Construct right turn pocket/deceleration lane from westbound Slover Avenue to northbound Cypress Avenue.
  - Grind & Overlay 1st 12' AC paving from north curb face of Slover Avenue along Project frontage.
  - Fill in curb & gutter along existing driveways no longer in use.
  - Construct sidewalk, parkway landscaping, street lights, and fire hydrants (as needed) within public ROW.
  - Underground aerial dry utility facilities along Project frontage.
  - Make storm drain, sewer, and water utility connections for Project (fire, domestic, irrigation).
- **Juniper Avenue:**
  - Signalize intersection of Slover Ave. & Juniper Ave.
  - Remove & Replace existing AC Pavement within Juniper Avenue and construct full width AC pavement, along Juniper Avenue south of Boyle Avenue.

[9] City of Fontana. 2017. Local Truck Route – Ordinance No. 1273. Available at https://www.fontana.org/DocumentCenter/View/3971/Local-Truck-Routes-2017-11x17?bidId=, accessed April 2020.

- Remove & replace existing AC Pavement within Juniper Avenue north of Boyle Avenue, and construct full west half width plus 6' AC Pavement east of street centerline.
- Construct ultimate east curb line of Juniper Avenue opposite Project frontage, along Juniper Ave. south of Boyle Avenue.
- Construct ultimate west curb line of Juniper Avenue along Project frontage.
- Construct sidewalk, parkway landscaping, street lights, and fire hydrants (as needed) within west public ROW.
- For Juniper Avenue north of Boyle Avenue, construct full cul-de-sac at north end of street.
- Underground aerial dry utility facilities along Project frontage.

- **Cypress Avenue:**
  - Underground aerial dry utility facilities along Project frontage.
- **Boyle Avenue:**
  - Demo all existing Boyle Avenue improvements west of Juniper Avenue (necessary to construct proposed building footprint, which is planned over the existing street).
  - Abandon/remove aerial dry utility facilities within Boyle Avenue which supply power/data to the previous residential homes located onsite.
  - Abandon existing 16" Fontana Water Company (FWC) water main within Boyle Avenue between Cypress Avenue & Juniper Avenue, and reroute correctly sized water lines around Project site.

3.5 Project Objectives

The following objectives have been established for the proposed Project:

Objective 1: Implement City of Fontana's desire to create a revenue generating use that capitalizes on nearby transportation corridors and truck routes, stimulates employment, and responds to current market opportunities.

Objective 2: Revitalize a section of the City with new industrial use(s) that continue to expand the City's production capacity.

Objective 3: Reduce the opportunity for criminal activity and provide for a range of potential light industrial and warehouse uses.

Objective 4: Facilitate goods movement for the benefit of local and regional economic growth.

Objective 5: Provide new development that will generate a positive fiscal balance increasing the City tax base and a potential for added point of sale tax base for the City moving forward.

Objective 6: Provide additional temporary and permanent employment opportunities while improving the local balance of housing and jobs.

3.6 Project Approvals

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

- Tentative Map Approval (City of Fontana)
- Design Review Approval (City of Fontana)

Other permits required for the Project may include, but are not limited to, the following: issuance of encroachment permits for driveways, sidewalks, and utilities; security and parking area lighting; demolition permits; building permits; grading permits; tenant improvement permits; and permits for new utility connections.

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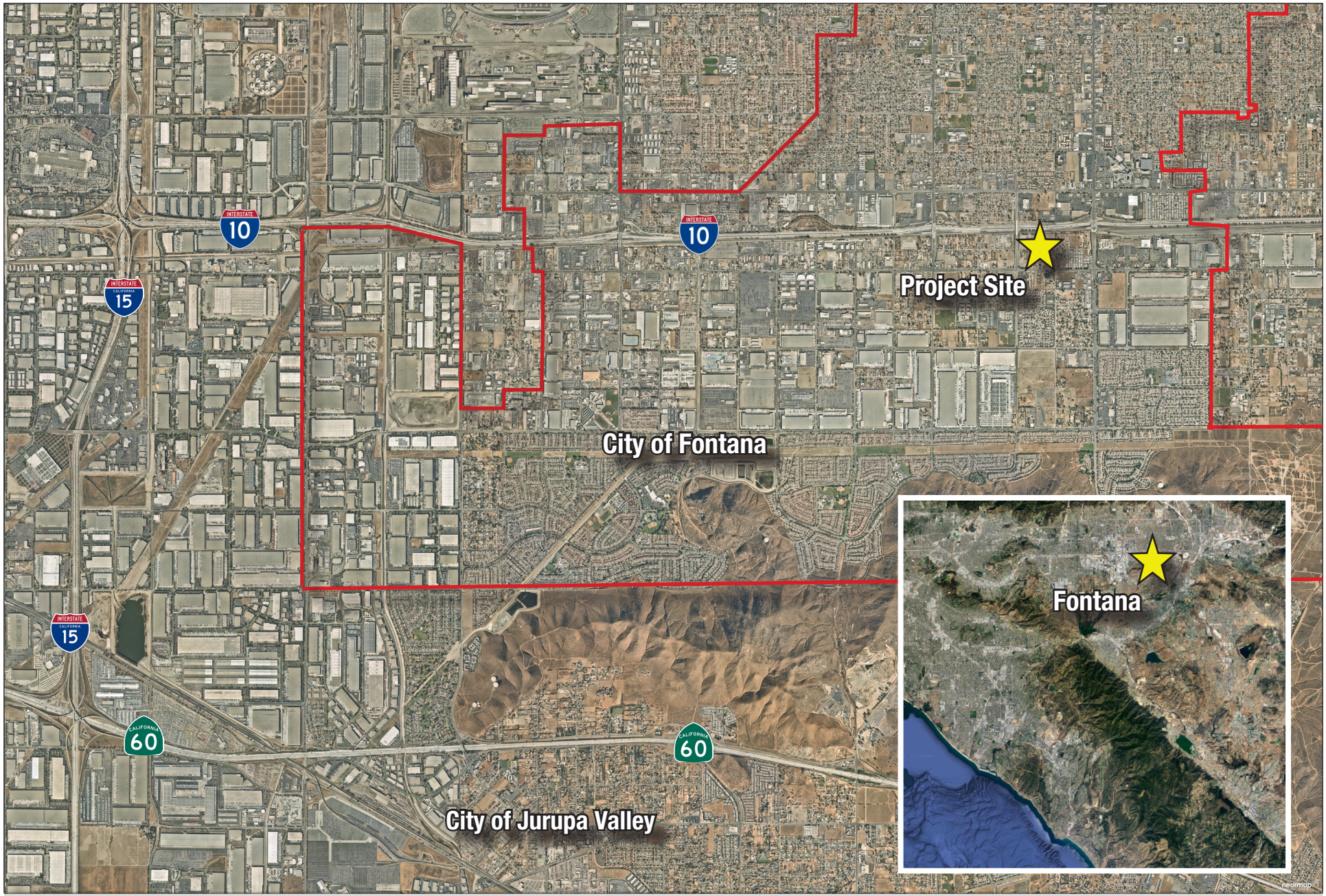

Figure 3.0-1: Regional Vicinity
Sierra Business Center Project

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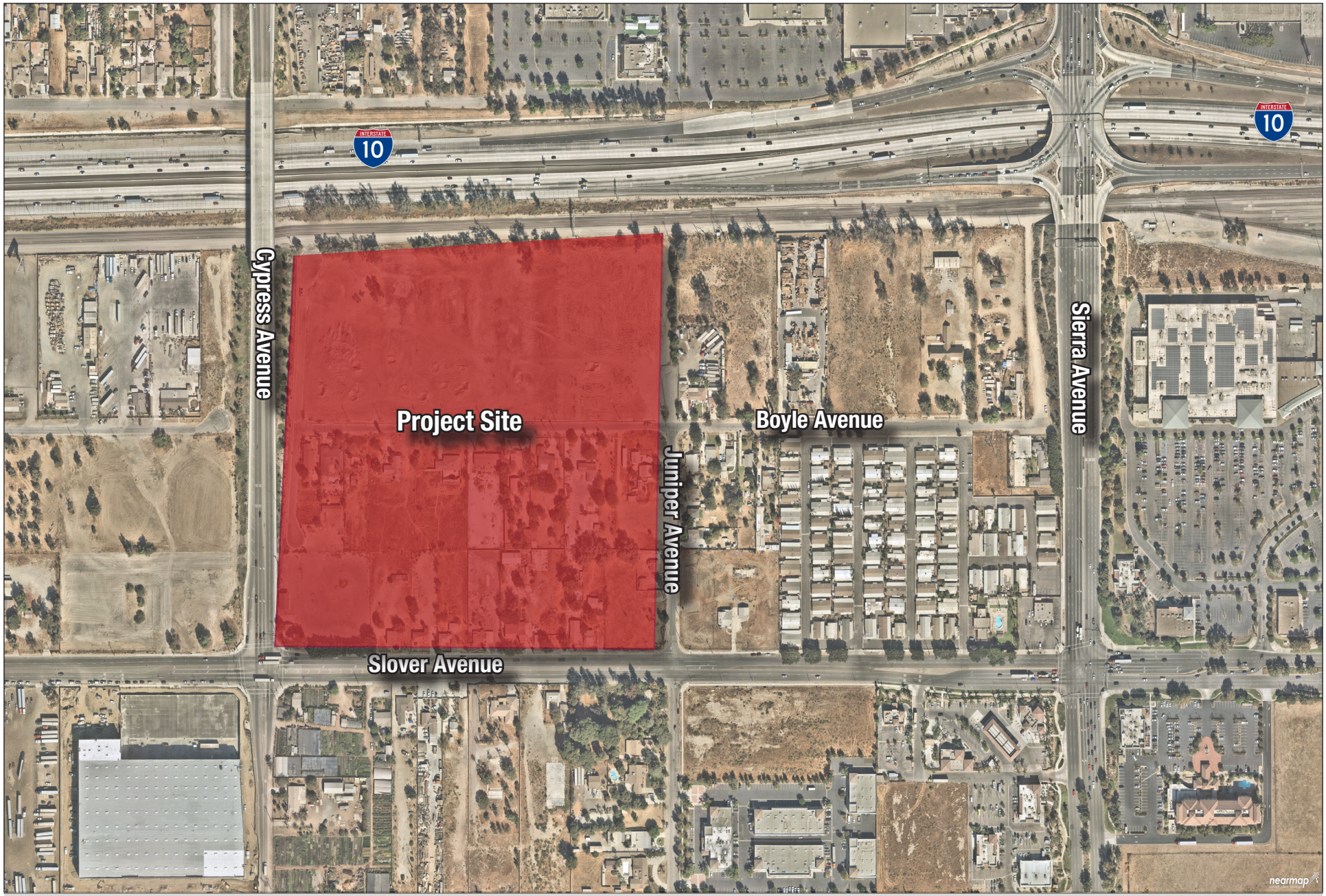

Figure 3.0-2: Local Vicinity
Sierra Business Center Project

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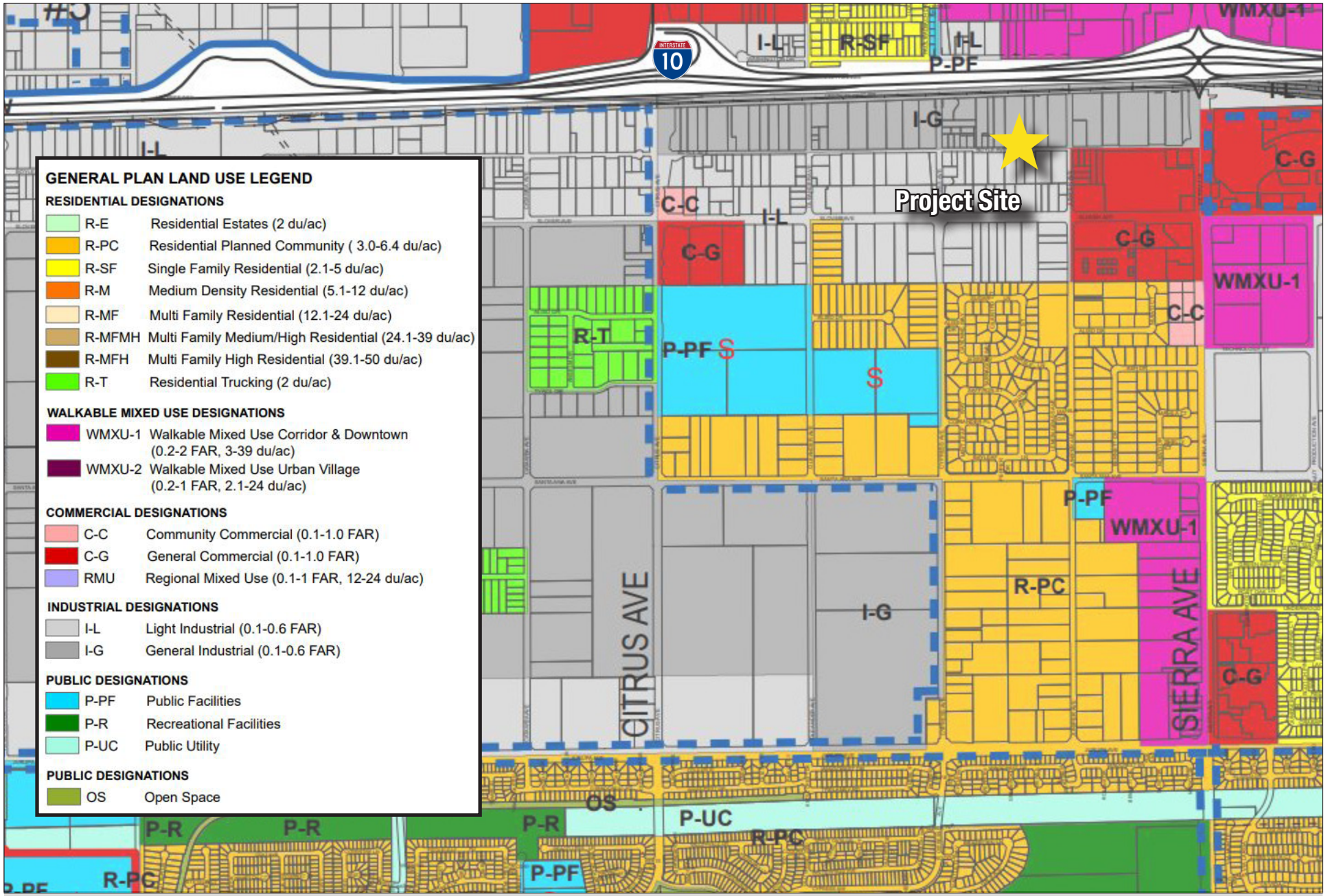

Figure 3.0-3: General Plan Land Use
Sierra Business Center Project

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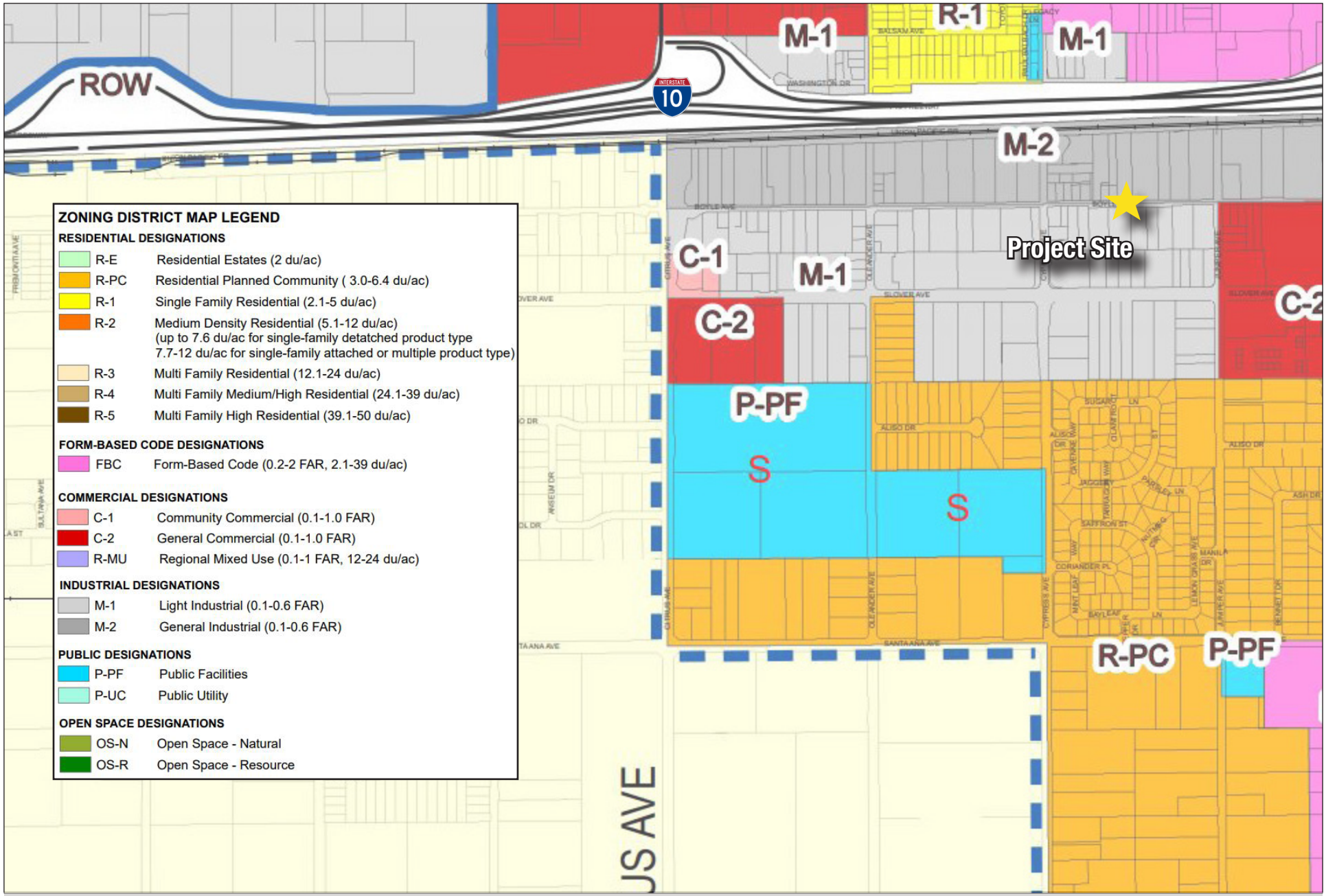

Figure 3.0-4: Existing Zoning Designations
Sierra Business Center Project

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Parcel	Street Address	APN
1	Unknown	25117246
2	10335 Vineyard Dr.	25117244
3	10341 Cypress Ave.	25117241
4	10373 Cypress Ave.	25117239
5	16512 Boyle Ave.	25117225
6	10372 Palm Dr.	25117226
7	Unknown	25117222
8	16532 Boyle Ave.	25117224
9	16540 Boyle Ave.	25117218
10	16550 Boyle Ave.	25117204
11	17602 Pinedale Ave	25117232
12	16558 Boyle Ave.	25117242
13	Unknown	25117233
14	16566 Boyle Ave.	25117227
15	Unknown	25117229
16	16572 Boyle Ave.	25117216
17	16598 Boyle Ave.	25117206
18	16628 Boyle Ave.	25117207
19	16640 Boyle Ave.	25117208
20	16666 Boyle Ave.	25117247
21	Unknown	25117210

EXPLANATION

PARCEL BOUNDARY

REFERENCE:
USGS AERIAL PHOTOGRAPH
DATED: MAY 25, 2014

0 150 300
FEET

Figure 3.0-5a: Project Footprint and APNs
Sierra Business Center Project

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Parcel	Street Address	APN
1	16513 Boyle Avenue	25118120
2	10429 Cypress Avenue	25118123
3	Not Reported	25118133
4	Not Reported	25118135
5	16521 Boyle Avenue	25118122
6	16535 Boyle Avenue	25118134
7	16547 Boyle Avenue	25118115
8	16571 Boyle Avenue	25118130
9	16599 Boyle Avenue	25118131
10	16625 Boyle Avenue	25118126
11	16635 Boyle Avenue	25118127
12	16645 Boyle Avenue	25118128
13	16663 Boyle Avenue	25118118
14	10420 Juniper Avenue	25118119
15	10462 Juniper Avenue	25118101
16	16696 Slover Avenue	25118102
17	16682 Slover Avenue	25118103
18	16664 Slover Avenue	25118104
19	16654 Slover Avenue	25118105
20	16634 Slover Avenue	25118132
21	16606 Slover Avenue	25118108
22	16584 Slover Avenue	25118109
23	16576 Slover Avenue	25118110
24	16560 Slover Avenue	25118111
25	16514 Slover Avenue	25118136

REFERENCE:
USGS AERIAL PHOTOGRAPH
DATED: MAY 25, 2014

0 100 200
FEET

Figure 3.0-5b: Project Footprint and APNs
Sierra Business Center Project

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Figure 3.0-5c: Project Footprint
Sierra Business Center Project

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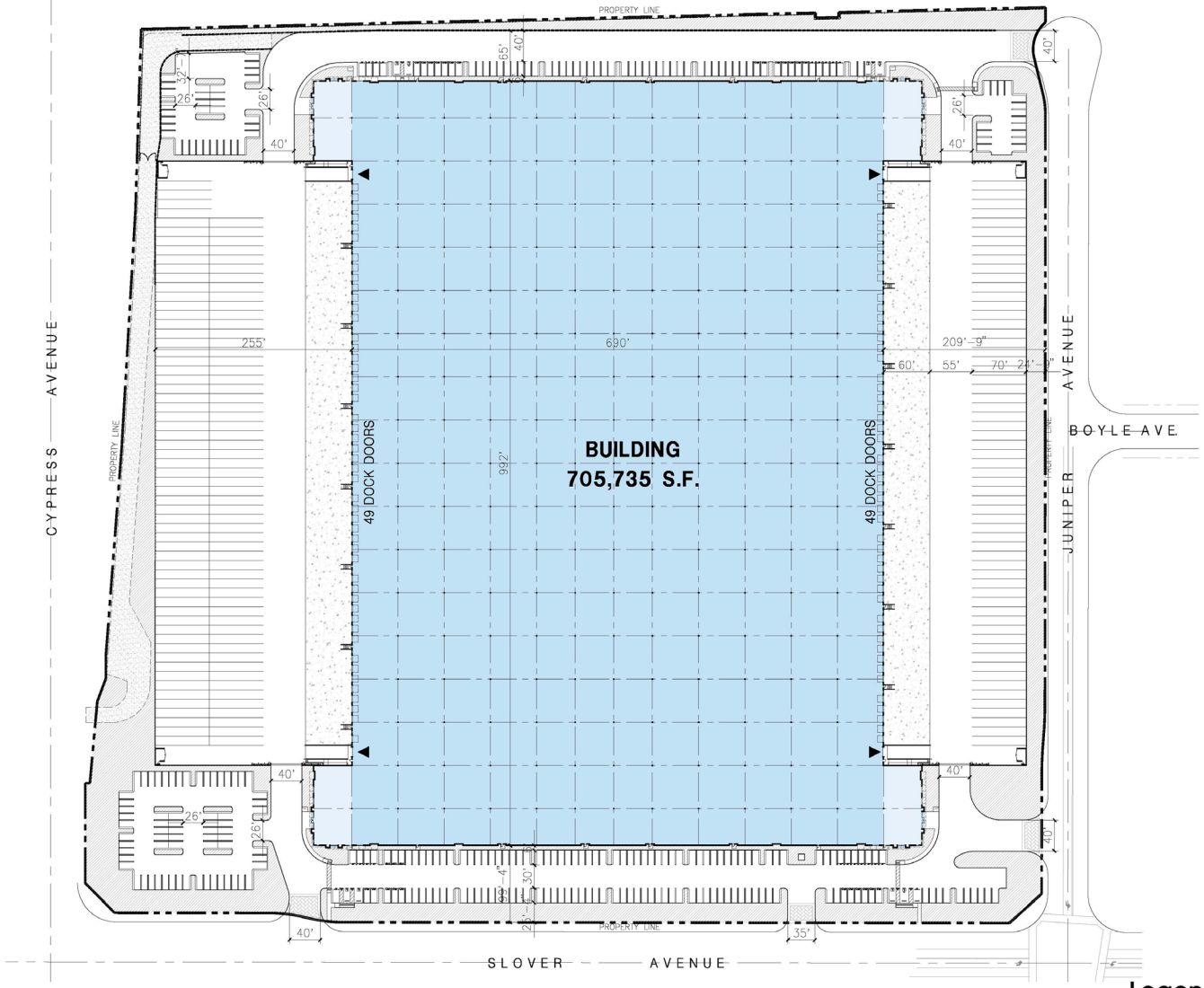
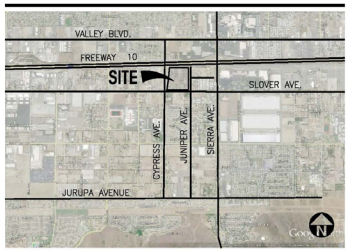


Aerial Map



Tabulation

NET SITE AREA	
In s.f.	1,405,836 s.f.
In acres	32.27 ac
BUILDING AREA	
Office	4,500 s.f.
Warehouse	701,235 s.f.
TOTAL	705,735 s.f.
COVERAGE (based on net area)	50.2%
CLEAR HEIGHT	40'
EST. MAXIMUM BLDG HT	49'-6"
AUTO PARKING REQUIRED	
Office: 1/250 s.f. (if exceed 10%)	n/a stalls
Whse: 1st 20k @ 1/1,000 s.f.	20 stalls
2nd 20k @ 1/2,000 s.f.	10 stalls
above 40k @ 1/5,000 s.f.	134 stalls
TOTAL	164 stalls
AUTO PARKING PROVIDED	
Standard (9 'x 19')	272 stalls
Standard Accessible (9' x 19')	4 stalls
Van Accessible (12' x 19')	4 stalls
Van Accessible EV(12' x 19')	1 stalls
Standard Accessible EV (9' x 19')	1 stalls
Standard EV (9' x 19')	20 stalls
Clean Air / Vanpool	28 stalls
TOTAL	330 stalls
TRUCK AND TRAILER PARKING REQUIRED	
1 per 5,000 s.f.	142 stalls
TRAILER PARKING PROVIDED	
Truck & Trailer (12' x 70')	179 stalls
MAXIMUM FLOOR AREA RATIO	
FAR - .60	
ZONING ORDINANCE FOR CITY	
Zoning designation - M-1 & M-2	
MAXIMUM BUILDING HEIGHT ALLOWED	
Height - 75'	
SETBACKS	
Slover Ave. - 20'	Side and Rear - 5'
Juniper Ave. - 20'	
Cypress Ave.- 20'	
LANDSCAPE REQUIREMENT	
Percentage - 15% (excluding Bldg. Area)	
LANDSCAPE PROVIDED	
Percentage -	19.0%
In s.f.	133,069 s.f.

Legend

- POTENTIAL OFFICE
- WAREHOUSE
- ▼ DRIVE THRU DOOR

Note: This is a conceptual plan. It is based on preliminary information which is not fully verified and may be incomplete. It is meant as a comparative aid in examining alternate development strategies and any quantities indicated are subject to revision as more reliable information becomes available.

Figure 3.0-6: Conceptual Site Plan
Sierra Business Center Project

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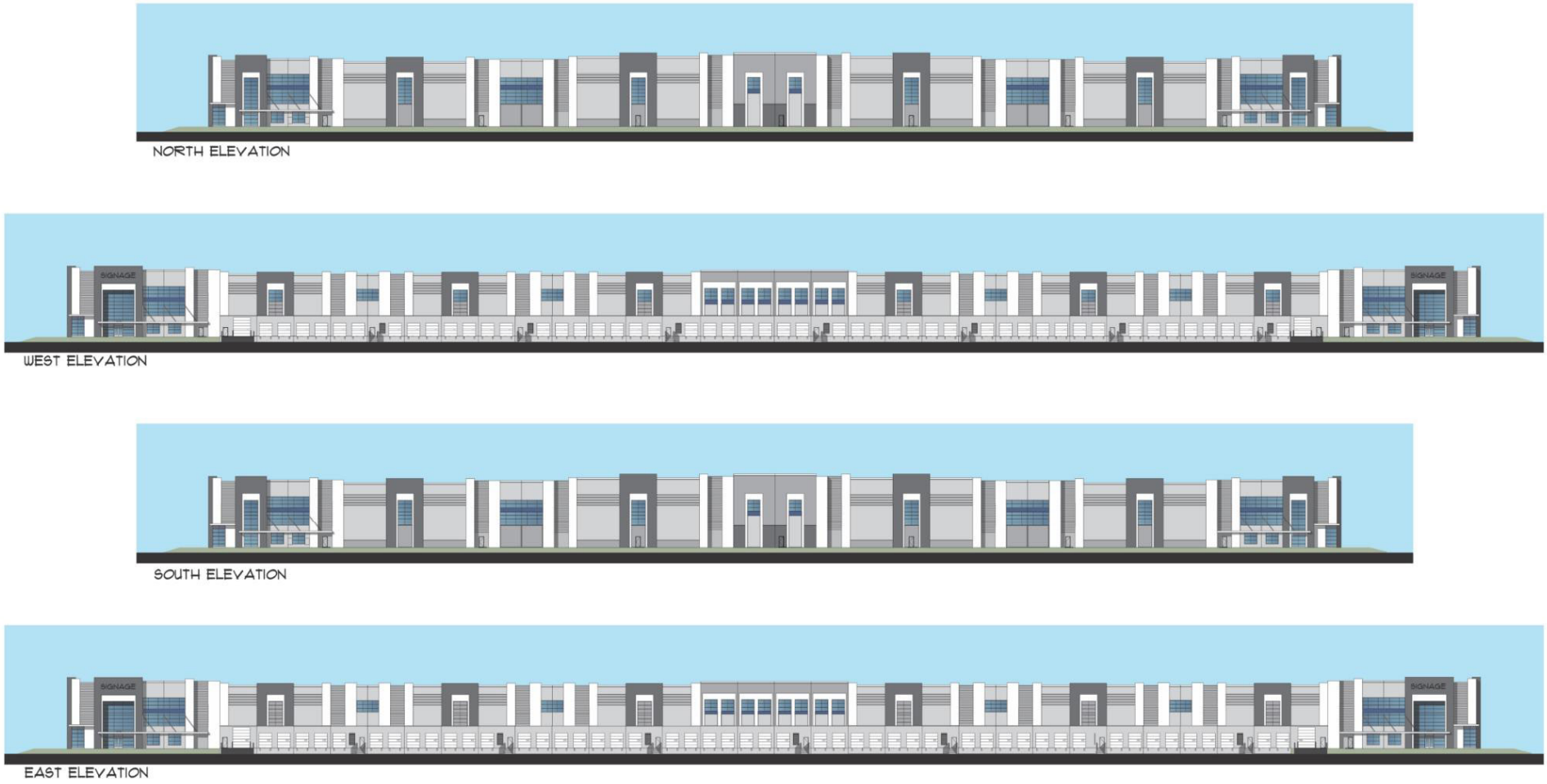

Figure 3.0-7: Conceptual Elevations
Sierra Business Center Project

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PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Cinnamomum camphora Camphor Tree	24" Box	59	M	
	Olea europaea European Olive	36" Box	4	M	Multi
	Lagerstroemia i 'Natchez' White Flowering Crape Myrtle	36" Box	16	M	Multi
	Lagerstroemia i. 'Tuscarora' Pink Flowering Crape Myrtle	24" Box	14	M	Standard
	Pinus eldarica Afghan Pine	24" Box	91	L	
	Quercus agrifolia Coast Live Oak	24" Box	41	M	Multi
	Rhus lancea African Sumac	24" Box	37	L	
	Tristania conferta Brisbane Box	15 Gal	35	M	

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Callistemon 'Little John' Dwarf Bottlebrush	5 Gal	1562	L	
	Feijoa sellowiana Pineapple Guava	5 Gal	548	M	
	Heteromeles arbutifolia Toyon	5 Gal	213	L	
	Juncus patens California Rush	5 Gal	514	L	
	Leucophyllum f. 'Green Cloud' Texas Ranger	5 Gal	202	L	
	Ligustrum j. Texanum Texas Privet	5 Gal	2256	M	
	Nassella tenuissima Mexican Feather Grass	5 Gal	89	L	
	Pennisetum orientale Oriental Fountain Grass	5 Gal	940	L	
	Rhamnus 'Case Eve' Compact California Coffeeberry	5 Gal	268	L	
	Salvia 'Bee's Bliss' Bee's Bliss Sage	5 Gal	264	L	
	Salvia greggii Autumn Sage	5 Gal	941	L	
	Senna artemisioides Feathery Cassia	5 Gal	794	L	
	Westringia fruticosa Coast Rosemary	5 Gal	266	L	

ACCENTS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Agave 'Blue Glow' Blue Glow Agave	5 Gal	101	L	
	Aloe striata Coral Aloe	1 Gal	63	L	
	Agave villmoriniana Octopous Agave	5 Gal	68	L	
	Dasylirion wheeleri Desert Spoon	5 Gal	37	L	
	Hesperaloe parviflora Red Yucca	5 Gal	34	L	
	Agave angustifolia 'Marginata' Variegated Caribbean Agave	5 Gal	40	L	

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	Acacia redolens 'Low Boy' Low Boy Trailing Acacia	1 Gal	6' O.C.	L	
	Myoporum pacificum Myoporum	1 Gal	48" O.C.	L	
	Lonicera j. 'Halliana' Hall's Honeysuckle	1 Gal	48" O.C.	L	
	Bougainvillea spp. Bougainvillea	1 Gal	6' O.C.	L	
	Senecio mandraliscae Blue Chalksticks	1 Gal	24" O.C.	L	
	Rosmarinus 'Huntington Carpet' Huntington Carpet Rosemary	1 Gal	48" O.C.	L	

Figure 3.0-8: Conceptual Landscape Plan
Sierra Business Center Project

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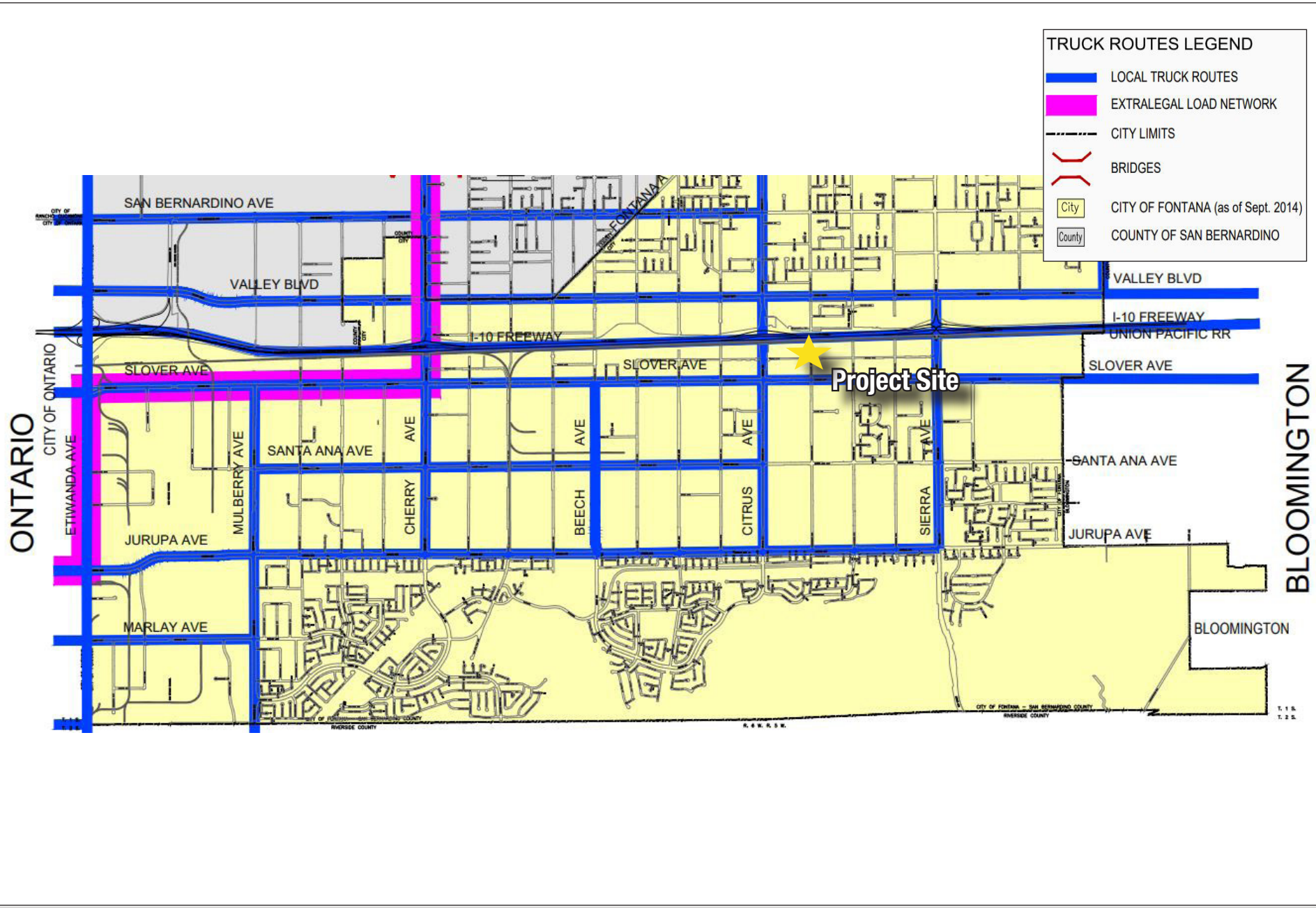

Figure 3.0-9: Local Truck Routes
Sierra Business Center Project

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4.0 ENVIRONMENTAL IMPACT ANALYSIS

4.0.1 APPROACH TO THE ENVIRONMENTAL ANALYSIS

Organized by environmental resource category, **Section 4.0, Environmental Impact Analysis**, provides an integrated discussion of the affected environment including regulatory and environmental settings and environmental impacts and mitigation measures to reduce or avoid potentially significant impacts associated with implementation of the Project. **Section 6.0, Additional CEQA Considerations**, discusses mandatory findings of significance and other required CEQA topics.

4.0.2 SECTION CONTENT AND DEFINITION OF TERMS

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

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

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

- **"Affected Environment"** provides an overview of the existing physical environmental conditions in the study area that could be affected by implementation of the Project (i.e., the "affected environment").

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

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

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

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

change in the physical environment (applicable significance thresholds would not be exceeded in consideration of Project Design Features and existing laws, ordinances, standards or regulations).

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

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

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

4.0.3 CUMULATIVE IMPACTS ANALYSIS

CEQA Requirements

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

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

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

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

the Project would cause a substantial increase in impacts, or otherwise exceed an established threshold of significance.

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

The cumulative analysis must be in sufficient detail to be useful to the decision-maker in deciding whether, or how, to alter the Project to lessen cumulative impacts. Significant adverse impacts of the cumulative projects would be required to be reduced, avoided, or minimized through the application and implementation of mitigation measures. The net effect of these mitigation measures is assumed to be a general lessening of contribution to cumulative impacts. This discussion, found at the end of each impact section, provides an analysis of overall cumulative effects of the Project taken together with other past, present, and reasonably foreseeable probable future projects.

Geographic Scope

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

Each of the cumulative impact categories (EIR Section 4.0) is analyzed and regulated by different agencies and associated regulatory or policy documents, in order to best protect the resource in question. The analysis of cumulative effects considers a number of variables, including geographic (spatial) limits, time (temporal) limits, and the characteristics of the resource being evaluated. The geographic scope of each analysis is based on the topography surrounding the Project site and the natural boundaries of the resource affected, rather than jurisdictional boundaries. The geographic scope of cumulative effects will often extend beyond the scope of the direct effects, but not beyond the scope of the direct and indirect effects of the proposed Project. The EIR addresses the Project's potentially significant impacts, recommends Project-specific mitigation measures, and then also identifies existing or recommended measures to address potential cumulative impacts.

4.0.4 PROJECT APPROACH

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

The City of Fontana General Plan and other planning documents (such as recent City of Fontana CEQA documents, and SCAG's RTP/SCS EIR) were used as additional reference points in establishing the cumulative scenario for the analysis. The previous CEQA documents provide further context as to cumulative impacts considered for prior projects. The intent of the cumulative impact discussions is to provide sufficient information to inform decision-makers and the public, rather than "tiering" off of prior CEQA documents for cumulative impacts.

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4.1 AESTHETICS

4.1.1 Introduction

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

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

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

Visual Resource Terminology and Concepts

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

The visual sensitivity of a viewer also is affected by variables such as the viewing distances to the landscape. For example, a project feature or natural environment can be perceived differently by people depending on the distance the observer is from the viewed object. At closer ranges greater detail of an object or landscape is visible. In these instances, changes to viewed object have a greater potential to influence the visual quality of the object because changes to form or scale (the object's relative size in relation to the viewer) are more noticeable. When the same object is viewed at background distances,

details may be imperceptible while changes to the overall forms of terrain and vegetation maybe be evident. In the middle ground, some detail is evident (e.g., the foreground), and landscape elements are seen in context with landforms and vegetative patterns (e.g., the background). Nonetheless, changes in views from all distances can result in negative consideration from viewers.

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

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

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

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

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

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

4.1.2 Affected Environment

Visual Setting

The Project site is a rectangular 32-net acre site comprised of 45 parcels. The Project site is largely vacant parcels with remnants of foundations from previous structures. According to available historical sources, the Project site was utilized for residential and orchard uses from approximately 1938-1950. After 1950, additional residential structures were built. According to available historical satellite imaging, the Project site has contained the existing commercial, industrial, and residential uses since 1996. By 2009 construction of the Cypress Avenue connection over Interstate 10 was underway along with the splitting of Boyle Avenue. The immediate surrounding properties consist of a Southern Pacific Rail Line to the

north, and a mixture of residential (non-conforming), commercial, and industrial uses to the south, east, and west of the Project site.

According to the contour lines on the United States Geological Survey (USGS) Devore, California Quadrangle 7.5-minute series topographic map, the Project site is located at approximately 1,098 feet above mean sea level (MSL). In general, the site slopes gently downward from north to the south, with a change in ground surface elevation from approximately 1,098 feet to 1,085 feet across the Project site.

Views of the Project site are primarily available to travelers on Slover Avenue, Cypress Avenue. The Project site is traversed by Palm Drive which runs on a north-south direction and meets Boyle Avenue which also traverses the Project site on an east-west direction. Existing trees, residential properties, and Interstate 10 (I-10) freeway block views of the San Gabriel Mountains to the north. Most views of the site from Slover Avenue are limited to the existing residential units (now demolished), trees, and two large vacant lots along Slover Avenue at each of the Project's southeast and southwest corners. Other portions of the site are visible to passerby traffic along Cypress Avenue. Cypress Avenue is an overpass where it meets I-10. Cypress Avenue offers a wide view of the vacant lots, residential units (now demolished), and truck/commercial lots (now demolished).

Scenic Vistas

A scenic vista can be defined as a viewpoint that provides expansive views of a highly-valued landscape for the benefit of the public. Within the City, views of elevated features with such scenic quality include the San Gabriel Mountains located approximately 8.0 miles northwest, as well as the Jurupa Hills located approximately 2.0 miles south. Open space in Fontana generally consists of a mix of the foothills, utility corridors, parks, Lytle Creek and other dry washes. Open space in the foothills can be seen to the north at the base of the San Gabriel Mountains and to the south in the Jurupa Hills.[1]

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

Scenic Highways

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

[1] City of Fontana. 2019. *Fontana Forward General Plan Update 2015-2035, page 5.1-1 – Draft Environmental Impact Report.*
[2] California Department of Transportation, 2014 – California Scenic Highways – GIS. Available: https://www.arcgis.com/home/item.html?id=f0259b1ad0fe4093a5604c9b838a486a#visualize Accessed: March 9, 2020.

Light and Glare

Light and glare sources around the Project site are typical to those found in urban environments. Sources of light and glare include adjacent residential, commercial, and roadways both from street lights and vehicle headlights. Industrial uses in the vicinity of the Project site also produce some light and glare generally from stationary light sources from exterior building lighting (i.e., building illumination, security lighting, parking lot lighting, and landscape lighting) as well as interior lighting visible through windows and exterior sources. There is minimal light and glare being emitted from the Project site.

4.1.3 Regulatory Framework

Federal

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

State

California Department of Transportation (Caltrans)

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

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

Section 261 requires local government agencies to take the following actions to protect the scenic appearance of a scenic corridor:

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

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

Local

City of Fontana General Plan 2015-2035

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

Open Space and Conservation Element

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

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

Policy 1.1 Consider permanent protection for sensitive foothills through potential partnerships with conservation organizations or acquisition and deed restrictions.

Action A Evaluate the potential costs and benefits of permanent protection of sensitive foothill lands.

Action B Work with regional conservation organization, such as the Inland Empire Resource Conservation District and regional conservation land trusts, to conserve sensitive foothill lands.

City of Fontana Municipal Code

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

Section 30-543 through Section 30-546 of the Fontana MC addresses the performance standards for industrial structures. Section 30-544 of the MC directs that all lights should be directed and/or shielded to prevent the light from adversely affecting adjacent properties. Moreover, no structure or lighting feature shall be permitted which creates adverse glare.

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

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

4.1.4 Significance Thresholds and Criteria

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

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

Methodology and Assumptions

The Project site is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning aesthetics. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts at the Project site.

Approach to Analysis

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

The baseline conditions and impact analyses are from: field observations conducted by Kimley-Horn personnel on May 18, 2020; review of Project site plan, maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would or would not result in "substantial" adverse effects on scenic resources or visual character considers the site's aesthetic resource value and the severity of the Project component's visual impact (e.g., the nature and duration of the impact). For example, a Project component resulting in a severe impact on a site with a low aesthetic resource value would result in a less than significant impact concerning scenic or visual character. In other words, new conspicuous structures or visual changes in areas with a low aesthetic resource value may not necessarily result in substantial adverse effects on visual resources.

4.1.5 Impacts and Mitigation Measures

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

Level of Significance: Less Than Significant Impact

Construction and Operations

Construction activities would result in temporary changes to the visual characteristics of the site as viewed from the surrounding uses from temporary grading, equipment staging, and associated building activities. Construction activities would be visible to residents and passerby's along Slover Avenue, Cypress Avenue, and Juniper Avenue. The Project is anticipated to be constructed in one phase and construction activities are anticipated to last approximately 12 months, during which a certain level of aesthetic changes will occur on the site. According to the General Plan, Slover Avenue is classified as a Primary Highway, Cypress Avenue as a Secondary Highway, and Juniper Avenue as Collector Street[3].

The Project site's existing Land Use designation is General Industrial (I-G) and Light Industrial (I-L); the existing Zoning is Light Industrial (M-1) and General Industrial (M-2). The allowed building height is 75' feet under both the Land Use designations and Zoning. The proposed warehouse building would be approximately 49' 6" feet in height and would be consistent with the existing Land Use, Zoning, and allowed building height. Along Slover Avenue, the proposed warehouse building would be set back approximately 100 feet from the southern property line, approximately 71 feet to 90 feet from the northern property line, approximately 160 feet to 210 feet from the eastern property line fronting Juniper Avenue, and approximately 225 feet to 280 feet from the western property line along Cypress Avenue. Although the proposed Project has the potential to obstruct views of the San Gabriel Mountains for passerby drivers along Slover Avenue, the proposed building would not significantly alter this condition, as the existing tree linings, I-10 freeway, and the northern lined trees already block views to the north.

Additionally, although the proposed Project would be taller than the surrounding structures, the building height would be approximately 35' feet shorter than the maximum allowed height within the Fontana MC for the site. Moreover, views of the Jurupa Hills would not be altered for the following reasons: the proposed warehouse building would be located at a lower grade than the I-10 freeway; thus, views of the Jurupa Hills would not change for passerby travelers along I-10 since the existing railroad and trees lined along the northern property line block views of the Jurupa Hills. As for the residents to the east and south of the Project site, their views of the Jurupa Hills would not be altered as part of the proposed Project since the Project would not be within their southern view of the Jurupa Hills. As such, the proposed Project would cause a less than significant impact to scenic vistas.

MITIGATION MEASURES

No mitigation is necessary.

[3] City of Fontana. 2019. *Fontana Forward General Plan Update 2015-2035, Exhibit 9.2, Hierarchy of Streets in Fontana – Draft Environmental Impact Report.*

Impact 4.1-2 ***Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

Level of Significance: No Impact

There are no state scenic highways within the City[4]. The nearest State Scenic Highway is approximately 13 miles east of the Project site. Therefore, construction and operation of the Project site would not damage or obstruct a scenic resource (i.e., trees, rock outcroppings, or historic buildings) within a state scenic highway. No impact would occur.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.1-3 ***Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?***

Level of Significance: Less Than Significant Impact

Construction and Operations

As noted above, the Project site is vacant and exhibits unmanicured ruderal and overgrown grass, while a roadway (Boyle Avenue) runs east-west through the middle of the Project site.

The Project proposes the development of an approximately 705,735-square foot warehouse building within an approximately 32-net acre site, with associated facilities and improvements including approximately 4,500 square feet of office space, vehicle parking, loading dock doors, trailer parking, on-site landscaping, and related on-site and off-site improvements; Refer to **Figure 3.0-6**, *Conceptual Site Plan* and **Figure 3.0-7**, *Conceptual Elevations*. Additionally, the Project proposes approximately 19 percent of landscape coverage. The proposed Project site would be designed and configured to provide landscape (buffer) areas at all frontages. The landscape buffers would separate vehicle and truck parking areas from the sidewalks and streets. Moreover, the Project will provide a curtain of trees along the slope immediately east of the Cypress Avenue overpass to visually screen the Project's west truck court below from public view. Additionally, off-site improvements would be implemented as part of the proposed Project which include curb, gutter, lighting, underground utilities, sidewalks, and landscaping as appropriate along Slover Avenue and Juniper Avenue.

Construction activities would involve earthmoving and grading activities and views from off-site areas of the work and construction equipment. In addition, building of the proposed structure and interior site elements such as paving, installation of utilities, and installation of landscaping, among others would be visible during the temporary construction time frame. However, because the site is relatively flat and does not contain substantial variation in landforms, these activities would not result in substantial alteration of existing grades or any slopes that represent areas of substantial scenic quality. Site grading would comply with City standards, ordinance, and codes, including City of Fontana codes related to grading and other construction work including but not limited to Article IV. Section 28-95 – which requires a Landscape

[4] City of Fontana. 2019. *Fontana Forward General Plan Update 2015-2035, page 5.1-1 – Draft Environmental Impact Report.*

Documentation Package, and Section 28-102, which requires a Grading Design Plan. Construction activities also would have to comply with all other applicable requirements. Conformance to these codes would help reduce the potential stark changes to the visual environment during construction.

Construction activities would temporarily affect views of the Project site during the Project's construction phase. This would not conflict greatly with the visual character of the surrounding area since the surrounding uses consist of industrial commercial activities. Although visual character could be impacted by the construction activities, construction of the Project would be temporary in nature and would not create a lasting impact. Additionally, because the proposed Project is consistent with the site's existing M-1 and M-2 zoning designations, and because overall the proposed Project would beautify the Project site, impacts in this regard would be less than significant.

MITIGATION MEASURES

No mitigation is necessary.

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

Level of Significance: Less than Significant Impact

Construction and Operations

Existing sources of light and glare exist in the Project's immediate vicinity. Existing lighting sources include streetlights, outdoor safety and security lighting from adjacent developments including the residential developments to the south and east, and vehicle headlights from adjacent roadways. Construction of the proposed warehouse building would be limited to the daytime hours of construction permitted in the Fontana MC (unless otherwise approved by the City), and nighttime lighting would not be required until the site is operational. Therefore, no short-term impacts associated with light and glare would occur.

Once operational, the building would use interior and exterior security lighting. Consistent with Section No. 30-544 (Light and Glare) of the City's Zoning and Development Code[5], all lighting used on the Project site is required to be directed and/or shielded to prevent the light from adversely affecting adjacent properties, and no structures or features that create adverse glare effects are permitted. Thus, all exterior lighting would be shielded/hooded to prevent light trespass onto nearby properties. Additionally, the single warehouse building proposed for the Project would use a variety of non-reflective building materials, and although some new reflective improvements (i.e., windows and building front treatments) would be introduced to the site, the proposed warehouse building would not be a source of glare in the area. Therefore, long-term impacts associated with light and glare would be less than significant.

MITIGATION MEASURES

No mitigation is necessary.

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

4.1.6 Cumulative Impacts

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

When evaluating cumulative aesthetic impacts, several factors must be considered. The context in which the Project is being viewed would also influence the potential significance of a cumulative aesthetic impact. Although the proposed Project would result in a substantial visual contrast with the surrounding uses, the proposed Project is consistent with the existing Land Use and Zoning of the site, and the proposed Project would unify and beautify the Project site. The Project, taken in sum with other past, present and reasonably foreseeable projects would not substantially affect the already diminished and limited views of the San Gabriel Mountains. The City of Fontana is becoming more urbanized and the contrast of the potential development, in comparison to the surrounding natural environment would be minimal.

In order for a cumulative aesthetic impact to occur, the cumulative nature of the Project site taken with other projects,' as seen together or in proximity to each other must be cumulatively considerable. In the case of the proposed Project, the potential aesthetic impacts related to views, aesthetics, and light and glare are less than significant. Mitigation measures beyond the required conformance to applicable policies and guidance in the Municipal Code and Fontana General Plan, are not required. As discussed above, Project-related impacts would be less than significant.

4.1.7 Significant Unavoidable Impacts

No significant unavoidable aesthetic impacts have been identified.

4.2 AIR QUALITY

4.2.1 Introduction

This section of the Draft Environmental Impact Report discusses potential air quality impacts associated with development and implementation of the Fontana Sierra Business Center Project (Project). The current conditions were observed as the baseline for the analysis and were compared to the potential effects anticipated for the Project. The ambient air quality of the local and regional area is described, along with relevant federal, state, and local air pollutant regulations. Air quality emission modeling results for the Project are provided in *Appendix B: Air Quality Studies*.

4.2.2 Affected Environment

Climate and Meteorology

The California Air Resources Board (CARB) divides the State of California (State) into 15 air basins that share similar meteorological and topographical features. The Project is located within the South Coast Air Basin (SCAB), which includes the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties, as well as all of Orange County. The SCAB is on a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean on the southwest and high mountains forming the remainder of the perimeter[1]. Air quality in this area is determined by such natural factors as topography, meteorology, and climate, in addition to the presence of existing air pollution sources and ambient conditions. These factors along with applicable regulations are discussed below.

The SCAB is part of a semi-permanent high-pressure zone in the eastern Pacific. As a result, the climate is mild and tempered by cool sea breezes. This usually mild weather pattern is occasionally interrupted by periods of extreme heat, winter storms, and Santa Ana winds. The annual average temperature throughout the 6,645-square-mile SCAB ranges from low 60 to high 80 degrees Fahrenheit with little variance. With more oceanic influence, coastal areas show less variability in annual minimum and maximum temperatures than inland areas.

Contrasting the steady pattern of temperature, rainfall is seasonally and annually highly variable. Almost all annual rainfall occurs between the months of November and April. Summer rainfall is reduced to widely scattered thundershowers near the coast, with slightly heavier activity in the east and over the mountains.

Although the SCAB has a semiarid climate, the air closer to the Earth's surface is typically moist because of the presence of a shallow marine layer. Except for occasional periods when dry, continental air is brought into the SCAB by offshore winds, the "ocean effect" is dominant. Periods of heavy fog are frequent and low clouds known as high fog are characteristic climatic features, especially along the coast. Annual average humidity is 70 percent at the coast and 57 percent in the eastern portions of the SCAB.

Wind patterns across the SCAB are characterized by westerly or southwesterly onshore winds during the day and easterly or northeasterly breezes at night. Wind speed is typically higher during the dry summer months than during the rainy winter. Between periods of wind, air stagnation may occur in both the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on

[1] South Coast Air Quality Management District (1993). *CEQA Air Quality Handbook*, 1993. Diamond Bar, CA: SCAQMD.

any given day. During winter and fall, surface high-pressure systems over the SCAB, combined with other meteorological conditions, result in very strong, downslope Santa Ana winds. These winds normally continue for a few days before predominant meteorological conditions are reestablished.

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

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

Air Pollutants of Concern

The air pollutants emitted into the ambient air by stationary sources (e.g., factories, refineries, boilers, and power plants) and mobile sources (e.g., cars, trucks, trains, airplanes, lawnmowers) are regulated by state and federal laws. These regulated air pollutants are known as "criteria air pollutants" and are categorized into primary and secondary pollutants.

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NOX), sulfur dioxide (SO2), coarse particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), and lead are primary air pollutants. Of these, CO, NOX, SO2, PM_{10}, and $PM_{2.5}$ are criteria pollutants. ROG and NOX are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant ozone (O_3) is formed by a chemical reaction between ROG and NOX in the presence of sunlight. O_3 and nitrogen dioxide (NO2) are the principal secondary pollutants. Sources and health effects commonly associated with criteria pollutants are summarized in ***Table 4.2-1: Air Contaminants and Associated Public Health Concerns***.

Table 4.2-1: Air Contaminants and Associated Public Health Concerns

Pollutant	Major Man-Made Sources	Human Health Effects
Particulate Matter (PM_{10} and $PM_{2.5}$)	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles and others.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; asthma; chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility.
Ozone (O_3)	Formed by a chemical reaction between reactive organic gases/volatile organic compounds (ROG or VOC)[1] and nitrogen oxides (NO_X) in the presence of sunlight. Motor vehicle exhaust industrial emissions, gasoline storage and transport, solvents, paints and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield.

Pollutant	Major Man-Made Sources	Human Health Effects
Sulfur Dioxide (SO_2)	A colorless gas formed when fuel containing sulfur is burned and when gasoline is extracted from oil. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO_2)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to O_3. Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Lead (Pb)	Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Due to the phase out of leaded gasoline, metals processing is the major source of lead emissions to the air today. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.	Exposure to lead occurs mainly through inhalation of air and ingestion of lead in food, water, soil, or dust. It accumulates in the blood, bones, and soft tissues and can adversely affect the kidneys, liver, nervous system, and other organs. Excessive exposure to lead may cause neurological impairments such as seizures, mental retardation, and behavioral disorders. Even at low doses, lead exposure is associated with damage to the nervous systems of fetuses and young children, resulting in learning deficits and lowered IQ.

[1] Volatile Organic Compounds (VOCs or Reactive Organic Gases [ROG]) are hydrocarbons/organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including ROGs and VOCs. Both ROGs and VOCs are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. The major sources of hydrocarbons are combustion engine exhaust, oil refineries, and oil-fueled power plants; other common sources are petroleum fuels, solvents, dry cleaning solutions, and paint (via evaporation).

Source: California Air Pollution Control Officers Association (CAPCOA), *Health Effects*, http://www.capcoa.org/health-effects/, accessed November 2, 2020.

Toxic Air Contaminants

Toxic air contaminants (TACs) are airborne substances that can cause short-term (acute) or long-term (i.e., chronic, carcinogenic or cancer-causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes more than 200 compounds, including particulate emissions from diesel-fueled engines.

CARB identified diesel particulate matter (DPM) as a toxic air contaminant. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particles and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 10 microns or less in diameter. Due to their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

Ambient Air Quality

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

Pollutants of concern in the SCAB include O_3, PM_{10}, and $PM_{2.5}$. The closest air monitoring station to the Project that monitors ambient concentrations of these pollutants is the Fontana-Arrow Monitoring Station (located approximately 5.0 miles to the southwest). Local air quality data from 2017 to 2019 are provided in ***Table 4.2-2: Ambient Air Quality Data***, which lists the monitored maximum concentrations and number of exceedances of state or federal air quality standards for each year.

Table 4.2-2: Ambient Air Quality Data

Criteria Pollutant	2017	2018	2019
Ozone (O_3) [1]			
1-hour Maximum Concentration (ppm)	0.137	0.141	0.124
8-hour Maximum Concentration (ppm)	0.118	0.111	0.109
Number of Days Standard Exceeded			
CAAQS 1-hour (>0.09 ppm)	33	38	41
NAAQS 8-hour (>0.070 ppm)	49	69	67
Carbon Monoxide (CO) [1]			
1-hour Maximum Concentration (ppm)	1.62	1.92	2.75
Number of Days Standard Exceeded			
NAAQS 1-hour (>35 ppm)	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0
Nitrogen Dioxide (NO_2) [1]			
1-hour Maximum Concentration (ppm)	0.069	0.063	0.076
Number of Days Standard Exceeded			
NAAQS 1-hour (>.100 ppm)	0	0	0
CAAQS 1-hour (>0.18 ppm)	0	0	0
Particulate Matter Less Than 10 Microns (PM_{10}) [1]			
National 24-hour Maximum Concentration	75.3	64.1	88.8
State 24-hour Maximum Concentration	75.3	61.5	85.1

Criteria Pollutant	2017	2018	2019
State Annual Average Concentration (CAAQS=20 µg/m³)	—	—	—
Number of Days Standard Exceeded			
NAAQS 24-hour (>150 µg/m³)	0	0	0
CAAQS 24-hour (>50 µg/m³)	8	8	11
Particulate Matter Less Than 2.5 Microns ($PM_{2.5}$) [1]			
National 24-hour Maximum Concentration	39.2	29.2	81.3
State 24-hour Maximum Concentration	39.2	29.2	81.3
Number of Days Standard Exceeded			
NAAQS 24-hour (>35 µg/m³)	1	0	3

NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; µg/m³ = micrograms per cubic meter; – = not measured
[1] Measurements taken at the Fontana-Arrow Monitoring Station at 14360 Arrow Boulevard, Fontana, California 92335 (CARB# 36197)

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

Sensitive Receptors

Sensitive populations are more susceptible to the effects of air pollution than is the general population. Sensitive receptors that are in proximity to localized sources of toxics are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. Sensitive land uses surrounding the Project consist mostly of residential communities. Sensitive land uses near the Project include single-family residential homes approximately 60 feet to the east on the opposite side of Juniper Avenue, single-family residential homes approximately 104 feet to the south on the opposite side of Slover Avenue, and a single-family residential home on the northwest corner of Slover Avenue and Cypress Avenue approximately 280 feet to the west of the Project.

4.2.3 Regulatory Framework

Federal

Federal Clean Air Act

Air quality is federally protected by the Federal Clean Air Act (FCAA) and its amendments. Under the FCAA, the United States Environmental Protection Agency (EPA) developed the primary and secondary National Ambient Air Quality Standards (NAAQS) for the criteria air pollutants including O_3, NO_2, CO, SO_2, PM_{10}, $PM_{2.5}$, and lead. Proposed projects in or near nonattainment areas could be subject to more stringent air-permitting requirements. The FCAA requires each state to prepare a State Implementation Plan to demonstrate how it will attain the NAAQS within the federally imposed deadlines.

The EPA can withhold certain transportation funds from states that fail to comply with the planning requirements of the FCAA. If a state fails to correct these planning deficiencies within two years of Federal notification, the EPA is required to develop a Federal implementation plan for the identified nonattainment area or areas. The provisions of 40 Code of Federal Regulations Parts 51 and 93 apply in all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan. The EPA has designated enforcement of air

pollution control regulations to the individual states. Applicable federal standards are summarized in ***Table 4.2-3: State and Federal Ambient Air Quality Standards.***

State

California Air Resources Board

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

The California Clean Air Act (CCAA), which was approved in 1988, requires that each local air district prepare and maintain an Air Quality Management Plan (AQMP) to achieve compliance with CAAQS. These AQMPs also serve as the basis for the preparation of the State Implementation Plan for meeting federal clean air standards for the State of California. Like the EPA, CARB also designates areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as nonattainment for a pollutant if air quality data shows that a state standard for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events such as wildfires, volcanoes, etc. are not considered violations of a state standard, and are not used as a basis for designating areas as nonattainment. The applicable State standards are summarized in ***Table 4.2-3: State and Federal Ambient Air Quality Standards.***

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

Pollutant	Averaging Time	State Standards[1]	Federal Standards[2]
Ozone (O_3) [2, 5, 7]	8 Hour	0.070 ppm (137 µg/m^3)	0.070 ppm
	1 Hour	0.09 ppm (180 µg/m^3)	NA
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)
	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)
Nitrogen Dioxide (NO_2)	1 Hour	0.18 ppm (339 µg/m^3)	0.10 ppm[11]
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)
Sulfur Dioxide (SO_2) [8]	24 Hour	0.04 ppm (105 µg/m^3)	0.14 ppm (365 µg/m^3)
	1 Hour	0.25 ppm (655 µg/m^3)	0.075 ppm (196 µg/m^3)
	Annual Arithmetic Mean	NA	0.03 ppm (80 µg/m^3)
Particulate Matter (PM_{10}) [1, 3, 6]	24-Hour	50 µg/m^3	150 µg/m^3
	Annual Arithmetic Mean	20 µg/m^3	NA
Fine Particulate Matter ($PM_{2.5}$) [3, 4, 6, 9]	24-Hour	NA	35 µg/m^3
	Annual Arithmetic Mean	12 µg/m^3	12 µg/m^3
Sulfates (SO_{4-2})	24 Hour	25 µg/m^3	NA
Lead (Pb) [10, 11]	30-Day Average	1.5 µg/m^3	NA
	Calendar Quarter	NA	1.5 µg/m^3
	Rolling 3-Month Average	NA	0.15 µg/m^3
Hydrogen Sulfide (H_2S)	1 Hour	0.03 ppm (0.42 µg/m^3)	NA
Vinyl Chloride (C_2H_3Cl) [10]	24 Hour	0.01 ppm (26 µg/m^3)	NA

Notes:
ppm = parts per million; µg/m^3 = micrograms per cubic meter; mg/m^3 = milligrams per cubic meter; – = no information available.
[1] California standards for O_3, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM_{10}, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe

Pollutant	Averaging Time	State Standards[1]	Federal Standards[2]

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

2 National standards shown are the "primary standards" designed to protect public health. National standards other than for O_3, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour O_3 standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour O_3 standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm or less. The 24-hour PM_{10} standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m_3. The 24-hour $PM_{2.5}$ standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m^3.

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

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

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

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

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

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

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

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

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

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

Regional

South Coast Air Quality Management District

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

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

The 2016 AQMP was adopted by the SCAQMD Governing Board on March 3, 2017. The purpose of the AQMP is to set forth a comprehensive and integrated program that would lead the SCAB into compliance

with the federal 24-hour $PM_{2.5}$ air quality standard, and to provide an update to the SCAQMD's commitments towards meeting the federal 8-hour O_3 standards. The AQMP incorporates the latest scientific and technological information and planning assumptions, including the *2016-2040 Regional Transportation Plan/Sustainable Communities Strategy* (RTP/SCS) and updated emission inventory methodologies for various source categories.

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

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

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

Table 4.2-4: South Coast Air Basin Attainment Status

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

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

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

- **Rule 402 (Nuisance)** – This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.
- **Rule 403 (Fugitive Dust)** – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM_{10} suppression techniques are summarized below.
  a) Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
  b) All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
  c) All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
  d) The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
  e) Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.
- **Rule 1113 (Architectural Coatings)** – This rule requires manufacturers, distributors, and end-users of architectural and industrial maintenance coatings to reduce ROG emissions from the use of these coatings, primarily by placing limits on the ROG content of various coating categories.

Local

City of Fontana General Plan

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

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

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

4.2.4 Significance Criteria and Thresholds

Standards of Significance

The following significance criteria for air quality were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact of the Project would be considered significant and would require mitigation if it would meet one of the following criteria:

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

SCAQMD Thresholds

The significance criteria established by SCAQMD may be relied upon to make the above determinations. According to the SCAQMD, an air quality impact is considered significant if the Project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during construction and operational activities of land use development projects, as shown in ***Table 4.2-5: South Coast Air Quality Management District Emissions Thresholds***.

Table 4.2-5: South Coast Air Quality Management District Emissions Thresholds

Criteria Air Pollutants and Precursors	Construction-Related	Operational-Related
Reactive Organic Gases (ROG)	75	55
Carbon Monoxide (CO)	550	550
Nitrogen Oxides (NO_X)	100	55
Sulfur Oxides (SO_X)	150	150
Coarse Particulates (PM_{10})	150	150
Fine Particulates ($PM_{2.5}$)	55	55

Source: South Coast Air Quality Management District, *South Coast AQMD Air Quality Significance Thresholds,* April 2019.

Localized Carbon Monoxide

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

Localized Significance Thresholds

In addition to the CO hotspot analysis, the SCAQMD developed LSTs for emissions of NO_2, CO, PM_{10}, and $PM_{2.5}$ generated at new development sites (off-site mobile source emissions are not included in the LST

analysis). LSTs represent the maximum emissions that can be generated at a project without expecting to cause or substantially contribute to an exceedance of the most stringent state or federal ambient air quality standards. LSTs are based on the ambient concentrations of that pollutant within the Project source receptor area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. LST analysis for construction is applicable for all projects that disturb 5 acres or less on a single day. The City of Fontana is located within SCAQMD SRA 34. ***Table 4.2-6: Local Significance Thresholds for Construction/Operations***, shows the LSTs for a 1-acre, 2-acre, and 5-acre project in SRA 34 with sensitive receptors located within 25 meters of the Project. LSTs associated with all acreage categories are provided in ***Table 4.2-6*** for informational purposes. ***Table 4.2-6*** shows that the LSTs increase as acreages increase. It should be noted that LSTs are screening thresholds and are therefore conservative. The construction LST acreage is determined based daily acreage disturbed. The operational LST acreage is based on the total area of the Project site. Although the Project site is greater than five acres, the 5-acre operational LSTs are conservatively used to evaluate the Project.

Table 4.2-6: Local Significance Thresholds for Construction/Operations

Project Size	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulates (PM_{10})	Fine Particulates ($PM_{2.5}$)
1 Acre	118/118	667/667	4/1	3/1
2 Acres	170/170	972/972	7/2	4/1
5 Acres	270/270	1,746/1,746	14/4	8/2

Source: South Coast Air Quality Management District, *Localized Significance Threshold Methodology*, July 2008.

Methodology and Assumptions

This air quality impact analysis considers construction and operational impacts associated with the Project. Where criteria air pollutant quantification was required, emissions were modeled using the California Emissions Estimator Model (CalEEMod). CalEEMod is a Statewide land use emissions computer model designed to quantify potential criteria pollutant emissions associated with both construction and operations from a variety of land use projects. Air quality impacts were assessed according to methodologies recommended by CARB and the SCAQMD.

Construction equipment, trucks, worker vehicles, and ground-disturbing activities associated with Project construction would generate emissions of criteria air pollutants and precursors. Daily regional construction emissions are estimated by assuming construction occurs at the earliest feasible date (i.e., a conservative estimate of construction activities) and applying off-road, fugitive dust, and on-road emissions factors in CalEEMod.

Project operations would result in emissions of area sources (consumer products), energy sources (natural gas usage), and mobile sources (motor vehicles from Project generated vehicle trips). Project-generated increases in operational emissions would be predominantly associated with motor vehicle use. The increase of traffic over existing conditions as a result of the Project was obtained from the Project's Traffic Impact Analysis prepared by Kimley-Horn (October 2020). Other operational emissions from area, energy, and stationary sources were quantified in CalEEMod based on land use activity data.

As discussed above, the SCAQMD provides significance thresholds for emissions associated with proposed Project construction and operations. The proposed Project's construction and operational emissions are

compared to the daily criteria pollutant emissions significance thresholds in order to determine the significance of a Project's impact on regional air quality.

The localized effects from the Project's on-site emissions were evaluated in accordance with the SCAQMD's LST methodology, which uses on-site mass emissions rate look-up tables and Project-specific modeling. LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standards and are developed based on the ambient concentrations of that pollutant for each source receptor area and distance to the nearest sensitive receptor.

4.2.5 Impacts and Mitigation Measures

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

Level of Significance: Significant and Unavoidable Impact

Construction and Operations

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

The Project is located within the SCAB, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the FCAA, to reduce emissions of criteria pollutants for which the SCAB is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 AQMP. The 2016 AQMP establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state (California) and national air quality standards. The 2016 AQMP is a regional and multi-agency effort including the SCAQMD, the CARB, the SCAG, and the EPA. The plan's pollutant control strategies are based on the latest scientific and technical information and planning assumptions, including SCAG's growth projections and RTP/SCS, updated emission inventory methodologies for various source categories, and SCAG's latest growth forecasts. SCAG's latest growth forecasts were defined in consultation with local governments and with reference to local general plans. The Project is subject to the SCAQMD's AQMP.

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

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

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

The violations to which Consistency Criterion No. 1 refers are CAAQS and NAAQS. As shown in ***Table 4.2-7: Construction-Related Emissions*** and ***Table 4.2-8: Long-Term Operational Emissions*** under Impact 4.2-2 below, the Project would not exceed the construction emission standards. However, the Project would exceed operational emission standards for NO_X. Therefore, the Project would contribute to an existing air quality violation. Mitigation Measures AQ-1 through AQ-4 would be required to reduce NO_X emissions, however impacts would remain significant and unavoidable. Thus, the Project would not be consistent with the first criterion. Concerning Consistency Criterion No. 2, the AQMP contains air pollutant reduction strategies based on SCAG's latest growth forecasts, and SCAG's growth forecasts were defined in consultation with local governments and with reference to local general plans. The northern half of the Project site is designated General Industrial while the southern half of the Project site is designated as Light Industrial. The Project is consistent with the City's General Plan Land Use Designations and the Zoning Designations and would not require a General Plan Amendment (GPA) and a Zone Change. As such, the Project is consistent with SCAG's latest growth forecasts. Thus, the Project is consistent with the second criterion. However, as the project would exceed criteria pollutant thresholds and not be consistent with the first criterion, impacts would be significant and unavoidable.

MITIGATION MEASURES

Refer to Mitigation Measures AQ-1 through AQ-4.

Impact 4.2-2 ***Would the proposed project, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?***

Level of Significance: Significant and Unavoidable Impact

Construction Emissions

Construction associated with the Project would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern within the Project area include O_3-precursor pollutants (i.e., ROG and NO_X) and PM_{10} and $PM_{2.5}$. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but would be considered a significant air quality impact if the volume of pollutants generated exceeds the SCAQMD's thresholds of significance.

Construction results in the temporary generation of emissions resulting from site grading, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water.

The duration of construction activities associated with the Project is estimated to last approximately twelve months. Construction-generated emissions associated the Project were calculated using the CARB-approved CalEEMod computer program, which is designed to model emissions for land use development

projects, based on typical construction requirements. See ***Appendix B: Air Quality Studies*** for more information regarding the construction assumptions used in this analysis. Predicted maximum daily construction-generated emissions for the Project are summarized in ***Table 4.2-7: Construction-Related Emissions***.

Table 4.2-7: Construction-Related Emissions

Construction Year	(Maximum Pounds Per Day)					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
2021	5.49	46.47	45.13	0.15	9.28	5.80
2022	71.96	38.5	42.62	0.15	8.33	2.85
SCAQMD Threshold	*75*	*100*	*550*	*150*	*150*	*55*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

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

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

Fugitive dust emissions may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the Project vicinity. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. SCAQMD Rules 402 and 403 (prohibition of nuisances, watering of inactive and perimeter areas, track out requirements, etc.), are applicable to the Project and were applied in CalEEMod to minimize fugitive dust emissions. Standard Condition (SC) AQ-1 requires the implementation of Rule 402 and 403 dust control techniques to minimize PM_{10} and $PM_{2.5}$ concentrations. As shown in ***Table 4.2-7: Construction-Related Emissions***, all criteria pollutant emissions would remain below their respective thresholds. While impacts would be considered less than significant and construction mitigation is not required, the Project would be subject to SCAQMD Rules 402, 403, and 1113, described in the Regulatory Framework subsection above and required by SC AQ-1.

Operational Emissions

The Project's operational emissions would be associated with area sources (e.g., landscape maintenance equipment, architectural coatings, off-road equipment, etc.), energy sources, mobile sources (i.e., motor vehicle use), and off-road equipment. Primary sources of operational criteria pollutants are from motor vehicle use and area sources. Long-term operational emissions attributable to the Project are summarized in ***Table 4.2-8: Long-Term Operational Emissions***. The operational emissions sources are described below.

- **Area Source Emissions.** Area source emissions would be generated due to on-site equipment, architectural coating, and landscaping that were previously not present on the site.
- **Energy Source Emissions.** Energy source emissions would be generated due to electricity and natural gas usage associated with the Project. Primary uses of electricity and natural gas by the Project would be for miscellaneous warehouse equipment, space heating and cooling, water heating, ventilation, lighting, appliances, and electronics.

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

  Project-generated vehicle emissions are based on the trip generation within the Project Traffic Impact Analysis and incorporated into CalEEMod as recommended by the SCAQMD. Per the Project Traffic Impact Analysis, the Project would generate 4,545 daily trips (8.8 percent trucks).

- **Off-Road Equipment Emissions.** Because the Project is a speculative warehouse development and the final end user is not known, to be conservative it was assumed that the Project would operate four electric-powered forklifts for eight hours per day.

Table 4.2-8: Long-Term Operational Emissions

Source	(Maximum Pounds Per Day)					
	Reactive Organic Gases (ROG)	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Sulfur Dioxide (SO_2)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Unmitigated Emissions						
Area Source Emissions	16.02	<0.01	0.13	<0.01	<0.01	<0.01
Energy Emissions	0.04	0.39	0.32	<0.01	0.03	0.03
Mobile Emissions	13.00	141.19	122.22	0.80	53.47	15.59
Off-Road Emissions	0.45	4.22	4.62	0.01	0.28	0.26
Total Emissions	**29.51**	**145.80**	**127.28**	**0.81**	**53.78**	**15.88**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Exceeds Threshold?	**No**	**Yes**	**No**	**No**	**No**	**No**
Mitigated Emissions						
Area Source Emissions	16.02	<0.01	0.13	<0.01	<0.01	<0.01
Energy Emissions	0.03	0.27	0.23	<0.01	0.02	0.02
Mobile Emissions	12.85	138.66	119.07	0.78	51.98	15.17
Off-Road Emissions	0.45	4.22	4.62	0.01	0.28	0.26
Total Emissions	**29.35**	**143.15**	**124.05**	**0.79**	**52.28**	**15.45**
SCAQMD Threshold	*55*	*55*	*550*	*150*	*150*	*55*
Exceeds Threshold?	**No**	**Yes**	**No**	**No**	**No**	**No**

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

Mitigated Operation Emissions

As noted above, in ***Table 4.2-8: Long-Term Operational Emissions***, unmitigated Project operational emissions would exceed the SCAQMD thresholds for NO_X. The majority of the Project's NO_X emissions are from mobile sources (approximately 97 percent). Mitigation measures would be required to reduce emissions to the maximum extent feasible; however, emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards.

CARB is addressing emissions from heavy-duty vehicles through various regulatory programs including lower emission standards, restrictions on idling, the use of post-combustion filter and catalyst equipment, and retrofits for diesel truck fleets. These programs are expected to result in significant reductions in NO_X, ROGs, PM_{10}, $PM_{2.5}$, and CO emissions as they are fully implemented by 2023. Federal and State agencies regulate and enforce vehicle emission standards. It is not feasible for the City of Fontana to effectively enforce a prohibition on trucks from entering the property that are otherwise permitted to operate in California and access other properties in the City, region, and State. Even if the City were to apply such a restriction, it would cause warehouse operators using older truck fleets to travel to other facilities in the SCAB where the restriction does not apply, thereby resulting in no improvement to regional air quality. Based on data from CARB, most heavy-duty trucks entering the Project site will meet or exceed 2010 model year emission standards within a relatively short time after the Project becomes fully operational in 2022, and all trucks entering the property will meet or exceed such standards by 2023. Specifically, according to CARB EMFAC inventories, approximately 50 percent of all instate heavy-heavy duty trucks met the 2010 engine standard in 2019, 59 percent in 2020, 62 percent in 2021. Additionally, 65 percent and 90 percent of trucks are projected to meet the 2010 engine standard in 2022 and 2023 respectively.[2]

MM AQ-1 through AQ-4 have been identified to reduce NO_X emissions from Project mobile sources. MM AQ-1 requires the implementation of a Transportation Demand Management (TDM) program to reduce single-occupant vehicle trips and encourage transit. MM AQ-2 eliminates transport refrigeration unit (TRU) emissions and MM AQ-3 prohibits idling when engines are not in use. Additionally, MM AQ-4 promotes the use of alternative fuels and clean fleets. However, ***Table 4.2-8: Long-Term Operational Emissions*** shows that despite the implementation of MM AQ-1 through AQ-4, NO_X emissions would remain above the SCAQMD's thresholds. Since neither the Project Applicant nor the City has regulatory authority to control tailpipe emissions, no feasible mitigation measures exist that would reduce NO_X emissions to levels that are less than significant. Therefore impacts would be significant and unavoidable.

Standard Conditions and Requirements:

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

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

[2] California Air Resources Board, *EMFAC2017, An Update to California On-Road Mobile Source Emissions Inventory*, November 9, 2017. Available at: https://ww3.arb.ca.gov/msei/downloads/emfac2017_workshop_11_09_2017_final.pdf, accessed April 29, 2021.

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

MITIGATION MEASURES

MM AQ-1 Prior to issuance of occupancy permits, the Project operator shall prepare and submit a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool and transit. The TDM shall include, but is not limited to the following:

- Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options;
- Promote bicycling and walking through design features such as showers for employees, self-service bicycle repair area, etc. around the project site.
- Provide on-site car share amenities for employees who make only occasional use of a vehicle, as well as others who would like occasional access to a vehicle of a different type than they use day-to-day;
- Promote and support carpool/vanpool/rideshare use through parking incentives and administrative support, such as ride-matching service; and
- Incorporate incentives for using alternative travel modes, such as preferential load/unload areas or convenient designated parking spaces for carpool/vanpool users.

MM AQ-2 Prior to the issuance of building permits, the City of Fontana Building and Safety Division shall confirm that the Project does not include cold storage.

MM AQ-3 All truck access gates and loading docks within the project site shall have a sign posted that states:

- Truck drivers shall turn off engines when not in use
- Truck drivers shall shut down the engine after five minutes of continuous idling operation once the vehicle is stopped, the transmission is set to “neutral” or “park,” and the parking brake is engaged.
- Telephone numbers of the building facilities manager and CARB to report Violations

MM AQ-4 The Project Applicant shall make its tenants aware of the funding opportunities, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On-

Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped.

Impact 4.2-3 ***Would the proposed project expose sensitive receptors to substantial pollutant concentrations?***

Level of Significance: Less Than Significant Impact

Construction

Localized Construction Significance Analysis

The nearest sensitive receptors are the single-family residences located approximately 60 feet (18 meters) to the east of the Project on the opposite side of Juniper Avenue. To identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the *Final Localized Significance Threshold Methodology* (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with Project-specific emissions.

Since CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment, ***Table 4.2-9: Equipment-Specific Grading Rates***, is used to determine the maximum daily disturbed acreage for comparison to LSTs. The appropriate SRA for the localized significance thresholds is the Central San Bernardino Valley (SRA 34) since this area includes the Project. LSTs apply to CO, NO_2, PM_{10}, and $PM_{2.5}$. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5 acres in size. Project construction is anticipated to disturb a maximum of 5.0 acres in a single day.

Table 4.2-9: Equipment-Specific Grading Rates

Construction Phase	Equipment Type	Equipment Quantity	Acres Graded per 8-Hour Day	Operating Hours per Day	Acres Graded per Day
Grading	Tractors	5	0.5	8	2
	Graders	1	0.5	8	0.5
	Dozers	1	0.5	8	0.5
	Scrapers	2	1	8	2
				Total Acres Graded per Day	**5.0**

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

The SCAQMD's methodology states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs." Therefore, only emissions included in the CalEEMod "on-site" emissions outputs were considered. The nearest sensitive receptors are the single-family residences located 60 feet (18 meters) east of the Project. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, LSTs for receptors located at 25 meters or less were utilized in this analysis. ***Table 4.2-10: Localized Significance of Construction Emissions*** presents the results of localized emissions during construction.

Table 4.2-10: Localized Significance of Construction Emissions

Construction Activity	(Maximum Pounds Per Day)			
	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
Site Preparation (2021)	40.50	21.15	9.09	5.75
Grading (2021)	46.40	30.88	5.37	3.23
Building Construction (2021)	17.43	16.58	0.96	0.90
Building Construction (2022)	16.62	16.36	0.81	0.76
Paving (2022)	11.12	14.58	0.57	0.52
Architectural Coating (2022)	1.41	1.81	0.08	0.08
SCAQMD Localized Screening Threshold (5 acres at 25 meters)	*270*	*1,746*	*14*	*8*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**

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

Table 4.2-10: Localized Significance of Construction Emissions shows that emissions of these pollutants on the peak day of construction would not result in significant concentrations of pollutants at nearby sensitive receptors. Significant impacts would not occur concerning LSTs during construction.

Operations

Localized Operational Significance Analysis

According to the SCAQMD LST methodology, LSTs would apply to the operational phase of a project only if it includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). Since the Project is a warehouse, the operational phase LST protocol is conservatively applied to both the area source and all the mobile source emissions. As the nearest receptors are located approximately 60 feet (19 meters) from the Project site, LSTs were interpolated for receptors located at 66 meters for SRA 34 in this analysis. Although the Project is 32.2 acres, the 5-acre LST threshold was conservatively for the Project, as the LSTs increase with the size of the site.

The LST analysis only includes on-site sources. However, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. For a worst-case scenario assessment, the emissions shown in ***Table 4.2-11: Localized Significance of Operational Emissions***, conservatively include all on-site Project-related stationary sources and 5 percent of the Project-related vehicle emissions since a portion of mobile sources would include vehicles maneuvering and idling on-site. ***Table 4.2-11: Localized Significance of Operational Emissions*** shows that the maximum daily emissions of these pollutants during operations would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, significant impacts would not occur concerning LSTs during operational activities.

Table 4.2-11: Localized Significance of Operational Emissions

Activity	(Maximum Pounds Per Day)			
	Nitrogen Oxide (NO_x)	Carbon Monoxide (CO)	Coarse Particulate Matter (PM_{10})	Fine Particulate Matter ($PM_{2.5}$)
On-Site and Mobile Source Emissions	11.43	10.93	2.90	1.04
SCAQMD Localized Screening Threshold (adjusted for 5 acres at 25 meters)	*270*	*1,746*	*4*	*2*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**
Source: CalEEMod version 2016.3.2. Refer to Appendix B for model outputs.				

Criteria Pollutant Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* [Friant Ranch, L.P.] [2018] Cal.5th, Case No. S219783). The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme ozone nonattainment areas such as the South Coast Air Basin) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQMD Rule 1303 for new or modified sources. The NSR Program[3] was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based federal ambient air quality standards. The federal ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. The SCAQMD's regional significance thresholds for development projects are based on the above described standards for stationary sources to achieve attainment. Therefore, projects that do not exceed the SCAQMD's LSTs and mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts.

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

According the SCAQMD's 2016 AQMP, ozone, NO_X, and ROG have been decreasing in the Basin since 1975 and are projected to continue to decrease in the future. Although vehicle miles traveled in the Basin continue to increase, NO_X and ROG levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_X emissions from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. The 2016

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

AQMP demonstrates how the SCAQMD's control strategy to meet the 8-hour ozone standard in 2023 would lead to sufficient NO_X emission reductions to attain the 1-hour ozone standard by 2022. In addition, since NO_X emissions also lead to the formation of $PM_{2.5}$, the NO_X reductions needed to meet the ozone standards will likewise lead to improvement of $PM_{2.5}$ levels and attainment of $PM_{2.5}$ standards.

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

As previously discussed, localized effects of on-site Project emissions on nearby receptors were found to be less than significant (refer to ***Table 4.2-10: Localized Significance of Construction Emissions*** and ***Table 4.2-11: Localized Significance of Operational Emissions***). The LSTs represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable state or federal ambient air quality standard. The LSTs were developed by the SCAQMD based on the ambient concentrations of that pollutant for each SRA and distance to the nearest sensitive receptor. The ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect public health, including protecting the health of sensitive populations. However, as discussed above, neither the SCAQMD nor any other air district currently have methodologies that would provide Lead Agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project's mass emissions. Information on health impacts related to exposure to ozone and particulate matter emissions published by the EPA and CARB have been summarized above and discussed in the Regulatory Framework section. Health studies are used by these agencies to set the NAAQS and CAAQS. Ozone concentrations are dependent upon a variety of complex factors, including the presence of sunlight and precursor pollutants, natural topography, nearby structures that cause building downwash, atmospheric stability, and wind patterns. Because of the complexities of predicting ground-level ozone concentrations in relation to the NAAQS and CAAQS, none of the health-related information can be directly correlated to the pounds/day or tons/year of emissions estimated from a single, proposed project. Because it is impracticable to accurately isolate the exact cause of a human disease (for example, the role a particular air pollutant plays compared to the role of other allergens and genetics in cause asthma), the City has determined that existing scientific tools cannot accurately estimate health impacts of the Project's air emissions without undue speculation. It should also be noted that this analysis identifies health concerns related to NO_X emissions. Table 4.2-1 includes a list of criteria pollutants and summarizes common sources and effects. Thus, this analysis is reasonable and intended to foster informed decision-making.

Carbon Monoxide Hotspots

An analysis of CO "hot spots" is needed to determine whether the change in the level of service of an intersection resulting from the Project would have the potential to result in exceedances of the CAAQS or NAAQS. It has long been recognized that CO exceedances are caused by vehicular emissions, primarily when vehicles are idling at intersections. Vehicle emissions standards have become increasingly stringent in the last 20 years. Currently, the CO standard in California is a maximum of 3.4 grams per mile for passenger cars (requirements for certain vehicles are more stringent). With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities,

CO concentrations have steadily declined. Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard.

The South Coast Air Basin (SCAB) was re-designated as attainment in 2007 and is no longer addressed in the SCAQMD's AQMP. The 2003 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD *CO Hotspot Analysis*, the Wilshire Boulevard/Veteran Avenue intersection, one of the most congested intersections in Southern California with an average daily traffic (ADT) volume of approximately 100,000 vehicles per day, was modeled for CO concentrations. This modeling effort identified a CO concentration high of 4.6 ppm, which is well below the 35-ppm Federal standard. The Project considered herein would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's *CO Hotspot Analysis*. As the CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection even as it accommodates 100,000 vehicles daily, it can be reasonably inferred that CO hotspots would not be experienced at any vicinity intersections resulting from 4,545 additional vehicle trips attributable to the Project. Therefore, impacts would be less than significant.

Construction-Related Diesel Particulate Matter

A Health Risk Assessment (HRA) was conducted based on the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis and the SCAQMD Risk Assessment Procedures and the guidance from the California Office of Environmental Health Hazard Assessment (OEHHA). The duration of construction activities for the Project is estimated to take approximately 12 months. Construction-related activities would result in Project-generated emissions of DPM from the exhaust of off-road, heavy-duty diesel equipment for site preparation (e.g., clearing, grading); paving; application of architectural coatings; on-road truck travel; and other miscellaneous activities. For construction activity, DPM is the primary toxic air contaminant of concern. On-road diesel-powered haul trucks traveling to and from the construction area to deliver materials and equipment are less of a concern because they would not stay on the site for long durations. Diesel exhaust from construction equipment operating at the site poses a health risk to nearby sensitive receptors. Sensitive receptors near the Project site include residential uses approximately 60 feet to the east, 104 feet to the south, and 280 feet to the west.

PM_{10} construction emissions rates in grams per second were calculated from the total annual mitigated on-site exhaust emissions reported in CalEEMod (a maximum of 0.06 tons per year mitigated) total during construction. Maximum (worst case) PM_{10} exhaust construction emissions over the entire construction period were used in AERMOD, a U.S. EPA-approved dispersion model, to approximate construction DPM emissions. Risk levels were calculated based on the California Office of Environmental Health Hazard Assessment (OEHHA) guidance document, Air Toxics Hot Spots Program Risk Assessment Guidelines (February 2015). Construction emission risk levels are summarized in ***Table 4.2-12: Construction Risk Assessment Results.***

Table 4.2-12: Construction Risk Assessment Results

Exposure Scenario	Pollutant Concentration ($\mu g/m^3$)	Maximum Cancer Risk (Risk per Million)	Chronic Noncancer Hazard	Acute Noncancer Hazard
Construction	0.044	8.32	0.009	0.063
Threshold	*N/A*	*10*	*1.0*	*1.0*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**
Source: CalEEMod version 2016.3.2. Refer to Appendix B for model data.				

Results of this assessment indicate that the maximum concentration of PM_{10} during construction would be 0.044 µg/m^3 and resultant cancer risk of 8.32 in one million, which would not exceed the SCAQMD threshold of 10 in one million. Non-cancer hazards for DPM would be below SCAQMD threshold of 1.0, with a chronic hazard index computed at 0.009 and an acute hazard index of 0.063. As such, Therefore, construction risk levels would be less than SCAQMD thresholds.

Operational Diesel Particulate Matter

An operational phase HRA was also conducted for this Project. Analysis included both on-site and off-site impacts from the diesel trucks accessing the warehouse development on nearby residential and worker receptors.

Vehicle DPM emissions were estimated using emission factors for coarse particulate matter less than 10 microns in diameter (PM_{10}) generated with the EMFAC developed by CARB. EMFAC is a mathematical model that was developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by CARB to project changes in future emissions from on-road mobile sources. EMFAC, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day. The model includes the emissions benefits of the truck and bus rule and the previously adopted rules for other on-road diesel equipment.

For this Project, annual average PM_{10} emission factors were generated by running EMFAC for vehicles in the SCAQMD within the South Coast portion of San Bernardino County. EMFAC generates emission factors in terms of grams of pollutant emitted per vehicle activity and can calculate a matrix of emission factors at specific values of vehicle speed, temperature, and relative humidity. The model was run for heavy-duty diesel vehicles traveling along Citrus Avenue, Slover Avenue, Juniper Avenue, and Sierra Avenue, as well as circulating the Project site and idling at proposed loading docks.

Air dispersion modeling for the HRA was performed using the United States Environmental Protection Agency (U.S. EPA) AERMOD dispersion model. AERMOD is a steady-state, multiple-source, Gaussian dispersion model designed for use with emission sources situated in terrain where ground elevations can exceed the stack heights of the emission sources. AERMOD requires hourly meteorological data consisting of wind vector, wind speed, temperature, stability class, and mixing height. Uniform Cartesian receptors were used to evaluate the locations of the maximally exposed sensitive receptors.

Note that the concentration estimate developed using this methodology is conservative and is not a specific prediction of the actual concentrations that would occur at the Project site any one point in time. Actual 1-hour and annual average concentrations are dependent on many variables, particularly the number and type of vehicles and equipment operating at specific distances during time periods of adverse meteorology. A health risk computation was performed to determine the risk of developing an excess cancer risk calculated on a 30-year exposure scenario using CARB's Risk Assessment Stand Alone Tool (RAST). Health risks were analyzed at the point of maximum impact and are a conservative estimate. The pollutant concentrations are then used to estimate the long-term cancer health risk to an individual as well as the non-cancer chronic health index.

The cancer and chronic health risks are based on the annual average concentration of PM_{10} (used as a proxy for DPM). As DPM does not have short-term toxicity values, acute risks were conservatively

evaluated using hourly PM_{10} concentrations and the REL for acrolein. The chronic and carcinogenic health risk calculations are based on the standardized equations contained in the U.S. EPA Human Health Evaluation Manual (1991) and the OEHHA Guidance Manual (2015). Operational emission risk levels are summarized in ***Table 4.2-13: Operational Risk Assessment Results.***

Table 4.2-13: Operational Risk Assessment Results

Exposure Scenario	Pollutant Concentration ($\mu g/m^3$)	Maximum Cancer Risk (Risk per Million)	Chronic Noncancer Hazard	Acute Noncancer Hazard
Operations	0.00601	4.82	0.0012	0.064
Threshold	*N/A*	*10*	*1.0*	*1.0*
Exceed SCAQMD Threshold?	**No**	**No**	**No**	**No**
Source: CalEEMod version 2016.3.2. Refer to Appendix B for model data.				

Based on the AERMOD outputs, the highest expected annual average PM_{10} emission concentrations from diesel truck traffic near sensitive receptors would be 0.00601 $\mu g/m^3$. The calculations conservatively assume no cleaner technology with lower emissions in future years. As shown, the highest calculated carcinogenic risk resulting from the Project is 4.82 per million residents, which is below the ten in one million SCAQMD threshold. Therefore, impacts related to cancer risk would be less than significant at nearby residential communities.

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

An acute or chronic hazard index of 1.0 is considered individually significant. The hazard index is calculated by dividing the acute or chronic exposure by the reference exposure level. The chronic hazard is calculated based on the REL for DPM. As DPM does not have short-term toxicity values, acute risks were conservatively evaluated using hourly PM_{10} concentrations and the REL for acrolein. The highest maximum chronic and acute hazard index from the Project would be 0.0012 and 0.0064, respectively. Therefore, non-carcinogenic hazards are calculated to be within acceptable limits and a less than significant impact would occur.

MITIGATION MEASURES

No mitigation is necessary.

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

Level of Significance: No Impact

Construction and Operations

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

During construction-related activities, some odors (not substantial pollutant concentrations) that may be detected are those typical of construction vehicles (e.g., diesel exhaust from grading and construction equipment). These odors are a temporary short-term impact that is typical of construction projects and would disperse rapidly. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources. Therefore, the Project would not create objectionable odors.

MITIGATION MEASURES

No mitigation is necessary.

4.2.6 Cumulative Impacts

Cumulative Short-Term Emissions

The SCAB is designated nonattainment for O_3, PM_{10}, and $PM_{2.5}$ for State standards and nonattainment for O_3 and $PM_{2.5}$ for Federal standards. Appendix D of the SCAQMD White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution (2003) notes that projects that result in emissions that do not exceed the project-specific SCAQMD regional thresholds of significance should result in a less than significant impact on a cumulative basis unless there is other pertinent information to the contrary. The mass-based regional significance thresholds published by the SCAQMD are designed to ensure compliance with both NAAQS and CAAQS and are based on an inventory of projected emissions in the SCAB. Therefore, if a project is estimated to result in emissions that do not exceed the thresholds, the project's contribution to the cumulative impact on air quality in the SCAB would not be cumulatively considerable. As shown in ***Table 4.2-7: Construction-Related Emissions*** above, Project construction-related emissions by themselves would not exceed the SCAQMD significance thresholds for criteria pollutants. Therefore, the proposed Project would not generate a cumulatively considerable contribution to air pollutant emissions during construction.

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

Cumulative Long-Term Impacts

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

As shown in ***Table 4.2-8: Long-Term Operational Emissions***, the Project operational emissions from mobile sources alone would exceed the SCAQMD threshold for NO_X despite the implementation of mitigation. However, it should be noted that the proposed Project would only exceed regional thresholds for NO_X, and not localized thresholds.[4] As a result, operational emissions associated with the Project would result in a cumulatively considerable contribution to significant cumulative regional air quality impacts. ***Table 4.2-8*** shows that approximately 96 percent of the project's NO_X emissions are from mobile sources. Emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards. **MM AQ-1** through **AQ-4** have been identified to reduce NO_X the Project's mobile source emissions. **MM AQ-1** requires the implementation of a TDM program to reduce single-occupant vehicle trips and encourage transit. **MM AQ-2** prohibits cold storage and **MM AQ-3** prohibits idling when engines are not in use. Additionally, **MM AQ-4** promotes the use of alternative fuels and clean fleets. Implementation of operational **MM AQ-1** through **AQ-4** would reduce NO_X emissions by reducing the number of employee vehicles on-site and reducing the amount of time trucks spend idling. However, impacts would not be reduced to a less than significant level. Since the majority (96 percent) of emissions are from mobile sources and neither the Project Applicant nor the City have regulatory authority to control tailpipe emissions, no feasible mitigation measures exist that would reduce the Project's impacts with respect to operational emissions to less than significant levels. While the Project has some control over NO_X emissions (refer to **MM AQ-1** through **AQ-4**), the majority of emissions are beyond the Project's control. Therefore, no additional feasible mitigation measures beyond **MM AQ-1** through **AQ-4** are available to further reduce emissions, and impacts would remain significant.

4.2.7 Significant Unavoidable Impacts

Impacts 4.2-1 and 4.2-2 contain potentially significant and unavoidable impacts. Specifically, significant unavoidable impacts would occur in the following areas despite the implementation of the Mitigation Program:

- The Project will conflict with or obstruct implementation of the applicable air quality plan (Impact 4.2-1).
- The Project would 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 (Impact 4.2-2).
- The Project would result in significant cumulative air quality impacts.

[4] It should be noted that while there are sensitive receptors near the Project site (approximately 60 feet east of the Project site along Juniper Avenue) those sensitive receptors are non-conforming uses, as their zoning is General Commercial (C-2). The proposed Project is consistent with zoning ((Light Industrial (M-1)) and ((General Industrial (M-2)).

4.3 BIOLOGICAL RESOURCES

4.3.1 Introduction

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

The setting, context, and impact analysis in this section are based primarily on biological resource studies conducted by Jericho Systems, Inc. and Osborne Biological Consulting that are contained in **Appendix C,** *Biological Resources Assessment and BUOW Habitat Assessment and Jurisdictional Delineation*. Field surveys for the biological resources assessment (BRA) and burrowing owl (BUOW, *Athene cunicularia*) were conducted by Jericho Systems on May 7, 2020. On the same day, Osborne Biological Consulting conducted a habitat assessment for Delhi Sand Flower-Loving Fly (DSFL, *Rhaphiomidas terminates abdominalis*), the results of which are included in Jericho Systems, Inc.'s report. These studies include research of existing biological data pertaining to the study area and an evaluation of biological resources identified on the Project site as well as the vicinity of the Project (study area).

Note that as previously stated, the site visit to evaluate biological resources was conducted on May 7, 2020. The Project site was described as primarily being composed of occupied residential uses, as well as empty lots of concrete and graded soil. Since that time, demolition of on-site structures has occurred in accordance with demolition permits issued by the City of Fontana on June 22, 2020 and September 8, 2020. See **Section 3.0, Project Description** for further discussion regarding the demolition of on-site structures. Removal of debris associated with the demolition has also occurred, but site grading has not. Furthermore, the Notice of Preparation (NOP) for the Project was distributed on October 8, 2020. According to California Environmental Quality Act (CEQA) Guidelines §15125(a)(1) "Generally, the lead agency should describe physical environmental conditions as they exist at the time the notice of preparation is published …". Therefore, the baseline condition for this Project is that which was present on October 8, 2020 – devoid of on-site structures – not that which was present at the time of the site visit. However, to ensure site conditions had not changed as they pertain to biological resources, Jericho Systems conducted a follow-up site visit on February 21, 2021. They found that the results, conclusions and recommendations from the BRA remain valid with no new issues/concerns being identified. A BUOW survey was conducted during the follow-up visit and not BUOW or evidence of BUOW was identified on the Project site. A memorandum regarding the follow-up visit and findings can be found in Draft EIR Appendix C.

All field surveys for the Project were conducted in conformance with existing and applicable protocols to identify any plant communities, listed plant species, listed wildlife species, and wildlife habitat present on the Project site. In addition to the field surveys, literature reviews were conducted to determine if any recent records of sensitive biological resources have been recorded on or in the vicinity of the site. The

natural inventories included resources identified in the U.S. Fish and Wildlife (USFWS) threatened and endangered species occurrence geographic information system (GIS) overlay; USFWS Information for Planning and Consultation System (IPaC); USFWS Designated Critical Habitat Maps; the California Natural Diversity Database (CNDDB); CNDDB Biogeographic Information and Observation Inventory (CNPSEI) database; Calflora database; USFWS National Wetland Inventory; U.S. Environmental Protection Agency (U.S. EPA) Water Program; California Department of Fish and Wildlife (CDFW) Special Animals List; City of Fontana General Plan Update; Sensitive Species Maps; sensitive plant species habitats and blooming periods taken from Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP); soils classifications obtained from Knecht; the California Native Plant Society (CNPS) online database; and other *Fontana* and *Devore* U.S. Geological Survey (USGS) databases were searched to obtain a list of sensitive animal and plant species with potential to occur on the Project site.

Information from the literature reviews and databases were used to generate a list of special-status plant and animal species that may have the potential to occur within the Project site and adjacent areas that could be affected by construction or operation of the proposed Project.

For the purposes of this assessment, special-status species are defined as plants or animals that:

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

4.3.2 Affected Environment

Biological Resources Surveys

The database searches within CNDDB, IPAC, and CNPS identified 33 sensitive species (15 plants, 15 vertebrates, and 3 invertebrates) and 1 sensitive habitat within the *Fontana USGS 7.5-minute series quadrangle*. A full summary of these results is outlined in Attachment B of the BRA, provided as Appendix C to this EIR. The database research indicated the presence of State- and/or federally listed threatened or endangered species within the vicinity of the Project site.

A site assessment to evaluate the potential for any of these species, including migratory or nesting birds to occur within the Project site was conducted. ***Table 4.3-1: Table of Occurrences and Potential to Occur on Site,*** shows the results from the site assessment in tabular form below.

The potential for wildlife species were evaluated during field surveys by sight, calls, tracks, scat, or other signs. In addition to species observed, expected wildlife usage of the site was determined per known habitat preferences of regional wildlife species and knowledge of their relative distributions in the area. The focus of the faunal species surveys was to identify potential habitat for special status wildlife within the Project area, including BUOW which is known to occur locally. Disturbance characteristics and animal sign encountered on the site are discussed below in the **Results** section.

The field surveys were conducted by walking transects spaced at no more than 15 meters (approximately 50 feet) intervals to provide 100 percent visual coverage of the ground surface, where possible. Special attention was given to special-status habitats and/or undeveloped areas, which have higher potentials to support special-status plant and wildlife species known to occur regionally. Areas providing potential suitable habitat for burrowing owl, known to occur regionally, were closely surveyed for signs of presence. Methods to detect the presence of burrowing owls included direct observation, aural detection, and signs of presence including pellets, whitewash, feathers, or prey remains, soil type and level of friability, as well as habitat structure.

For DSFL, methods included photographing the site along with noting vegetation and soil conditions. The Project was rated for its ability to support DSFL. The rating was based on a scale of 1 to 5, with 5 being the best quality and most suitable habitat, for parameters that included various degrees of soil suitability and vegetation.

The site was also evaluated for the presence of jurisdictional waters, i.e., waters of the U.S. (WOUS) as regulated by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB), and/or streambed and associated riparian habitat as regulated by the CDFW. Evaluation of potential federal jurisdiction followed the regulations set forth in 33 Code of Federal Regulations (CFR) Part 328 and the USACE guidance documents and evaluation of potential State jurisdiction followed guidance in the Fish and Game Code and *A Review of Stream Processes and Forms in Dryland Watersheds* (CDFW, 2010).

Results

Soils

Soils on-site are entirely Tujunga loamy sand, 0 to 5 percent slopes (TuB) as mapped by the U.S. Department of Agriculture (USDA) web soil survey (USDA, 2020) as identified in Attachment A, Figure 8 of the BRA, which is provided as Appendix C the EIR.

Wildlife Species

Habitat

Habitat on site consists of formerly developed, disturbed land with landscaped and unmaintained vegetation. Native species on-site include telegraph weed (*Heterotheca grandiflora*), common sunflower (*Helianthus annuus*), and common fiddleneck (*Amsinckia intermedia*). The non-native vegetation outside of ornamental landscaping present within the Project area consists of ripgut brome (*Bromus diandrus*), redstem filaree (*Erodium cicutarium*), summer mustard (*Hirschfeldia incana*), tocalote (*Centaurea mellitensis*) and Mexican fan palm (*Wasingtonia robusta*).

Wildlife species observed or otherwise detected on-site during the surveys included: mourning dove (*Zenaida macroura*), California towhee (*Melozone fusca*), house finch (*Haemorhous mexicanus*), black phoebe (*Sayornis saya*), desert cottontail (*Sylvilagus audobonii*), hooded oriole (*Icterus cucullatus*), Bullock's oriole (*Icterus bullockii*), red-tailed hawk (*Buteo jamaicensis*), and domestic dog (*Canis familiaris*).

Habitat on site is suitable for nesting songbirds, and some ornamental trees provide suitable nesting habitat for raptors. No raptors observed on-site were displaying nesting behavior. No burrows of appropriate shape, size or aspect for BUOW were observed on site.

Sensitive Species and Critical Habitat

Of the 33 sensitive species (15 plant species, 15 vertebrate species, 3 invertebrate species) and 1 sensitive habitat found to occur locally, only DSFL and BUOW have the potential to occur on the Project site based on the literature reviews.

The Project site is not mapped within any critical habitat for any species (Attachment A: Figure 5 of EIR Appendix C).

Delhi Sands Flower-Loving Fly (DSFL)

The DSFL belongs to the Dipteran (fly) family Mydidae. There are more than 30 species of *Rhaphiomidas*, distributed across the southwestern United States and northern Mexico. These flies are relatively large with size among the species ranging from approximately 1.5 to 4 centimeters (0.6 to 1.6 inches). All species of *Rhaphiomidas* are associated with arid, sandy habitats, with most species living on dune systems of inland desert valleys, rivers, deltas, and beach strands. The DSFL is generally found in areas containing Delhi fine sands soil type. The flight period is believed to begin as early as July 1 and adults are most active during the warmest, sunniest parts of the day. Both males and females extract nectar from California buckwheat.

The DSFL is only known from Riverside and San Bernardino counties, with most occupied DSFL habitat located within a limited area of southwestern San Bernardino County (Carlsbad Fish and Wildlife Office GIS database 2007). The nearest Delhi Sands are mapped approximately 0.4 kilometers southeast of the Project site (Attachment D, Figure 2, of the BRA, provided as Appendix C to the EIR). The entire Project site is mapped with Tujunga soils and the gravely alluvial nature of these soils was confirmed on undeveloped portions of the site by the field observations.

The result of the evaluation was that the alluvial soil and developed/degraded conditions found on the Project site are *unsuitable* for the DSFL, and therefore no portion of the Project site can support DSFL. The report detailing this assessment is available as Appendix C to the EIR.

Burrowing Owl (BUOW)

BUOW are known to occur locally within suitable habitat areas. BUOW is a ground-dwelling owl typically found in arid prairies, fields, and open areas where vegetation is sparse and low to the ground. The BUOW depends on the presence of mammal burrows, i.e., ground squirrel burrows to provide shelter from predators, inclement weather and to provide a nesting place. They are also known to make use of human-created structures, such as cement culverts and pipes, for burrows. They feed primarily on insects but will also take small rodents, birds, and reptiles. They are active during the day and night, generally observed in the early morning hours or at twilight. The breeding season for BUOW is February 1 through August 31.

The BUOW is not listed under the State or Federal ESA but is considered both a State and federal special species of concern (SSC). The BUOW is protected under the Migratory Bird Treaty Act (MBTA) of 1918 and by State law under the California Fish and Game Code (CDFG Code #3513& #3503.5).

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

The Project site and immediate vicinity do not contain suitable habitat for this species for the following reasons:

- Vegetation is typically shrub or tree and prevents line of site preferred by BUOW and
- Barren grounds are almost entirely paved and lack burrows.

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

Nesting Birds and Raptors

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

Jurisdictional Delineation

The Project site has no historically documented jurisdictional waters on or near the vicinity. There are no drainages on site. None of the following indicators are present on-site: riparian vegetation, facultative, facultative wet or obligate wet vegetation, harrow marks, sand bars shaped by water, racking, rilling, destruction of vegetation, defined bed and bank, distinct line between vegetation types, clear natural scour line, meander bars, mud cracks, staining, silt deposits, or litter- organic debris. No jurisdictional waters occur on site.

Table 4.3-1: Table of Occurrences and Potential to Occur on Site

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Arenaria paludicola	marsh sandwort	Endangered Endangered G1 S1 1B.1	Marshes and swamps. Growing up through dense mats of *Typha, Juncus, Scirpus*, etc. in freshwater marsh. Sandy soil. 3-170 meters	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Anniella stebbinsi	Nevin's barberry	Endangered Endangered G1 S1 1B.1	Chaparral, Cismontane woodland, Coastal scrub, Riparian scrub sandy or gravelly soils. 70-825 meters	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Calochortus plummerae	Plummer's mariposa lily	None None G4 S4 4.2	Coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest. Occurs on rocky and sandy sites, usually of granitic or alluvial material. Can be very common after fire. 60-2,500 meters	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Chloropyron maritimum ssp. maritimum	salt marsh bird's-beak	Endangered Endangered G4T1 S1 1B.2	Marshes and swamps, coastal dunes. Limited to the higher zones of salt marsh habitat. 0-10 meters	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Chorizanthe parryi var. parryi	Parry's spineflower	None None G3T2 S2 1B.1 BLM: Sensitive USFS: Sensitive	Coastal scrub, chaparral, cismontane woodland, valley and foothill grassland. Dry slopes and flats; sometimes at interface of 2 vegetation types, such as chaparral and oak woodland. Dry, sandy soils. 90-1,220 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.

Table 4.3-1: Table of Occurrences and Potential to Occur on Site

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Deinandra paniculata paniculate tarplant	paniculate tarplant	None None 4.2 G4 S4	Coastal scrub, Valley and foothill grassland, Vernal pools usually vernally mesic, sometimes sandy. 25-940 meters	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Eriastrum densifolium ssp. sanctorum	Santa Ana River woollystar	Endangered Endangered G4T1 S1 1B.1	Coastal scrub, chaparral. In sandy soils on river floodplains or terraced fluvial deposits. 180-705 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Horkelia cuneata var. puberula	mesa horkelia	None None G4T1 S1 1B.1 USFS: Sensitive	Chaparral, cismontane woodland, coastal scrub. Sandy or gravelly sites. 15-1,645 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Lepidium virginicum var. robinsonii	Robinson's peppergrass	None None G5T3 S3 4.3	Chaparral, coastal scrub. Dry soils, shrubland. 4-1,435 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Lycium parishii	Parish's desert-thorn	None None G4 S1 2B.3	Coastal scrub, Sonoran desert scrub. -3-570 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.

Table 4.3-1: Table of Occurrences and Potential to Occur on Site

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Malacothamnus parishii	Parish's bush-mallow	None None GXQ SX 1A	Chaparral, coastal sage scrub. In a wash. 305-455 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Monardella pringlei	Pringle's monardella	None None GX SX 1A	Coastal scrub. Sandy hills. 300-400 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Senecio aphanactis	chaparral ragwort	None None G3 S2 2B.2	Chaparral, cismontane woodland, coastal scrub. Drying alkaline flats. 20-1,020 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Sphenopholis obtusata	prairie wedge grass	None None G5 S2 2B.2	Cismontane woodland, meadows and seeps. Open moist sites, along rivers and springs, alkaline desert seeps. 15-2,625 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Symphyotrichum defoliatum	San Bernardino aster	None None G2 S2 1B.2 BLM: Sensitive USFS: Sensitive	Valley & foothill grassland Meadows and seeps, cismontane woodland, coastal scrub, lower montane coniferous forest, marshes and swamps, valley and foothill grassland. Vernally mesic grassland or near ditches, streams and springs; disturbed areas. 3-2,045 meters.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.

Table 4.3-1: Table of Occurrences and Potential to Occur on Site

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Birds				
Agelaius tricolor	tricolored blackbird	None Threatened G2G3 S1S2 BLM: Sensitive CDFW: Species of Special Concern IUCN: Endangered NABCI: Red Watch List USFWS: Birds of Conservation Concern	Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few kilometers of the colony.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Athene cunicularia	burrowing owl	None None G4 S3 BLM: Sensitive CDFW: Species of Special Concern IUCN: Least Concern USFWS: Birds of Conservation Concern	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Polioptila californica californica	coastal California gnatcatcher	Threatened None G4G5T2Q S2 CDFW: Species of Special Concern NABCI: Yellow Watch List	Obligate, permanent resident of coastal sage scrub below 2,500 feet in Southern California. Low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.

Table 4.3-1: Table of Occurrences and Potential to Occur on Site

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Vireo bellii pusillus	least Bell's vireo	Endangered Endangered G5T2 S2 IUCN: Near Threatened NABCI: Yellow Watch List	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2,000 feet. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, *Baccharis*, mesquite.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Mammals				
Chaetodipus fallax fallax	northwestern San Diego pocket mouse	None None G5T3T4 S3S4 CDFW: Species of Special Concern	Coastal scrub, chaparral, grasslands, sagebrush, etc. in western San Diego County. Sandy, herbaceous areas, usually in association with rocks or coarse gravel.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Dipodomys merriami parvus	San Bernardino kangaroo rat	Endangered Candidate Endangered G5T1 S1 CDFW: Species of Special Concern	Alluvial scrub vegetation on sandy loam substrates characteristic of alluvial fans and flood plains. Needs early to intermediate seral stages.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Lasiurus xanthinus	western yellow bat	None None G5 S3 CDFW: Species of Special Concern IUCN: Least Concern WBWG: High Priority	Desert wash Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, particularly palms. Forages over water and among trees.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.

Table 4.3-1: Table of Occurrences and Potential to Occur on Site

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Lepus californicus bennettii	San Diego black-tailed jackrabbit	None None G5T3T4 S3S4 CDFW: Species of Special Concern	Intermediate canopy stages of shrub habitats & open shrub / herbaceous & tree / herbaceous edges. Coastal sage scrub habitats in Southern California.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Nyctinomops femorosaccus	pocketed free-tailed bat	None None G4 S3 CDFW: Species of Special Concern IUCN: Least Concern WBWG: Medium Priority	Variety of arid areas in Southern California; pine-juniper woodlands, desert scrub, palm oasis, desert wash, desert riparian, etc. Rocky areas with high cliffs.	Conditions on site consist of manicured grass and ornamental trees. The habitat for this species is not present on site. Occurrence potential is **low**.
Reptiles				
Anniella stebbinsi	southern California legless lizard	None None G3 S3 CDFW: Species of Special Concern USFS: Sensitive	Generally south of the Transverse Range, extending to northwestern Baja California. Occurs in sandy or loose loamy soils under sparse vegetation. Disjunct populations in the Tehachapi and Piute Mountains in Kern County. Variety of habitats; generally, in moist, loose soil. They prefer soils with a high moisture content.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Arizona elegans occidentalis	California glossy snake	None None G5T2 S2 CDFW: Species of Special Concern	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.

Table 4.3-1: Table of Occurrences and Potential to Occur on Site

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Phrynosoma blainvillii	coast horned lizard	None None G3G4 S3S4 BLM: Sensitive CDFW: Species of Special Concern IUCN: Least Concern	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Fish				
Catostomus santaanae	Santa Ana sucker	Threatened None G1 S1 AFS: Threatened IUCN: Vulnerable	South coast flowing waters Endemic to Los Angeles Basin south coastal streams. Habitat generalists, but prefer sandrubble-boulder bottoms, cool, clear water, and algae.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Gila orcuttii	arroyo chub	None None G2 S2 AFS_VU-Vulnerable CDFW: Species of Special Concern USFS: Sensitive	South coast flowing waters Native to streams from Malibu Creek to San Luis Rey River basin. Introduced into streams in Santa Clara, Ventura, Santa Ynez, Mojave and San Diego river basins. Slow water stream sections with mud or sand bottoms. Feeds heavily on aquatic vegetation and associated invertebrates.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Oncorhynchus mykiss irideus pop. 10	steelhead - southern California DPS	Endangered None G5T1Q S1 AFS: Endangered	South coast flowing waters Federal listing refers to populations from Santa Maria River south to southern extent of range (San Mateo Creek in San Diego County). Southern steelhead likely have greater physiological tolerances to warmer water and more variable conditions.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.

Table 4.3-1: Table of Occurrences and Potential to Occur on Site

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Insects				
Bombus crotchii	Crotch bumble bee	None Candidate Endangered G3G4 S1S2	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include *Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia*, and *Eriogonum*.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Cicindela tranquebarica viridissima	greenest tiger beetle	None None G5T1 S1	Riparian woodland Inhabits the woodlands adjacent to the Santa Ana River basin. Usually found in open spots between trees.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Rhaphiomidas terminatus abdominalis	Delhi Sands flowerloving fly	Endangered None G1T1 S1	Interior dunes Found only in areas of the Delhi Sands formation in southwestern San Bernardino and northwestern Riverside counties. Requires fine, sandy soils, often with wholly or partly consolidated dunes and sparse vegetation. Oviposition requires shade.	Conditions on site consist of mowed grass, ornamental shrubs, residential housing, and paved lots. The habitat for this species is not present on site. Occurrence potential is **low**.
Habitat				
Riversidian Alluvial Fan Sage Scrub		None None G1 S1.1		The habitat is not present on site.

E = Endangered T = Threatened C = Candidate FP = Fully Protected SSC = Species of Special Concern R = Rare

State Species of Special Concern: An administrative designation given to vertebrate species that appear to be vulnerable to extinction because of declining populations, limited acreages, and/or continuing threats. Raptor and owls are protected under section 3502.5 of the California Fish and Game code: "It is unlawful to take, possess or destroy any birds in the orders

Table 4.3-1: Table of Occurrences and Potential to Occur on Site

Scientific Name	Common Name	Federal/State Ranking	Habitat	Potential to Occur
Global Rankings (Species or Natural Community Level): G1 = Critically Imperiled – At very high risk of extinction due to extreme rarity (often 5 or fewer populations), very steep declines, or other factors. G2 = Imperiled – At high risk of extinction due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors. G3 = Vulnerable – At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors. G4 = Apparently Secure – Uncommon but not rare; some cause for long-term concern due to declines or other factors. G5 = Secure – Common; widespread and abundant. **Subspecies Level:** Taxa which are subspecies or varieties receive a taxon rank (T-rank**)** attached to their G-rank. Where the G-rank reflects the condition of the entire species, the T-rank reflects the global situation of just the subspecies. For example: the Point Reyes mountain beaver, *Aplodontia rufa* ssp. *phaea* is ranked G5T2. The G-rank refers to the whole species range, i.e., *Aplodontia rufa.* The T-rank refers only to the global condition of ssp. *phaea*.				
State Ranking: S1 = Critically Imperiled – Critically imperiled in the State because of extreme rarity (often 5 or fewer populations) or because of factor(s) such as very steep declines making it especially vulnerable to extirpation from the State. S2 = Imperiled – Imperiled in the State because of rarity due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the State. S3 = Vulnerable – Vulnerable in the State due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors making it vulnerable to extirpation from the State. S4 = Apparently Secure – Uncommon but not rare in the State; some cause for long-term concern due to declines or other factors. S5 = Secure – Common, widespread, and abundant in the State.				
California Rare Plant Rankings (CNPS List): 1A = Plants presumed extirpated in California and either rare or extinct elsewhere. 1B = Plants rare, threatened, or endangered in California and elsewhere. 2A = Plants presumed extirpated in California, but common elsewhere. 2B = Plants rare, threatened, or endangered in California, but more common elsewhere. 3 = Plants about which more information is needed; a review list. 4 = Plants of limited distribution; a watch list. **Threat Ranks:** .1 = Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat) .2 = Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat) .3 = Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)				

4.3.3 Regulatory Framework

Federal

Federal Endangered Species Act of 1973

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

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

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

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

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

Clean Water Act/Rivers and Harbors Act

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

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

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

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

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

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

STATE

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

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

[1] Cornell Law School – 33-CFR§ 328.3 Definitions. Available: https://www.law.cornell.edu/cfr/text/33/328.3 Accessed: June 17, 2020.
[2] Cornel Law School – 40 CFR § 230.3 – Definitions. Available: https://www.law.cornell.edu/cfr/text/40/230.3. Accessed June 17, 2020.

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

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

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

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

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

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

flows that supports or has supported riparian vegetation is a stream and is subject to CDFW jurisdiction. Altered or artificial watercourses valuable to fish and wildlife are subject to CDFW jurisdiction. The CDFW also has jurisdiction over dry washes that carry water ephemerally during storm events.

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

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

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

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

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

Regional Water Quality Control Board

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

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, waters of the State fall under the jurisdiction of the appropriate RWQCB. Under the Act, the RWQCB must prepare and periodically update basin plans. Each

basin plan sets forth water quality standards for surface water and groundwater as well as actions to control nonpoint and point sources of pollution, thereby achieving and maintaining these standards. Projects that affect wetlands or waters must meet waste discharge requirements of the RWQCB, which may be issued in addition to water quality certification or a waiver under Section 401 of the CWA.

Local

City of Fontana 2015-2035 General Plan

Conservation, Open Space, Parks and Trails Element

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

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

Policies:

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

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

Policies:

- Inform the public about the natural ecological character of Fontana.
- Use public open space to support wildlife habitat as appropriate.

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

Policies:

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

City of Fontana Municipal Code

Article III of Chapter 28 – Vegetation of the City's Municipal Code is for the preservation of heritage, significant, and specimen trees. Per §28-61. Purpose "This article is adopted to establish regulations for the preservation and protection of heritage, significant and/or specimen trees within the city located on both private and public property. The city council finds that such trees are worthy of preservation in order to enhance the scenic beauty of the city, provide wind protection, prevent soil erosion, promote urban forestation, conserve the city's tree heritage for the benefit of all, and thereby promote the public health, safety and welfare." No such trees were identified on the Project site.

4.3.4 Significance Thresholds and Criteria

Significance Criteria Under CEQA

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

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Methodology and Assumptions

The proposed Project site and its associated design are evaluated against the aforementioned significance criteria as the basis for determining the level of impacts related to biological resources. This analysis considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts. Feasible mitigation measures are recommended, when warranted, to avoid or lessen the project's significant adverse impacts.

Approach to Analysis

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

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

4.3.5 Impacts and Mitigation Measures

Impact 4.3-1 ***Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

Level of Significance: Less Than Significant Impact with Mitigation Incorporated

Construction

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

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

As noted above, habitat conditions on the Project site are limited. The BRA did not find suitable habitat for the DSFL or BUOW. Although no BUOWs where observed on-site, to reduce the potential impacts to BUOW, implementation of **MM BIO-1** is recommended. Additionally, the Project site has the potential to support nesting birds and raptors. Therefore, to reduce the potential impacts to nesting birds, implementation of **MM BIO-2** is recommended. With implementation of these Mitigation Measures, impacts would be less than significant.

Operations

Day-to-day operations of the Project would not have a significant effect on sensitive animals or their habitat. Some vehicle and truck traffic would occur within the footprint of the Project site, but no disturbances outside the Project area would occur and no additional direct impacts to any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS would occur.

The Project site would contain interior and exterior lighting. Due to concrete construction and few windows, the amount of lighting escaping from the interior of the building would be negligible. This would have no effect on any species or habitat. The structure would have parking lot lighting, and lighting on the exterior of the structure for security purposes. These light sources could moderately change the nighttime environment and result in modifications to species behavior. All lighting would conform to City of Fontana standards, and would be shielded and directed to minimize spill light into undeveloped areas.

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

MITIGATION MEASURES

MM BIO-1 A qualified biologist(s) will conduct a pre-construction presence/absence survey for burrowing owl at least 14 days prior to ground-disturbing activities and within 24 hours immediately before ground-disturbing activities. If burrowing owl are documented on-site, a plan for avoidance or passive relocation shall be made in coordination with CDFW. If the survey is negative, the Project may proceed without further restrictions related to burrowing owls.

MM BIO-2 Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. If ground disturbance and vegetation removal cannot occur outside of the nesting season (January 15th to August 31st), a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If no active nests are found, no further action will be required.

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

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

Impact 4.3-2 ***Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

Level of Significance: No Impact

Construction and Operations

There are no riparian habitats or sensitive natural communities within the Project site that were identified in local, regional, or federal plans, policies, or regulations. As a result, no impact would occur, and mitigation is not required.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.3-3 ***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?***

Level of Significance: No Impact

Construction and Operations

There are no drainages or evidence of jurisdictional waters located within the Project site. As a result, no impact would occur, and no mitigation is required.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.3-4 ***Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?***

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

The Project site does not have any water resources that support fish species and the site would not be used as a migration corridor due to the presence of surrounding urban development and the lack of undeveloped areas connected with larger undisturbed areas of offsite habitat.

The Project site contains vegetation with potential to support nesting birds, migratory birds, and foraging raptors. The direct injury or death of a migratory bird due to construction or other disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered a take. To avoid impacts to migratory and nesting birds, pre-construction surveys would be required to avoid impacts. **MM-BIO-2,** would require nesting bird surveys and would reduce impacts to less than significant.

Operations

Once constructed, and for the same reasons listed above, operation of the Project would not impact the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of a native wildlife nursery site. Therefore, impacts are less than significant, and mitigation is not required.

Mitigation Measures

See **MM BIO-2** above.

SIGNIFICANCE AFTER MITIGATION

Impacts would be reduced to less than significant.

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

Level of Significance: Less than Significant Impact

Construction

The Project site would be constructed in compliance with the requirements of the City's General Plan. The City of Fontana GP provides goals, policies, and implementation measures for the conservation of biological resources. Goal 1 is focused on conserving open space, and Goal 2 is focused on conserving open space that is utilized by wildlife species, while Goal 3 is centered on conserving urban forests. The Project is the development of a warehouse on a previously developed/disturbed site. The Project would not impact nor influence the conservation of open space nor is the Project impacting urban forests. Therefore, the Project does not conflict with General Plan goals. The BRA did not note any protected or heritage trees defined in Chapter 28, Article III - Preservation of Heritage, Significant and Specimen Trees. A less than significant impact would occur in this regard.

Operations

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

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.3-6 ***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?***

Level of Significance: No Impact

Construction and Operations

The Project site is not located within the boundary of an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP). Thus, no impact would occur in this regard.

MITIGATION MEASURES

No mitigation is necessary.

4.3.6 Cumulative Impacts

Future development in accordance with the Project, in conjunction with cumulative development in the City, would increase development in a developed area and could result in impacts to biological resources. The Project site provides limited value as a wildlife corridor due to its proximity to previous developments and transportation corridors; however, cumulative Project sites adjacent to the Jurupa Hills and San Gabriel Mountains foothills, which functions as wildlife corridors/habitat could be impacted by future development. Therefore, potential biological impacts would require evaluation on a case-by-case basis at the project level when future development is proposed. Each cumulative project would require separate discretionary permit approval and evaluation under CEQA, which would address potential biological resource impacts and identify necessary mitigation measures, where appropriate.

Consequently, the Project would not result in significant environmental impacts from the violation of biological resource requirements, the taking of special status plants or wildlife, or degradation of wildlife

corridors. Therefore, with the implementation of mitigation and compliance with regulatory requirements, the Project's contribution to cumulatively considerable impacts on biological resources would be less than significant.

4.3.7 Significant Unavoidable Impacts

No significant unavoidable biological resource impacts have been identified.

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4.4 CULTURAL AND TRIBAL RESOURCES

4.4.1 Introduction

This section describes the environmental and regulatory settings of cultural resources. Cultural resources relate to archaeological remains, historic buildings, traditional customs, tangible artifacts, historical documents, and public records, which are unique, may be historically significant, or are more locally important significant resources that make Fontana unique. The evaluation of the proposed Project including the proposed warehouse building and potential impacts to cultural resources is largely based on the following sources:

- *Cultural Resources Assessment*, BCR Consulting, February 2021 (Attached as Appendix D)
- City of Fontana General Plan Update EIR

Note that, as discussed below, the site visit to evaluate cultural resources was conducted on May 7, 2020. The Project site was described as containing vacant properties and properties with single-family residences. Since that time, demolition of on-site structures has occurred in accordance with demolition permits issued by the City of Fontana on June 22, 2020 and September 8, 2020. Removal of debris associated with the demolition has also occurred, but site grading has not. See **Section 3.0, Project Description** for further discussion regarding the demolition of on-site structures. Furthermore, the Notice of Preparation (NOP) for the Project was distributed on October 8, 2020. According to California Environmental Quality Act (CEQA) Guidelines §15125(a)(1), "Generally, the lead agency should describe physical environmental conditions as they exist at the time the notice of preparation is published … ". Therefore, the baseline condition for this Project is that which was present on October 8, 2020 – devoid of on-site structures – not that which was present at the time of the site visit.

Section 4.4.5, *Impacts and Mitigation Measures* below, discusses the potential impacts that would occur to cultural resources. It was found that impacts would be less than significant with mitigation incorporated, which is based on information contained in the listed sources. In addition, this analysis is informed by consultations and comments received from the Gabrieleño Band of Mission Indians – Kizh Nation.

The cultural evaluations were conducted in compliance with California Public Resources Code (PRC) §5024.1 to identify prehistoric archaeological and historic resources in the Project site area and evaluate potential impacts that could result from implementation of the Project.

4.4.2 Affected Environment

The Project site is a rectangular lot that contains vacant parcels**.** According to available historical sources, the Project site was utilized for residential and orchard uses from approximately 1938-1950. After 1950, additional residential structures were built, and demolished in 2020, as described above. The immediate surrounding properties consist of a Southern Pacific Rail Line to the north, and a mixture of residential (non-conforming), commercial, and industrial uses to the south, east, and west of the Project site. In **Section 3.0, Project Description**, **Figure 3.0-2**, *Local Vicinity,* provides an aerial view of the site and surrounding areas. As shown, the Project site is surrounded by existing development including industrial, residential, and commercial as well as undeveloped lots of land.

Ethnographic, Archaeological, and Historic Context

Prehistoric Context

The local prehistoric cultural setting has been organized into many chronological frameworks, although there is no definitive sequence for the region. The difficulties in establishing cultural chronologies for western San Bernardino County are a function of its enormous size and the small amount of archaeological excavations conducted there. Moreover, throughout prehistory many groups have occupied the area and their territories often overlap spatially and chronologically resulting in mixed artifact deposits. Due to dry climate and capricious geological processes, these artifacts rarely become integrated in-situ. Lacking a milieu hospitable to the preservation of cultural midden, local chronologies have relied upon temporally diagnostic artifacts, such as projectile points, or upon the presence/absence of other temporal indicators, such as groundstone. Such methods are instructive but can be limited by prehistoric occupants' concurrent use of different artifact styles, or by artifact re-use or re-sharpening, as well as researchers' mistaken diagnosis, and other factors. Recognizing the shortcomings of comparative temporal indicators, this study recommends review of Warren and Crabtree (1986), who have drawn upon this method to produce a commonly cited and relatively comprehensive chronology.

Ethnography

See **Section 4.14, Tribal Cultural Resources** for ethnography.

History

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

Spanish Period

The first European to pass through the area is thought to be a Spaniard called Father Francisco Garces. Having become familiar with the area, Garces acted as a guide to Juan Bautista de Anza, who had been commissioned to lead a group across the desert from a Spanish outpost in Arizona to set up quarters at the Mission San Gabriel in 1771 near what today is Pasadena. Garces was followed by Alta California Governor Pedro Fages, who briefly explored the region in 1772. Searching for San Diego Presidio deserters, Fages had traveled through Riverside to San Bernardino, crossed over the mountains into the Mojave Desert, and then journeyed westward to the San Joaquin Valley.

Mexican Period

In 1821, Mexico overthrew Spanish rule and the missions began to decline. By 1833, the Mexican government passed the Secularization Act, and the missions, reorganized as parish churches, lost their vast land holdings, and released their neophytes.

American Period

The American Period, 1848–Present, began with the Treaty of Guadalupe Hidalgo. In 1850, California was accepted into the Union of the United States primarily due to the population increase created by the Gold Rush of 1849. The cattle industry reached its greatest prosperity during the first years of the American Period. Mexican Period land grants had created large pastoral estates in California, and demand for beef

during the Gold Rush led to a cattle boom that lasted from 1849–1855. However, beginning about 1855, the demand for beef began to decline due to imports of sheep from New Mexico and cattle from the Mississippi and Missouri Valleys. When the beef market collapsed, many California ranchers lost their ranchos through foreclosure. A series of disastrous floods in 1861–1862, followed by a significant drought further diminished the economic impact of local ranching. This decline combined with ubiquitous agricultural and real estate developments of the late 19th century, set the stage for diversified economic pursuits that have continued to proliferate to this day.

Local History

During the early 19th century, former English sailor Michael White traveled overland to Southern California with explorer Jedediah Smith. Having befriended the Lugo family of Rancho San Bernardino, White settled in California by 1840. As an accepted member of the local Mexican community he became known as Miguel Blanco and was granted Rancho de Muscupiabe (northeast of the Project site) by California Governor Manuel Micheltoreno in 1843. After California became a state in 1850, white American settlement continued to increase. By the late 1850s Mormon pioneers from Salt Lake City had purchased Rancho San Bernardino and began to settle at Rancho de Muscupiabe. By the 1860s large tracts owned by the U.S. Government became available for homesteading. Due to various population pressures, the Mormon pioneers began to recede to Salt Lake City in the 1870s.

The Southern Pacific and the Santa Fe Railroads, locally established in 1875 and 1887 respectively, facilitated the development of agriculture in the region by providing shipping for agricultural products. The railroad stop at present-day Fontana was originally named "Rosena." The Semi-Tropic Water and Land Company incorporated in 1887 in order to sell real estate and water rights. The company acquired 285,000 acres of land along ten miles of Lytle Creek, giving it riparian rights and allowing it to control and sell the water. The company laid out small towns including Fontana, Rialto, Sansevaine, and Bloomington on its land holdings. In 1891, the company subdivided most of the land surrounding the town sites into 20-acre parcels it called "farm lots." Rialto, Sansevaine, and Bloomington became small farm settlements, but Fontana did not grow.

Significant development of the area did not resume until the Fontana Development Company surveyed and laid out a small community along the Santa Fe railroad. American rancher and entrepreneur Azariel Blanchard (A.B.) Miller purchased 17,000 acres near the Rosena railroad stop in 1906 and was largely responsible for transforming the area into a profitable center for citrus, poultry, and livestock. Immediately after Miller's arrival, about 25 families came to reside on Miller's vast acreage. At his direction, a townsite was laid out and extensive crops were planted and cultivated in 1909. The townsite (originally a small area centered on Sierra Avenue north of the Santa Fe Railroad tracks) was dedicated in 1913, and between 1915 and 1920 farming in the area expanded. Miller's Fontana Farms Company started many agricultural ventures such as successful hog farms and also laid out Declez (South Fontana). The success of railroads and agriculture during the early 20th century set the stage for expansion of agricultural and real estate development in the period between 1910 and 1930. By 1927, 399 families had purchased land in Fontana. The Fontana area remained largely agricultural during the 1930s as the Great Depression significantly slowed economic output. The region comprised a diversified agricultural area, with cultivation of citrus, grapes, grains, poultry, cattle, and swine as leading commodities.

In the early 1940s, demands related to World War II punctuated an economic revival. The establishment of the Fontana Kaiser Steel plant in 1942, the first steel mill west of the Mississippi, quickly turned Fontana into the West Coast's leading steel producer. At its peak, the plant employed 7,600 workers from Fontana and surrounding cities and produced 120,000 tons of steel annually. In addition to growing the local economy during the war years, the plant helped sustain Fontana's post-war growth, and it remained in operation until 1984.

After World War II, improvements in automobile infrastructure stimulated growth in the region. Highway 70-99 (later the I-10 Freeway) was constructed adjacent to the Southern Pacific Railroad in 1948, and by 1960 was part of a 60-mile freeway from Los Angeles. A building boom ensued in San Bernardino County immediately after the war, with $200,000,000 invested and about 21,000 homes constructed by 1950. Like much of the country, Fontana experienced sustained growth during the baby-boom years of 1944 until about 1961, and officially incorporated in 1952. Drag racing became a significant attraction for Fontana when Mickey Thompson's Fontana International Drag Way opened in the 1950s. The Auto Club Speedway, later built on part of the Kaiser Steel Mill site, built its own drag strip to continue the City's legacy as an auto racing hub. During this era, tract housing and apartment complexes were constructed in large numbers to meet housing demands. In more recent decades, the City has become a center for shipping and trucking. The City's 56-square-mile boundaries continue to expand as it attempts to annex neighboring unincorporated communities and develops its northern areas. The population stands at approximately 200,000 today and counting.

Methodology

Methods

The cultural resources work was completed pursuant to CEQA, the Public Resources Code (PRC) Chapter 2.6, §21083.2, and California Code of Regulations (CCR) Title 14, Chapter 3, Article 5, §15064.5. The pedestrian cultural resources survey was intended to locate and document previously recorded or new cultural resources, including archaeological sites, features, isolates, and historic-period buildings, that exceed 45 years in age within defined project boundaries. The Project site was examined using 15-meter transect intervals, where accessible. The cultural resources study was intended to determine whether cultural resources are located within the Project boundaries and whether any cultural resources are significant pursuant to the below-referenced regulations and standards.

Tasks included:

- Cultural resources records search to review studies and archaeological/historical resources recorded within a one-mile radius of the Project boundaries
- Additional research through various local and regional repositories
- Systematic pedestrian survey of the entire Project site
- California Register of Historical Resources (CRHR) eligibility evaluation for any cultural resources identified
- Development of recommendations and mitigation measures for cultural resources documented within the Project boundaries, following CEQA
- Completion of DPR 523 forms for any discovered cultural resources.

- Vertebrate paleontology resources report through the Western Science Center

Records Search

The records search was completed by the South Central Coastal Information Center (SCCIC). The records search included a review of all recorded historic and prehistoric cultural resources, as well as a review of known cultural resources, and survey and excavation reports generated from projects completed within one mile of the project site. In addition, a review was conducted of the National Register of Historic Places (NRHP), the CRHR, and documents and inventories from the California Office of Historic Preservation (OHP) including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures.

Additional Research

Additional research was conducted through records of the General Land Office maintained by the Bureau of Land Management, the San Bernardino County Assessor, the San Bernardino County Historical Archives, the Fontana Historical Society, and through various Internet resources

Field Survey

A pedestrian cultural resources field survey of the Project site was conducted on May 7, 2020. The survey was conducted by walking parallel transects spaced approximately 10-to-15 meters apart across open or vacant parts of the Project site. Historic-period residential buildings and structures, present at the time of survey, were individually and intensively surveyed as well. Soil exposures were carefully inspected for evidence of cultural resources. Cultural resources were recorded per the California OHP *Instructions for Recording Historical Resources* in the field using:

- Detailed note-taking for entry on DPR Forms (Appendix A of the Cultural Resources Report located in EIR Appendix D)
- Hand-held Garmin Global Positioning systems for mapping purposes
- Digital photography of all cultural resources (Appendix A of the Cultural Resources Report located in EIR Appendix D).

As previously discussed, after the field survey had been completed, all of the buildings on the Project site were demolished in accordance with demolition permits issued by the City. Removal of the debris associated with demolition has also occurred. These demolitions and removals have occurred in sediments that were previously disturbed by excavation for building construction, utility installation, and street and sidewalk construction. Since these activities require disturbances in excess of four feet in depth, and since no archaeological resources of any kind were identified during the records search and field survey, post-demolition site visit was not warranted.

Results

Existing Cultural Resources

Data from the SCCIC revealed that 31 cultural resource studies have taken place resulting in the recording of 42 cultural resources within a one-mile radius of the Project site. No prehistoric sites or isolates were identified within one mile of the Project; rather, all of the previously recorded resources are from the

historic period and include the Southern Pacific Railroad alignment, ranch complexes, single-family residences, commercial buildings, and the Kaiser Fontana Medical Center campus. The records search is summarized in ***Table 4.4-1: Cultural Resources Located Within a Mile of the Project Site***, below.

Table 4.4-1: Cultural Resources Located Within a Mile of the Project Site

USGS 7.5 Minute Quadrangle	Cultural Resources Within One Mile of Project Site
Fontana, California (1980)	CA-SBR-10330H: Historic-period Southern Pacific Railroad Alignment CA-SBR-11567H: Historic-period farm/ranch complex CA-SBR-13857: Historic-period farm/ranch complex CA-SBR-26962: Historic-period farm/ranch complex CA-SBR-29056H: Historic Gertrude Smith complex P-36-13852: historic-period single family residence P-36-13853: Historic-per. commercial building/single-family residence P-36-13854: historic-period commercial building P-36-13855: historic-period commercial building P-36-13856: historic-period single family residence P-36-13858: historic-period single family residence P-36-13859: historic-period single family residence P-36-13860: historic-period single family residence P-36-13861: historic-period single family residence P-36-13863: historic-period single family residence P-36-13864: historic-period single family residence P-36-13865: historic-period commercial building P-36-14467: Historic Kaiser Fontana Medical Center campus P-36-26954: historic-period single family residence P-36-26955: historic-period single family residence P-36-26956: historic-period single family residence P-36-26957: historic-period single family residence P-36-26958: historic-period single family residence P-36-26959: historic-period single family residence P-36-26960: historic-period single family residence P-36-26961: historic-period single family residence P-36-26963: historic-period single family residence P-36-26964: historic-period single family residence P-36-26965: historic-period single family residence P-36-26966: historic-period single family residence P-36-26967: historic-period single family residence P-36-26968: historic-period single family residence P-36-26969: historic-period single family residence P-36-26970: historic-period single family residence P-36-27105: historic-period single family residence P-36-27106: historic-period single family residence P-36-27107: historic-period single family residence P-36-27108: historic-period single family residence P-36-27109: historic-period single family residence P-36-27110: historic-period single family residence P-36-27111: historic-period single family residence P-36-26971: Historic-per. commercial building/single-family residence
Source: BCR Consulting LLC. 2021. Cultural Resources Assessment. Table A. EIR Appendix D.	

4.4.3 Regulatory Framework

Federal

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains, associated funerary objects, and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

Natural Register of Historic Places

The NRHP was established by the National Historic Preservation Act (NHPA) of 1966, as "an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation's historic resources and to indicate what properties should be considered for protection from destruction or impairment" (CFR 36 §60.2). The NRHP recognizes both historical-period and prehistoric archaeological properties that are significant at the national, state, and local levels.

To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must meet one or more of the following four established criteria (U.S. Dept. of the Interior, 1995):

1. Are associated with events that have made a significant contribution to the broad patterns of our history;
2. Are associated with the lives of persons significant in our past;
3. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

Unless the property possesses exceptional significance, it must be at least 50 years old to be eligible for listing in the NRHP (U.S. Dept. of the Interior, 1995). In addition to meeting the criteria of significance, a property must have integrity. Integrity is defined as "the ability of a property to convey its significance" (U.S. Dept. of the Interior, 1995). The NRHP recognizes seven qualities that, in various combinations, define integrity: location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity a property must possess several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property to convey its significance.

State

California Environmental Quality Act

California public agencies must consider the effects of their actions on both "historical resources" and "unique archaeological resources." Pursuant to PRC §21084.1, a "project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment." PRC §21083.2 additionally requires agencies to determine whether proposed projects would have effects on "unique archaeological resources."

"Historical resource" is a term with a defined statutory meaning. Under California Code of Regulations (CCR), Title 14, Chapter 3 (CEQA Guidelines), §15064.5 (a) "historical resource" includes the following:

- A resource listed in, or determined to be eligible by the State Historical Resources Commission (SHRC), for listing in the CRHR (PRC §5024.1 and Title 14 CCR, §4850 et seq.).
- A resource included in a local register of historical resources, as defined in §5020.1(k) of the PRC or identified as significant in a historical resource survey meeting the requirements of §5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR (PRC §5024.1 and Title 14 CCR §4852) including the following:
    - Criterion 1 - Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
    - Criterion 2 - Is associated with the lives of persons important in our past;
    - Criterion 3 - Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
    - Criterion 4 - Has yielded, or may be likely to yield, information important in prehistory or history.

CEQA addresses significant impacts to historical resources. "A project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired." (CEQA Guidelines §15064.5(b)(1)).

CEQA also requires agencies to consider whether projects will affect "unique archaeological resources." PRC §21083.2, subdivision (g), states that "'unique archaeological resources' means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3) Is directly associated with a scientifically recognized, important prehistoric or historic event or person."

California Public Records Act

Sections 6254(r) and 6254.10 of the California Public Records Act (Government Code §6250 et seq.) were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects… maintained by, …, the Native American Heritage Commission….". Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation (DPR), the SHRC, the State Lands Commission, the Native American Heritage Commission (NAHC), another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency."

California Assembly Bill 52

See **Section 4.14, Tribal Cultural Resources**.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is "an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC § 5024.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks (CHL) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest (PHI) program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the SHRC determines that it meets one or more of the following criteria, which are modeled on NRHP criteria:

- **Criterion 1:** It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- **Criterion 2:** It is associated with the lives of persons important in our past.

- **Criterion 3:** It embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.
- **Criterion 4:** It has yielded, or may be likely to yield, information important in history or prehistory.

Under PRC §5024.1 and 14 CCR §4852(c), a cultural resource must retain integrity to be considered eligible for the CRHR. Specifically, it must retain sufficient character or appearance to be recognizable as a historical resource and convey reasons of significance. Integrity is evaluated with regard to retention of such factors as location, design, setting, materials, workmanship, feeling, and association. Cultural sites that have been affected by ground-disturbing activities, such as agricultural activities and off-road vehicle use (both of which occur within the Project site), often lack integrity because they have been directly damaged or removed from their original location, among other changes.

Typically, a prehistoric archaeological site in California is recommended eligible for listing in the CRHR based on its potential to yield information important in prehistory or history (Criterion 4). Important information includes chronological markers such as projectile point styles or obsidian artifacts that can be subjected to dating methods or undisturbed deposits that retain their stratigraphic integrity. Sites such as these have the ability to address research questions.

California Historical Landmarks

CHLs are buildings, structures, sites, or places that have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value and that have been determined to have statewide historical significance by meeting at least one of the criteria listed below. The resource also must have written consent of the property owner; be recommended by the SHRC; and be officially designated by the Director of California State Parks. The specific standards now in use were first applied in the designation of CHL No. 770. CHLs numbered 770 and above are automatically listed in the CRHR.

To be eligible for designation as a CHL, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type in the state or within a large geographic region (northern, central, or southern California);
- It is associated with an individual or group having a profound influence on the history of California; or,
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer, or master builder.

California Points of Historical Interest

California Points of Historical Interest (PHIs) are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. PHIs designated after December 1997 and recommended by the SHRC are also listed in the CRHR. No historic resource may be designated as both a landmark and a point. If a point is later granted status as a landmark, the point designation is retired. In

practice, the point designation program is most often used in localities that do not have a locally enacted cultural heritage or preservation ordinance.

To be eligible for designation as a California PHI, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type within the local geographic region (city or county);
- It is associated with an individual or group having a profound influence on the history of the local area; or,
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in the local region of a pioneer architect, designer, or master builder.

California Historical Resource Status Codes

In order to be considered as significant, a resource must meet at least one of the above-listed NRHP or CRHR criteria and retain enough integrity to support its period of significance and association within a historical context. A resource is assigned a California Historical Resource (CHR) status code following evaluation, which identifies its significance level. The status codes and descriptions are:

1. Properties listed in the NRHP or the CRHR.
2. Properties determined eligible for listing in the NRHP or CRHR.
3. Appears eligible for NRHP or CRHR through survey evaluation.
4. Appears eligible for NRHP or CRHR through other evaluation.
5. Properties recognized as historically significant by local government.
6. Not eligible for listing or designation as specified.
7. Not evaluated for NRHP or CRHR or needs re-evaluation

Typically, resources designated as CHR Status Code 6 are determined ineligible for designation under any criteria and are not considered historical resources under CEQA. However, there are several subcategories that exist within each of the status codes that allow for various exemptions, such as whether a resource contributes to a Historic District.

California Historic Building Code

The California Historic Building Code (CHBC) provides guidelines for the preservation, restoration, rehabilitation, relocation, and reconstruction of buildings or structures designated as qualified historical buildings or properties by a local, state, or federal jurisdiction, as defined by CHBC §8-218. The CHBC provides guidelines for long-term preservation efforts of qualified historical buildings or properties to allow owners to make improvements for access for persons with disabilities; to provide a cost-effective approach to preservation; and, to ensure overall safety of affected occupants or users.

As defined by the CHBC, a "qualified historical building" is "any building, site, structure, object, district, or collection of structures, and their associated sites, deemed of importance to the history, architecture, or culture of an area by an appropriate local, state, or federal governmental jurisdiction. This includes designated buildings or properties on, or determined eligible for, official national, state, or local historical registers or official inventories, such as the NRHP, CRHR, CHLs, California PHI, and officially adopted city or county registers, inventories, or surveys of historical or architecturally significant sites, places, or landmarks."[1]

California Health and Safety Code, Sections 7050 and 7052

Health and Safety Code, §7050.5, declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

California Penal Code, Section 622.5

California Penal Code, §622.5, provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands but specifically excludes the landowner.

Local

Fontana General Plan 2015-2035

Community and Neighborhoods Element

This Element is focused on attributes of the City that contribute to the protection of cultural historic resources that link Fontana to its past.

Goal 3: Cultural and archaeological resources are protected and preserved.

Policy

- Collaborate with state agencies to protect cultural and archaeological resources.

Actions

- Continue to ensure that proper protocols are observed in development proposals for sites with potential archaeological significance.

City of Fontana Municipal Code

Fontana Municipal Code (MC) Chapter 5.351 – 5.365, *Preservation of Historic Resources* establishes a mechanism by which the City can implement the goals and policies of the general plan, which recognize the presence of archeological sites and buildings that have historic importance for the City. This portion of the code recognizes that the City Council finds and declares that historic, archeological and cultural resources symbolize the City and its people, reveal how the City's character was shaped, and instill pride in the community. The creation and functions of the planning commission and the identification, preservation and protection of historic, archeological and cultural resources within the City and that the

[1] California Historic Building Code (Sections 18950 to 18962 of Division 13, Part 2.7 of California Health and Safety Code).

use of these resources shall be governed by the provisions of the article. The subsections of this article related to the naming, protection, and preservation of resources include the following: §5-354 Violations; penalties; §5-355 Historical Resources designation criteria; §5-356 Historical resources designation procedures; and §5-357 Certificate of appropriateness. The article also includes §5-360 Design criteria and development standards pertaining to historical resources; §5-361 standards for work, §5-362 maintenance; as well as §5-363 Preservation easements.

Of note is §5-365 Designated Local historic resources which names 22 local historic resources. None of these sites are within the Project site.

4.4.4 Significance Thresholds and Criteria

Significance Criteria Under CEQA

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

- Causes a substantial adverse change in the significance of a historical resource pursuant to §15064.5 (see Impact 4.4-1);
- Causes a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 (see Impact 4.4-2);
- Disturbs any human remains, including those interred outside of formal cemeteries (see Impact 4.4-3).

Methodology and Assumptions

The proposed Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning cultural resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impacts. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts.

Approach to Analysis

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

The baseline conditions and impact analyses are based on site conditions at the time of NOP distribution (October 8, 2020); field reconnaissance conducted by BCR Consulting, LLC; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that any components of the Project may result in "substantial" adverse effects on historical and archaeological resources and human remains

considers the existing site's historical resource value and the severity of the Project implementation on resources that may be considered historical.

4.4.5 Impacts and Mitigation Measures

Impact 4.4-1 ***Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?***

Level of Significance: No Impact

Construction and Operations

There are no historic-age resources present on the Project site. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5. No impact would occur.

MITIGATION MEASURES

No mitigation is required.

Impact 4.4-2 ***Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?***

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

According to the Cultural Resources Assessment (Appendix D), no cultural resources (including other architectural historical resources, prehistoric archaeological resources, or historic archaeological resources) were identified on the Project site. Additionally, the Sacred Lands File (SLF) records search did not identify any sacred lands or sites in the area. However, as stated in the NAHC response letter, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area.

A significant impact would occur if grading and construction activities would result in a substantial adverse change in the significance of an archaeological resource determined to be "historic" or "unique." According to CEQA, if an archaeological resource is neither historic nor unique, the effects of a project on that resource will not be considered significant effects on the environment (State CEQA Guidelines §15064(C)(4)).

Conservatively, it is assumed that any as-yet unidentified archaeological resources at the Project site would be impacted through grading and construction activities. However, the significance of the impact would be based upon the criteria presented in the thresholds of significance (i.e., is the archaeological resource determined to be "historic" or "unique"). Because the potential for discovery and damage or destruction of unknown resources exists and would be potentially significant, mitigation would be required. **MM CUL-1** through **MM CUL-2** would reduce these impacts to less than significant.

Operations

Following completion of construction of the Project and disturbances of the site, this phase of the proposed Project would include use for warehousing. These land use operations would not impact any known or unknown archaeological resources. Therefore, operation of the warehouse would have no impact on archaeological resources.

MITIGATION MEASURES

MM CUL-1 In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, the San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed within TCR-1, regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

MM CUL-2 If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to SMBMI for review and comment, as detailed within TCR-1. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.

Impact 4.4-3 ***Would the Project disturb any human remains, including those interred outsides of dedicated cemeteries?***

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction

The archaeological records search and field survey did not reveal any resources known to contain human remains within or near the Project site. While the Project site is not known to contain any sensitive archeological or cultural resources, ground-disturbing activities have the potential to reveal unknown human remains. Therefore, construction of the Project could disturb human remains should any be discovered during ground-disturbing activities. If human remains are found, those remains would require proper treatment in accordance with applicable laws, including Health and Safety Code (HSC) §7050.5-7055 and Public Resources Code (PRC) §5097.98 and §5097.99. HSC §7050.5-7055 describe the general provisions for treatment of human remains. Specifically, HSC §7050.5 prescribes the requirements for the treatment of any human remains that are accidentally discovered during excavation of a site. HSC §7050.5 also requires that all activities cease immediately, and a qualified archaeologist and Native American monitor be contacted immediately.

As required by state law, the procedures set forth in PRC §5087.98 would be implemented, including evaluation by the County Coroner and notifications to the NAHC. The NAHC would then designate the

"Most Likely Descendent" of the unearthed human remains. If human remains are found during excavation, excavation would be halted in the vicinity of the find and any area that is reasonably suspected to overlay adjacent remains shall remain undisturbed until the County Coroner has investigated, and appropriate recommendations have been made for the treatment and disposition of the remains. Compliance with the established regulatory framework (i.e., HSC §7050.5-7055 and PRC §5097.98 and 5097.99) would ensure potential Project impacts concerning human remains are reduced to less than significant. Compliance with **MM CUL-3** would ensure potential impacts to human remains remain less than significant.

Operations

Operation of the Project would not further impact human remains and would not cause a substantial adverse effect to undiscovered human remains. No impacts would occur.

MITIGATION MEASURES

MM CUL-3 If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project.

4.4.6 Cumulative Impacts

For purposes of cumulative impact analysis to cultural resources, the geographic context for cumulative analysis of the Project is regional and considers both direct and indirect impacts over a wide area. However, the discussion is focused on the proposed Project's potential for resulting in site-specific impact but that could contribute to a cumulative loss. Accordingly, impacts are site-specific and not generally subject to cumulative impacts unless multiple projects impact a common resource, or an affected resource extends off-site, such as a historic townsite or district. With this consideration, the cumulative analyses for historical and archaeological resources considers whether the Project, in combination with the past, present, and reasonably foreseeable projects, could cumulatively affect any common cultural resources.

The proposed Project could result in potential site-specific impacts to as-yet unidentified archaeological resources discovered during grading and trenching activities during construction. Other projects within the cumulative study area also have the potential to result in damage and/or loss to these resources. The combination of the proposed Project as well as past, present, and reasonably foreseeable projects in the City and San Bernardino County would be required to comply with all applicable State, federal, and County and local regulations concerning preservation, salvage, or handling of cultural resources, including compliance with required mitigation. Similar to the proposed Project, these projects also would be required to implement and conform to mitigation measures, which would be likely to reduce impacts to less than significant. Although in the process of development, some known or unknown resources may be lost, it is not anticipated that these impacts would be cumulatively considerable. In addition, implementation of **MMs CUL-1** through **CUL-3** would reduce Project-specific impacts to a less than

significant level. Therefore, the Project's contribution to cumulative impacts would be less than significant.

4.4.7 Significant Unavoidable Impacts

No significant unavoidable cultural resource impacts have been identified.

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4.5 ENERGY

4.5.1 Introduction

According to State CEQA Guidelines Section 15126.2(b), Section 15126.4 (a)(1)(C), and Appendix F, the goal of conserving energy implies the wise and efficient use of energy including decreasing reliance on natural gas and oil and increasing reliance on renewable energy sources (renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat). The Project would be constructed to Title 24 standards, which are designed to reduce energy demand in all new construction.

This section describes the existing setting of the proposed as they relate to the proposed Project as it relates to energy conservation, identifies associated regulatory conditions and requirements, presents the criteria used to evaluate potential impacts related to use of fuel and energy upon implementation of the Project, and identifies mitigation measures to reduce or avoid potential significant impacts. The significance of each impact is included at the end of this section.

4.5.2 Affected Environment

Pursuant to Section 15126.2(b), Section 15126.4 (a)(1)(C), and Appendix F of the State CEQA Guidelines, the environmental setting may include "existing energy supplies and energy use patterns in the region and locality." Energy use is analyzed in this document by evaluating the potential direct and indirect environmental impacts associated with the Project. Such impacts include, without limitation, the depletion of nonrenewable resources (e.g., oil, natural gas, coal, etc.) and emissions of pollutants during both Project construction and operations.

Refer to **Section 4.2, Air Quality** and **Section 4.7, Greenhouse Gas Emissions** for additional regulatory background and details on the environmental setting regarding the Project's energy use.

Existing Electricity and Natural Gas Supplies

Electricity as a utility is a man-made resource. The production of electricity requires the consumption or conversion of energy resources, including water, wind, oil, gas, coal, solar, geothermal, and nuclear resources, into energy. The delivery of electricity involves several system components including substations and transformers that lower transmission line power (voltage) to a level appropriate for on-site distribution and use. The electricity generated is distributed through a network of transmission and distribution lines commonly called a power grid. Conveyance of electricity through transmission lines is typically responsive to market demands.

Energy capacity, or electrical power, is generally measured in watts (W) while energy use is measured in watt-hours (Wh). For example, if a light bulb has a capacity rating of 100 W, the energy required to keep the bulb on for 1 hour would be 100 Wh. If ten 100 W bulbs were on for 1 hour, the energy required would be 1,000 Wh or 1 kilowatt-hour (kWh). On a utility-scale, a generator's capacity is typically rated in megawatts (MW), which is one million watts, while energy use is measured in megawatt-hours (MWh) or gigawatt-hours (GWh), which is one billion watt-hours.

Electrical services are provided to the Project sites by Southern California Edison (SCE). SCE provides electricity to approximately 15 million people, 180 incorporated cities, 15 counties, 5,000 large businesses, and 280,000 small businesses throughout its 50,000-square-mile service area[1]. SCE produces and purchases their energy from a mix of conventional and renewable generating sources. ***Table 4.5-1: Electric Power Mix Delivered to SCE Retail Customers in 2018*** shows the SCE electric power mix in 2018 compared to the statewide 2018 power mix.

Table 4.5-1: Electric Power Mix Delivered to SCE Retail Customers in 2018

Energy Resources	2018 SCE Power Mix[1]	2018 CA Power Mix[1]
Eligible Renewable	36%	31%
Biomass and Biowaste	1%	2%
Geothermal	8%	5%
Eligible Hydroelectric	1%	2%
Solar	13%	11%
Wind	13%	11%
Coal	0%	3%
Large Hydroelectric	4%	11%
Natural Gas	17%	35%
Nuclear	6%	9%
Other	0%	<1%
Unspecified Sources of Power[2]	37%	11%
Total	**100%**	**100%**

[1] California Energy Commission, Annual Power Content Labels for 2018, 2018 Power Content Table, Southern California Edison, updated July 2019, https://www.energy.ca.gov/sites/default/files/2020-01/2018_PCL_Southern_California_Edison.pdf, accessed June 3, 2020.
[2] Electricity from transactions that are not traceable to specific generation sources.
Source: California Energy Commission, 2018 Power Content Label, July 2019.

Energy Use

Energy use is typically quantified using the British Thermal Unit (BTU). Total energy use in California was 7,829 trillion BTU in 2016 (the most recent year for which this specific data is available), which equates to an average of approximately 198 million BTU per capita. Of California's total energy use, the breakdown by sector is 39.8 percent transportation, 23.7 percent industrial, 18.9 percent commercial, and 17.7 percent residential. Electricity and natural gas in California are generally used by stationary sources such as residences, commercial sites, and industrial facilities, whereas petroleum use is generally accounted for by transportation-related energy use[2]. In 2019, taxable gasoline sales (including aviation gasoline) in California accounted for 15,428,040,813 gallons of gasoline[3].

The electricity consumption in the San Bernardino County from 2007 to 2019 is shown in ***Table 4.5-2: Electricity Consumption in San Bernardino County 2007-2019***. As indicated, the demand has remained relatively constant, with no substantial increase, even as the population has increased.

[1] California Energy Commission. (July 2019). *Annual Power Content Labels for 2018, 2018 Power Content Table, Southern California Edison*. Retrieved from https://www.energy.ca.gov/sites/default/files/2020-01/2018_PCL_Southern_California_Edison.pdf, accessed June 3, 2020.
[2] United States Energy Information Administration. (November 15, 2019). *California State Profile and Energy Estimates*. Retrieved from www.eia.gov/state/?sid=CA, accessed February 7, 2019.
[3] California Department of Tax and Fee Administration. (August 2019). *Net Taxable Gasoline Sales*. Retrieved from https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm, accessed November 11, 2020.

Table 4.5-2: Electricity Consumption in San Bernardino County 2007-2019

Year	Electricity Consumption (in millions of kilowatt- hours)
2007	14,821
2008	14,826
2009	13,800
2010	13,495
2011	13,744
2012	14,365
2013	14,386
2014	14,765
2015	14,780
2016	14,970
2017	15,488
2018	15,634
2019	14,987

Source: CEC, *Electricity Consumption by County*, 2020.
Website: http://www.ecdms.energy.ca.gov/, accessed June 3, 2020.

Natural Gas

The Southern California Gas Company (SoCal Gas), the service provider for the Project areas and services approximately 21 million people in a 20,000-square mile service territory. SoCal Gas has four storage fields; Aliso Canyon, Honor Rancho, La Goleta, and Playa del Rey, as well as a combined storage capacity of 134.1 billion cubic feet. According to the California Energy Commission (CEC), natural gas demand in the SoCal Gas service area was 5,425 million therms (or 542,370 million cubic feet) in 2019. The CEC prepared three scenarios for forecasting future growth in natural gas demand between 2012 and 2022: a high-energy demand case, a low-energy demand case, and a mid-energy demand case. The low-demand scenario, which incorporates relatively high economic/demographic growth, relatively low electricity and natural gas rates, and relatively low-efficiency program and self-generation impacts, estimates that natural gas demand in the SoCal Gas service area would be 7,951 million therms in 2022 (the latest year in the demand forecast).

SoCal Gas provides natural gas services to the entire County of San Bernardino. Natural gas is a hydrocarbon fuel found in reservoirs beneath the earth's surface and is composed primarily of methane (CH_4). It is used for space and water heating, process heating and electricity generation, and as transportation fuel. The County's General Plan Renewable Energy and Conservation Element reported the natural gas output to be approximately 73 to 74 percent countywide[4]. Use of natural gas to generate electricity is expected to increase in coming years because it is a relatively clean alternative to other fossil fuels like oil and coal. In California and throughout the western United States, many new electrical generation plants that are fired by natural gas are being brought online.

Natural gas provides almost a third of California's total energy requirements and will continue to be a major fuel in California's energy supply. Only 13.5 percent of the natural gas California used came from in-State production in 2006; the rest was delivered by pipelines from several production areas in the

[4] County of San Bernardino. (April 2017). General Plan Renewable Energy and Conservation Element. Retrieved from http://www.sbcounty.gov/uploads/LUS/Renewable/RECElementFinalPublicHearingDraftApril2017WEB2.pdf, accessed June 3, 2020.

western United States and western Canada. Once the gas arrives in California, it is distributed by the State's three major gas utilities that provide a collective of 98 percent of the State's natural gas.

The natural gas consumption in the San Bernardino County from 2007 to 2019 is shown in ***Table 4.5-3: Natural Gas Consumption in San Bernardino County 2007-2019.*** Similar to electricity consumption, the demand has remained relatively constant, with no substantial increase, even with an increase in population.

Table 4.5-3: Natural Gas Consumption in San Bernardino County 2007-2019

Year	Natural Gas Consumption (in millions of therms)
2007	507
2008	500
2009	461
2010	493
2011	504
2012	486
2013	503
2014	452
2015	469
2016	494
2017	493
2018	500
2019	547

Source: CEC, *Natural Gas Consumption by County*, 2020.
Website: http://www.ecdms.energy.ca.gov/, accessed June 3, 2020.

Transportation Fuel

California's transportation sector uses roughly half of the energy consumed in the State. In 2018, Californians consumed approximately 15.6 billion gallons of gasoline and 3.1 billion gallons of diesel fuel.[5] As shown in ***Table 4.5-4: Automotive Fuel Consumption in San Bernardino County 2011-2021***, on-road automotive fuel consumption increased from 2012 to 2016, with a consistent trend of decreasing usage from 2016 to 2019. Additionally, on-road automotive fuel consumption is projected to decrease to less than the consumption amounts of 2011 for the year 2020. Heavy-duty diesel fuel consumption in San Bernardino County has increased since 2011.

Table 4.5-4: Automobile Fuel Consumption in San Bernardino County 2011-2021

Year	Gasoline Fuel Consumption (Gallons)	Heavy-Duty Vehicle/Diesel Fuel Consumption (Gallons)
2011	864,861,188	227,318,398
2012	859,515,074	223,825,641
2013	860,606,465	234,456,258
2014	871,905,921	242,405,997
2015	901,735,090	247,401,760
2016	930,141,897	264,307,288
2017	911,650,569	267,598,561
2018	892,921,306	271,487,104

[5] California State Board of Equalization (BOE), *Net Taxable Gasoline Gallons*, 2018 and California State Board of Equalization (BOE), *Taxable Diesel Gallons 10-year Report,* 2018.

Year	Gasoline Fuel Consumption (Gallons)	Heavy-Duty Vehicle/Diesel Fuel Consumption (Gallons)
2019	872,693,814	274,058,188
2020 (projected)	855,858,219	275,882,711
2021 (projected)	840,123,907	277,427,995
2022 (projected)	821,228,065	275,981,873
Source: California Air Resources Board, EMFAC2017.		

4.5.3 Regulatory Framework

The following is a description of State and local environmental laws and policies that are relevant to energy conservation. See also **Section 4.2, Air Quality**, **Section 4.7, Greenhouse Gas Emissions**, and **Section 4.14, Transportation**, for other policies related to energy use. See Chapter 4.15, Utilities and Service Systems for policies related to water consumption.

Federal

National Energy Conservation Policy Act

The National Energy Conservation Policy Act serves as the underlying authority for federal energy management goals and requirements. Signed into law in 1978, it has been regularly updated and amended by subsequent laws and regulations. This Act is the foundation of most federal energy requirements.

Energy Policy Act of 2005

On August 8, 2005, President George W. Bush signed the National Energy Policy Act of 2005 (Public Law 109-58) into law. This comprehensive energy legislation contains several electricity-related provisions that aim to:

- Help ensure that consumers receive electricity over a dependable, modern infrastructure;
- Remove outdated obstacles to investment in electricity transmission lines;
- Make electric reliability standards mandatory instead of optional; and
- Give Federal officials the authority to site new power lines in Department of Energy-designated national corridors in certain limited circumstances.

The Renewable Fuel Standard (RFS) program was created under the Energy Policy Act of 2005 and established the first renewable fuel volume mandate in the United States. The program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders. As required under Energy Policy Act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act (EISA; Public Law 110-140) was signed into law by President George W. Bush on December 19, 2007. The Act's goal is to achieve energy security in the United States by increasing renewable fuel production, improving energy efficiency and performance, protecting consumers, improving vehicle fuel economy, and promoting research on greenhouse gas (GHG) capture and storage.

Under the EISA, the RFS program (RFS2) was expanded in several key ways:

- Expanded the RFS program to include diesel, in addition to gasoline;
- Increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022;
- Established new categories of renewable fuel and set separate volume requirements for each; and
- Required U.S. Environmental Protection Agency (U.S. EPA) to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

RFS2 lays the foundation for achieving significant reductions of GHG emissions from the use of renewable fuels, for reducing imported petroleum, and encouraging the development and expansion of our nation's renewable fuels sector.

The EISA also includes a variety of new standards for lighting and for residential and commercial appliance equipment. The equipment includes residential refrigerators, freezers, refrigerator-freezers, metal halide lamps, and commercial walk-in coolers and freezers.

State

Assembly Bill 32 and Senate Bill 32

California's major initiative for reducing GHG emissions is outlined in AB 32, the "California Global Warming Solutions Act of 2006." AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05) and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Reductions in overall energy consumption have been implemented to reduce emissions. See **Section 4.7**, **Greenhouse Gas** for a further discussion of AB 32.

In September 2016, the Governor signed into legislation SB 32, which builds on AB 32 and requires the state to cut GHG emissions to 40 percent below 1990 levels by 2030. With SB 32, the Legislature also passed AB 197, which provides additional direction for updating the Scoping Plan to meet the 2030 GHG reduction target codified in SB 32. CARB has published a draft update to the Scoping Plan and has received public comments on this draft but has not released the final version.

Additional energy efficiency measures beyond the current regulations are needed to meet these goals as well as the AB 32 greenhouse gas (GHG) reduction goal of reducing statewide GHG emissions to 1990 levels by 2020 and the SB 32 goal of 40 percent below 1990 levels by 2030 (see **Section 4.7, Greenhouse Gas**, for a discussion of AB 32 and SB 32). Part of the effort in meeting, California's long-term reduction goals include reducing petroleum use in cars and trucks by 50 percent, increasing from one-third to more than one-half of California's electricity derived from renewable sources, doubling the efficiency savings achieved at existing buildings and making heating fuels cleaner; reducing the release of methane, black

carbon, and other short-lived climate pollutants, and managing farm and rangelands, forests, and wetlands so they can store carbon.[6]

California Building Energy Efficiency Standards: Title 24, Part 6 (California Energy Code)

Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24", California's energy efficiency standards for residential and non-residential buildings, was established by the California Energy Commission (CEC) in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption, and provide energy efficiency standards for residential and non-residential buildings. The 2016 Title 24 standards became effective on January 1, 2017. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The standards offer developers better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses. The 2019 Building Energy Efficiency Standards, which take effect on January 1, 2020, would promote photovoltaic systems in newly constructed residential buildings and additional lighting standards (both residential and non-residential). With the new lighting standards, nonresidential buildings would use 30% less energy than buildings built under the 2016 standards. The CBEES updates focus on several key areas to improve the energy efficiency of newly constructed buildings and additions and alterations to existing buildings, and include requirements that will enable both demand reductions during critical peak periods and future solar electric and thermal system installations.

The Title 24, Part 6 was created as part of the California Building Standards Code by the California Building Standards Commission in 1978 to establish statewide building energy efficiency standards to reduce California's energy use. These standards include provisions applicable to all buildings, residential and non-residential, which describe requirements for documentation and certificates that the building meets the standards[7]. These provisions include mandatory requirements for efficiency and design of the following types of systems, equipment, and appliances:

- Air Conditioning Systems
- Heat Pumps
- Water Chillers
- Gas- and Oil-Fired Boilers
- Cooling Equipment
- Water Heaters and Equipment
- Pool and Spa Heaters and Equipment
- Gas-Fired Equipment Including Furnaces and Stoves/Ovens
- Windows and Exterior Doors

[6] California Energy Commission (CEC), *Final Integrated Energy Policy Report Update,* 2016.
[7] California Energy Commission. (May 2012). *2013 Building Energy Efficiency Standards for Residential and Nonresidential Buildings*. Retrieved from www.energy.ca.gov/2012publications/CEC-400-2012-004/CEC-400-2012-004-CMF-REV2.pdf, accessed February 7, 2019.

- Joints and Other Building Structure Openings (Envelope)
- Insulation and Cool Roofs
- Lighting Control Devices

The standards include additional mandatory requirements for space conditioning (cooling and heating), water heating, indoor and outdoor lighting systems, as well as equipment in non-residential, high-rise residential, and hotel or motel buildings. Mandatory requirements for low-rise residential buildings cover indoor and outdoor lighting, fireplaces, space cooling and heating equipment (including ducts and fans), and insulation of the structure, foundation, and water piping. In addition to the mandatory requirements, the standards call for further energy efficiency that can be provided through a choice between performance and prescriptive compliance approaches. Separate sections apply to low-rise residential and to non-residential, high-rise residential, and hotel or motel buildings. In buildings designed for mixed use (e.g., commercial and residential), each section must meet the standards applicable to that type of occupancy.

The performance approach set forth under these standards provides for the calculation of an energy budget for each building and allows flexibility in building systems and features to meet the budget. The energy budget addresses space-conditioning (cooling and heating), lighting, and water heating. Compliance with the budget is determined using a CEC-approved computer software energy model. The alternative prescriptive standards require demonstrating compliance with specific minimum efficiency for components of the building such as building envelope insulation R-values, fenestration (areas, U-factor and solar heat gain coefficients of windows and doors) and heating and cooling, water heating and lighting system design requirements. These requirements vary depending on the building's location in the State's 16 climate zones.

California Green Building Standards

The California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new residential and commercial buildings to comply with mandatory measures under five topical areas: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt which encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code was adopted in 2016 and went into effect on January 1, 2017.[8]

2008 California Energy Action Plan Update

The *2008 Energy Action Plan Update* provides a status update to the *2005 Energy Action Plan II,* which is the State of California's principal energy planning and policy document (CPUC and CEC, 2008). The plan continues the goals of the original *Energy Action Plan*, describes a coordinated implementation plan for State energy policies, and identifies specific action areas to ensure that California's energy is adequate,

[8] California Building Standards Commission. (2019). *California Green Building Standards.* Retrieved from www.bsc.ca.gov/Home/CALGreen.aspx, accessed February 7, 2019.

affordable, technologically advanced, and environmentally sound. First-priority actions to address California's increasing energy demands are energy efficiency, demand response (i.e., reduction of customer energy usage during peak periods in order to address system reliability and support the best use of energy infrastructure), and the use of renewable sources of power. If these actions are unable to satisfy the increasing energy and capacity needs, the plan supports clean and efficient fossil-fired generation.

2006 Appliance Efficiency Regulations

The California Energy Commission adopted Appliance Efficiency Regulations (Title 20, California Code of Regulations §§1601 through 1608) on October 11, 2006. The regulations were approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non-federally regulated appliances. While these regulations are now often viewed as "business-as-usual," they exceed the standards imposed by all other states and they reduce GHG emissions by reducing energy demand.

Senate Bill 1078 and 107; Executive Order S-14-08, S-21-09, and SB 2X

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, which expands the State's Renewable Portfolio Standard to 33 percent renewable power by 2020. In September 2009, then-Governor Schwarzenegger continued California's commitment to the Renewable Portfolio Standard by signing Executive Order S-21-09, which directs the CARB under its AB 32 authority to enact regulations to help the State meet its Renewable Portfolio Standard goal of 33 percent renewable energy by 2020. In April 2011, Governor Brown signed SB 2X, which legislated the prior Executive Order S-14-08 renewable standard.

Executive Order B-30-15, Senate Bill 350, and Senate Bill 100

In April 2015, the Governor issued Executive Order B-30-15, which established a GHG reduction target of 40 percent below 1990 levels by 2030. SB 350 (Chapter 547, Statutes of 2015) advanced these goals through two measures. First, the law increases the renewable power goal from 33 percent renewables by 2020 to 50 percent by 2030. Second, the law requires the CEC to establish annual targets to double energy efficiency in buildings by 2030. The law also requires the California Public Utilities Commission (CPUC) to direct electric utilities to establish annual efficiency targets and implement demand-reduction measures to achieve this goal. In 2018, SB 100 revised the goal of the program to achieve the 50 percent renewable resources target by December 31, 2026, and to achieve a 60 percent target by December 31, 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Appendix F to CEQA Guidelines

Public Resources Code §21100(b)(3) and CEQA Guidelines §15126.4 require EIRs to describe, where relevant, the wasteful, inefficient, and unnecessary use of energy caused by a project. In 1975, largely in response to the oil crisis of the 1970s, the California State Legislature adopted AB 1575, which created the CEC. The CEC's statutory mission is to forecast future energy needs, license thermal power plants of

50 megawatts or larger, develop energy technologies and renewable energy resources, plan for and direct State responses to energy emergencies, and promote energy efficiency through the adoption and enforcement of appliance and building energy efficiency standards. AB 1575 also amended Public Resources Code §21100(b)(3) to require EIRs to consider the wasteful, inefficient, and unnecessary use of energy caused by a project. In addition, CEQA Guidelines §15126.4 was adopted in 1998 which requires that an EIR describe feasible mitigation measures which would minimize the inefficient and unnecessary use of energy. Thereafter, the State Resources Agency created CEQA Guidelines Appendix F.

Pursuant to Appendix F, an EIR must include a "discussion of the potential energy impacts of proposed projects…[9]." However, because lead agencies have not consistently included such analysis in their EIRs, California's Natural Resources Agency amended Appendix F to the CEQA Guidelines in 2009 "to ensure that lead agencies comply with the substantive directive in §21100(b)(3)." CEQA Guidelines Appendix F lists environmental impacts and mitigation measures that an EIR may include. What is required is a "discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful and unnecessary consumption of energy." Potential impacts that may be discussed include:

- The Project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the Project including construction, operation, maintenance, or removal. If appropriate, the energy intensiveness of materials may be discussed.
- The effects of the Project on local and regional energy supplies and on requirements for additional capacity.
- The effects of the Project on peak and base period demands for electricity and other forms of energy.
- The degree to which the Project complies with existing energy standards.
- The effects of the Project on energy resources.
- The Project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

State CEQA Guidelines Appendix F assists EIR preparers in determining whether a Project will result in the inefficient, wasteful, and unnecessary use of energy. The discussion below analyzes the Project's effect on energy resources.

Local

City of Fontana General Plan 2015-2035

The City of Fontana's 2018 General Plan *Sustainability and Resilience Element* (Sustainability and Resilience Element) contains goals, and policies that are designed to help the City improve its resource efficiency and planning for climate change. These goals and policies help the City pursue sustainability and resilience by making resource-efficient choices to conserve water, energy, materials, improve air quality,

[9] California Natural Resources Agency. (2019). *California Environmental Quality Act, Appendix F Energy Conservation.* Retrieved from www.resources.ca.gov/ceqa/guidelines/Appendix_F.html, accessed February 7, 2019.

and adaptability to changing conditions. The following goals and policies would be applicable to the Project:

Sustainability and Resilience Element

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

Policy

- Promote green building through guidelines, awards and nonfinancial incentives.

Goal 6: ***Fontana is an Inland Empire leader in energy-efficient development and retrofits.***

Policies

- Promote energy-efficient development in Fontana.
- Meet state energy-efficiency goals for new construction.

4.5.4 Significance Thresholds and Criteria

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project will create a significant environmental impact if it causes one or more of the following to occur:

- The Project results in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.
- The Project conflicts with or obstructs a State or Local plan for renewable energy or energy efficiency.

Based on these standards and thresholds, the effects of the Project have been categorized as either a "less than significant impact" or a "potentially significant impact."

Methodology and Assumptions

The proposed Project and its associated design are evaluated against the aforementioned significance criteria as the basis for determining the level of impacts related to energy conservation and consumption. In addition to the Project's design elements, this analysis considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts.

Approach to Analysis

In determining whether implementation of the Project will result in the inefficient, wasteful or unnecessary use of fuel or energy, this analysis considers the recommendations of Appendix F as described above.

This section analyzes energy use on three sources of energy that are relevant to the Project, including electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for Project construction. The analysis of Project electricity and natural gas use is based on the California Emissions Estimator Model (CalEEMod), which quantifies energy use for occupancy. The results of CalEEMod are included in Appendix B of Appendix E of this DEIR. Modeling related to Project energy use was based primarily on the default settings in CalEEMod for San Bernardino

County. The amount of operational fuel use was estimated using CalEEMod outputs for the Project and the California Air Resources Board (CARB) Emissions Factor (EMFAC) 2017 computer program for typical daily fuel use in San Bernardino County. Construction fuel was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.

4.5.5 Impacts and Mitigation Measures

Impact 4.5-1 ***Would the Project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation?***

Level of Significance: Less then Significant Impact

Construction

Construction activities associated with the proposed warehouse will involve the development of a 705,735 square-foot warehouse facility along with related on-site and off-site improvements. These construction activities will require the usage of energy in the form of fossil fuels, and electricity. The energy consumed in the construction of the proposed Project will be temporary in nature and would not create a significant demand to energy resources.

The energy consumption associated with buildout of the Project includes electricity usage associated with water usage for dust control, diesel fuel consumption from on-road hauling trips and off-road construction diesel equipment, and gasoline consumption from on-road worker commute and vendor trips. The methodology for each category is discussed below. The analysis of the energy demands associated with construction actives relies on the construction equipment list and operational characteristics, as stated in **Section 4.2, Air Quality** and **Section 4.7, Greenhouse Gas Emissions**, as well as technical reports, memos and data included in Appendix E of this DEIR. Quantifications of construction energy consumption are provided for the Project.

Electricity Usage

SCE provides electricity to the proposed Project site. The construction of the proposed warehouse will result in a temporary increase in electricity demand, which is expected to be adequately served by the existing SCE electrical capacity. Total electricity demand in SCE's service area is forecast to increase by approximately 12,000 GWh—or 12 billion kWh—between 2015 and 2026. Because of the temporary nature of the increased demand, and the adequate capacity of the existing electrical facilities, the projected electrical demand of the proposed warehouse construction would not significantly impact SCE's level of service.

It should also be noted that the proposed Project's design elements and materials would comply with the State's Title 24 2019 Building Energy Efficiency Standards. Prior to issuance of a building permit, the City of Fontana Building & Safety Department would review and verify that the proposed Project plans demonstrate compliance with the current version of the Building and Energy Efficiency Standards. The Project would also be required to adhere to the provisions of CALGreen, which establishes planning and design standards for sustainable site development, energy efficiency (in excess of the CEC requirements), water conservation, material conservation, and internal air contaminants.

Electricity usage associated with water consumption for construction dust control is calculated based on total water consumption and the energy intensity for supply, distribution, and treatment of water. The total number of gallons of water usage is calculated based on acreage disturbed during grading and site preparation, as well as the daily water consumption rate per acre disturbed.

- The total acres disturbed are calculated using the methodology described in Chapter 4.2 of Appendix A of the CalEEMod User's Guide (Grading Equipment Passes).
- The water application rate of 3,020 gallons per acre per day is from Air & Waste Management Association's Air Pollution Engineering Manual.

The energy intensity value is based on the CalEEMod default energy intensity per gallon of water for San Bernardino County. As summarized in ***Table 4.5-5: Warehouse Site Project Energy Consumption During Construction***, the total electricity consumption associated with water consumption for construction dust control would be approximately 1,823 kWh (1.82 megawatt hours [MWh]) during site preparation and grading of the Project.

Table 4.5-5: Warehouse Site Project Energy Consumption During Construction

Source	Project Construction Usage	San Bernardino County Annual Energy Consumption	Statewide Annual Energy Consumption	Percentage Increase Countywide	Percentage Increase Statewide
Electricity Use	**Megawatt Hours (MWh)**				
Water Consumption	1.82 [a]	14,987,210	279,401,900	0.00001%	0.000001%
Diesel Use	**Gallons**				
On-Road Construction	43,023 [b]	274,058,188	3,086,003,945	0.0157%	0.0014%
Off-Road Construction	26,093 [c]			0.0095%	0.0008%
Construction Diesel Total	**69,116**			**0.0252%**	**0.0022%**
Gasoline	**Gallons**				
On-Road Construction	47,815 [b]	872,693,814	15,428,040,813	0.0055%	0.0003%

Notes:
a. Construction water use estimated based on acres disturbed per day per construction sequencing and estimated water use per acre (AWMA 1992).
b. On-road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod and fleet-average fuel consumption in gallons per mile from EMFAC2017 in San Bernardino County.
c. Construction fuel consumption was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.
Abbreviations:
CalEEMod: California Emission Estimation Model; EMFAC: Emission Factor Model 2017; kWh: kilowatt-hour; MWh: megawatt-hour.
Sources: AWMA, 1992; DOE 2016; USEPA 1996.

Diesel Usage: On-Road Construction Trips

The diesel usage associated with on-road construction mobile trips is calculated based on vehicle miles traveled (VMT) from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default diesel fleet percentage, and vehicle fuel efficiency in miles per gallon. VMT for the entire construction period is calculated based on the total daily trips (refer to **Section 4.7, Greenhouse Gas**). Construction fuel consumption was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. As summarized in ***Table 4.5-5***, the total diesel consumption associated with on-road construction trips would be approximately 43,023 gallons over the duration of buildout of the Project.

Diesel Usage: Off-Road Construction Equipment

The construction diesel usage associated with the off-road construction equipment is calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. As summarized in ***Table 4.5-5***, the total diesel consumption associated with off-road construction equipment is approximately 26,093 gallons for duration of buildout of the Project.

Gasoline Usage

Gasoline use associated with on-road construction mobile trips is calculated based on VMT from vehicle trips (i.e., worker, vendor, and hauling); the CalEEMod default gasoline fleet percentage; and vehicle fuel efficiency in miles per gallon using the same methodology as the construction on-road trip diesel usage calculation discussed above. The total gasoline consumption associated with on-road construction trips would be approximately 47,815 gallons over the duration of buildout of the Project (***Table 4.5-5***).

In total, construction of the warehouse is estimated to consume approximately 1,823 kWh (1.82 MWh) of electricity, 69,116 gallons of diesel, and 47,815 gallons of gasoline. As indicated in the environmental setting above, Californians consumed 279,402 GWh of electricity in 2019, of which San Bernardino County consumed 14,987 GWh. Therefore, construction electricity consumption would represent approximately 0.000001 percent of the electricity consumption in the State, and 0.00001 percent of the electricity consumption in San Bernardino County.

In 2018, Californians consumed approximately 15.4 billion gallons of gasoline and 3.1 billion gallons of diesel fuel. San Bernardino County annual diesel consumption in 2019 was 274,058,188 gallons and gasoline consumption was 872,693,814 gallons. Project construction gasoline consumption would represent 0.0055 percent of annual gasoline consumption in the County, and construction diesel consumption would represent 0.0252 percent of annual diesel consumption in the County. Therefore, based on the Project's relatively low construction fuel use proportional to State and County consumption, the Project would not substantially affect existing energy or fuel supplies or resources. New capacity/additional sources of construction fuel are not anticipated to be required.

Furthermore, there are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. In addition, some incidental energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off. Project construction equipment would also be required to comply with the latest U.S. EPA and CARB engine emissions standards. These engines use highly efficient combustion engines to minimize unnecessary fuel consumption.

The proposed Project has construction activities that would consume energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity (e.g., power tools). Construction activities would be required to monitor air quality emissions using applicable regulatory guidance such as the BAAQMD Rules and CEQA Guidelines. This requirement indirectly relates to construction energy conservation because when air pollutant emissions are reduced as a result of monitoring and the efficient use of equipment and materials, this results in reduced energy consumption. There are no aspects of the proposed Project that would foreseeably result in the inefficient, wasteful, or unnecessary consumption of energy during construction activities.

Due to increasing transportation costs and fuel prices, contractors and owners have a strong financial incentive to avoid wasteful, inefficient, and unnecessary consumption of energy during construction. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials. Substantial reductions in energy inputs for construction materials can be achieved by selecting building materials composed of recycled materials that require substantially less energy to produce than non-recycled materials. The project-related incremental increase in the use of energy bound in construction materials such as asphalt, steel, concrete, pipes, and manufactured or processed materials (e.g., lumber and gas) would not substantially increase demand for energy compared to overall local and regional demand for construction materials. It is reasonable to assume that production of building materials such as concrete, steel, etc., would employ all reasonable energy conservation practices in the interest in minimizing the cost of doing business.

As described above, the Project's fuel from the entire construction period would increase fuel use in the County by less than one percent. It should be noted that the CEQA Guideline Appendix G and Appendix F criteria requires the Project's effects on local and regional energy supplies and on the requirements for additional capacity to be addressed. A less than one percent increase in construction fuel demand is not anticipated to trigger the need for additional capacity. Additionally, use of construction fuel would be temporary and would cease once the Project is fully developed. As such, Project construction would have a nominal effect on local and regional energy supplies.

There are no unusual Project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. Therefore, it is expected that construction fuel consumption associated with the proposed Project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. Therefore, potential impacts are considered less than significant.

Operations

The energy consumption associated with Project operations would occur from building energy (electricity and natural gas) use, water consumption, and transportation-related fuel consumption. These uses are not expected to exceed average energy use for a similar Project of the same size and scope. A California Commercial End-Use Survey (CEUS) analyzed the energy usage in the SCE service area by specific building types. Unrefrigerated warehouses, like the proposed Project, make up 17% of the total floor stock of the SCE service area at the time the survey was conducted; approximately 353,765 square kilofeet (kft^2). The CEUS also provides summaries for the average electricity usage and natural gas usage for the unrefrigerated warehouse building type. The methodology for each category is discussed below. Note that this energy resources analysis is consistent with the analysis presented in **Section 4.2**, **Air Quality**, and **Section 4.7**, **Greenhouse Gas**. Quantifications of operational energy consumption are provided for the proposed Project.

Transportation Energy Demand

Gasoline and diesel usage associated with on-road vehicular trips were calculated based on total VMT calculated for the analyses within **Section 4.2, Air Quality**, and **Section 4.7, Greenhouse Gas**, and average fuel efficiency from EMFAC2017 model. The EMFAC2017 fuel efficiency data incorporate the Pavley Clean

Car Standards and the Advanced Clean Cars Program.[10] As summarized in ***Table 4.5-6: Project Annual Energy Consumption During Operations***, the total gasoline and diesel consumption associated with on-road trips would be approximately 985,700 gallons per year and 452,749 gallons per year, respectively.

Table 4.5-6: Project Annual Energy Consumption During Operations

Source	Project Operational Usage	San Bernardino County Annual Energy Consumption	Statewide Annual Energy Consumption	Percentage Increase Countywide	Percentage Increase Statewide
Electricity Use	**Megawatt Hour/Year (MWh/year)**				
Building	1,804.42 [a]	14,987,210.32	279,401,900	0.0120%	0.00006%
Water	721.18 [a]			0.0048%	0.00003%
Total Electricity	**2,525.60**			0.0169%	0.00009%
Natural Gas Use	**Therms/year**				
Building	10,137 [a]	547,272,263	13,158,207,489	0.0019%	0.00008%
Diesel Use	**Gallons/Year**				
Mobile	452,749 [b]	274,058,188	3,086,003,945	0.1652%	0.0147%
Gasoline Use	**Gallons/Year**				
Mobile	985,700 [b]	872,693,814	15,428,040,813	0.1129%	0.0064%

Notes:
a. The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults.
b. Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2017.
Abbreviations: CalEEMod: California Emission Estimation Model; EMFAC2017: California Air Resources Board Emission Factor Model; kBTU: thousand British Thermal Units; kWh: kilowatt-hour; MWh: Megawatt-hour.

Electricity Usage

The electricity usage associated with Project operations is based on CalEEMod defaults. As summarized in ***Table 4.5-6***, the warehouse building is forecasted to use approximately 1,804 MWh (approximately 1.8 GWh) of electricity per year.

The electricity usage associated with operational water consumption is estimated based on the annual water consumption, and the energy intensity factor is the CalEEMod default energy intensity per gallon of water for San Bernardino County. Project area water use is based on the water demand per square foot factors in CalEEMod. Proposed Project land uses would use water for indoor and outdoor uses of which would require 721,176 kWh per year for conveyance and treatment.

Natural Gas Usage

The natural gas demand from the proposed Project would represent a nominal percentage of overall demand in SCE's service area. The proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

The methodology used to calculate the natural gas usage associated with the building envelopes constructed pursuant to the Project is based on CalEEMod default usage rates. As summarized in

[10] The California Air Resources Board EMFAC 2017 Technical Documentation (March 2018) notes that emissions are estimated with all current controls active, except Low Carbon Fuel Standards (LCFS). The reason for excluding LCFS is that most of the emissions benefits due to the LCFS come from the production cycle (upstream emissions) of the fuel rather than the combustion cycle (tailpipe). As a result, LCFS is assumed to not have a significant impact on CO_2 emissions from EMFAC's tailpipe emission estimates.

Table 4.5-6, the building envelope would require approximately 1,013,701 thousand British Thermal Units (kBTU) (10,137 therms) of natural gas per year.

Operation of uses implemented pursuant to the proposed warehouse building would annually consume approximately 2.53 GWh of electricity, 1,013.70 million BTU of natural gas, 452,749 gallons of diesel, and 985,700 gallons of gasoline.

Californians consumed 279,402 GWh of electricity in 2019, of which San Bernardino County consumed 14,987 GWh. The Project's operational electricity consumption would represent 0.00009 percent of the electricity consumption in the State, and 0.0169 percent of the energy consumption in San Bernardino County. Regarding natural gas, Californians consumed 13,158 million therms of natural gas and 547 million therms of natural gas in San Bernardino County in 2019. Therefore, the Project's operational natural gas consumption would represent 0.00008 percent of the natural gas consumption in the State and 0.0019 percent of the natural gas consumption in the County.

In 2019, Californians consumed approximately 15.4 billion gallons of gasoline and 3.1 billion gallons of diesel fuel. Project operational consumption of gasoline and diesel would represent 0.0064 percent of gasoline and 0.0147 percent of diesel consumption statewide. Project operational consumption of gasoline and diesel would represent 0.1129 percent of gasoline and 0.1652 percent of diesel consumption in the County.

Therefore, Project operations would not substantially affect existing energy or fuel supplies or resources. The Project would comply with applicable energy standards and new capacity would not be required. Impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation is required.

Impact 4.5-2 ***Would the Project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?***

Level of Significance: Less than Significant Impact

Construction and Operations

Project design and operation of the Project will comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. As discussed above in Impact 4.5-1, Project development of the Project will not cause inefficient, wasteful and unnecessary energy use, and impacts will be less than significant. Additionally, the Project will be subject to compliance with all federal, state, and local requirements for energy efficiency.

California's Energy Efficiency Standards for Residential and Non-Residential Buildings create uniform building codes to reduce California's energy use and provide energy efficiency standards for residential and non-residential buildings. These standards are incorporated within the California Building Code and are expected to substantially reduce the growth in electricity and natural gas use.

The Southern California Association of Government's (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), adopted in April 2016, integrates transportation, land use, and housing

to meet GHG reduction targets set by CARB. The most recent plan was adopted in April 2016. The document establishes GHG emissions goals for automobiles and light-duty trucks, as well as an overall GHG target for the Project areas consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of SB 375. Increasing residential land uses near major employment centers is a key strategy to reducing regional VMT. Therefore, in addition to generating a net reduction in GHG emissions, the proposed Project will be consistent with regional goals to reduce potential future trips and VMT. The proposed Project will not conflict with the stated goals of the RTP/SCS. Therefore, the proposed Project will not result in wasteful, inefficient, or unnecessary use of transportation fuel. Potential impacts are considered less than significant without mitigation.

MITIGATION MEASURES

No mitigation is required.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.5.6 Cumulative Impacts

Construction and operations activities associated with implementation of the proposed Project would result in the consumption of fuel and energy, but it would not do so in a wasteful manner. The proposed Project will not require the expansion of energy capacity or supplies and will therefore not lead to any significant impacts. As well the proposed Project would not consume energy in a wasteful, inefficient, or unnecessary manner. The use of energy will not be substantial in comparison to the existing SCE service area demands; refer to ***Tables 4.5-5*** through ***4.5-10*** in the discussion under Impact 4.5-1 above. New capacity or supplies of energy resources will not be required.

The anticipated impacts of the proposed Project, and in conjunction with cumulative development in the vicinity, will increase urbanization and result in increased energy use in the City. However, potential land use impacts are site-specific and require evaluation on a case-by-case basis. As noted above, the proposed Project will not result in significant impacts to state or local plans for renewable energy or energy efficiency. Additionally, development of the Project would be subject to compliance with all federal, state, and local requirements for energy efficiency. Thus, the proposed Project and identified cumulative projects are not anticipated to result in a significant cumulative impact. Therefore, potential impacts are considered less than significant.

4.5.7 Significant Unavoidable Impacts

No significant and unavoidable impacts have been identified.

4.6 GEOLOGY AND SOILS

4.6.1 Introduction

The purpose of this section is to describe the existing regulatory and environmental conditions related to the geologic, soil, and seismic characteristics within the Project site. This section identifies potential impacts that could result from implementation of the Project, and as necessary, recommends mitigation measures to reduce potentially significance of impacts. The issues addressed in this section are risks associated with faults, strong seismic ground shaking, seismic-related ground failure such as liquefaction, landslides, substantial erosion or the loss of topsoil, and unstable geological units and/or soils.

The environmental setting discussion is based largely on review of aerial photographs and maps of the Project site and its surroundings. Other information in this section, such as regulatory framework, is derived from the various planning documents including the City of Fontana General Plan (GP), Federal Occupational Safety and Health Administration (OSHA) Regulations, Seismic Hazards Mapping Act (SHMA) of 1990, the U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS), the California Geological Survey, and pertinent State of California building codes.

4.6.2 Affected Environment

Environmental Setting

The following provides a basic description of the overall environmental setting of the Project site. Additional details related to site geology is provided in the local geologic setting further below. The Project site is comprised of 46 total parcels and consists of approximately 32 net acres. The Project involves the development of a 705,735-square foot warehouse building with associated facilities and improvements including 4,500 square feet of office space, vehicle parking, loading dock doors, trailer parking, on-site landscaping, and other on-site and off-site improvements. The Project site is a rectangular lot that contains vacant parcels, with Vineyard Drive and Boyle Avenue, west of Juniper Avenue, presently traversing the Project site. Upon implementation of the Project, both roadways would be closed due to construction of the warehouse and associated parking over the present locations of the roadways.

The natural soils consist predominately of silty sand and sand with silt with varying amounts of gravel and cobbles to a depth of approximately 15 feet. In general, the native soils were medium dense to dense and firm to very stiff. The natural soils have a moderate to high strength and low to medium compressibility characteristics. According to the contour lines on the United States Geological Survey (USGS) Devore, California Quadrangle 7.5-minute series topographic map, the Project site is located at approximately 1,099 feet above mean sea level (MSL). In general, the site slopes gently downward from north to the south, with a change in ground surface elevation from approximately 1,098 feet above MSL to 1,085 feet above MSL across the Project site (GPI 2020).

The Project site would be accessible via Slover Avenue and Juniper Avenue. Project site ingress and egress would be via four driveways: two driveways on Juniper Avenue (both 40 feet in width) and two driveways on Slover Avenue (one at 40 feet wide and one at 35 feet wide). The southernmost driveway on Juniper Avenue would allow for right-in/right-out access only.

The immediate surrounding properties consist of a Southern Pacific Rail Line to the north, and a mixture of residential, commercial, and industrial uses to the south, east, and west of the Project site.

Regional Geologic Setting[1]

The City of Fontana generally lies within the northern and northwestern portion of the Peninsular Ranges Geomorphic Province of southern California. This range is characterized by northwest-southeast trending faults, folds, and mountain ranges. During the time from the Pliocene period to the Pleistocene period (the past 2 to 3 million years), activities on the Newport-Inglewood Fault, combined with regional tectonic effects (such as uplift), climatic forces, and changes in sea level. This has resulted in the formation of the underlying basement materials and structures that underlay and support the Fontana General Plan DEIR Project area (including the Project site). It should be noted, the tectonic forces that helped create the geomorphology of the proposed Project area and vicinity are still active today.

Much of the region is underlain by terrace deposits, which are unconsolidated sediments (i.e., loose soil materials, such as sand, silt, etc.) left by streams and onshore benches cut by the prehistoric ocean. These deposits were laid in a shallow marine to near-shore terrestrial environment in the Pleistocene timeframe (about two million to about ten thousand years ago). The source of these sediments was erosion of the rocky highlands of the San Bernardino, Santa Ana, and other mountain belts from higher elevations. Tectonic forces associated with regional faulting from the Newport-Inglewood, Cucamonga, Chino, San Andreas, San Joaquin, and additional off-shore zones uplifted these deposits, exposing the terrace materials to erosion. Erosion removed much of the softer and finer-grained cover materials carrying it downstream and depositing in the valleys. In late Pleistocene time, the action of coastal plain rivers and streams dissected the terrace materials and subsequently formed "gaps." As sea levels subsequently rose with the melting of continental ice sheets, sediments filled these gaps.

Faulting and Seismicity[2]

The faulting and seismicity of southern California is dominated by the San Andreas Fault zone. The zone separates two of the major tectonic plates that comprise the earth's crust. The Pacific Plate lies west of the fault zone. This plate is moving in a northwesterly direction relative to the North American Plate, which lies east of the fault zone. This relative movement between the two plates is the driving force of fault ruptures in western California.

There are numerous faults in southern California that are categorized as active, potentially active, and inactive. A fault is classified as active by the state if it has either moved during the Holocene epoch (during the last 11,000 years) or is included in an Alquist-Priolo Earthquake Fault Zone (as established by the California Geological Survey). A fault is classified as potentially active if it has experienced movement within the Quaternary period (during the last 1.6 million years). Faults that have not moved in the last 1.6 million years generally are considered inactive.

The severity of an earthquake generally is expressed in two ways: magnitude and intensity. The energy released, as measured on the Moment Magnitude (MW) scale, represents the magnitude of an earthquake. The intensity of an earthquake is measured by the Modified Mercalli Intensity (MMI) scale,

[1] City of Fontana. 2018. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.* Page 5.5-1. Available at https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update (accessed May 2020).

[2] Ibid, Page 5.5-2.

which emphasizes the seismic response at a subject site and measures ground shaking severity according to damage done to structures, changes in the earth surface, and personal accounts; refer to ***Table 4.6-1: Modified Mercalli Intensity (MMI) Scale***.

Table 4.6-1: Modified Mercalli Intensity (MMI) Scale

MMI	Description
I	Detected by only sensitive instruments
II	II Felt by a few people at rest
III	Felt noticeably indoors, but not always recognized as a quake; vibration like a passing truck
IV	Felt indoors by many and outdoors by few
V	Felt by most people. Some breakage of windows, dishes, and plaster
VI	Felt by all; falling plaster and chimneys; damage small
VII	Damage to buildings varies; depends on quality of construction
VIII	Walls, monuments, chimneys fall; panel walls thrown out of frames
IX	Buildings shift off foundations; foundations crack; ground cracks; underground pipes break
X	Most masonry and frame structures destroyed; ground cracks; landslides
XI	Ground fissures; pipes break; landslides; rails bent; new structures remain standing
XII	Damage total; waves seen on ground surface; objects thrown into the air

Source: United States Atomic Energy Commission 1963, as cited in City of Fontana 2018

Local Geologic Setting

The Project site is located within the Peninsular Ranges which is a prominent natural geomorphic province in southwestern California. The Peninsular Ranges can be characterized by steep, elongated ranges and valleys. Tectonic activity along numerous faults has created the geomorphology present within this region. The subsurface materials within the Project area consist of fill soils overlying natural soils. During the geotechnical investigation, undocumented fills to approximately 2 to 4 feet below existing grade in the explorations were encountered. The fill materials encountered consisted of loose to medium dense, dry to moist silty sands with varying amounts of gravel and trace cobbles. The natural soils consist predominately of silty sand and sand with silt with varying amounts of gravel and cobbles to a depth of approximately 15 feet, with a layer of sandy silt encountered in some of the borings to a depth of approximately 20 feet. The deeper soils consist of layered sand with silt, silty sand, and sandy silt to the 51-foot depth explored (GPI 2020). According to the USDA NRCS web soil survey, the Project site soils fully consist of Tujunga loamy sand, 0 to 5 percent slopes.[3] The Tujunga series consists of very deep, somewhat excessively drained soils that formed in alluvium from granitic sources. Tujunga soils are on alluvial fans and floodplains, including urban areas.[4]

Local Faulting

As discussed above, the faulting and seismicity of southern California including the Project area is dominated by the San Andreas Fault zone. The zone separates two of the major tectonic plates that comprise the earth's crust. The Pacific Plate lies west of the fault zone. This plate is moving in a northwesterly direction relative to the North American Plate, which lies east of the fault zone. This relative movement between the two plates is the driving force of fault ruptures in western California, which includes the Project area.

[3] USDA NRCS. 2020. *Web Soil Survey*. Available at https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx (accessed May 2020).
[4] USDA. 2017. Tujunga Series. Available at https://soilseries.sc.egov.usda.gov/OSD_Docs/T/TUJUNGA.html (accessed on May 2020).

Major active faults in the City and its vicinity are listed in ***Table 4.6-2: Major Fault Zones Near Fontana*** and shown in ***Figure 4.6-1****, Major Fault Zones***. Although there are no major active faults within the City boundaries, there are a number of faults that border the Lytle Creek alluvial basin, including the Chino, Cucamonga, San Andreas, and San Jacinto faults, as described below. All structures associated with the development covered by the proposed General Plan Amendment would be required by state law and regulation to comply with all adopted geotechnical design criteria. [5]

Table 4.6-2: Major Fault Zones Near Fontana

Fault Zone	M_w Magnitude
San Jacinto	7.2
Chino	--
Whittier-Elsinore	6.8-7.1
San Andreas (southern)	7.8
Cucamonga	--
Source: California Geological Survey 1998, as cited in City of Fontana 2018	

Cucamonga Fault/Sierra Madre Fault Zone. This fault system is northwest-trending and generally right lateral and is located approximately 7 miles northwest of the Project site. The fault consists of several near-vertical breaks marking the southern boundary of the San Gabriel Mountains. The Cucamonga fault is part of the Sierra Madre Fault Zone. Based on historic earthquakes and evidence of Holocene activity, the fault zone is considered active.

Whittier-Elsinore Fault System. The Whittier-Elsinore Fault system consists of several steep to near-vertical faults along a zone as much as one-half mile wide. The closest portion of the fault is located approximately 16 miles southwest of the Project site. The inferred sense of movement along these faults is predominately reverse slip west of the Chino area, and right lateral strike-slip to the east. Historic seismicity indicates that the fault system is active.

The San Jacinto Fault Zone. The San Jacinto Fault is a young, right lateral zone of seismic strain that has dominated fault movement in southern California for a least a century. The closest portion of the fault zone is located approximately 6 miles northeast of the Project Site. Notwithstanding the notoriety of the San Andreas Fault, since 1857 there have been thirty-six major earthquakes identified to faults in the San Jacinto system.

San Andreas Fault. Extending more than 700 miles, the San Andreas Fault is the longest and most significant system in California. The closest portion of the fault zone is located approximately 11 miles northeast of the Project site. Within and south of the Transverse Ranges, the strike of the fault trends west-northwest within a nearly vertical dip. Motion along the fault is right lateral with post-Oligocene (i.e., less than 22 million years) offset of more than 150 miles. Historic seismicity, sag ponds, offset channels, and linear geomorphic features indicate that this fault system is active. [6]

The most common method for measuring earthquakes is magnitude. The majority of scientists currently use either the Mw Scale or Modified Mercalli Intensity (MMI) Scale. The effects of an earthquake in a

[5] City of Fontana. 2018. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.* Page 5.5-3. Available at https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update (accessed May 2020).
[6] City of Fontana. 2018. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.* Page 5.5-3. Available at https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update (accessed May 2020).

particular location are measured by intensity. Earthquake intensity decreases with increasing distance from the epicenter of the earthquake.

The magnitude of an earthquake is related to the total area of the fault that ruptured, as well as the amount of offset (displacement) across the fault. As shown in ***Table 4.6-3: Earthquake Magnitude Classes***, there are seven earthquake magnitude classes, ranging from great to micro. A magnitude class of great can cause tremendous damage to infrastructure in the City compared to a micro class, which results in minor damage to infrastructure.[7]

Table 4.6-3: Earthquake Magnitude Classes

Magnitude Class	Magnitude Range (M = Magnitude)	Description
Great	M > 8	Tremendous damage
Major	7 <= M < 7.9	Widespread heavy damage
Strong	6 <= M < 6.9	Severe damage
Moderate	5 <= M < 5.9	Considerable damage
Light	4 <= M < 4.9	Moderate damage
Minor	3 <= M < 3.9	Rarely causes damage.
Micro	M < 3	Minor damage

Source: City of Fontana. 2017. *City of Fontana Local Hazard Mitigation Plan*. Table 4-5. Available at https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan (accessed May 2020).

The MMI Scale measures earthquake intensity as shown in ***Table 4-6-4: Earthquake Magnitude and Intensity***, describes how various magnitudes of earthquakes may be felt. The MMI Scale has 12 intensity levels. Each level is defined by a group of observable earthquake effects, such as ground shaking and/or damage to infrastructure. Levels I through VI describe what people see and feel during a small to moderate earthquake. Levels VII through XII describe damage to infrastructure during a moderate to catastrophic earthquake.[8]

Table 4.6-4: Earthquake Magnitude and Intensity

Magnitude (M_W)	Intensity (Modified Mercalli Scale)	Description
1.0 – 3.0	I	I. Not felt except by very few people under especially favorable conditions.
3.0 – 3.9	II – III	II. Felt by a few people, especially those on upper floors of buildings. Suspended objects may swing.
		III. Felt quite noticeably indoors. Many do not recognize it as an earthquake. Standing motorcars may rock slightly.
4.0 – 4.9	IV – V	IV. Felt by many who are indoors; felt by a few outdoors. At night, some awakened. Dishes, windows and doors rattle. V. Felt by nearly everyone; many awakened. Some dishes and windows broken; some cracked plaster; unstable objects overturned
5.0 – 5.9	VI - VII	VI. Felt by everyone; many frightened and run outdoors. Some heavy furniture moved; some fallen plaster or damaged chimneys.

[7] City of Fontana. 2017. City of Fontana Local Hazard Mitigation Plan. Page 71. Available at https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan (accessed May 2020).
[8] Ibid.

Magnitude (M_W)	Intensity (Modified Mercalli Scale)	Description
		VII. Most people alarmed and run outside. Damage negligible in well-constructed buildings; considerable damage in poorly constructed buildings.
6.0 – 6.9	VII - IX	VIII. Damage slight in special designed structures; considerable in ordinary buildings; great in poorly built structures. Heavy furniture overturned. Chimneys, monuments, etc. may topple. IX. Damage considerable in specially designed structures. Buildings shift from foundations and collapse. Ground cracked. Underground pipes broken.
7.0 and Higher	VIII and Higher	X. Some well-built wooden structures destroyed. Most masonry structures destroyed. Ground badly cracked. Landslides on steep slopes. XI. Few, if any, masonry structures remain standing. Railroad rails bent; bridges destroyed. Broad fissure in ground. XII. Virtually total destruction. Waves seen on ground. Objects thrown into the air.

Source: City of Fontana. 2017. *City of Fontana Local Hazard Mitigation Plan*. Table 4-6. Available at https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan (accessed May 2020).

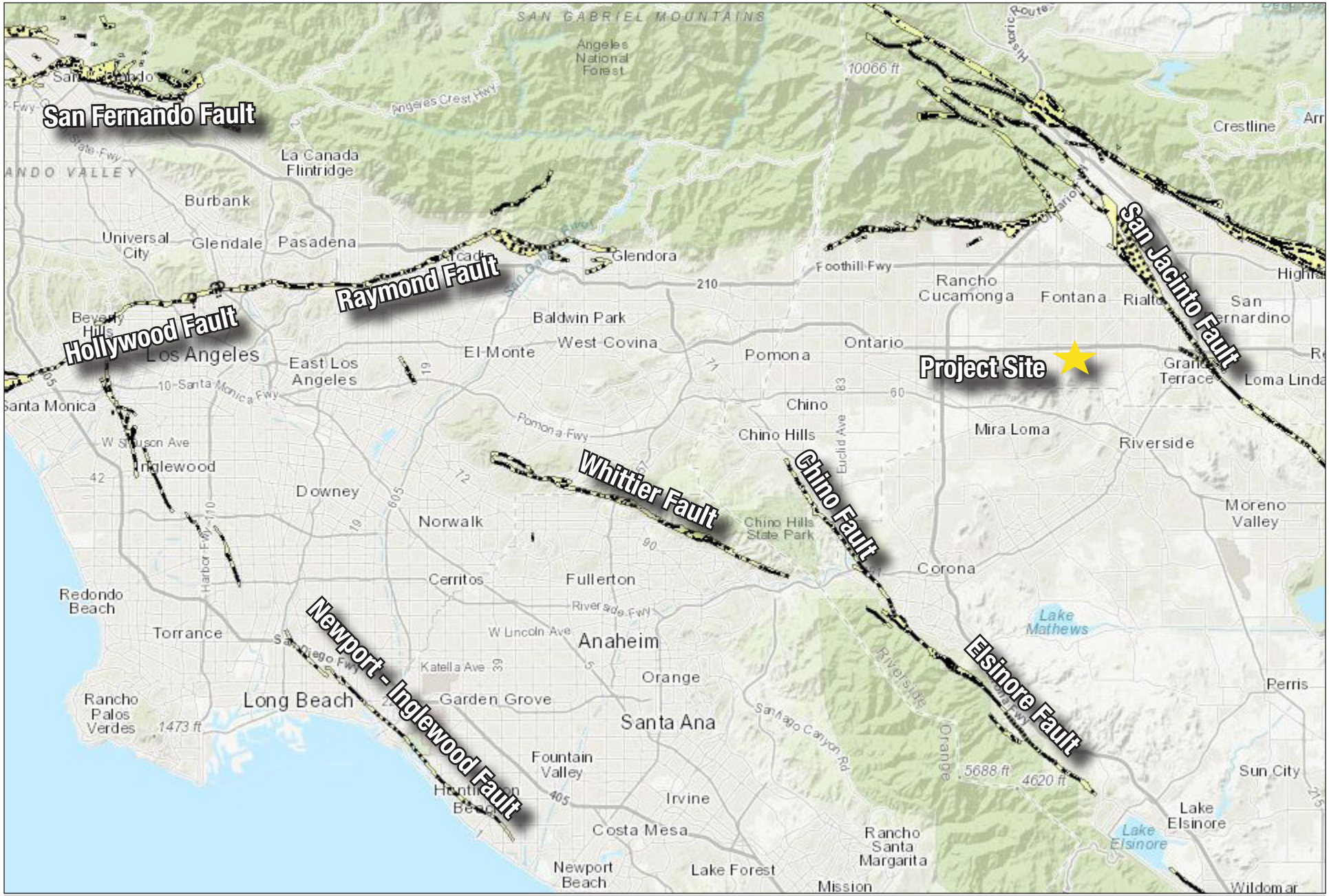

Figure 4.6-1: Major Fault Zones
Sierra Business Center Project

Kimley»Horn

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Ground Shaking

Ground shaking is a general term referring to all aspects of motion of the earth's surface resulting from an earthquake and is normally the major cause of damage in seismic events. The extent of ground shaking is controlled by the magnitude and intensity of the earthquake, distance from the epicenter, and local geologic conditions. Magnitude is a measure of the energy released by an earthquake; it is assessed by seismographs. Intensity is a subjective measure of the perceptible effects of seismic energy at a given point and varies with distance from the epicenter and local geologic conditions.

Ground shaking is the primary cause of damage and injury during earthquakes and can result in surface rupture, liquefaction, landslides, lateral spreading, differential settlement, tsunamis, building failure, and broken gas and other utility lines, leading to fire and other collateral damage. The intensity and severity of ground motion is dependent on the earthquake's magnitude, distance from the epicenter and underlying soil and rock properties. Areas underlain by thick, saturated, unconsolidated soils will experience greater shaking motion than areas underlain by firm bedrock. [9]

According to the 2016 California Building Code (CBC), the City of Fontana is in Seismic Zone 4. Seismic Zone 4 includes those areas that lie in a zone of major historic earthquakes (i.e., MW magnitude greater than 7.0) and recent high levels of seismicity. Major damage corresponding to intensities VIII or higher on the MMI Scale should be expected within this zone. Thus, strong earthquake groundshaking is a potentially significant seismic hazard throughout the area. [10]

Secondary Seismic Hazards

Secondary seismic hazards generally associated with severe ground shaking during an earthquake include ground rupture, lurching, ridgetop shatter, landslides and rockfall, and liquefaction and dynamic settlement.

Surface Fault Rupture

Rupture of the ground surface during an earthquake generally is limited to the narrow strip of land immediately adjacent to/above the fault on which the earthquake is occurring. Surface fault rupture may occur suddenly during an earthquake or slowly in the form of fault creep and almost always follows pre-existing faults. The faults are zones of weakness that cause the separation. Secondary surface faulting can be triggered by aquifer compaction and subsidence or by the effects of strong groundshaking triggering a slip-on neighboring faults. Not all earthquakes will result in surface rupture.[11] The Alquist-Priolo Earthquake Fault Zone Act, which is discussed in additional detail below and requires specific evaluation per the requirements of CEQA, initiated a statewide program to identify and disclose in environmental documents fault zones that are susceptible to surface rupture. The Project site is not located in close proximity to a Alquist-Priolo Fault zone or zone of required investigation.[12] ***Figure 4.6-2,*** *Zones of Required*

[9] City of Fontana. 2018. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.* Page 61. Available at https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update (accessed May 2020).
[10] Ibid, Page 5.5-4.
[11] Ibid, Page 5.5-4.
[12] California Department of Conservation. 2016. *Earthquake Zones of Required Investigation*. Available https://maps.conservation.ca.gov/cgs/EQZApp/ (accessed May 2020).

Investigation, shows the Project site in relation to earthquake fault zones requiring additional investigation.

Lurching

Lurching is a phenomenon in which loose to poorly consolidated deposits move laterally as a response to strong ground shaking during an earthquake. Lurching is typically associated with soil deposits on or adjacent to steep slopes. The Project site is located in a relatively flat area. The nearest steep slopes to the Project site are the Jurupa Mountains located approximately 1.5 miles south.

Ridgetop Shatter

Ridgetop fissuring and shattering is thought to be the result of intense amplification or focusing of seismic energy due to local topographic features. Linear fault-like fissures and shattering of surface soils on the crests of steep, narrow ridgelines occurred during the 1989 Loma Prieta and 1994 Northridge earthquakes. This phenomenon can result in severe structural damage, particularly if it occurs on relatively high (greater than 100 feet), narrow (typically less than 300 feet wide) ridges flanked by slopes steeper than about 2.5:1 (horizontal: vertical). The Project site is flat and is not located on or near a ridge.

Landslides and Rockfall[13]

Landslides, rock falls, and debris flows are all forms of mass wasting, the movement of soils and rock under the influence of gravity. A landslide may occur if source material on a slope is triggered by some mechanism. Source materials include fractured and weathered bedrock and loose soils. Triggering mechanisms include earthquakes, saturation from rainfall, and erosion. Post-fire erosion rates may be more than 50 to 100 times greater than on a well-vegetated watershed. The Project site is flat and is not located on or near a ridge.

Shaking during an earthquake can lead to seismically induced landslides, especially in areas that have previously experienced landslides or slumps, in areas of steep slopes, or in saturated hillsides. The City of Fontana is generally flat and not at risk from the threat of landslides. Potential areas where seismically-induced landslides could occur are in the foothill portions of the basin. The nearest moderate to high landslide susceptibility zone near the Project site is the Jurupa Mountains located approximately 1.5 miles to the south.[14] ***Figure 4.6-3,*** *Liquefaction and Landslide Hazard Map*, shows this information graphically.

[13] City of Fontana. 2018. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.* Page 5.5-6. Available at https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update (accessed May 2020).

[14] San Bernardino County. 1994. *Geologic Hazard Overlays – FH29 C Fontana Map*. Available at http://www.sbcounty.gov/Uploads/lus/GeoHazMaps/FH29C.pdf (accessed on May 2020).

Figure 4.6-2: Zones of Required Investigation
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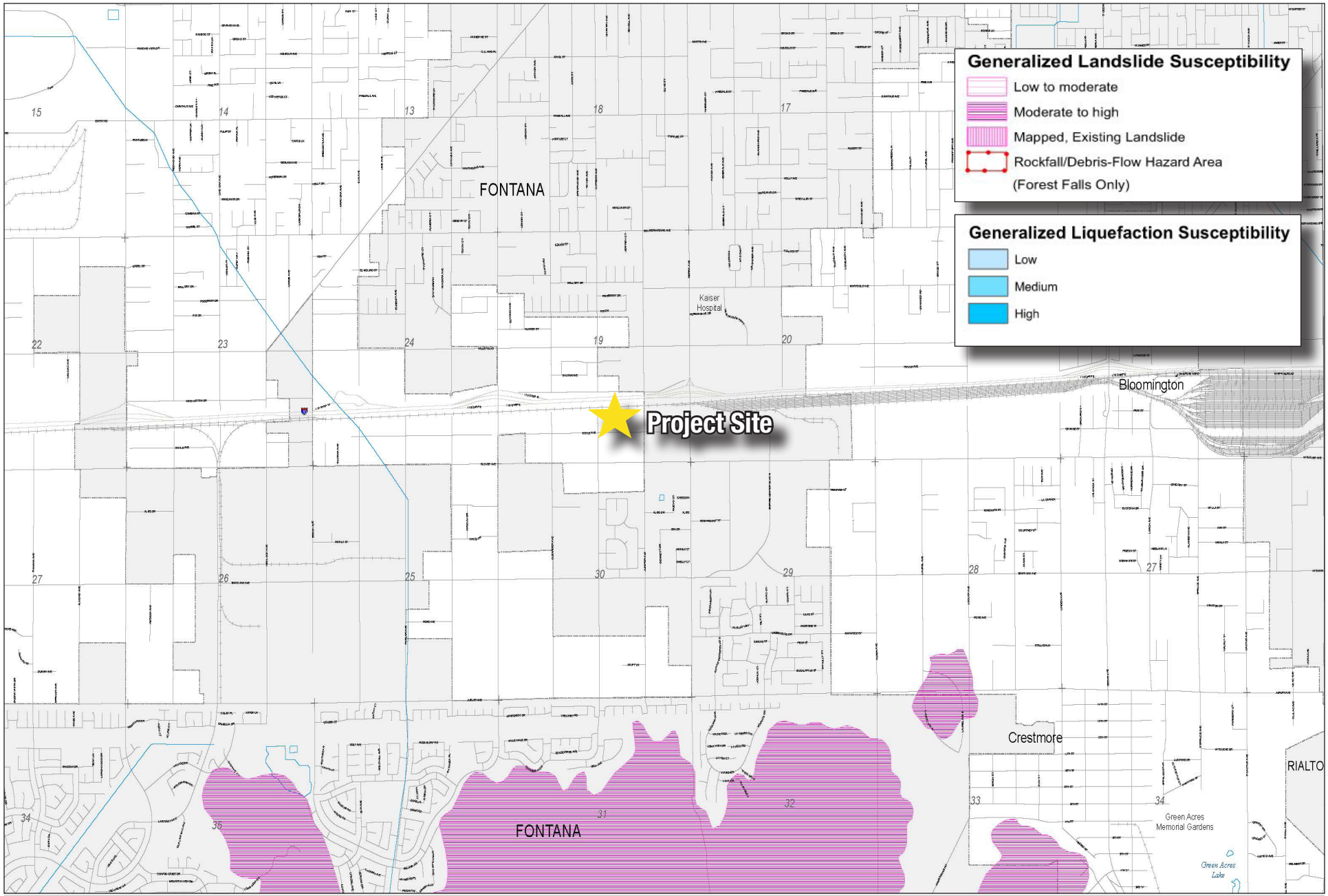

Figure 4.6-3: Liquefaction and Landslide Hazard Map
Sierra Business Center Project

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Liquefaction and Dynamic Settlement

Liquefaction of free-running type soils, such as sand and gravel, can be caused by strong ground shaking motion due to earthquakes. Liquefaction is characterized by a loss of shear strength in the affected soil layers, causing the soil to behave like a syrupy liquid. When insufficient confining pressure is present, liquefaction may be manifested at the ground surface by settlement or sand volcanoes. For the potential effects of liquefaction to be demonstrated at the ground surface, the soils generally have to be granular, loose to medium dense, saturated relatively near the ground surface and must be subjected to a sufficient magnitude and duration of ground shaking. Ground accelerations generated from a seismic event can produce settlements in sands or granular earth materials both above and below the water table, posing a potential hazard to land uses on the surface. The Project site is not located in a low, medium, or high generalized liquefaction susceptibility area.[15]

Soil Erosion

Erosion refers to the removal of soil from exposed bedrock surfaces by water or wind. The effects of erosion are intensified with an increase in slope (as water moves faster, it gains momentum to carry more debris), the narrowing of runoff channels (which increases the velocity of water), and by the removal of groundcover (which leaves the soil exposed to erosive forces). Surface improvements, such as paved roads and buildings, decrease the potential for erosion on-site, but can increase the rate and volume of runoff, potentially causing off-site erosion.

Subsidence

Soil subsidence at the land surface can result from both natural and man-made phenomena. Natural phenomena that may induce subsidence include tectonic deformation and seismically induced settlements (liquefaction); soil consolidation; oxidation or dewatering of organic-rich soils; and collapse of subsurface cavities. Human activities that may help induce subsidence include decreases in pore pressure caused by the excessive withdrawal of subsurface fluids (pumping), including water and hydrocarbons.

Soil Settlement

Soil settlement is the condition where soils deform in a vertical direction when a vertical load is placed on top of it. The compression of the soil bed by the vertical load results from the characteristics of the soil particles that are contained in the soil bed, as the spaces that are filled with either air or water between the soil particles are squeezed out. Site-specific geotechnical investigation would, on a case-by-case basis, determine the potential for soil settlement in a given area to ensure that final project design incorporates all necessary and appropriate engineering features to reduce the potential geologic hazards. [16]

Expansive Soils

Expansive soils are common throughout California and can cause damage to foundations and slabs, separation of masonry, or failure of paved surfaces unless properly treated during construction. Expansive

[15] San Bernardino County. 1994. *Geologic Hazard Overlays – FH29 C Fontana Map*. Available at http://www.sbcounty.gov/Uploads/lus/GeoHazMaps/FH29C.pdf (accessed May 2020).

[16] City of Fontana. 2018. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.* Page 5.5-7. Available at https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update (accessed May 2020).

soil conditions could cause damage to facility components if they are not designed with proper engineering and grading practices. The hazard for expansive behavior is considered a low risk for alluvial fan locations because soils in these areas are frequently saturated and generally do not contain clay-sized particles.

Paleontological Setting

Although younger fan deposits do not have the potential to contain significant paleontological resources the City also contains areas of Pleistocene older fan deposits exposed at surface levels that have been mapped along the western area of the City near the intersection of I-15 and I-210 and also in the southwestern areas of the City. The Pleistocene Epoch is considered to include the time between 2.6 million years ago until approximately 11,700 years ago. The Holocene Epoch began about 11,700 years ago and consists of younger sedimentary deposits. Accordingly, subsurface Pleistocene deposits overlain with more recent alluvial deposits are present within the City. Due to their age, within the older Pleistocene deposits, the potential for paleontological resources is considered to be high. [17] However, the Project site does not contain Pleistocene older deposit. Almost the entire city is classified as having late Holocene surficial deposits by the California Department of Conservation[18]. One hundred percent of the site is composed of Tujunga loamy sand, 0 to 5 percent slopes.[19]

4.6.3 Regulatory Setting

Federal

Occupational Safety and Health Administration Regulations

Excavation and trenching are among the most hazardous construction activities. OSHA's Excavation and Trenching standard, Title 29 of the Code of Federal Regulations, Part 1926.650, covers requirements for excavation and trenching operations. OSHA requires that all excavations in which employees could potentially be exposed to cave-ins be protected by sloping or benching the sides of the excavation, supporting the sides of the excavation, or placing a shield between the side of the excavation and the work area.

Soil and Water Resources Conservation Act

The purpose of the Soil and Water Resources Conservation Act of 1977 is to protect or restore soil functions on a permanent sustainable basis. Protection and restoration activities include prevention of harmful soil changes, rehabilitation of the soil of contaminated sites and of water contaminated by such sites, and precautions against negative soil impacts. Disruptions of soils natural functions and its function as an archive of natural and cultural history should be avoided, as far as practicable. In addition, the Federal Water Pollution Control Act (also referred to as the Clean Water Act) requirements, through the National Pollution Discharge Elimination System (NPDES) permitting process, provide guidance for protection of geologic and soil resources.

[17] City of Fontana. 2018. *Fontana Forward General Plan Update 2015-2035 – Draft Environmental Impact Report.* Page 5.4-8. Available at https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update (accessed May 2020).
[18] California Department of Conservation. 2016. *Compilation of Quaternary Surficial Deposits*. Available at https://maps.conservation.ca.gov/cgs/QSD/ (accessed May 2020).
[19] USDA NRCS. 2020. *Web Soil Survey*. Available at https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx (accessed May 2020).

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program (Program) which is coordinated through the Federal Emergency Management Agency, the USGS, the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the Program is to establish measures for earthquake hazards reduction and promote the adoption of earthquake hazards reduction measures by federal, state, and local governments; national standards and model code organizations; architects and engineers; building owners; and others with a role in planning and constructing buildings, structures, and lifelines through (1) grants, contracts, cooperative agreements, and technical assistance; (2) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and (3) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction. The Program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decisions sciences.

U.S. Geological Survey Landslide Hazard Program

The USGS Landslide Hazard Program provides information on landslide hazards including information on current landslides, landslide reporting, real-time monitoring of landslide areas, mapping of landslides through the National Landslide Hazards Map, local landslide information, landslide education, and research.

Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act (PRPA) is part of the Omnibus Public Land Management Act of 2009 (Public Law 111-011 Subtitle D). The PRPA directs the Secretary of the Interior or the Secretary of Agriculture to manage and protect paleontological resources on federal land, and develop plans for inventorying, monitoring, and deriving the scientific and educational use of such resources. It prohibits the removal of paleontological resources from federal land without a permit issued under the PRPA, establishes penalties for violation of the PRPA and establishes a program to increase public awareness about such resources. As of May 18, 2015, the USDA has implemented a new rule that "provides for the preservation, management, and protection of paleontological resources on National Forest System (NFS) lands and ensures that these resources are available for current and future generations to enjoy as part of America's national heritage. The rule addresses the management, collection, and curation of paleontological resources from NFS lands including management using scientific principles and expertise, collecting of resources with and without a permit, curation in an approved repository, maintaining confidentiality of specific locality data, and authorizing penalties for illegal collecting, sale, damaging, or otherwise altering or defacing paleontological resources".

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code [PRC] 2621-2624, Division 2 Chapter 7.5) was passed in 1972 following the destructive February 9, 1971 moment magnitude (Mw) 6.6 San Fernando earthquake to mitigate the hazard of surface faulting to structures intended for human

occupancy. The Act's main purpose is to prohibit siting buildings used for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep. The Act requires the State Geologist to establish regulatory zones, known as "Earthquake Fault Zones," delineating appropriately wide earthquake fault zones to encompass potentially active and recently active traces of faults. Local agencies must regulate most development projects within these zones. Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed human occupancy structures would not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically at least 50-foot setbacks are required).[20]

Effective June 1, 1998, the Natural Hazards Disclosure Act requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including Earthquake Fault Zones.

Seismic Hazards Mapping Act of 1990

The Seismic Hazards Mapping Act (SHMA) of 1990 (PRC, Section 2690 et seq.) directs the Department of Conservation's California Geological Survey, to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards.

The SHMA provides a statewide seismic hazard mapping and technical advisory program to assist cities and counties in fulfilling their responsibilities for protecting the public health and safety from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and other seismic hazards caused by earthquakes. Mapping and other information generated pursuant to the SHMA is to be made available to local governments for planning and development purposes. The state requires (1) local governments to incorporate site-specific geotechnical hazard investigations and associated hazard mitigation as part of the local construction permit approval process, and (2) the agent for a property seller, or the seller if acting without an agent, to disclose to any prospective buyer if the property is located within a seismic hazard zone. The State Geologist is responsible for compiling seismic hazard zone maps. The SHMA specifies that the lead agency for a project may withhold development permits until geologic or soils investigations are conducted for specific sites and mitigation measures are incorporated into plans to reduce hazards associated with seismicity and unstable soils.

California Building Code

California building standards are published in the California Code of Regulations (CCR), Title 24, also known as the California Building Standards Code (CBSC). The CBSC, which applies to all applications for building permits, consists of 11 parts that contain administrative regulations for the California Building Standards Commission and for all state agencies that implement or enforce building standards. Local agencies must ensure development complies with the CBSC guidelines. Cities and counties can adopt additional building standards beyond the CBSC. CBSC Part 2, named the California Building Code (CBC), is based upon the 2016 International Building Code. The 2016 CBSC (CCR, Title 24) went into effect on January 1, 2017. In

[20] California Department of Conservation. (2019). *The Alquist-Priolo Earthquake Fault Zoning Act*. Available at https://www.conservation.ca.gov/cgs/alquist-priolo (accessed May 2020).

addition, more recent building code have been adopted and include Part 1, California Administrative Code, of the 2019 CBSC that went into effect January 8, 2019. The final approval of the remaining standards went into effect of January 1, 2020. Significant changes to Part 1 include 1) clarifying when an addition is required to have a dedicated egress system and 2) revising project inspector certification examinee eligibility criteria to better recognize appropriate qualifying experience and/or education. Project construction will comply with the 2016 and 2019 CBSC.

Given the state's susceptibility to seismic events, the CBC's seismic standards are among the strictest in the world. The CBC applies to all development in the state, except where stricter standards have been adopted by local agencies. CBC Chapter 16 addresses structural design requirements governing seismically resistant construction (CBC §1604), including (but not limited to) factors and coefficients used to establish seismic site class and seismic occupancy category for the soil/rock at the building location and the proposed building design (CBC §1613.5 through §1613.7). CBC Chapter 18 includes (but is not limited to) the requirements for foundation and soil investigations (CBC §1803); excavation, grading, and fill (CBC §1804); allowable load-bearing values of soils (CBC §1806); and the design of footings, foundations, and slope clearances (CBC §1808 and §1809), retaining walls (CBC §1807), and pier, pile, driven, and cat-in-place foundation support systems (CBC §1810). CBC Chapter 33 includes, but is not limited to, requirements for safeguards at worksites to ensure stable excavations and cut or fill slopes (CBC §3304).

Construction activities are subject to occupational safety standards for excavation and trenching as specified in the California OHSA regulations (Title 8 of the CCR) and in Chapter 33 of the CBC. These regulations specify the measures to be used for excavation and trench work where workers could be exposed to unstable soil conditions. All aspects of construction of the warehouse would be required to employ these safety measures during excavation and trenching.

State Earthquake Protection Law

The State Earthquake Protection Law (California Health and Safety Code 19100 et seq.) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC. The CBC requires a site-specific geotechnical study to address seismic issues and identifies seismic factors that must be considered in structural design. Because the proposed Project area is not located within an Alquist–Priolo Earthquake Fault Zone, no special provisions would be required for project development related to fault rupture.

Local

City of Fontana General Plan Update 2015-2035

Noise and Safety Element[21]

The area around City is seismically active since it is situated on the boundary between two tectonic plates. Earthquakes can cause serious structural damage to buildings, overlying aqueducts, transportation facilities, utilities, and can lead to loss of life. In addition, earthquakes can cause collateral emergencies

[21] City of Fontana. 2018. *Fontana Forward General Plan Update 2015-2035, Chapter 11 Noise and Safety Element.* Available at https://www.fontana.org/DocumentCenter/View/26750/Chapter-11---Noise-and-Safety (accessed May 2020).

including dam and levee failures, fires, and landslides. Seismic shaking is by far the single greatest cause of damage from an earthquake in City followed by liquefaction.

Protecting Fontana from the threat of geological hazards is achieved through the identification of hazards, mitigation of structures at risk, enforcement of building codes and development standards, and public education and emergency preparedness.

Goal 4: ***The City shall monitor development or redevelopment in areas where faults have been mapped through the city.***

Actions:

A. Maintain and continuously update the City's geologic and seismic hazards map in concert with updates from the California Geological Survey and local surveys.

B. Enforce development requirements, such as seismic study analyses, project siting, and project design features for proposed development near active faults pursuant to the Alquist-Priolo Act.

Goal 5: ***The City shall continue to ensure that current geologic knowledge and peer (third party) review are incorporated into the design, planning, and construction stages of a project and that site-specific data are applied to each project.***

Actions:

A. Require adherence to the latest California Building Code regulations; update codes and ordinances periodically for latest advances.

B. The Building Official shall require development proposals to include a geotechnical hazard analysis as applicable.

Goal 6: ***The City shall continue to ensure to the fullest extent possible that, in the event of a major disaster, essential structures and facilities remain safe and functional as required by current law. Essential facilities include hospitals, police stations, fire stations, emergency operation centers, communication centers, generators and substations, and reservoirs.***

Actions:

A. The City shall continue to work cooperatively with the utility agencies to strengthen and provide back-up to essential services, such as water, sewer, electricity, and natural gas pipelines and connections throughout the city.

B. Locate, design, maintain, and upgrade critical facilities to minimize susceptibility to seismic and geological hazards.

C. The City shall continue to participate in regional programs designed to protect groundwater resources and to protect the area from the hazard of regional ground subsidence through careful management of the regional groundwater basin that underlies the area.

City of Fontana Local Hazard Mitigation Plan, 2017

The purpose of the Local Hazard Mitigation Plan (LHMP) is to demonstrate the plan for reducing and/or eliminating risk in City of Fontana. The LHMP process encourages communities to develop goals and projects that will reduce risk and build a more disaster resilient community by analyzing potential hazards. The LHMP notes that earthquakes are a significant concern to the City. Within the LHMP, there is the intent to provide the City with a Guidebook to mitigate potential hazards and the strategy is intended to reduce associated vulnerabilities. Related to the mitigation planning for seismic events the efforts are on-going. The plan does include mitigation actions related to reducing potential effects from earthquakes. These measures include evaluation and seismic review of projects and performance of structural reviews, reinforcement of existing buildings, providing automatic shutoffs, reducing development in landslide-prone areas, and increasing public awareness of vegetation management, erosion control, and preventing slope failure.[22]

4.6.4 Significance Thresholds and Criteria

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

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
    - Strong seismic ground shaking?
    - Seismic-related ground failure, including liquefaction?
    - Landslides?
- Result in substantial soil erosion or loss of topsoil?
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of waste water?
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

[22] City of Fontana. 2017. *City of Fontana Local Hazard Mitigation Plan*. Available: https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan (accessed May 2020).

Methodology and Assumptions

The proposed Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning geology and soils. In addition to project design features, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts.

Approach to Analysis

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

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

4.6.5 Impacts and Mitigation Measures

Impact 4.6-1 ***Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

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

Level of Significance: Less Than Significant Impact

There are no known active faults crossing or projecting through the site. The site is not located in an Alquist-Priolo Earthquake Fault Zone. Therefore, ground rupture at this site due to faulting is considered unlikely (GPI 2020). Impacts for the Project site would be less than significant.

Impact 4.6-2 ***Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

ii) Strong seismic ground shaking?

Level of Significance: Less Than Significant Impact with Mitigation Incorporated

The Project site is located in the southern California region, which is prone to seismically induced ground shaking. The Project site would be developed with a 705,735-square foot facility. All Project site components would be constructed to the then current CBC and International Building Code standards. All structures would be designed in conformance with all applicable standards to resist the effects of seismic ground shaking.

Construction

Intensity of ground shaking at a given location depends primarily upon earthquake magnitude, site distance from the source, and site response (soil type) characteristics. The site-specific seismic coefficients based on the 2019 CBC are provided in ***Table 4.6-5: 2019 CBC Site-Specific Seismic Coefficients*** below.

Table 4.6-5: 2019 CBC Site-Specific Seismic Coefficients

CBC Categorization/Coefficient	Value (g)
Spectral Response Acceleration at 0.2s Period, S_S	*1.78*
Mapped Spectral Response Acceleration at 1s Period, S_1	0.60
Short Period Site Coefficient at 0.2s Period, F_a	1.0
Long Period Site Coefficient at 1s Period, F_V	*1.7*
Adjusted Spectral Response Acceleration at 0.2s Period, S_{MS}	*1.78*
Adjusted Spectral Response Acceleration at 1s Period, S_{M1}	*1.02*
Design Spectral Response Acceleration at 0.2s Period, S_{DS}	*1.19*
Design Spectral Response Acceleration at 1s Period, S_{D1}	*0.68*
Source: GPI 2020.	

All Project components will be constructed to the current Uniform Building Code standards and will be designed in conformance with all applicable standards to resist the harmful effect of seismic ground shaking. The potential for damage resulting from seismic-related events include ground shaking, ground failure, and ground displacement. Strong levels of seismic ground shaking can cause damage, particularly to older and/or poorly constructed buildings. Construction of the development will be required to conform to the seismic design parameters of the CBC that is current at the time of construction, as adopted by the City. **Mitigation Measure GEO-1** (**MM GEO-1**) requires the City to verify the Project plans have incorporated the design, building, and safety recommendations provided in the geotechnical investigation conducted for this Project. Compliance with **MM GEO-1** and applicable regulations and codes will reduce potential impacts related to strong seismic ground shaking to a less than significant level.

Operations

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone. There is a possibility of strong seismic ground shaking for the Project's land uses due to the nature of the geographic region of southern California and its seismic activity. To reduce impacts, compliance with **MM GEO-1** requires a qualified geologist and geotechnical engineer to prepare site-specific geotechnical hazard investigations and recommendations for design-level measures. This mitigation measure ensures operation impacts to be less than significant in relationship to strong seismic ground shaking.

MITIGATION MEASURES

MM GEO-1 Prior to the issuance of grading permits, the City shall verify that all Project design, building, and safety recommendations outlined in the Project geotechnical investigation (located in Appendix F) are approved by the City Engineer and have been successfully incorporated into the Project plans for implementation during the Project grading and construction phases. Documentation of the implementation of the recommendations into the Project plans shall be conducted by the Project Applicant or designated representative. Successful incorporation of these specifications into the Project plans shall be verified by the Lead Agency prior to the issuance of building permits.

Impact 4.6-3 ***Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

iii) Seismic-related ground failure, including liquefaction?

Level of Significance: Less Than Significant Impact

Soil liquefaction is a phenomenon in which saturated cohesionless soils undergo a temporary loss of strength during severe ground shaking and acquire a degree of mobility sufficient to permit ground deformation. In extreme cases, the soil particles can become suspended in groundwater, resulting in the soil deposit becoming mobile and fluid-like. Liquefaction is generally considered to occur primarily in loose to medium dense deposits of saturated soils. Thus, three conditions are required for liquefaction to occur: (1) a cohesionless soil of loose to medium density; (2) a saturated condition; and (3) rapid large strain, cyclic loading, normally provided by earthquake motions.

The site is not located within a zone identified as having a potential for liquefaction by the State, as the quadrangle has not yet been assessed. The site is not located in a zone identified as having a potential for liquefaction by the County (San Bernardino 2007 as cited in GPI 2020). Soil liquefaction is not likely to occur at this site primarily because the groundwater level is deep (GPI 2020). According to the geotechnical investigation (GPI 2020), groundwater was not encountered during Project explorations drilled to a maximum depth of 51 feet below ground surface. Published data by the California Department of Water Resources indicates groundwater is deeper than 100 feet below the ground surface (GPI 2020). Impacts in relation to these hazards for the Project site would be less than significant.

Impact 4.6-4 ***Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

iv) Landslides?

Level of Significance: No Impact

The Project site is not located in an area subject to landslides. [23] The Project site is located on relatively flat ground and is not adjacent to any areas with steep slopes such that if ground shaking occurred the site would experience damage from a landslide. Therefore, impacts related to landslides for the Project site would not occur.

[23] San Bernardino County. 1994. *Geologic Hazard Overlays – FH29 C Fontana Map*. Available at http://www.sbcounty.gov/Uploads/lus/GeoHazMaps/FH29C.pdf (accessed on May 2020).

Impact 4.6-5 Would the Project result in substantial soil erosion or the loss of topsoil?

Level of Significance: Less Than Significant Impact

Construction

Construction activities such as excavation and grading would be minimal given that the Project site is relatively flat. No major grading or excavation would be needed to substantially alter the slope of the site, create or remove steep slopes, create retaining walls, or make other landform modifications. Nevertheless, grading and earthwork activities during construction would expose soils to potential short-term erosion by wind and water. During construction, the Project site would be required to comply with erosion and siltation control measures. This would include measures such as sand-bagging, placement of silt fencing, erosion control blankets, straw wattles, mulching, etc., to reduce runoff from the site and to hold topsoil in place during all grading activities. As mass grading proceeds, finish grading commence, and construction begins, the erosion measures would be removed or relocated as necessary. Additionally, the construction on the Project site would be required to comply with the NPDES; refer to **Section 4.9, Hydrology and Water Quality** for discussion of the anticipated NPDES permitting process. Construction impacts on the Project site would be minimized through compliance with the Construction General Permit (CGP). The NPDES permit requires development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and monitoring plan, which must include erosion-control and sediment-control Best Management Practices (BMPs). The BMPs would be required to meet or exceed measures required by the CGP to control potential construction-related pollutants and would comply with the Fontana Municipal Code Section 28.111 – Stormwater management and rainwater retention. Erosion-control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. All required permits and the erosion control plan would be verified by the City prior to initiation of any construction and prior to the issuance of any grading permit. Conformance to these requirements and verification by the City as part of the development approval process would ensure that potential impacts from construction of the warehouse are less than significant.

Operations

Operation of the warehouse would not involve procedures which would result in substantial soil erosion. Following construction of the warehouse the Project site would be covered with hardscape which would not contribute to erosion. The Project site also would contain some landscaping, and these areas would include ground covers to reduce erosion or and loss of on-site soils post-construction. This would ensure that operation of the Project site would not result in the loss of topsoil or sedimentation into local drainage facilities and water bodies; refer to **Section 4.9, Hydrology and Water Quality**. In addition, a network of storm drains and gutters would be installed, upgraded if needed, and maintained as necessary throughout the site. Therefore, the potential for substantial soil erosion or the loss of topsoil is considered less than significant.

Impact 4.6-6 Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Level of Significance: Less Than Significant Impact

The City's Local Hazard Mitigation Plan lists the types of geologic hazards known to occur in the City regarding slope instability, leading to possible mudflow, liquefaction, and collapsible or expansive soils. The Project site is not located in an area identified as susceptible to slope instability or landslides.[24] According to the geotechnical investigation (GPI 2020), the site is not located within a zone identified as having a potential for liquefaction by the State, as the quadrangle has not yet been assessed. The site is not located in a zone identified as having a potential for liquefaction by the County (San Bernardino 2007 as cited in GPI 2020). Soil liquefaction is not likely to occur at this site primarily because the groundwater level is deep (in excess of 51 feet). The Project site is relatively flat and is not located adjacent to any potentially unstable topographical feature, such as a hillside or riverbank. Therefore, impacts associated with these hazards would be less than significant.

Impact 4.6-7 ***Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?***

Level of Significance: Less Than Significant Impact

According to the geotechnical investigation (GPI 2020), investigation disclosed a subsurface profile consisting of fill soils overlying natural soils. Investigators encountered undocumented fills to approximately 2 to 4 feet below existing grade in the explorations. The fill materials encountered consisted of loose to medium dense, dry to moist silty sands with varying amounts of gravel and trace cobbles.

The natural soils consist predominately of silty sand and sand with silt with varying amounts of gravel and cobbles to a depth of approximately 15 feet, with a layer of sandy silt encountered in some of the borings to a depth of approximately 20 feet. The deeper soils consist of layered sand with silt, silty sand, and sandy silt to the 51-foot depth explored. In general, the native soils were medium dense to dense and firm to very stiff. The natural soils have moderate to high strength and low to medium compressibility characteristics. Laboratory testing indicated the sandy soils have a very low potential for expansion (GPI 2020).

Additionally, the Project site is mapped as having Tujunga loamy sand, 0 to 5 percent slopes, which are not made up of clay materials typically associated with expansive soils. The Projects site is not underlain by these types of soils and impacts would be less than significant.

Impact 4.6-8 ***Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative waste disposal systems where sewers are not available for the disposal of waste water?***

Level of Significance: No Impact

The proposed warehouse would not use an alternative wastewater disposal system and is proposed to tie into the existing sewer line. Impacts in this regard for the Project site would not occur.

[24] City of Fontana. 2017. *Local Hazard Mitigation Plan, Appendix E Hazard Screening Maps*. Available at https://www.fontana.org/DocumentCenter/View/29774/LHMP-Appendix-E---Hazard-Screening-Maps (Accessed May 2020).

Impact 4.6-9 ***Would the Project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

Level of Significance: Less Than Significant Impact

The Project site occurs on alluvial soils deposited during the Holocene Epoch (within the last 11,700 years). This reduces the potential for the disturbance of any unknown buried paleontological resources and makes the likelihood of damage or destruction to such resources remote. These impacts would be less than significant.

4.6.6 Cumulative Impacts

Geology and soil-related impacts are generally site-specific and are determined by a particular site's soil characteristics, topography, and proposed land uses. Development projects are analyzed on an individual basis and must comply with established requirements of the applicable jurisdiction's development requirements and the CBSC as they pertain to protection against known geologic hazards and potential geologic and soil-related impacts.

Cumulative effects related to geology resulting from the implementation of future development of the warehouse site, as well as surrounding areas, could expose more persons and property to potential impacts due to seismic activity. Long-term impacts related to geology include the exposure of people to the potential for seismically induced ground shaking. Implementation of other cumulative projects would incrementally increase the number of people and structures subject to a seismic event. Seismic and geologic significance is considered on a project-by-project basis through the preparation of design-level geotechnical studies. The potential for any project to be affected by or any project to exacerbate an existing geotechnical hazard would be minimized or not occur through strict engineering guidelines as they pertain to protection against known geologic hazards and potential geologic and soil-related impacts.

Development of the warehouse project, as well as all past, present, and future projects would be required to be constructed in accordance with the latest edition of the CBC and to adhere to all current earthquake construction standards, including those relating to soil characteristics. Therefore, no elements of this Project would contribute to any cumulatively considerable geologic and/or soils impacts. Therefore, cumulative effects of increased seismic risk would be less than significant.

4.6.7 Significant Unavoidable Impacts

No significant unavoidable geology and soils impacts have been identified.

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4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Introduction

This section of the Draft Environmental Impact Report (Draft EIR) discusses potential greenhouse gas (GHG) impacts associated with development and implementation of the Fontana Sierra Business Center Project (Project). A quantified estimate of GHG emissions that would result from the Project, and an analysis of the significance of the impact of these GHGs were analyzed. In the case where impacts were found to be potentially significant, mitigation will be proposed to reduce their significance. The current conditions were observed as the baseline for the analysis along with relevant federal, state, and local air pollutant regulations. Air quality emission modeling results for the Project are provided in **Appendix B,** *Air Quality Studies.*

4.7.2 Affected Environment

Existing Conditions

The Project site is located in southeastern Fontana, in San Bernardino County (County). The Project site is located approximately 120 feet south of Interstate 10 (I-10), 0.25 miles west of Sierra Avenue, directly north of Slover Avenue, directly west of Juniper Avenue, and directly east of Cypress Avenue. The Project site is a rectangular lot that contains vacant parcels**.** The site's existing land use designation is General Industrial (I-G) and Light Industrial (I-L); the existing zoning is Light Industrial (M-1) and General Industrial (M-2). According to available historical sources, the Project site was utilized for residential and orchard uses from approximately 1938-1950. After 1950, additional residential structures were built. However, Project site is currently vacant as any existing structures were demolished prior to the distribution of the Notice of Preparation (NOP) for this EIR in September 2020. The immediate surrounding properties consist of a Southern Pacific Rail Line to the north, and a mixture of residential (non-conforming), commercial, and industrial uses to the south, east, and west of the Project site.

The Project involves the development of an approximately 705,735-square foot warehouse building within an approximately 32-net acre site, with associated facilities and improvements including approximately 4,500 square feet of office space, vehicle parking, loading dock doors, trailer parking, on-site landscaping, and related on-site and off-site improvements. The building height would be a maximum of 75 feet and have a maximum Floor Area Ratio (FAR) of 0.60.

Greenhouse Gas

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO_2 is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO_2 emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO_2 emissions remains stored in the

atmosphere.[1] ***Table 4.7-1: Description of Greenhouse Gases*** describes the primary GHGs attributed to global climate change, including their physical properties.

Table 4.7-1: Description of Greenhouse Gases

Greenhouse Gas	Description
Carbon Dioxide (CO_2)	CO_2 is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO_2 emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO_2 is variable because it is readily exchanged in the atmosphere. CO_2 is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N_2O)	N_2O is largely attributable to agricultural practices and soil management. Primary human-related sources of N_2O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N_2O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N_2O is approximately 120 years. The Global Warming Potential of N_2O is 298.
Methane (CH_4)	CH_4, a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH_4 include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH_4 is about 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of CFCs and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.

[1] Intergovernmental Panel on Climate Change, *Carbon and Other Biogeochemical Cycles. In: Climate Change 2013: The Physical Science Basis, Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*, 2013. http://www.climatechange2013.org/ images/report/WG1AR5_ALL_FINAL.pdf.

Greenhouse Gas	Description
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF_6)	SF_6 is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF_6 is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.
Nitrogen Trifluoride (NF_3)	NF_3 was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200.

Source: Compiled from U.S. EPA, *Overview of Greenhouse Gases*, April 11, 2018 (https://www.epa.gov/ghgemissions/overview-greenhouse-gases); U.S. EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016*, 2018; Intergovernmental Panel on Climate Change, *Climate Change 2007: The Physical Science Basis*, 2007; National Research Council, Advancing the Science of Climate Change, 2010; U.S. EPA, *Methane and Nitrous Oxide Emission from Natural Sources*, April 2010.

4.7.3 Regulatory Framework

Federal

To date, national standards have not been established for nationwide GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act of 2007 (December 2007), among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel

economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.

- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

U.S. Environmental Protection Agency Endangerment Finding

The U.S. Environmental Protection Agency (EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the EPA's assessment of the scientific evidence that form the basis for the EPA's regulatory actions.

Federal Vehicle Standards

In response to the U.S. Supreme Court ruling discussed above, Executive Order 13432 was issued in 2007 directing the EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, an Executive Memorandum was issued directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of CO_2 in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking. On January 12, 2017, the EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks. It should be noted that the U.S. EPA is currently proposing to freeze the vehicle fuel efficiency standards at their planned 2020 level (37 mpg), canceling any future strengthening (currently 54.5 mpg by 2026).

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO_2 emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines.

In August 2016, the EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO_2 emissions by approximately 1.1 billion metric tons and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.

In 2018, the President and the EPA stated their intent to halt various federal regulatory activities to reduce GHG emission, including the phase two program. California and other states have stated their intent to challenge federal actions that would delay or eliminate GHG reduction measures and have committed to cooperating with other countries to implement global climate change initiatives. On September 27, 2019, the EPA and the NHTSA published the "Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program." (84 Fed. Reg. 51,310 (Sept. 27, 2019.) The Part One Rule revokes California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the EPA and NHTSA finalized rulemaking for SAFE Part Two sets CO_2 emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light-duty trucks, covering model years 2021-2026.

Presidential Executive Order 13783

Presidential Executive Order 13783, *Promoting Energy Independence and Economic Growth* issued on March 28, 2017, orders all federal agencies to apply cost-benefit analyses to regulations of GHG emissions and evaluations of the social cost of CO_2, N_2O, and CH_4.

State

California Air Resources Board

The California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects. California is a significant emitter of CO_2 equivalents (CO_2e) in the world and produced 459 million gross metric tons of CO_2e in 2013. In the State, the transportation sector is the largest emitter of GHGs, followed by industrial operations such as manufacturing and oil and gas extraction.

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation, such as the landmark Assembly Bill (AB) 32, *California Global Warming Solutions Act of 2006*, was specifically enacted to address GHG emissions. Other legislation, such as Title 24 building efficiency standards and Title 20 appliance energy standards, were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved

by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

CARB Scoping Plan

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual").[2] The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the State's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program.[3] Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.
- Achieving a statewide renewables energy mix of 33 percent by 2020.
- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85 percent of California's GHG emissions (adopted in 2011).
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several sustainable community strategies have been adopted).
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gasses with high global warming potential, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO_2e ($MMTCO_2e$) to 545 $MMTCO_2e$. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32's goal of reaching 1990

[2] CARB defines business-as-usual (BAU) in its Scoping Plan as emissions levels that would occur if California continued to grow and add new GHG emissions but did not adopt any measures to reduce emissions. Projections for each emission-generating sector were compiled and used to estimate emissions for 2020 based on 2002–2004 emissions intensities. Under CARB's definition of BAU, new growth is assumed to have the same carbon intensities as was typical from 2002 through 2004.

[3] The Climate Action Team, led by the secretary of the California Environmental Protection Agency, is a group of State agency secretaries and heads of agencies, boards, and departments. Team members work to coordinate statewide efforts to implement global warming emissions reduction programs and the State's Climate Adaptation Strategy.

levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated State-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32.

In 2016, the Legislature passed Senate Bill (SB) 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017 CARB adopted a second update to the Scoping Plan.[4] The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and, support the Clean Power Plan and other Federal actions.

Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

SB 375 (The Sustainable Communities and Climate Protection Act of 2008)

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34 percent fewer CO_2e emissions and 75 percent fewer smog-forming emissions.

[4] California Air Resources Board, *California's 2017 Climate Change Scoping Plan,* https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf, accessed March 12, 2020.

SB 1368 (Emission Performance Standards)

SB 1368 is the companion bill of AB 32, which directs the California Public Utilities Commission (CPUC) to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO_2 per megawatt-hour.

SB 1078 and SBX1-2 (Renewable Electricity Standards)

SB 1078 requires California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the State's load serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23. SBX1-2, which codified the 33 percent by 2020 goal.

SB 350 (Clean Energy and Pollution Reduction Act of 2015)

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

AB 398 (Market-Based Compliance Mechanisms)

Signed on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the State. It also designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb toxic air contaminants and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

SB 150 (Regional Transportation Plans)

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)

Signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

CARB Advanced Clean Truck Regulation

CARB adopted the Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. This rule directly addresses disproportionate risks and health and pollution burdens and puts California on the path for an all zero-emission short-haul drayage fleet in ports and railyards by 2035, and zero-emission "last-mile" delivery trucks and vans by 2040. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8. The regulation has two components including a manufacturer sales requirement, and a reporting requirement:

- Zero-Emission Truck Sales: Manufacturers who certify Class 2b through 8 chassis or complete vehicles with combustion engines are required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/chassis sales need to be 55 percent of Class 2b – 3 truck sales, 75 percent of Class 4 – 8 straight truck sales, and 40 percent of truck tractor sales.
- Company and Fleet Reporting: Large employers including retailers, manufacturers, brokers and others would be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, would be required to report about their existing fleet operations. This information would help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

Executive Order S-3-05

Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

- By 2010, reduce GHG emissions to 2000 levels.

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

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07

Issued on January 18, 2007, Executive Order S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the LCFS on April 23, 2009.

Executive Order S-13-08

Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order S-14-08

Issued on November 17, 2008, Executive Order S-14-08 expands the State's Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, Executive Order S-21-09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the State come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly owned electricity retailers.

Executive Order S-21-09

Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California's RPS to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15

Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO_2e (MMTCO2e). The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among

other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18

Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

Executive Order N-79-20

Signed in September 2020, Executive Order N-79-20 establishes as a goal that where feasible, all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035. The executive order sets a similar goal requiring that all medium and heavy-duty vehicles will be zero-emission by 2045 where feasible. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volumes" of new zero-emission vehicles (ZEVs) "towards the target of 100 percent." The executive order directs the California Environmental Protection Agency, the California Geologic Energy Management Division (CalGEM), and the California Natural Resources Agency to transition and repurpose oil production facilities with a goal toward meeting carbon neutrality by 2045. Executive Order N-79-20 builds upon the CARB Advanced Clean Trucks regulation, which was adopted by CARB in July 2020.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat even with rapid population growth.

Title 20 Appliance Efficiency Regulations

The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Title 24 Building Energy Efficiency Standards

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6), was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2016 Building Energy Efficiency Standards approved on January 19, 2016 went into effect on January 1, 2017. The 2019 Building

Energy Efficiency Standards were adopted on May 9, 2018 and went into effect on January 1, 2020. Under the 2019 standards, homes will use about 53 percent less energy and nonresidential buildings will use about 30 percent less energy than buildings under the 2016 standards.

Title 24 California Green Building Standards Code

The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code went into effect January 1, 2017. Updates to the 2016 CALGreen Code took take effect on January 1, 2020 (2019 CALGreen). The 2019 CALGreen standards will continue to improve upon the existing standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

Regional

South Coast Air Quality Management District Thresholds

The South Coast Air Quality Management District (SCAQMD) formed a GHG California Environmental Quality Act (CEQA) Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. As of the last Working Group meeting (Meeting 15) held in September 2010, the SCAQMD is proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency.

With the tiered approach, the Project is compared with the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. For all industrial projects, the SCAQMD is proposing a screening threshold of 10,000 million tons of CO_2e ($MTCO_2e$) per year. SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact.

Tier 4 consists of three decision tree options. Under the Tier 4 first option, SCAQMD initially outlined that a project would be excluded if design features and/or mitigation measures resulted in emissions 30 percent lower than business as usual emissions. However, the Working Group did not provide a recommendation for this approach. The Working Group folded the Tier 4 second option into the third option. Under the Tier 4 third option, a project would be excluded if it was below an efficiency-based threshold of 4.8 $MTCO_2e$ per service population per year. Tier 5 would exclude projects that implement off-site mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level.

GHG efficiency metrics are utilized as thresholds to assess the GHG efficiency of a project on a per capita basis or on a service population basis (the sum of the number of jobs and the number of residents provided by a project) such that a project would allow for consistency with the goals of AB 32 (i.e., 1990 GHG emissions levels by 2020 and 2035). GHG efficiency thresholds can be determined by dividing the GHG emissions inventory goal of the State, by the estimated 2035 population and employment. This method allows highly efficient projects with higher mass emissions to meet the overall reduction goals of AB 32, and is appropriate, because the threshold can be applied evenly to all project types (residential or commercial/retail only and mixed use).

Although the screening threshold for industrial projects is 10,000 $MTCO_2e$ per year, the City of Fontana utilizes 3,000 $MTCO_2e$ per year as the GHG threshold for warehouse projects. Therefore, the City of Fontana's GHG threshold of 3,000 $MTCO_2e$ per year will be the threshold utilized to evaluate GHG emissions from the proposed warehouse project.

Southern California Association of Governments

On April 7, 2016, the Southern California Association of Governments (SCAG) Regional Council adopted the *2016-2040 Regional Transportation Plan/ Sustainable Communities Strategy* (RTP/SCS). The RTP/SCS charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The strategy was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The RTP/SCS is a long-range vision plan that balances future mobility and housing needs with economic, environmental, and public health goals. The SCAG region strives toward sustainability through integrated land use and transportation planning. The SCAG region must achieve specific federal air quality standards and is required by state law to lower regional GHG emissions.

Local

City of Fontana General Plan

The City of Fontana's General Plan outlines the concerns of the community and the means of addressing those concerns. Chapter 9, Community Mobility and Circulation focuses on connecting neighborhoods and city destinations by expanding transportation choices in Fontana. General Plan policies that relate to greenhouse gas impacts include the following:

Goal 4	***Fontana meets the greenhouse gas reduction goals for 2030 and subsequent goals set by the state.***
Policy 4-1	Continue to collaborate with the San Bernardino County Transportation Agency (SBCTA), infrastructure agencies, and utilities on greenhouse gas reduction studies and goals.
Goal 7	***The City of Fontana participates in shaping regional transportation policies to reduce traffic congestion and greenhouse gas emissions***
Policy 7-3	Participate in the efforts of the Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reduction.

4.7.4 Significance Thresholds and Criteria

Standards of Significance

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. The amendments to the CEQA Guidelines specifically allow lead agencies to determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency is left to determine whether a project's GHG emissions will have a "significant" impact on the environment. The guidelines direct that agencies are to use "careful judgment" and "make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" the project's GHG emissions[5].

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

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

South Coast Air Quality Management District Thresholds

The SCAQMD has not announced when staff is expecting to present a finalized version of its GHG thresholds to the governing board. On September 28, 2010, the SCAQMD recommended an interim screening level numeric "bright-line" threshold of 10,000 metric tons per year of CO_2e for industrial land uses. These efficiency-based thresholds were developed as part of the SCAQMD GHG CEQA Significance Threshold Working Group. This working group was formed to assist SCAQMD's efforts to develop a GHG significance threshold and is composed of a wide variety of stakeholders including the State Office of Planning and Research, CARB, the Attorney General's Office, a variety of city and county planning departments in the SCAB, various utilities such as sanitation and power companies throughout the SCAB, industry groups, and environmental and professional organizations. The numeric "bright line" was developed to be consistent with CEQA requirements for developing significance thresholds, are supported by substantial evidence, and provides guidance to CEQA practitioners in determining whether GHG emissions from a proposed project are significant.

Although the screening threshold for industrial projects is 10,000 $MTCO_2e$ per year, the City of Fontana utilizes 3,000 $MTCO_2e$ per year as the GHG threshold for warehouse projects. Therefore, the City of Fontana's GHG threshold of 3,000 $MTCO_2e$ per year will be the threshold utilized to evaluate GHG emissions from the proposed warehouse project.

Methodology

The Project's construction and operational emissions were calculated using the California Emissions Estimator Model version 2016.3.2 (CalEEMod). Details of the modeling assumptions and emission factors are provided in Appendix B. For construction, CalEEMod calculates emissions from off-road equipment usage and on-road vehicle travel associated with haul, delivery, and construction worker trips. GHG

[5] 14 California Code of Regulations, Section 15064.4a

emissions during construction were forecasted based on the proposed construction schedule and applying the mobile-source and fugitive dust emissions factors derived from CalEEMod. The Project's construction-related GHG emissions would be generated from off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. The Project's operations-related GHG emissions would be generated by vehicular traffic, area sources (e.g., landscaping maintenance, consumer products), electrical generation, natural gas consumption, water supply and wastewater treatment, and solid waste.

4.7.5 Impacts and Mitigation Measures

Impact 4.7-1 ***Would the Project generate GHG emissions, either directly or indirectly, that could have a significant impact on the environment?***

Level of Significance: Significant and Unavoidable Impact

Construction

Short-Term Construction Greenhouse Gas Emissions

The Project would result in direct emissions of GHGs from construction. The approximate quantity of daily GHG emissions generated by construction equipment utilized to build the Project is depicted in ***Table 4.7-2: Construction-Related Greenhouse Gas Emissions***.

Table 4.7-2: Construction-Related Greenhouse Gas Emissions

Category	$MTCO_2e$
2021 Construction	485.44
2022 Construction	637.42
Total Construction Emissions	1,122.86
30-Year Amortized Construction	37.43
Source: CalEEMod version 2016.3.2. Refer to Appendix A for model outputs.	

As shown, the Project would result in the generation of approximately 1,122.86 $MTCO_2e$ over the course of construction. Construction GHG emissions are typically summed and amortized over the lifetime of the Project (assumed to be 30 years), then added to the operational emissions.[6] The amortized Project construction emissions would be 37.43 $MTCO_2e$ per year. Once construction is complete, the generation of these GHG emissions would cease.

Operations

Long-Term Operational Greenhouse Gas Emissions

Operational or long-term emissions occur over the life of the Project. GHG emissions would result from direct emissions such as Project generated vehicular traffic, on-site combustion of natural gas, and operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power, the energy required to convey water to, and

[6] The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13,* August 26, 2009).

wastewater from the Project, the emissions associated with solid waste generated from the Project, and any fugitive refrigerants from air conditioning or refrigerators.

Total GHG emissions associated with the Project are summarized in ***Table 4.7-3: Project Greenhouse Gas Emissions***. As shown in ***Table 4.7-3: Project Greenhouse Gas Emissions***, the Project would generate approximately 15,307.54 $MTCO_2e$ annually from both construction and operations and the Project. Project-related GHG emissions would exceed the City's 3,000 $MTCO_2e$ per year threshold. The majority of the unmitigated GHG emissions (89 percent) are associated with non-construction related mobile sources. Emissions of motor vehicles are controlled by State and Federal standards, and the Project has no control over these standards.

Section 4.2, Air Quality, of this EIR identifies Mitigation Measures AQ-1 through AQ-4 to reduce mobile source emissions. Mitigation Measure AQ-1 requires the implementation of a Transportation Demand Management (TDM) program to reduce single occupant vehicle trips and encourage transit. Mitigation Measure AQ-2 prohibits cold storage and Mitigation Measure AQ-3 prohibits idling when engines are not in use. Additionally, Mitigation Measure AQ-4 promotes the use of alternative fuels and clean fleets. These mitigation measures are incorporated in the GHG emissions shown in ***Table 4.7-3: Project Greenhouse Gas Emissions*** under the "Mitigated" column and would reduce GHG emissions by reducing the number of employee vehicles on-site, reducing the amount of time trucks spend idling, and replacing older trucks with newer models.

Table 4.7-3: Project Greenhouse Gas Emissions

Emissions Source	$MTCO_2e$ per Year	
	Unmitigated	Mitigated
Construction Amortized Over 30 Years	37.47	37.47
Area Source	0.03	0.03
Energy	516.17	474.25[1]
Mobile	13,621.77	13,138.89[2]
Off-road	70.40	70.40
Waste	333.76	166.88[3]
Water and Wastewater	727.94	584.08[4]
Total	**15,307.54**	**14,472.01**
City of Fontana Project Threshold	*3,000*	*3,000*
Exceeds Threshold?	**Yes**	**Yes**

1. 2019 Building Energy Efficiency Standards improve upon the 2016 Energy Standards used by CalEEMod as default.
2. Mitigation Measure AQ-1 (refer to the Projects Air Quality Assessment) requires implementation of a TDM program. Note that AQ-2 prohibits cold storage, MM AQ-3 prohibits idling when engines are not in use, and MM AQ-4 promotes the use of alternative fuels and clean fleets.
3. The project would be required to divert a minimum of 50 percent of its solid waste per existing state regulations. Compliance with this regulation is incorporated into the CalEEMod mitigation module.
4. Energy savings from water conservation resulting from the Green Building Code Standards for indoor water use and California Model Water Efficient Landscape Ordinance for outdoor water use are not included in CalEEMod. These are regulatory measures have been incorporated into the CalEEMod mitigation module.

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

As shown in ***Table 4.7-3: Project Greenhouse Gas Emissions***, although implementation of these mitigation measures would reduce GHG emissions to 14,472.01 $MTCO_2e$ per year, the resulting emissions are still expected to exceed the City's GHG threshold. ***Table 4.7-3*** shows that approximately 91 percent of the project's mitigated GHG emissions are from mobile sources. Emissions of motor vehicles are controlled by State and Federal standards and the Project has no control over these standards. As discussed above, MM AQ-1 through AQ-4 (refer to **Section 4.2, Air Quality**) have been identified to reduce the Project's mobile source emissions. Implementation of operational MMs AQ-1 through MM AQ-4 would reduce GHG emissions by reducing the number of employee vehicles on-site and reducing the amount of time trucks spend idling. However, impacts would not be reduced to a less than significant level.

Since the majority (91 percent) of mitigated emissions are from mobile sources and neither the Project Applicant nor the City have regulatory authority to control tailpipe emissions, no feasible mitigation measures exist that would reduce the Project's impacts with respect to operational emissions to less than significant levels. While the Project has some control over GHG emissions (refer to Mitigation Measures AQ-1 through AQ-4), the majority of emissions are beyond the Project's control. No additional feasible mitigation beyond AQ-1 through AQ-4 are available to further reduce emissions. Therefore, this impact would remain significant and unavoidable.

MITIGATION MEASURES

Refer to MM AQ-1 through AQ-4 in **Section 4.2**, **Air Quality**.

Impact 4.7-2 ***Would the Project conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions?***

Level of Significance: Significant and Unavoidable Impact

Construction and Operations

SCAG RTP/SCS Consistency

On September 3, 2020, SCAG's Regional Council adopted Connect SoCal (*2020 - 2045 Regional Transportation Plan/Sustainable Communities Strategy* [2020 RTP/SCS]). The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The RTP/SCS embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders in the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. SCAG's RTP/SCS establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035 as well as an overall GHG target for the Project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders 5-03-05 and B-30-15.

The RTP/SCS contains over 4,000 transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs and replacement bridges. These future investments were included in county plans developed by the six county transportation commissions and seek to reduce traffic bottlenecks, improve the efficiency of the region's network, and expand mobility choices for everyone. The RTP/SCS is an important planning document for the region, allowing project sponsors to qualify for federal funding.

The plan accounts for operations and maintenance costs to ensure reliability, longevity, and cost effectiveness. The RTP/SCS is also supported by a combination of transportation and land use strategies that help the region achieve state GHG emissions reduction goals and Federal Clean Air Act (FCAA) requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and utilize resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore Project comparison to the RTP/SCS is an appropriate indicator of whether the Project would inhibit the post-2020 GHG reduction goals promulgated by the state. The Project's consistency with the RTP/SCS goals is analyzed in detail in ***Table 4.7-4: Regional Transportation Plan/Sustainable Communities Strategy Consistency***.

Table 4.7-4: Regional Transportation Plan/Sustainable Communities Strategy Consistency

SCAG Goals		Compliance	
GOAL 1:	Encourage regional economic prosperity and global competitiveness.	N/A:	This is not a project-specific policy and is therefore not applicable. However, the Project is located on a vacant site and development of the site would contribute to regional economic prosperity.
GOAL 2:	Improve mobility, accessibility, reliability, and travel safety for people and goods.	Consistent:	Although this Project is not a transportation improvement project, the Project is located near existing transit routes on Slover Avenue.
GOAL 3:	Enhance the preservation, security, and resilience of the regional transportation system.	N/A:	This is not a transportation improvement project and is therefore not applicable.
GOAL 4:	Increase person and goods movement and travel choices within the transportation system.	N/A:	This is not a transportation improvement project and is therefore not applicable. However, the Project includes a warehouse use that would support goods movement.
GOAL 5:	Reduce greenhouse gas emissions and improve air quality.	Consistent:	The Project is located within an urban area in proximity to existing truck routes and freeways. Location of the project within a developed area would reduce trip lengths, which would reduce GHG and air quality emissions.
GOAL 6:	Support healthy and equitable communities	Consistent:	Although the Project exceeds regional thresholds for NO_X, the Project does not exceed localized thresholds. Based on the Friant Ranch decision, projects that do not exceed the SCAQMD's LSTs would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and result in no criteria pollutant health impacts.
GOAL 7:	Adapt to a changing climate and support an integrated regional development pattern and transportation network.	N/A:	This is not a project-specific policy and is therefore not applicable.
GOAL 8:	Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	N/A:	This is not a project-specific policy and is therefore not applicable.

SCAG Goals		Compliance	
GOAL 9:	Encourage development of diverse housing types in areas that are supported by multiple transportation options.	N/A:	The Project involves development of a warehouse and does not include housing. The Project is located within a relatively short walking distance to local bus routes.
GOAL 10:	Promote conservation of natural and agricultural lands and restoration of habitats.	N/A:	This the Project is located on a previously developed site and is not located on agricultural lands.
Source: Southern California Association of Governments, *Regional Transportation Plan/Sustainable Communities Strategy*, 2020.			

Compliance with applicable State standards would ensure consistency with State and regional GHG reduction planning efforts. The goals stated in the RTP/SCS were used to determine consistency with the planning efforts previously stated. As shown in ***Table 4.7-4***, the proposed Project would be consistent with the stated goals of the RTP/SCS. Therefore, the proposed Project would not result in any significant impacts or interfere with SCAG's ability to achieve the region's post-2020 mobile source GHG reduction targets.

Consistency with the CARB Scoping Plan

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, CARB adopted the *Climate Change Scoping Plan* (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan provides a range of GHG reduction actions that include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as the cap-and-trade program, and an AB 32 implementation fee to fund the program. The 2017 Scoping Plan Update identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the first update to the Scoping Plan in 2013. Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets.

As shown in ***Table 4.7-5: Project Consistency with Applicable CARB Scoping Plan Measures***, the Project is consistent with most of the strategies, while others are not applicable to the Project. As such, impacts related to consistency with the Scoping Plan would be less than significant.

Table 4.7-5: Project Consistency with Applicable CARB Scoping Plan Measures

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Transportation	California Cap-and-Trade Program Linked to Western Climate Initiative	Regulation for the California Cap on GHG Emissions and Market-Based Compliance Mechanism October 20, 2015 (CCR 95800)	**Consistent.** The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers. However, the regulation indirectly affects people who use the products and services produced by these industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
			California, generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period.
	California Light-Duty Vehicle GHG Standards	Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles	**Consistent**. This measure applies to all new vehicles starting with model year 2012. The Project would not conflict with its implementation as it would apply to all new passenger vehicles purchased in California. Passenger vehicles, model year 2012 and later, associated with construction and operation of the Project would be required to comply with the Pavley emissions standards.
		2012 LEV III California GHG and Criteria Pollutant Exhaust and Evaporative Emission Standards	**Consistent.** The LEV III amendments provide reductions from new vehicles sold in California between 2017 and 2025. Passenger vehicles associated with the site would comply with LEV III standards.
	Low Carbon Fuel Standard	2009 readopted in 2015. Regulations to Achieve GHG Emission Reductions Subarticle 7. Low Carbon Fuel Standard CCR 95480	**Consistent.** This measure applies to transportation fuels utilized by vehicles in California. The Project would not conflict with implementation of this measure. Motor vehicles associated with construction and operation of the Project would utilize low carbon transportation fuels as required under this measure.
	Regional Transportation-Related GHG Targets.	SB 375. Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, 21159.28	**Consistent**. The Project would provide development in the region that is consistent with the growth projections in the RTP/SCS.
	Goods Movement	Goods Movement Action Plan January 2007	**Not applicable**. The Project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
	Medium/Heavy-Duty Vehicle	2010 Amendments to the Truck and Bus Regulation, the Drayage Truck Regulation and the Tractor-Trailer GHG Regulation	**Consistent**. This measure applies to medium and heavy-duty vehicles that operate in the state. The Project would not conflict with implementation of this measure. Medium and heavy-duty vehicles associated with construction and operation of the Project would be required to comply with the requirements of this regulation.

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
	High Speed Rail	Funded under SB 862	**Not applicable**. This is a statewide measure that cannot be implemented by a project applicant or Lead Agency.
Electricity and Natural Gas	Energy Efficiency	Title 20 Appliance Efficiency Regulation	**Consistent.** The Project would not conflict with implementation of this measure. The Project would comply with the latest energy efficiency standards.
		Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Building	
		Title 24 Part 11 California Green Building Code Standards	
	Renewable Portfolio Standard/Renewable Electricity Standard.	2010 Regulation to Implement the Renewable Electricity Standard (33% 2020)	**Consistent**. The Project would obtain electricity from the electric utility, Southern California Edison (SCE). SCE obtained 36 percent of its power supply from renewable sources in 2018. Therefore, the utility would provide power when needed on site that is composed of a greater percentage of renewable sources.
	Million Solar Roofs Program	SB 350 Clean Energy and Pollution Reduction Act of 2015 (50% 2030)	
	Million Solar Roofs Program	Tax Incentive Program	**Consistent.** This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs. The program provides incentives that are in place at the time of construction.
Water	Water	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The Project would comply with the CalGreen standards, which requires a 20 percent reduction in indoor water use. The Project would also comply with the City's Water-Efficient Landscaping Regulations (Chapter 28, Article IV of the Fontana Municipal Code).
		SBX 7-7—The Water Conservation Act of 2009	
		Model Water Efficient Landscape Ordinance	
Green Buildings	Green Building Strategy	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The State is to increase the use of green building practices. The Project would implement required green building strategies through existing regulation that requires the Project to comply with various CalGreen requirements. The Project includes sustainability design features that support the Green Building Strategy.
Industry	Industrial Emissions	2010 CARB Mandatory Reporting Regulation	**Not applicable.** The Mandatory Reporting Regulation requires facilities and entities with more than 10,000 $MTCO_2e$ of combustion and

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
			process emissions, all facilities belonging to certain industries, and all electric power entities to submit an annual GHG emissions data report directly to CARB. As shown above, although total Project GHG emissions would exceed 10,000 $MTCO_2e$ the majority (89 percent) of unmitigated emissions are mobile sources. Therefore, this regulation would not apply.
Recycling and Waste Management	Recycling and Waste	Title 24 Part 11 California Green Building Code Standards AB 341 Statewide 75 Percent Diversion Goal	**Consistent.** The Project would not conflict with implementation of these measures. The Project is required to achieve the recycling mandates via compliance with the CALGreen code. The City has consistently achieved its state recycling mandates.
Forests	Sustainable Forests	Cap and Trade Offset Projects	**Not applicable.** The Project is not located in a forested area.
High Global Warming Potential	High Global Warming Potential Gases	CARB Refrigerant Management Program CCR 95380	**Not applicable**. The regulations are applicable to refrigerants used by large air conditioning systems and large commercial and industrial refrigerators and cold storage system. The Project would not conflict with the refrigerant management regulations adopted by CARB.
Agriculture	Agriculture	Cap and Trade Offset Projects for Livestock and Rice Cultivation	**Not applicable**. No grazing, feedlot, or other agricultural activities that generate manure occur currently exist on-site or are proposed to be implemented by the Project.

Source: California Air Resources Board, *California's 2017 Climate Change Scoping Plan*, November 2017 and CARB, *Climate Change Scoping Plan*, December 2008.

As seen in ***Table 4.7-4: Regional Transportation Plan/Sustainable Communities Strategy Consistency***, and ***Table 4.7-5: Project Consistency with Applicable CARB Scoping Plan Measures***, the Project would be consistent with all applicable plan goals. As shown in ***Table 4.7-3: Project Greenhouse Gas Emissions***, with mitigation the Project is estimated to emit approximately 14,472.01 $MTCO_2e$ per year directly from on-site activities and indirectly from off-site motor vehicles.

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the proposed Project would benefit from the implementation of current and potential future regulations (e.g., improvements in vehicle emissions, SB 100/renewable electricity portfolio improvements, etc.) enacted to meet an 80 percent reduction below 1990 levels by 2050.

The majority of the GHG reductions from the Scoping Plan would result from continuation of the Cap-and-Trade regulation. Assembly Bill 398 (2017) extends the state's Cap-and-Trade program through 2030 and the Scoping Plan provide a comprehensive plan for the state to achieve its GHG targets through a variety of regulations enacted at the state level. Additional reductions are achieved from electricity

sector standards (i.e., utility providers to supply 60 percent renewable electricity by 2030 and 100 percent renewable by 2045), doubling the energy efficiency savings at end uses, additional reductions from the LCFS, implementing the short-lived GHG strategy (e.g., hydrofluorocarbons), and implementing the Mobile Source Strategy and Sustainable Freight Action Plan.

Several of the State's plans and policies would contribute to a reduction in mobile source emissions from the Project. These include the CARB's Advanced Clean Truck Regulation, Executive Order N-79-20, CARB's Mobile Source Strategy, CARB's Sustainable Freight Action Plan, and CARB's Emissions Reduction Plan for Ports and Goods Movement. CARB's Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8.

Executive Order N-79-20 establishes the goal for all new passenger cars and trucks, as well as all drayage/cargo trucks and off-road vehicles and equipment, sold in California, will be zero-emission by 2035 and all medium and heavy-duty vehicles will be zero-emission by 2045. It also directs CARB to develop and propose rulemaking for passenger vehicles and trucks, medium-and heavy-duty fleets where feasible, drayage trucks, and off-road vehicles and equipment "requiring increasing volumes" of new ZEVs "towards the target of 100 percent."

CARB's Mobile Source Strategy which include increasing ZEV buses and trucks and their Sustainable Freight Action Plan which improves freight system efficiency, utilizes near-zero emissions technology, and deployment of ZEV trucks. This Plan applies to all trucks accessing the Project site and may include existing trucks or new trucks that are part of the statewide goods movement sector. CARB's Emissions Reduction Plan for Ports and Goods Movement identifies measures to improve goods movement efficiencies such as advanced combustion strategies, friction reduction, waste heat recovery, and electrification of accessories. While these measures are not directly applicable to the Project, any commercial activity associated with goods movement would be required to comply with these measures as adopted.

The Project would not obstruct or interfere with efforts to increase ZEVs or state efforts to improve system efficiency. As discussed above, MMs AQ-1 through MM AQ-4 would reduce mobile source emissions by promoting the use of alternative fuels and clean fleets. Therefore, the Project would also benefit from implementation of these State programs and measures, which would reduce future GHG emissions from trucks.

The Project's long-term operational GHG emissions would exceed the City's threshold of 3,000 $MTCO_2e$ per year despite the implementation of **MM AQ-1** through **AQ-4** in **Section 4.2, Air Quality** and thus could impede California's statewide GHG reduction goals for 2030 and 2050. Since the majority (91 percent) of mitigated emissions are from mobile sources and neither the Project Applicant nor the City have regulatory authority to control tailpipe emissions, no feasible mitigation measures exist that would reduce the Project's impacts with respect to operational emissions to less than significant levels. While the Project has some control over GHG emissions (refer to **MM AQ-1** through **AQ-4**), the majority of emissions are beyond the Project's control. Therefore, no additional feasible mitigation measures beyond **MM AQ-1** through **AQ-4** are available to further reduce emissions, and impacts would remain significant. **MM AQ-1**

through **AQ-4** represents all feasible mitigation measures available to reduce the Project's emissions. A significant and unavoidable impact would occur as a result of the proposed Project.

MITIGATION MEASURES

Mitigation measures AQ-1 through AQ-4 in **Section 4.2**, **Air Quality** would be applied.

4.7.6 Cumulative Impacts

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory. GHG impacts are recognized as exclusively cumulative impacts; there are no non-cumulative GHG emission impacts from a climate change perspective. The additive effect of Project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. As discussed above, the Project-related GHG emissions would exceed the City's threshold of 3,000 $MTCO_2e$ despite implementation of **MM AQ-1** through **AQ-4** from **Section 4.2, Air Quality** and could impede statewide 2030 and 2050 GHG emission reduction targets. As such, the Project would result in a potentially significant cumulative GHG impact.

4.7.7 Significant Unavoidable Impacts

Impacts 4.7-1 and 4.7-2 were found to contain potentially significant and unavoidable impacts. Specifically, significant unavoidable impacts would occur in the following areas despite the implementation of the mitigation measures:

- The Project would generate GHG emissions, either directly or indirectly, that would have a significant impact on the environment (Impact 4.7-1).
- The Project would conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions (Impact 4.7-2).
- The Project would result in significant cumulative GHG emissions.

Cumulative GHG Emissions. Despite implementation of **MM AQ-1** through **AQ-4**, the proposed Project would still result in net annual emissions that exceed the GHG emissions significance threshold of 3,000 $MTCO_2e$/yr. Therefore, Project-related GHG emissions and their contribution to global climate change would be cumulatively considerable.

4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 Introduction

This section addresses potential hazards and hazardous materials impacts that may result from implementation of the Fontana Sierra Business Center Project (Project) that includes development of one approximately 705,735 square foot industrial warehouse building with included office space. The following discussion addresses the existing hazards and hazardous materials conditions of the affected environment, considers relevant goals and policies, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from implementation of the proposed Project, as applicable. The information and analysis herein rely on the following investigations and collectively document the conditions of the site regarding hazards and hazardous materials:

- Phase I Environmental Site Assessment NWC Juniper Avenue and Boyle Avenue Fontana, California 92337, November 20, 2019 – Prepared by Avocet Environmental, Inc. (Avocet)
- Phase II Investigation NWC Juniper Avenue and Boyle Avenue Fontana, California 92337, November 21, 2019 – Prepared by Avocet Environmental, Inc.
- Phase I Environmental Site Assessment Report NWC Juniper Avenue and Slover Avenue Fontana, California 92337, April 7, 2020 - Prepared by Avocet Environmental, Inc.
- Limited Phase II Subsurface Investigation NWC Juniper and Slover Avenues Fontana, California 92337, April 2, 2020 – Prepared by Avocet Environmental, Inc.

Analysis of area cumulative impacts and identification of appropriate and feasible mitigation measures are also included in the discussion portions of this section.

4.8.2 Affected Environment

A Phase I Environmental Site Assessment (ESA) was conducted for the Project site in two segments. The first Phase I ESA analyzed the northern area of the Project site north of the existing Boyle Avenue (Zone 1) and was completed by Avocet in 2019 in accordance with the American Society for Testing and Materials (ASTM) Standard E1527-13 (provided as Appendix K). Avocet conducted a site visit on September 23 and 26, 2019. A separate Phase I ESA was completed for the southern portion of the Project site, south of the existing Boyle Avenue (Zone 2),) by Avocet, also provided in Appendix K. A site visit was conducted on February 28, 2020.

Phase II investigations were conducted by Avocet for both the northern area (Zone 1) on October 10, 2019, and the southern area (Zone 2), on February 28, 2020. See Appendix K for the details on those investigations. The following discussion summarizes the findings of the data research, environmental records searches, map and photograph reviews, physical on-site and off-site inspections completed by Avocet.

Hazardous Materials and Waste Defined

Hazardous materials, as defined by California Health and Safety Code Sections 25501(n) and 25501(o), are substances with certain physical properties that could pose a substantial present or future hazard to

human health or the environment when improperly handled, disposed of, or otherwise managed. Hazardous materials are grouped into the following four categories, based on their properties: (1) toxic (causes human health effects); (2) ignitable (has the ability to burn); (3) corrosive (causes severe burns or damage to materials); or (4) reactive (causes explosions or generates toxic gases).

Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. When improperly handled, hazardous materials and hazardous waste can result in public health hazards if released into the environment through the soil or groundwater, or via airborne releases in the form of vapors, fumes, or dust. Contaminated soil and groundwater containing concentrations of hazardous constituents that exceed regulatory thresholds must be handled and disposed of as hazardous waste when excavated or pumped. The California Code of Regulations, Title 22, Sections 66261.20–66261.24 contain technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

Site History

Aerial photographs dating to 1938, the earliest date available, of the Project site were used to determine the historic land use of the site and if there was any evidence of hazardous material that may affect the environmental quality of the Project site. The aerial photographs were reviewed for the following features: sumps, pits, ponds, lagoons, above ground tanks, landfills, collection of drums or containers, discoloration of soil, structures and general land use. Furthermore, topographic maps dating back to 1896 show the land as undeveloped. ***Table 4.8-1: Aerial Photograph Review Summary of the Project Site***, details the results of the aerial review as outlined in the ESAs. The aerials can be reviewed as part of the Phase I ESAs included in Appendix K.

Table 4.8-1: Aerial Photograph Review Summary of the Project Site

Year	Photo Source	Land Use	Identifiable Features
1938	USDA	Agriculture	Orchards. Boyle Avenue appears to be a dirt road. Possible agricultural or residential structure in north-central portion of Project site. Few small structures, possible residential or agricultural, present southern half of property.
1948	USGS	Agriculture	Orchards. Widening of I-10 to the north. Possible agricultural or residential structure in northwest and southwest portion of Project site.
1953	USDA	Agriculture and residential	Northwest quadrant of Project site partially cleared of orchard. Agricultural and residential buildings constructed.
1959	USDA	Agricultural and residential	Northwest quadrant nearly fully cleared orchard. Southeast quadrant partially cleared orchard. Additional residential structures appear in Project site. Surrounding agriculture/orchards begin to be replaced by residential uses. Interchange at I-10 and Sierra Avenue constructed.
1967	USDA	Agricultural and residential	Portions of northeast and southwest quadrants cleared of orchards. I-10 further widened. There are no significant changes to the surrounding properties.

Year	Photo Source	Land Use	Identifiable Features
1975	USGS	Agricultural and residential	Agricultural buildings constructed in southeast portion of Project site. Boyle Avenue appears to be a paved roadway. Surrounding properties agriculture/orchards continue to be replaced by residential and commercial land uses. Mobile home park east of Project site.
1985	USDA	Agricultural and residential	Only a small amount of orchards remain along the eastern boundary of the Project site. Residential and agriculture structures present on Project site. There are no significant changes to the surrounding properties.
1990	USDA	Residential, commercial, and vacant land	Project site fully cleared of orchards. Tractor trailer parking and outdoor storage begin to appear on some parcels. Remaining orchards northeast of Project site removed.
1994	USGS/DOQQ	Residential, commercial, and vacant land	There are no significant changes to the subject property. Commercial development northeast of Project site. Orchards southeast and southwest of Project site removed.
2006	USDA/NAIP	Residential, commercial, and vacant land	There are no significant changes to the subject property. Commercial development southeast of Project site.
2009	USDA/NAIP	Residential, commercial, and vacant land	There are no significant changes to the subject property. Reconstruction of Cypress Avenue. Boyle Avenue now terminates at newly constructed Vineyard Drive.
2012	USDA/NAIP	Residential, commercial, and vacant land	There are no significant changes to the subject property or surrounding properties.
2016	USDA/NAIP	Residential, commercial, and vacant land	There are no significant changes to the subject property. Continued use of some parcels for tractor trailer parking and outdoor storage. New commercial development north of Project site.

Source: Avocet Environmental, Inc. 2019a and 2020a.

No sumps, pits, ponds, lagoons, above ground tanks, landfills, collection of drums or containers, or discoloration of soil was visible during the aerial review.

The Project site consists of vacant parcels. Stockpiles of dirt and gravel were also observed throughout the Project site.

Regulatory Records Search

Environmental Data Resources, Inc. (EDR), on behalf of Avocet, conducted a government records search to document potential sources of contamination at or near the site. The search included databases maintained by federal, state, and local agencies for the site and for other properties within ASTM-standard radii of the site. The records search is summarized in Section 5.0 of the Phase I ESA's located in **Appendix K** and a copy of "The EDR Radius Map™ Reports with GeoCheck®" is included in its entirety as Appendix F of each Phase I ESA located in Appendix K.

As discussed in the Phase I ESA's, according to the California Geologic Energy Management Division (CalGEM) records available online, the site is not within or near the administrative boundary of an oil field and there are no oil or natural gas wells, active or abandoned, within 1 mile of the site. The closest oil or

gas well is located approximately 3 miles northwest of the subject site. Based on the above, it is not likely that the subject site has been impacted by historical oil production operations in the area.

For the Phase I ESAs, Avocet searched the State Water Resources Control Board's (SWRCB) GeoTracker website[1] and EnviroStor website maintained by the California Department of Toxic Substances Control (DTSC) for additional environmental records pertaining to the site, as well as records pertaining to selected nearby properties. Relevant information from this research is incorporated or referred to, as appropriate, throughout the remainder of this section.

The Phase I ESAs identified multiple Recognized Environmental Condition (RECs) and Other Environmental Features (OEFs) on the Project site, discussed below:

REC 1 – Illegal Discharge of Oil. SBCoFD received a complaint in 1998 that someone at 16628 Boyle Avenue had illegally discharged approximately 1,000 gallons of waste oil from a transformer onto the ground surface to the northeast of that property. An enforcement officer from SBCoFD inspected the site shortly after the complaint; however, as documented in the inspection record, no evidence of illegal oil disposal was observed, and it does not appear any follow-up action was taken. Although information pertaining to the location of the reported oil discharge is limited and vague, Avocet inspected the northern portion of the property at 16628 Boyle Avenue and the adjoining parcels and the Southern Pacific railroad right-of-way and found no visual or olfactory evidence of any such discharge. Nevertheless, the reported illegal discharge of oil to the ground surface meets the ASTM definition of a REC until such time as it can be disproven or shown to have been a *de minimis* release.

OEF – Historical Presence of Orchards/ Past Agricultural Land Use. The site was used to grow fruit trees from at least as far back as 1938 until the early 1990s. Pesticides were widely used throughout the United States during this period; however, historical aerial photographs of the site do not show any aboveground storage tanks, such as might have been used to store or mix pesticides, nor do they show distressed vegetation, such as might have resulted from pesticide overuse. If pesticides were used at the site and applied in accordance with the manufacturers' recommendations, they should not have significantly impacted near-surface soil in terms of the ongoing presence of residual pesticides and/or related degradation byproducts.

OEF – Irrigation Infrastructure. Large-diameter concrete standpipes protrude from the ground surface in Zone 2 and two locations in Zone 1. These protruding pipes are a visible remnant of a subsurface irrigation system assumed to be associated with the former citrus orchard. The lateral extent of the subsurface piping system is unknown, but it could underlie the entire site and be encountered during redevelopment grading. There aren't necessarily any environmental concerns related to the protruding standpipes or related subsurface piping other than the possible presence of asbestos in the concrete pipe matrix and/or in the mortar used to seal the pipe joints.

OEF – Asbestos Containing Materials (ACMs) and Lead-Based Paints (LBPs). Based on available aerial photographs, the buildings at the site predate the restrictions on using asbestos-containing materials (ACMs) and lead-based paint (LBP). The presence of these materials would need to be confirmed via a hazardous materials survey. That said, Avocet did not observe any obvious hazardous conditions, such as

[1] SWRCB. 2020. GeoTracker. Available at https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Fontana (accessed May 2020).

damaged and friable ACMs, in the on-site buildings. It should be noted that since the preparation of the Phase I ESA's for the Project site, all on-site buildings and associated demolition materials have been removed from the Project site consistent with all regulations, and thus this is no longer applicable to the Project site.

OEF – Soil Stockpiles. Zone 2 features stockpiles of soil (approximately 11cubic yards) as did Zone 1 (approximately 1 cubic yard) that appear to have been imported from one or more off-site sources. No odors or staining were observed, and the Zone 2 stockpiles appear to have been present for extended periods of time, as evidenced by the presence of vegetation growing on them. Pieces of asphalt were observed in the stockpile on Zone 1.

OEF – Aerially Deposited Lead (ADL). The site is located immediately south of a Southern Pacific railroad track and I-10, which collectively constitute a major transportation corridor into the Los Angeles area. Near-surface soil adjacent to such transportation corridors can be impacted by ADL related to the use of leaded gasoline and possibly other fuel hydrocarbons.

OEF – Automotive Fluid Storage and Use (Zone 1). One of the previous occupants of Zone 1 performed vehicle maintenance at the site, and Avocet observed full and empty containers of motor oil and other automotive fluids. None of the containers were provided with secondary containment and staining on the unpaved surfaces throughout the parcel suggest that periodic, de minimis surface spills have occurred. However, there are no indications of larger or more significant spills, such as continuous releases from static or immobile sources.

Based on the above, Avocet recommended performing a focused Phase II investigation.

Phase I On-site Reconnaissance and Site Inspection

Two Phase I ESAs were conducted for the Project site: one for the Project site north of Boyle Avenue (Zone 1) and one for the Project south of Boyle Avenue (Zone 2). Note that these studies were conducted at a time where the Project site contained existing structures. The current condition of the Project site is vacant. Survey discussion, derived from the Phase I ESAs (see Appendix K), are divided by zone below.

Zone 1

Avocet conducted unescorted walkover surveys of the site on September 23 and 26, 2019 to visually assess current conditions.

Outdoor Storage on Parcel 2 (Zone 1)

Parcel 2 (Zone 1), at 10335 Vineyard Drive, is currently used as an outdoor storage yard for miscellaneous items, including trailers, passenger vehicles, tires, tools, shipping containers, and semi-truck trailers (Photograph E-1 of Avocet 2019a). Avocet notes that the shipping containers were locked and inaccessible during the walkover surveys so their contents are unknown, although there are no indications the contents are hazardous. The parcel is split into two areas by chain link fencing, and both areas are accessible via locked gates on Vineyard Drive. A covered canopy area is located at the approximate location shown in Figure 3 of Avocet 2019a. In this area, Avocet personnel observed three 55-gallon drums, two of which were empty and one of which was at least partially full of an unknown substance (Photograph E-2 of Avocet 2019a). An oily substance was observed on the outside of the drum; however,

the ground surrounding it was not stained, suggesting that no significant release from it had occurred (Photograph E-3 of Avocet 2019a). Other 5-gallon containers of motor oil and tractor fluid were present in the area, along with miscellaneous tools and the like, suggesting that periodic vehicle maintenance occurs on the parcel. None of the containers were provided with secondary containment; however, no significant staining was observed in their immediate vicinity. Other indications of vehicle maintenance activities included several small areas of *de minimis* staining (Photograph E-4 of Avocet 2019a). Adjacent to the covered canopy area, Avocet personnel observed multiple empty 55-gallon drums and gallon-sized motor oil containers (Photograph E-5 of Avocet 2019a). Avocet did not observe any stains or odors in the immediate vicinity of the drums. A parts washer was also observed (Photograph E-6 of Avocet 2019a); however, it was empty, did not appear to have been used recently, and may never have been used at its current location given that the property is used for storage and, in many regards, resembles a junkyard. In addition to the above, two stockpiles were observed in the northeast corner of the parcel, one consisting of soil and one consisting of gravel (Photograph E-7 of Avocet 2019a). The stockpiles were each approximately 1 or 2 cubic yards in volume and neither had any visual signs of impacts (i.e., staining or odors).

Outdoor Storage on Parcel 18 (Zone 1)

Parcel 18 (Zone 1), at 16628 Boyle Avenue, is currently used for outdoor storage of polyvinyl chloride pipe, concrete-covered steel pipe, corrugated metal pipe, and hoses (Photographs E-8 and E-9 of Avocet 2019a). Avocet also observed wood pallets, masonry materials, empty plastic containers, and miscellaneous debris (Photographs E-10 through E-13 of Avocet 2019a). The rear (northern) portion of the site features multiple stockpiles of gravel (Photograph E-13 of Avocet 2019a). Along the eastern property boundary, at the approximate location shown in Figure 3 of Avocet 2019a, are two concrete pads that appear to correspond to the former building that was removed from the site sometime between 1994 and 2006 (Photographs E-14 and E-15 of Avocet 2019a). Documentation provided by the San Bernardino County Fire Department states that in 1998, someone reported that approximately 1,000 gallons of oil from a large transformer were illegally discharged to the ground surface to the northwest of the property at 16628 Boyle Avenue. However, the San Bernardino County Fire Department personnel who responded shortly after the report were unable to find any evidence of any such release. Although information pertaining to the location of the oil discharge is limited and vague, Avocet inspected the northern portion of the property at 16628 Boyle Avenue and the adjoining parcels and the Southern Pacific railroad right-of-way but also found no evidence of any such discharge.

Residential and Vacant Land

Apart from Parcels 2 and 18 of Zone 1, the subject site is vacant and undeveloped or features single-family residences (Photograph E-16 of Avocet 2019a). All of the residences front onto Boyle Avenue and all but one are occupied. Specifically, the residence on Parcel 20 of Zone 1 (Photograph E-17 of Avocet 2019a) is boarded up and abandoned, although a broken door suggests it may be frequented by homeless persons. According to a database listing (Appendix F of Avocet 2019a), the property on Parcel 20 of Zone 1 (16666 Boyle Avenue) reportedly featured an illegal drug laboratory in 2000. Related environmental concerns include the storage, use, and disposal of flammable and toxic substances, although Avocet assumes that any such materials were removed when the drug laboratory was discovered. Avocet notes that the inside of the building was not safely accessible during the walkover survey but there was no

evidence of the use of hazardous materials at any of the homes, with the possible exception of automotive fluids. One resident was observed working on a car during Avocet's walkover survey. Parcel 12 of Zone 1 features a large parking area in addition to the homes. The parking area, which is partially paved with degraded asphalt and concrete, is used to store semi-truck trailers along with tires and other miscellaneous vehicle parts (Photographs E-18 and E-19 of Avocet 2019a). Another soil stockpile approximately 1 cubic yard in size is located in the northwest corner of this parcel. Debris, including old clothes, litter, and the like, was scattered over several of the vacant parcels (Photograph E-20 of Avocet 2019a). In addition, Parcel 21 of Zone 1 featured what appeared to be the remains of concrete irrigation standpipes, likely remnants of past agricultural activities at the site (Photograph E-21 of Avocet 2019a).

Zone 2

Avocet conducted a walkover survey of the site on February 28, 2020 to visually assess current conditions.

Residential and Vacant Land

The subject site is vacant and undeveloped or features single-family residences. The residences front onto either Boyle Avenue, Juniper Avenue, or Slover Avenue and all but one appeared occupied. Parcel 7 of Zone 2 features one abandoned building (Photograph E-1 of Avocet 2020a) and a second building that has been partially demolished (Photograph E-2 of Avocet 2020a). Areas behind the homes are largely unpaved, but some homes feature paved parking lots behind them (Photograph E-3 of Avocet 2020a). Parcel 3 of Zone 2 features an outdoor area that is being used to raise goats (Photograph E-4 of Avocet 2020a). A large-diameter concrete standpipe protrudes from the ground surface on Parcel 14 of Zone 2 (Photograph E-5 of Avocet 2020a). This protruding pipe is a visible remnant of a subsurface irrigation system assumed to be associated with the former citrus orchard. According to records obtained from San Bernardino County Fire Department, the properties on Parcels 16 and 20 of Zone 2 reportedly featured illegal drug laboratories that were removed in 1995 (San Bernardino County Fire Department, August 10 and 24, 1995, as cited in Avocet 2020a). Related environmental concerns include the storage, use, and disposal of flammable and toxic substances, although Avocet assumes that any such materials were removed when the drug laboratories were cleared. Avocet notes that the structures have been removed from Parcel 16 of Zone 2 and there are tenants currently living inside three homes on Parcel 20 of Zone 2. The area behind the home on Parcel 21 of Zone 2 is paved with asphalt and is being used to park vehicles. A concrete pad was observed in the center of the paved area; however, it is unclear what the pad was used for (Photograph E-6 of Avocet 2020a) and it did not feature hold-down bolts or other indications of equipment anchorage. The residence on Parcel 25 of Zone 2 features an attached canopy on the north side, which, based on a string of lights, may be used for social gatherings (Photograph E-7 of Avocet 2020a). An oil stain was observed in the center of the pavement beneath the covered canopy, which may indicate that the area was previously used to park vehicles (Photograph E-8 of Avocet 2020a).

Avocet did not observe evidence of the use of hazardous materials at the parcels or at any of the homes at the site, with the possible exception of automotive fluids. Evidence of car maintenance was observed at several of the homes.

Storage on Parcel 20 (Zone 2)

Parcel 20 (Zone 2), at 16634 Slover Avenue, is split into four different quadrants, three of which feature residences. The southwest quadrant features a large single-family home with a backyard. Avocet observed

the storage of passenger vehicles in the unpaved backyard (Photograph E-9 of Avocet 2020a). The northwest quadrant is being used as a storage yard for miscellaneous items, including passenger vehicles, tires, tools, trailers, and small quantities of motor oil and other vehicle fluids. A corrugated metal building is located in the northwest corner of the quadrant and a covered canopy area is located immediately east of the building. In the covered canopy area, various tools and small quantities of vehicle fluids were being stored on tables (Photograph E-10 of Avocet 2020a). Vehicles in various states of repair were also observed in this area. Inside the corrugated metal building were additional vehicles in disrepair and miscellaneous items, such as furniture, vehicle parts, and trash. A small mobile office trailer was located inside the building (Photograph E-11 of Avocet 2020a). The northeast quadrant features a mobile home in which a tenant is currently living. Immediately east of the mobile home, more outdoor storage was observed, including a trailer and more passenger vehicles and miscellaneous items (Photograph E-12 of Avocet 2020a). The southeast quadrant features a smaller single-family home that fronts onto Slover Avenue. Behind the home, a cluster of soil stockpiles, containing an estimated 10 cubic yards of material, was observed (Photograph E-13 of Avocet 2020a). The Avocet was not able to determine their source during the walkover survey; however, there were no obvious signs of chemical impacts, such as discoloration or odors.

Storage on Parcels 14, 23, and 24 (Zone 2)

Parcels 14, 23, and 24 (Zone 2) feature single-family homes that front onto Juniper Avenue and Slover Avenue, respectively. Outdoor storage was observed behind each of these homes. Parcel 14 of Zone 2 featured two sheds; however, they were locked and inaccessible during the walkover survey. Landscaping tools, including lawnmowers, weed whackers, wheelbarrows, and waste bins, among other items, are being stored outside next to the two sheds (Photograph E-14 of Avocet 2020a). Parcel 23 of Zone 2 featured a partially covered storage area for tools, metal, and miscellaneous items (Photograph E-15 of Avocet 2020a). There was also a trailer that was being used to store additional tools and household items and a large semi-truck for transporting passenger vehicles (Photograph E-16 of Avocet 2020a). Parcel 24 of Zone 2 similarly features a covered canopy under which were stored various items, including sheet metal, tools, and furniture. Two 55-gallon drums were observed next to the covered canopy, both of which were filled with gravel (Photograph E-17 of Avocet 2020a).

The SWRCB GeoTracker website[2] was searched to determine if there are any listed sites on the Project site. The GeoTracker is the Water Boards' data management system for sites that impact, or have the potential to impact, water quality in California, with emphasis on groundwater. GeoTracker contains records for sites that require cleanup, such as Leaking Underground Storage Tank (LUST) Sites, Department of Defense Sites, and Cleanup Program Sites. GeoTracker also contains records for various unregulated projects as well as permitted facilities including: Irrigated Lands, Oil and Gas production, operating Permitted USTs, and Land Disposal Sites.

The GeoTracker search also revealed 2 sites within approximately 0.2 miles of the Project site:

1. Sierra EM Chevron, 10510 Sierra Avenue, Fontana, CA 92335 – Permitted Underground Storage Tank (UST), Facility ID FA0011529

[2] SWRCB. 2020. GeoTracker. Available at https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=Fontana (accessed May 2020).

2. Circle K Store #5233 (T0607100634), 16880 Slover Avenue, Fontana, CA 92335 - LUST Cleanup Site, Cleanup Status: Completed - Case Closed, RB Case #083603645T, Loc Case #99112

Review of Envirostor did not identify any Envirostor sites on the Project site.[3] According to the EDR Radius Map™ Report with GeoCheck®, located in Appendix F of each Phase I ESA, there are no polychlorinated biphenyls (PCB) transformers located in the Project site. In addition to the above, the site was not found to have strong pungent, or noxious odors, pools of liquids, drainages, sumps or clarifiers, or other depressions containing water or other materials, and there was no evidence of stressed vegetation. No additional environmental hazards including landfill activities or radiological hazards were noted.

Phase II Subsurface Investigations

Avocet conducted the Phase II investigations sampling, outlined in the Phase II Investigations reports (Avocent 2019b and 2020b) on October 10, 2019 (Zone 1) and March 19, 2020 (Zone 2). According to the Phase II reports, Avocet investigated the possible presence of residual pesticides, including arsenic, in near-surface soil at the site in accordance with DTSC guidance. Soil sampling conducted for the Phase II ESAs utilized near-surface soil sampling, stockpile soil sampling, and shallow auger borings.

Zone 1

Near-surface soil sampling revealed the presence of organochlorine pesticides (OCP) in soils within the Project site. The pesticides found included Dichlorodiphenyldichloroethylene (4-4 DDE), dieldrin, and arsenic. However, the pesticides 4-4 DDE and dieldrin were identified at only two of the six soil testing locations. Arsenic was identified at all six testing locations. The analysis concluded that all pesticide concentrations in the soils were below the thresholds of each type.

Twelve discrete soil matrix samples collected at 1.5 feet bags in the Project site were combined into three composite samples, which were analyzed for total petroleum hydrocarbons (TPH). All three of the composite soil samples contained TPH at concentrations ranging from 18 to 51 mg/kg. The identified TPH was all in the heavier, oil range organics (ORO) range. The thresholds for residential, commercial worker, and construction worker exposure to ORO are 12,000 mg/kg, 180,000 mg/kg, and 54,000 mg/kg, respectively. The reported TPH concentrations in three composite soil samples are negligible and are not consistent with the alleged illegal discharge of oil in the area reported.

Nine discrete soil samples from along the northern and western Zone 1 boundaries were analyzed for lead. All nine of the discrete soil samples analyzed contained lead; however, the reported concentrations were well below potentially applicable residential screening levels and the more relevant commercial/industrial screening levels. That said, the lead concentrations in the samples collected along the northern site boundary, closest to the freeway, were generally higher than those in the samples collected adjacent to Cypress Avenue, suggesting some ADL, but per the above, the concentrations are not of concern.

[3] DTSC. Envirostor. 2020. Available at https://www.envirostor.dtsc.ca.gov/public/search?CMD=search&city=Fontana&zip=&county=&case_number=&business_name=&FEDERAL_SUPERFUND=True&STATE_RESPONSE=True&VOLUNTARY_CLEANUP=True&SCHOOL_CLEANUP=True&CORRECTIVE_ACTION=True&tiered_permit=True&evaluation=True&operating=True&post_closure=True&non_operating=True&inspections=True (accessed May 2020).

Zone 2

Zone 2 was analyzed using four composite soil matrix samples for OCPs and four discrete soil matrix samples for arsenic. In brief, the identified OCPs of 4-4 DDE and chlordane were below established thresholds. Arsenic was identified at all four soil sample sites at concentrations ranging from 3.3 to 6.28 mg/kg. All of the reported arsenic concentrations are well below the accepted 12 mg/kg upper background level for soil in southern California. Against these screening levels, the reported TPH concentrations in both are not considered significant.

Two composite soil samples from Zone 2 were analyzed for Title 22 metals and TPH with carbon chain speciation. Both composite stockpile samples contained detectable levels of naturally occurring Title 22 metals; however, apart from arsenic, none of the reported concentrations exceeded potentially applicable screening levels. The two reported arsenic concentrations were both well below the accepted 12 mg/kg upper background level for soil in southern California. Using the reported carbon chain ranges, Avocet calculated the concentrations of TPH as diesel range organics (DRO) and oil range organics (ORO); none of the TPH was in the gasoline range.

Nearby Airports or Airstrips

The nearest airstrips are the Ontario International Airport (located roughly 8 miles to the west) and the San Bernardino International Airport (located roughly 10 miles to the northeast).

Wildland Fire Hazards

According to the City of Fontana General Plan (Fontana GP) Noise and Safety Element[4], fire hazards have been ranked within the range of little to no threat and are designated as an incorporated Local Responsibility Area (LRA). Also, according to CalFire, the Project site is designated as a Non-Very High Fire Hazard Safety Zone (VHFHSZ).[5]

Evacuation Routes

According to the Fontana GP Noise and Safety Element, the City has no defined emergency routes. However, Interstate 10 (I-10), located adjacent north of the Project site, is considered an emergency route as it traverses the City granting access from many of the main thoroughfares.

Landfill Sites

The Mid Valley Sanitary Landfill is located approximately 5 miles to the north-northeast of the Project site.

Schools

The nearest school to the Project site is Citrus High School alternative school, located at 10760 Cypress Avenue, Fontana, CA, approximately 0.25 miles south of the Project site along Cypress Avenue. Located adjacent west of Citrus High School is Fontana Adult School, located at 10755 Oleander Avenue,

[4] City of Fontana. 2018. Fontana Forward General Plan Update 2015-2035. Chapter 11 – Noise and Safety. Available at https://www.fontana.org/DocumentCenter/View/26750/Chapter-11---Noise-and-Safety (accessed May 2020).
[5] CAL FIRE. 2008. Very High Fire Hazard Severity Zones in LRA As Recommended by CAL FIRE – Fontana. Available at https://osfm.fire.ca.gov/media/5943/fontana.pdf (accessed May 2020).

Fontana, CA. Jurupa Hills High School is located across Oleander Avenue from the Fontana Adult School at 10700 Oleander Avenue Fontana, CA.

4.8.3 Regulatory Framework

Hazardous materials and wastes are identified and defined by federal and state regulations for the purpose of protecting public health and the environment. Hazardous materials contain certain chemical, physical, or infectious properties that cause them to be considered hazardous. Hazardous wastes are defined in the Code of Federal Regulations Title 40, Volume 28, Parts 260–265 and in the California Code of Regulations (CCR), Title 22 Div. 4.5, Chapter 11, Article 1, Section 66261. Over the years, the laws and regulations have evolved to deal with different aspects of the handling, treatment, storage, and disposal of hazardous substances.

Federal

Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The Federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act (RCRA) established a program administered by the U.S. EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the "cradle to grave" system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law (U.S. Code Title 42, Chapter 103) provides broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulation [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the National Priorities List (NPL). CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) and the National Priorities List

The U.S. EPA also maintains the Comprehensive Environmental Response Compensation (CERCLIS) and Liability Information System list. This list contains sites that are either proposed to be or on the NPL, as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The NPL is a list of the worst hazardous waste sites that have been identified by Superfund. There are no NPL sites on the Project site.

Emergency Planning and Community Right-to-Know Act

The Federal Emergency Planning and Community Right-To-Know Act (EPCRA) was enacted to inform communities and residents of chemical hazards in their area. Businesses are required to report the locations and quantities of chemicals stored on-site to both State and local agencies. EPCRA requires the U.S. EPA to maintain and publish a digital database list of toxic chemical releases and other waste management activities reported by certain industry groups and Federal facilities. This database, known as the Toxic Release Inventory, gives the community more power to hold companies accountable for their chemical management.

Hazardous Materials Transportation Act

The U.S. Department of Transportation (U.S. DOT) receives authority to regulate the transportation of hazardous materials from the Hazardous Materials Transportation Act, as amended and codified (49 U.S.C. 5101 et seq.). The U.S. DOT is the primary regulatory authority for the interstate transport of hazardous materials and establishes regulations for safe handling procedures (i.e., packaging, marking, labeling, and routing).

In California, Section 31303 of the California Vehicle Code states that any hazardous material being moved from one location to another must use the route with the least travel time. This, in practice, means major roads and highways, although secondary roads are permitted to be used for local delivery. These policies are enforced by both the California Highway Patrol and the California Department of Transportation (Caltrans).

Clean Water Act/Spill Prevention, Control, and Countermeasure Rule

The Clean Water Act (CWA) (33 U.S.C. Section 1251 et seq., formerly the Federal Water Pollution Control Act of 1972), was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the U.S. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). In California, NPDES permitting authority is delegated to, and administered by, the nine Regional Water Quality Control Boards (RWQCB). The proposed Project is within the jurisdiction of the Santa Ana RWQCB.

Section 402 of the CWA authorizes the California SWRCB to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the "General Construction Permit." Construction activities can comply with and be covered under the General Construction Permit provided that they:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off-site into receiving waters
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the U.S.; and

- Perform inspections of all BMPs.

NPDES regulations are administered by the RWQCB. Projects that disturb one or more acres are required to obtain NPDES coverage under the Construction General Permit.

As part of the CWA, the U.S. EPA oversees and enforces the Oil Pollution Prevention regulation contained in Title 40 of the CFR, Part 112 (Title 40 CFR, Part 112), which is often referred to as the "SPCC rule" because the regulations describe the requirements for facilities to prepare, amend, and implement Spill Prevention, Control, and Countermeasures (SPCC) Plans. A facility is subject to SPCC regulations if a single oil (or gasoline, or diesel fuel) storage tank has a capacity greater than 660 gallons, the total above ground oil storage capacity exceeds 1,320 gallons, or the underground oil storage capacity exceeds 42,000 gallons, and if, due to its location, the facility could reasonably be expected to discharge oil into or upon the "Navigable Waters" of the United States.

Occupational Safety and Health Administration

Congress passed the Occupational and Safety Health Act (OSHA) to ensure worker and workplace safety. Their goal was to make sure employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. To establish standards for workplace health and safety, OSHA also created the National Institute for Occupational Safety and Health as the research institution for OSHA. The Administration is a division of the U.S. Department of Labor that oversees the administration of OSHA and enforces standards in all states. OSHA standards are listed in Title 29 CFR Part 1910.

OSHA's Hazardous Waste Operations and Emergency Response Standard apply to five groups of employers and their employees. This includes any employees who are exposed or potentially exposed to hazardous substances (including hazardous waste) and who are engaged in clean-up operations; corrective actions; voluntary clean-up operations; operations involving hazardous wastes at treatment, storage, and disposal facilities; and emergency response operations.

State

California Environmental Protection Agency

CalEPA has jurisdiction over hazardous materials and wastes at the State level. The Department of Toxic Substance Control (DTSC) is the department of CalEPA responsible for implementing and enforcing California's own hazardous waste laws, which are known collectively as the Hazardous Waste Control Law. DTSC regulates hazardous waste in California primarily under the authority of the Federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Although similar to RCRA, the California Hazardous Waste Control Law and its associated regulations define hazardous waste more broadly and regulate a larger number of chemicals. Hazardous wastes regulated by California but not by the U.S. EPA are called "non-RCRA hazardous wastes." Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code Section 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services lists of contaminated drinking water wells, sites listed by the SWRCB as having underground

storage tank leaks and have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

Enforcement of directives from DTSC is handled at the local level, in this case the San Bernardino County Department of Public Health (DPH), Environmental Health Services (EHS). The RWQCB also has the authority to implement regulations regarding the management of soil and groundwater investigation.

California Department of Forestry and Fire Protection

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped fire threat potential throughout California. CAL FIRE ranks fire threats based on the availability of fuel and the likelihood of an area burning (based on topography, fire history, and climate). The rankings include no fire threat, moderate, high, and very high fire threat.

California Fire Code

California Code of Regulations, Title 24, also known as the California Building Standards Code, contains the California Fire Code (CFC), included as Title 24, Part 9. The CFC includes provisions and standards for emergency planning and preparedness, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution.

Hazardous Materials Release Response Plans and Inventory Act of 1985

The California Health and Safety Code, Division 20, Chapter 6.95, known as the Hazardous Materials Release Response Plans and Inventory Act or the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Businesses must submit this information to the County DPH. The Environmental Health Division verifies the information and provides it to agencies responsible for protection of public health and safety and the environment. Business Plans are required to include emergency response plans and procedures in the event of a reportable release or threatened release of hazardous materials, including, but not limited to, all of the following:

- Immediate notification to the administering agency and to the appropriate local emergency rescue personnel.
- Procedures for the mitigation of a release or threatened release to minimize any potential harm or damage to persons, property, or the environment.
- Evacuation plans and procedures, including immediate notice, for the business site.

Business Plans are also required to include training for all new employees, and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of hazardous material.

Hazardous Waste Control Act

The Hazardous Waste Control Act created the State hazardous waste management program, which is similar to but more stringent than the Federal RCRA program. The act is implemented by regulations contained in Title 26 of the CCR, which describes the following required aspects for the proper

management of hazardous waste: identification and classification; generation and transportation; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements. These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with the DTSC.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) required the administrative consolidation of six hazardous materials and waste programs (Program Elements) under one agency, a Certified Unified Program Agency (CUPA). The Program Elements consolidated under the Unified Program are Hazardous Waste Generator and On-site Hazardous Waste Treatment Programs (a.k.a. Tiered Permitting); Aboveground Petroleum Storage Tank SPCC; Hazardous Materials Release Response Plans and Inventory Program (a.k.a. Hazardous Materials Disclosure or "Community-Right-To-Know"); California Accidental Release Prevention Program (Cal ARP); Underground Storage Tank (UST) Program; and Uniform Fire Code Plans and Inventory Requirements.

The Unified Program is intended to provide relief to businesses complying with the overlapping and sometimes conflicting requirements of formerly independently managed programs. The Unified Program is implemented at the local government level by CUPAs. Most CUPAs have been established as a function of a local environmental health or fire department. Some CUPAs have contractual agreements with another local agency, a participating agency, which implements one or more Program Elements in coordination with the CUPA. The Project site is located within San Bernardino County. The CUPA designated for San Bernardino County is the Hazardous Materials Division of the San Bernardino County Fire Department.

Department of Toxic Substance Control

DTSC is a department of CalEPA and is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the Federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code Section 65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services lists of contaminated drinking water wells, sites listed by the SWRCB as having UST leaks and have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

California Office of Emergency Services

To protect the public health and safety and the environment, the California Office of Emergency Services (OES) is responsible for establishing and managing statewide standards for business and area plans relating to the handling and release or threatened release of hazardous materials. Basic information on

hazardous materials handled, used, stored, or disposed of (including location, type, quantity, and the health risks) needs to be available to firefighters, public safety officers, and regulatory agencies. The information must be included in these institutions' business plans to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of these materials into the workplace and environment.

These regulations are covered under Chapter 6.95 of the California Health and Safety Code Article 1 – Hazardous Materials Release Response and Inventory Program (Sections 25500 to 25520) and Article 2 – Hazardous Materials Management (Sections 25531 to 25543.3). CCR Title 19, Public Safety, Division 2, Office of Emergency Services, Chapter 4 – Hazardous Material Release Reporting, Inventory, and Response Plans, Article 4 (Minimum Standards for Business Plans) establishes minimum statewide standards for Hazardous Materials Business Plans (HMBP). These plans shall include the following: (1) a hazardous material inventory in accordance with Sections 2652 to 2655; (2) emergency response plans and procedures in accordance with Section 2658; and (3) training program information in accordance with Section 2659. Business plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the state. Each business shall prepare a HMBP if that business uses, handles, or stores a hazardous material or an extremely hazardous material in quantities greater than or equal to the following: 500 pounds of a solid substance, 55 gallons of a liquid, 200 cubic feet of compressed gas, a hazardous compressed gas in any amount, or hazardous waste in any quantity.

California Occupational Safety and Health Administration

The California Occupational Safety and Health Administration (Cal/OSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than Federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR Sections 337-340). The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings.

In addition, Cal/OSHA regulates medical/infectious waste, including management of sharps, requirements for containers that hold or store medical/infectious waste, labeling of medical/infectious waste bags/containers, and employee training.

Local

San Bernardino County Public Health Agencies

The County of San Bernardino, Department of Public Health, Division of Environmental Health Services has regulatory control over hazardous and solid waste, land use, wastewater.

Additionally, the Department of Public Works manages solid waste, transportation, and storm water. This department also manages all construction and demolition activities.

The Hazardous Materials Division of the San Bernardino County Fire Department is designated by the State Secretary for Environmental Protection as the Certified Unified Program Agency or "CUPA" for the County of San Bernardino in order to focus the management of specific environmental programs at the local government level. The CUPA is charged with the responsibility of conducting compliance inspections for over 7,000 regulated facilities in San Bernardino County. The San Bernardino County Fire Department

manages six hazardous material and hazardous waste programs. This includes hazardous waste management and above/underground storage tanks. The CUPA program is designed to consolidate, coordinate, and uniformly and consistently administer permits, inspection activities, and enforcement activities throughout San Bernardino County.[6]

San Bernardino County Emergency Operations Plan

The City of Fontana adheres to the county-wide San Bernardino Emergency Operations Plan (EOP), which provides a comprehensive, single source of guidance and procedures for the County to prepare for and respond to significant or catastrophic natural, environmental or conflict-related risks that produce situations requiring coordinated response. The EOP describes the operations of the county's Emergency Operations Center, which is the central management entity responsible for directing and coordinating the various City departments and other agencies in their emergency response activities. The county's Emergency Operations Center centralizes the collection and dissemination of information about the emergency and makes policy-level decision about response priorities and the allocation of resources. As part of the City's Emergency Management Program, the County's Emergency Services Manager is responsible for ensuring the readiness of the EOP.[7]

City of Fontana Local Hazard Mitigation Plan

The City's FEMA-approved Local Hazard Mitigation Plan[8] (LHMP) provides natural hazard profiles which describe each hazard that is considered to pose a risk to the City; a risk assessment which measures the potential impact to life, property and economic impacts resulting from the identified hazards; a vulnerability assessment which includes an inventory of the numbers and types of buildings and their tabulated values that are subject to the identified hazards; and mitigation goals, objectives and actions relative to each hazard.

The City developed the LHMP in coordination with an internal/external planning team including representatives from city departments, external stakeholders/agencies, and the general public. As required by the Department of Homeland Security's Federal Emergency Management Agency (DHS-FEMA), all LHMPs must be updated, adopted, and approved every five years in order to validate and incorporate new information into the plan and identify progress that has been made since the last approval of the plan. The City's current 2017 LHMP is an update to its' previously-adopted 2012 LHMP.

Fontana General Plan 2015-2035

Noise and Safety Element

This Element[9] describes hazards that exist in Fontana and the measures that the City is taking to address them. Some naturally occurring hazards may be unavoidable, but their impacts on communities can be reduced through planning and preparation. Thus, the Noise and Safety Element addresses natural hazards

[6] San Bernardino County Fire Department. 2020. *About CUPA (Certified Unified Program Agency)*. Available at https://www.sbcfire.org/ofm/Hazmat/CUPA.aspx (accessed May 2020).
[7] County of San Bernardino. 2018. Emergency Operations Plan (EOP) Part I - Basic Plan. Available at https://sbcfire.org/Portals/58/Documents/OES/2018%20EOP%20Update.pdf?ver=2018-03-01-154731-003 (accessed May 2020).
[8] City of Fontana. 2017. City of Fontana Local Hazard Mitigation Plan. Available at https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan (accessed May 2020).
[9] City of Fontana. 2018. Fontana Forward General Plan Update 2015-2035. Chapter 11 – Noise and Safety. Available at https://www.fontana.org/DocumentCenter/View/26750/Chapter-11---Noise-and-Safety (accessed May 2020).

and human activities that may pose a threat to public safety within the following topic areas: wildfires, geological and seismic hazards, flooding, hazardous materials, and noise, which are discussed in their respective chapters of this EIR. Specifically related to this chapter, the Noise and Safety Element discusses hazards and hazardous materials and the LHMP, discussed above. The General Plan expects that emergencies will occur even when precautions are taken against hazards, the Noise and Safety Element describes the City's goals and policies to prepare and respond to emergencies.

Goal 1 ***Enhanced public safety and the protection of public and private property.***

Actions

A. Minimize the population exposed to hazards by assigning land use designations and density

B. allowances that reflect site-specific constraints and hazards.

C. Advise, and where appropriate require, new development to locate future public facilities,

including new essential and sensitive facilities, with respect to the Local, Regional and State hazardous areas.

D. Support efforts and programs that reduce the risk of natural and manmade hazards and that reduce the time for responding to these hazards.

E. Review and update the City of Fontana's Local Hazard Mitigation Plan (LHMP) every five years.

F. Participate in the development of programs and procedures that emphasize coordination between appropriate public agencies and private entities to remove debris and promote the rapid reconstruction of the City following a disaster event and facilitate the upgrading of the built environment as expeditiously as possible.

Goal 2 ***Provide effective emergency response to natural or human-induced disasters that minimizes the loss of life and damage to property, while also reducing disruptions in the delivery of vital public and private services during and following a disaster.***

Actions

A. Conduct annual training sessions using adopted emergency management systems. Coordinate with other jurisdictions to execute a variety of exercises to test operational and emergency plans.

B. Maintain participation in local, regional, State, and national mutual aid systems to ensure that appropriate resources are available for response and recovery during and following a disaster.

C. Ensure that all relevant and pertinent City of Fontana personnel are familiar with the National Incident Management System, the National Response Plan, the State of California Master Mutual Aid Agreement, and any other relevant response plans consistent with their position in the County's Emergency Management Plan.

D. Sponsor and support education programs pertaining to emergency/disaster preparedness and response protocols and procedures. Distribute information about emergency preparedness to community groups, schools, religious institutions, and business associations.

E. Implement flood warning systems and evacuation plans for areas that are already developed within 100-year flood zones.

F. Develop, implement, and maintain an effective evacuation program for areas of risk in the event of a natural disaster.

Goal 3 ***The City of Fontana is a community that implements proactive fire hazard abatement strategies, and as a result, is minimally impacted by wildland and urban fires.***

Actions

A. Maintain and continuously update the City's fire hazard overlay map for changes in fire hazard severity overlay district consistent with changes in hazard designations by CAL Fire.

B. Require residential, commercial, and industrial structures to adhere to applicable fire codes for buildings and structures, fire access, and other standards in accordance with Fire Hazard Overlay District, California Fire Code, and City of Fontana Municipal Code, encourage of retrofit of non-conforming land uses.

C. Continue to provide weed abatement services city-wide in order to curb potential fire hazards.

D. Require adherence to fuel modification and defensible space requirements to reduce wildfire hazards; work with CAL FIRE to coordinate fuel breaks in very high fire severity zones.

E. Ensure compliance with the Subdivision Map Act requirements for structural fire protection and suppression services, subdivision requirements for on/off-site improvements, ingress and egress, street standards, and other concerns.

F. Continue to work with public and private water distribution and supply facilities to ensure adequate water capacity and system redundancy to supply emergency firefighting needs.

G. Educate the community about fire prevention and suppression; work with other agencies and private interests to educate private landowners on fire-safe measures to achieve low risk conditions.

H. Work with CAL FIRE, USFS, USGS, and applicable nongovernmental agencies to create a plan to address post-fire recovery activities and projects that allow burned areas to fully recover and minimize repetitive losses and further damage.

Infrastructure and Green Systems Element

A purpose of the City of Fontana Infrastructure and Green Systems Element[10] within the General Plan is to manage solid waste. The City is committed to continuing to divert as much solid waste as possible from the landfill as the city grows since it is difficult to further expand landfills or locate new ones, continuing to work with San Bernardino County to minimize any adverse impacts from the adjacent landfill in Rialto, and providing for hazardous waste disposal.

Goal 4 ***All residences, businesses, and institutions have a dependable, environmentally safe means to dispose of solid waste.***

Policies

- Continue to use best practices for environmentally safe collection, transport and disposal of hazardous wastes.

[10] City of Fontana. 2018. Fontana Forward General Plan Update 2015-2035. Chapter 10 – Infrastructure and Green Systems. Available at https://www.fontana.org/DocumentCenter/View/26749/Chapter-10---Infrastructure-and-Green-Systems (accessed May 2020).

- Continue to maximize landfill capacity by supporting recycling innovations, such as organic waste recycling for compost.

Actions

A. Continue recycling and green waste programs.

B. Continue to work with San Bernardino County to minimize impacts from the landfill.

C. Explore establishing a public or private disposal station for RVs and trailers.

4.8.4 Significance Thresholds and Criteria

Significance Criteria Under CEQA

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning hazards and hazardous materials. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Create a significant hazard to the public or the environmental through the routine transport, use, or disposal of hazardous materials;
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;
- Impair implementation of or physically interfere within an adopted emergency response plan or emergency evacuation plan;
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires

Methodology and Assumptions

The proposed Project is evaluated against the aforementioned significance criteria in order to determine the level of impacts related to hazards and hazardous materials. This analysis also considers existing regulations, laws and standards that serve to avoid or reduce potential environmental impacts., as well as recommendations from existing site evaluations. Where significant impacts may remain, feasible mitigation measures are recommended, where warranted, to avoid or lessen the potential for significant adverse impacts to occur.

Approach to Analysis

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

The baseline conditions and impact analyses are based on: available information in public databases including local planning documents, a site evaluation of the Project site; review of project maps and drawings; and analysis of aerial and ground-level photographs. The determination that a Project component will or will not result in "substantial" adverse effects on standards related to hazards and hazardous materials considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.8.5 Impacts and Mitigation Measures

Impact 4.8-1 ***Would the Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Level of Significance: Less than Significant Impact with Mitigation Incorporated

Construction and Operations

The proposed Project is a warehousing facility and is not anticipated to result in releases of hazardous materials into the environment. Construction activities associated with the proposed Project would involve the use of chemical substances common with typical construction activities and do not generally pose a significant hazard to the public or environment. Construction activities would be in compliance with the regulatory requirements. The proposed facility would be expected to use limited hazardous materials and substances which would be limited to cleaners, paints, solvents, and fertilizers and pesticides for site landscaping. The proposed Project would not create a significant impact through the transport, use, or disposal of hazardous materials since the facilities are required to comply with all applicable Federal, State, and regional regulations which are intended to avoid impacts to the public and environment. These regulations ensure that hazardous materials/waste users, generators and transporters provide operational safety and measures to reduce threats to public health and safety.

Although not anticipated, if a facility use is proposed that has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, then **Mitigation Measure (MM) HAZ-1** described below would be triggered and require preparation and implementation of a Hazardous Materials Management Plan for that facility. The purpose of the Hazardous Materials Management Plan is to describe the proper use, handling and storage practices and procedures to be followed by people working with hazardous materials anywhere on the Project site to assist in protecting them from potential health and physical hazards presented by hazardous materials present in the workplace, and to keep chemical exposures below specified limits. The Uniform Fire Code UFC) has a provision for the local fire agency to collect information regarding hazardous materials at facilities for purposes of fire code implementation. Due to the demands of local needs, and the significant differences

in the purposes and thresholds of UFC information, San Bernardino County Fire supports its local fire agencies in their requests for Hazardous Materials Management Plans and Hazardous Material Information Statements. With implementation of **MM HAZ-1** (if applicable) and compliance with all applicable Federal, State, and regional regulations regarding hazardous material generation and usage on the site, potential impacts related to transport, use, or disposal of hazardous materials would be reduced to less than significant levels.

MITIGATION MEASURES

MM HAZ-1: If a proposed use at the proposed Project has a threshold quantity of a regulated substance greater than as specified by the applicable health and safety code, the user shall prepare and implement a Hazardous Materials Management Plan in accordance with all applicable standards set forth by the San Bernardino County Fire Department, for facilities that store, handle, or use regulated substances as defined in the California Health and Safety Code Section 25532 in excess of threshold quantities. This plan shall be reviewed and approved by the San Bernardino County Fire Department through the Certified Unified Program Agencies (CUPA) process prior to implementation as required by the California Accidental Release Prevention (CalARP) Program.

Impact 4.8-2 ***Would the Project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?***

Level of Significance: Less Than Significant Impact with Mitigation Incorporated

Construction

The construction of the Project could result in hazards to the public or the environment through the accidental upset or release of hazardous materials caused by accidental spillage of hazardous materials used during construction phases, or as a result of the exposure of contaminated soil during grading activities. The Project site is not listed on an NPL or Superfund site, and there are no oil wells within 1,000 feet. No significant environmental concerns were noted on the historical aerial photographs. Database searches did not reveal any underground storage tanks.

Avocet's Phase II ESA recommended pre-demolition surveys of the structures at the site for ACMs and LBP. As previously discussed, since the preparation of the Phase I ESA's prepared for the Project, all on-site buildings have been demolished and all building materials have been removed. Prior to demolition and removal of all materials, hazardous materials surveys were conducted and all demolition and materials removal were conducted in accordance with applicable protocols.

Overall, the Phase II investigations results indicate that impacts, if any, attributable to past land uses and other activities are not significant.

Operations

Project operations would not involve the routine transport, use, and storage of materials/chemicals typical of industrial facilities. Use of these materials could 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. However, as discussed in Impact 4.7-1 above, the routine transport, use, and disposal of these materials during Project operations must adhere to Federal, State, and local regulations for transport, handling, storage, and disposal of hazardous substances. The Project would also be subject to compliance with the regulatory framework would ensure that Project operations would not 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. A less than significant impact would occur in this regard.

MITIGATION MEASURES

MM HAZ-2: Prior to the issuance of a grading permit, any stockpiled materials in the Project site shall be evaluated for its suitability for use as structural fill. Determination of material suitability for use as structural fill is outlined in the Project Geotechnical Report and supplemental letters addressing the site-specific materials encountered. The report and letters are prepared by the Project Geotechnical Engineer of Record, who is a California Registered Geotechnical Engineer, based on the conditions encountered and industry standard of practice. If materials are determined to be unsuitable for use as building component, then they should be disposed of at a facility which is suitable to receive said materials. The disposal of the materials should be done in accordance with Federal, State and local regulations.

Impact 4.8-3 ***Would the Project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?***

Level of Significance: Less than Significant

Construction and Operation

The nearest school to the Project site is Citrus High School alternative school, located at 10760 Cypress Avenue, Fontana, CA, approximately 0.25 miles south along Cypress Avenue. The Project does not propose any industrial uses which could generate hazardous emissions or involve the handling of hazardous materials, substances, or waste in significant quantities that would have an impact to surrounding schools. The types of hazardous materials that would be routinely handled would be limited to cleaners, paints, solvents, and fertilizers and pesticides for site landscaping. However, the Project would be required to adhere to all applicable Federal, State and regional regulations regarding handling, transport and disposal of hazardous materials. Therefore, the impacts would be less than significant, and no mitigation would be required.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.8-4 ***Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?***

Level of Significance: Less than Significant Impact

The Project site is not included on the hazardous sites list compiled pursuant to California Government Code Section 65962.5.[11] The Phase I ESAs indicated there was one REC, and six potential hazardous OEFs identified in association with the Project site that required additional investigation. As previously discussed, the Phase II investigations of the REC and OEFs found that the site does not pose an environmental risk to the Project. Therefore, the impacts would be less than significant.

Impact 4.8-5 ***For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?***

Level of Significance: No Impact

The Project site is not within proximity to, or with two miles of a public or private use airport. The nearest airstrips are the Ontario International Airport (located roughly 8 miles to the west) and the San Bernardino International Airport (located roughly 10 miles to the northeast). There are no associated safety hazards or noise issues. No impact would occur.

Impact 4.8-6 ***Would the Project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

Level of Significance: Less Than Significant

Construction and Operation

When construction occurs on the Project site, with the exception of worker vehicle trips and transportation of construction materials, the majority of the proposed work would occur within the boundaries of the site and would not impede access to nearby roadways. There will be required off-site improvements as part of the Project. However, all off-site improvements to be constructed will require a Traffic Control Plan be processed for approval by the City to ensure adequate roadway circulation can be maintained during off-site construction. The City does not designate any roads as emergency evacuation routes and any future construction activities on the site would not affect any evacuation route and would not interfere with the City's emergency management program. As discussed, construction activities may require the transport of heavy equipment and materials to and from the site. These activities may temporarily impede traffic flows; however, these impediments would be localized and short-term in nature. Impacts in this regard would be less than significant.

The County has adopted an Emergency Operations Plan to identify evacuation routes, emergency facilities, and City personnel and equipment available to effectively deal with emergency situations. No revisions to the adopted Emergency Operations Plan would be required as a result of construction on the Project site. The nearest fire station is the San Bernardino County Fire Station 77 (located at 17459 Slover Ave, Fontana, CA 92337), located approximately 1.2-miles east of the Project site on Slover Avenue. Should a response from the station or other fire station to the site or other nearby uses be required, response times would not be impacted because primary access to all major roads would be maintained during demolition and construction.

[11] California Department of Toxic Substances Control. (2020). DTSC's Hazardous Waste and Substances Site List - Site Cleanup (Cortese List). Retrieved from https://dtsc.ca.gov/dtscs-cortese-list/. Accessed November 18, 2020.

Although the City does not have any designated emergency evacuation routes, I-10 may be considered an emergency route as it traverses the City and provide access to many main thoroughfares. Furthermore, design of any needed roadway improvements and subsequent construction due to increased traffic volumes on local roadways would comply with the applicable federal, state, and local requirements related to emergency access and evacuation plans. The proposed design and construction plans for any future construction and roadway improvements, including potential mitigation (road widening or intersection improvements) to accommodate any future increase in traffic volume would be reviewed and approved by the City engineering department and fire marshal (if needed) during the plan review and prior to project approval.

Neither construction or operations of the Project site would disrupt or interfere with emergency access or impede access to nearby roadways or would interfere with the City's emergency management program. The Project would comply with design standards for emergency services and would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Impacts would be less than significant in this regard and mitigation is not required.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.8-7 ***Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?***

Level of Significance: Less Than Significant

The City of Fontana is categorized as an LRA by CAL FIRE. Also, according to CAL FIRE, the Project site is designated as a Non-Very High Fire Hazard Safety Zone (VHFHSZ)[12]. The Project site is located within the City limit and surrounded by developed land. Although the Project site is not located in a "Very High" FHSZ, the City, in conjunction with the San Bernardino County Fire Department reviews all building plans for compliance with the California Building Code, state and local statutes, ordinances, and regulations relating to the prevention of fire, the storage of hazardous materials, and the protection of life and property against fire, explosion, and exposure to hazardous materials. Adherence to regulations already in place through the development application and review process at the City would reduce the potential impacts associated with fire hazards as a result of wildland fires to less than significant.

MITIGATION MEASURES

No mitigation is necessary.

4.8.6 Cumulative Impacts

For purposes of hazardous materials impact analysis, cumulative impacts are considered for cumulative development in the vicinity of the Project site. Refer also to **Section 4.0, Environmental Analysis**, for discussion concerning the basis for the cumulative impact analysis and a list of related cumulative projects.

[12] CAL FIRE. 2008. Very High Fire Hazard Severity Zones in LRA As Recommended by CAL FIRE – Fontana. Available at https://osfm.fire.ca.gov/media/5943/fontana.pdf (accessed May 2020).

Impacts associated with hazardous materials are often site-specific and localized. The EIR evaluates environmental hazards in connection with the warehouse and surrounding areas. Regarding the off-site environmental hazards, the database search documents the findings of various governmental database searches regarding properties with known or suspected releases of hazardous materials within a search radius of up to one mile from the site and serves as the basis for defining the cumulative impacts study area.

Cumulative impacts related to hazards and hazardous materials would result from projects that combine to increase exposure to hazards and hazardous materials. The potential for cumulative impacts to occur is limited since the impacts from hazardous materials use on site are site-specific. Although some of the cumulative projects and other future projects associated with buildout of the surrounding communities also have potential impacts associated with hazardous materials, the environmental concerns associated with hazardous materials are typically site-specific. It is expected that future development within the area must comply with all Federal, State, and local statutes and regulations applicable to hazardous materials.

Each project is required to address any issues related to hazardous materials or wastes on a project-specific basis. With adherence to applicable Federal, State, and local regulations governing hazardous materials, the potential risks associated with hazardous materials would be less than significant. The incremental effects of the Project in relation to hazards and hazardous materials, if any, are anticipated to be minimal, and any effects would be site-specific.

Therefore, considering the above, proposed Project impacts would be mitigated to less than significant levels with mitigation incorporated, and the Project's contribution to cumulative impacts is not otherwise considered to be "cumulatively considerable."

4.8.7 Significant Unavoidable Impacts

No significant unavoidable hazards and hazardous materials impacts have been identified.

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Introduction

This section describes the hydrologic and water quality conditions on and around the Fontana Sierra Business Center Project (Project) site and evaluates whether implementation of the proposed Project would result in adverse effects to such resources. The setting, context, and impact analysis in this section is based on the 2020 Preliminary Water Quality Management Plan (P-WQMP) prepared for the Project site by Thienes Engineering, and the Preliminary Storm Water Quality Management Plan (P-SWQMP), also prepared by Thienes Engineering. Additional background information for this section was obtained from the City's General Plan and Final EIR. The information and analysis rely on the following:

- City of Fontana General Plan
- City of Fontana General Plan EIR
- City of Fontana Water Quality Management Plan
- Preliminary Hydrology Calculations, 2020 (Attached as Appendix I to this DEIR)
- Preliminary Storm Water Quality Management Plan, 2020 (Attached as Appendix I to this DEIR)

4.9.2 Affected Environment

The proposed Project is located within San Bernardino County in the City of Fontana. The Project site is located adjacent to Cypress Avenue and Slover Avenue, and is approximately 120 feet to the south of Interstate 10 (I-10).

Hydrology

The Project site is located in the Santa Ana River watershed. Surface waters start in the upper erosion zone of the watershed, primarily in the San Bernardino and San Gabriel mountains. This upper zone has the highest gradient and soils and geology that do not allow large quantities of percolation of surface water into the ground. In sum, the Santa Ana River watershed drains an approximately 2,650 square mile area and is bound on the south by the Santa Margarita watershed, on the east by the Salton Sea and Southern Mojave watersheds, and on the north and west by the Mojave and San Gabriel watersheds. It is the principal surface flow water body within the region and runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. The total length of the Santa Ana River and its major tributaries is approximately 700 miles.

The Santa Ana River watershed is divided into smaller specific watersheds through the region which is generally arid and therefore has little natural perennial surface water. Because of the aridity, water is stored in a variety of downstream water storage reservoirs including Lake Perris, Lake Mathews, and Big Bear Lake as well as in some flood control areas including the Prado Dam area and Seven Oaks Dam area. The watershed is regulated by the Santa Ana Regional Water Quality Control Board (RWQCB).

The Santa Ana Watershed is managed in part by the Santa Ana Watershed Project Authority (SAWPA). The SAWPA consists of five member agencies including Eastern Municipal Water District (EMWD), Inland Empire Utilities Agency (IEUA), Orange County Water District (OCWD), San Bernardino Valley Municipal

Water District (SBMWD), and Western Municipal Water District (WMWD). The location of the Project site within the Santa Ana River watershed is depicted on ***Figure 4.9-1****, Santa Ana River Watershed,* below. Due to the scale of the watershed, the Project site is denoted by a single star on the map.

Existing Site Drainage

The Project site occupies approximately 32 net acres on land was previously developed for residential and commercial uses in the southeastern portion of the City. However, these structures have since been removed as of the publication of the Notice of Preparation for this EIR. The Project site is vegetated with native coastal sage scrub, other chamise chaparral species, as well as upland and ruderal vegetation, and non-native grasses.

The Project site is noted in the WQMP as having one drainage area. The previous developments led to a barren/residential land cover type which resulted in a poor area condition. The existing Project site was calculated as having approximately 147,075 square feet of impervious surface area, with the recent demolition of the existing structures on the site further reducing this amount. The WQMP also notes that soil composition of the Project site belongs to Hydrologic Soil Group A (HSG A). These soils typically have less than 10 percent clay and more than 90 percent sand or gravel and have gravel or sand textures. This allows for low run-off potential by allowing water to percolate freely through the soil.

The nearest major watercourse the Project site is the Santa Ana River is the nearest unlined water body downstream of the Project site. The Santa Ana River is approximately 5 miles southeast of the Project site. The Santa Ana River flows for over 100 miles north to south from the San Bernardino Mountains to the southwest coast near Huntington Beach. The Santa Ana River is also the largest watershed in Southern California.

The Project site is relatively flat. In general, the site slopes gently downward from north to the south, with a change in ground surface elevation from approximately 1,098 feet to 1,085 feet across the Project site. Because of the existing soils, the site would drain rapidly from rain events and run-off and erosion would below except for during the most severe storms. The existing structures and paved areas reduce the Project site's permeability, and although the site is underlain by soils that are well-drained, the Project site would generate run-off because of the existing hardscape. Water run-off from the Project site would be conducted into the local stormwater drainage facilities in the existing streets and flow in a southerly direction, based on the existing flow pattern on-site, through the drainage system.

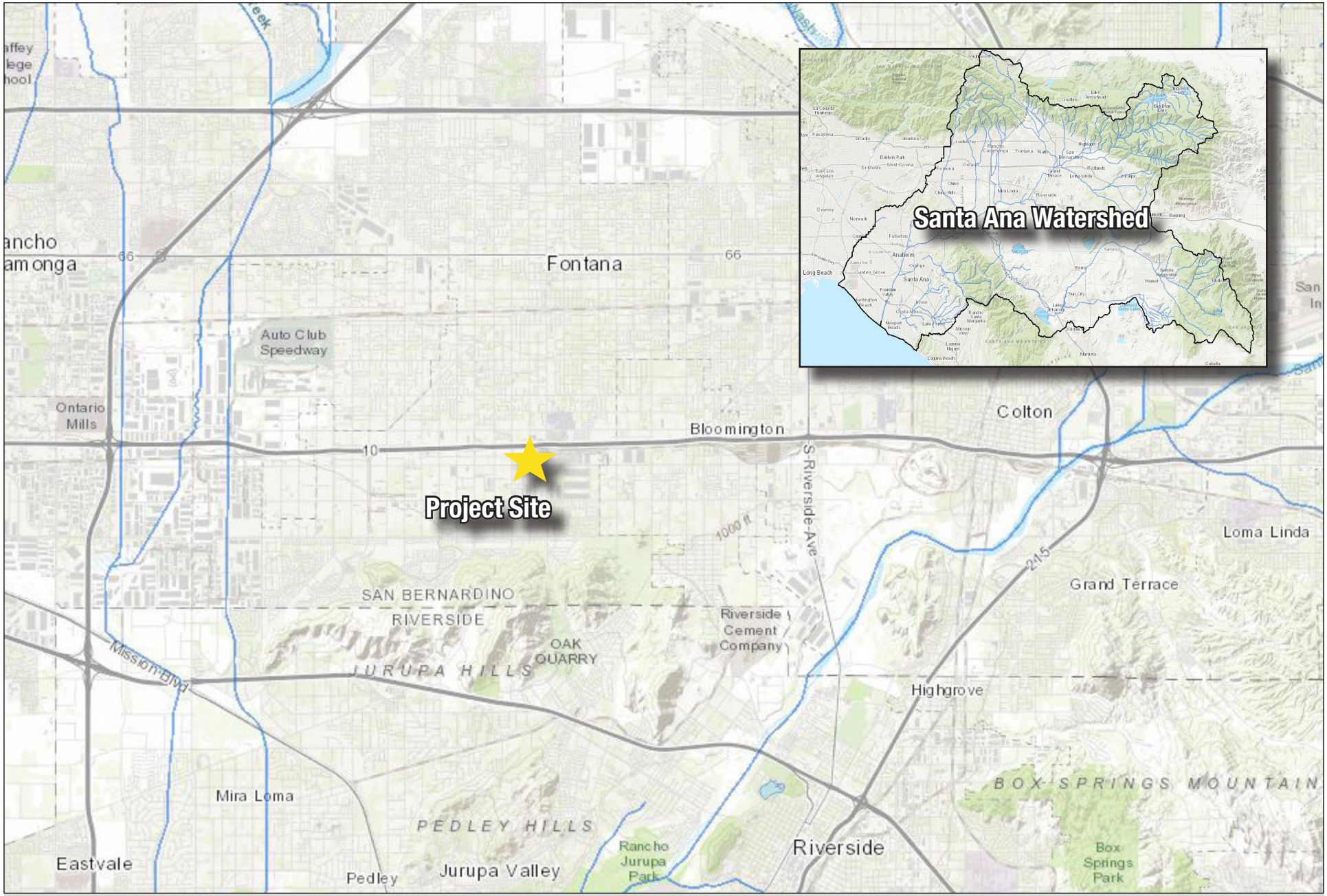

Figure 4.9-1: Santa Ana River Watershed
Sierra Business Center Project

Kimley»Horn

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Flood Hazards

Federal Emergency Management Agency (FEMA) Flood Insurance Rated Map (FIRM) shows the Project site being covered by one main indication panel, which is 06071 C8656H, effective August 29, 2008. Based on a review of this panel, this is an area of minimal flood hazard. More specifically, the Project site is located within "Zone X," which corresponds to areas with minimal flood hazard outside of the 500-year floodplain (also referred to as the 0.2% annual chance floodplain).[1] Therefore, no portions of the Project site are located within a 100-year flood hazard area.

Groundwater

The Project site is within the Santa Ana River Basin (SARB). Within the larger confines of the SARB there are numerous smaller basins separated by landforms and geologic conditions such as faults or subsurface layers of materials that inhibit underground waterflows and confine groundwater in certain areas. The Project site is underlain by the Chino-Groundwater basin.

Chino-Groundwater Basin

The Project site is underlain by groundwater resources associated with the Chino Groundwater Basin. It is located within the eastern portion of the Groundwater Basin within the "Chino North" groundwater management zone, as shown in ***Figure 4.9-2,*** *Chino Groundwater Basin*. The Fontana Water Company (FWC) relies on groundwater resources from this groundwater basin for a portion of its total water supply. FWC currently would supply water to the Project site. According to the ground water elevation contours from the Chino Basin Watermaster in 2016, ground water level is approximately 750 to 775 feet above mean sea level (amsl). Considering the Project site ranges in elevation between approximately 1,098 feet to 1,085 feet amsl, the depth to groundwater would be encountered at approximately 330 feet below ground surface.[2]

Water Quality

The Preliminary Water Quality Management Plan (P-WQMP) prepared for the Project identified potential categories of stormwater pollutants of concern that could be generated by use of the Project site for the proposed uses. While some level of pollutant loads are anticipated, the RWQCB places thresholds on the volumes of pollutants at which an impact would occur. Numerous materials and chemicals are considered potential pollutants. These include the following: 1) phosphorous, 2) nitrogen, 3) sediment, 4) metals, 5) oil and grease, 6) trash and debris, 7) pesticides and herbicides, 8) organic compounds, 9) other nutrients and 10) and bacterial or virus pathogens.

[1] FEMA, 2008. FEMA Flood Map Service Center. Available: https://msc.fema.gov/portal/search?AddressQuery=Fontana Accessed: April 16, 2020.
[2] Chino Basin Watermaster – 2016 – 2016 Chino Basin Groundwater Elevation Contours. Available: http://www.cbwm.org/docs/engdocs/maps/Exhibit%204-4%20GW%20Contour%202016.pdf Accessed: April 16, 2020.

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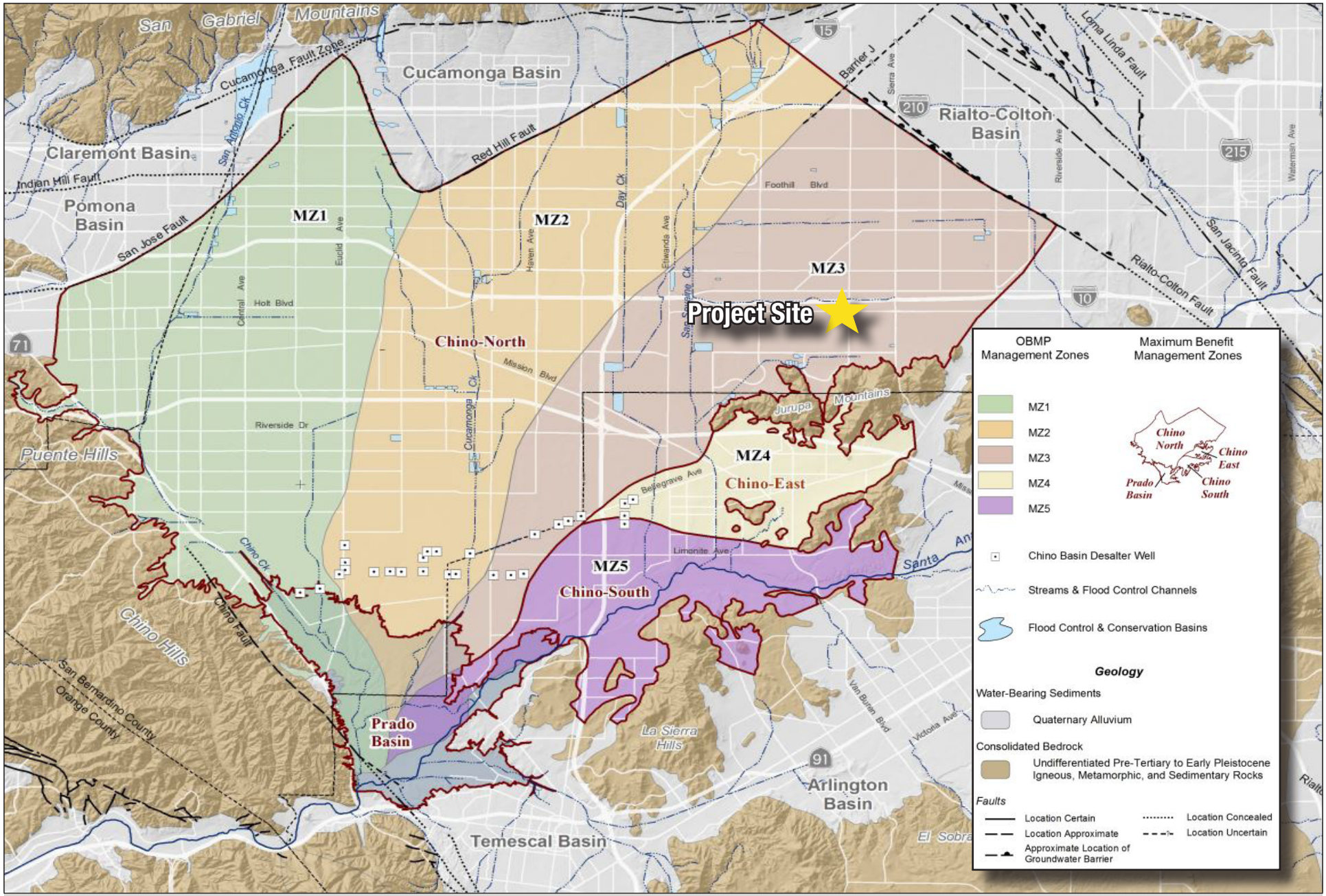

Figure 4.9-2: Chino Groundwater Basin
Sierra Business Center Project

Kimley»Horn

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To measure the levels of impairment to water quality, the measurement of certain chemicals and chemical processes are performed. This is done to determine the amount of pollutants in run-off and which can reach off-site and downstream surface water. The physical properties and chemical constituents of water typically serve as the primary means for monitoring and evaluating water quality. These types of pollutants can occur from uses in both rural and urbanized areas. In more urbanized areas, such as the Project site, the quantity of certain pollutants in the environment is typically a function of the intensity of the land use. For instance, a high density of automobile traffic increases the availability of a variety of potential pollutants (e.g., lead and hydrocarbons). In addition, other pollutants may come from the overapplication of fertilizers and pesticides resulting in these materials being washed downstream and affecting receiving waters. Some of the physical, chemical, or biological characteristics and processes used to evaluate the quality of surface run-off are as follows: 1) Dissolved Oxygen, 2) Chemical Oxygen Demand, 3) Total Dissolved Solids, 4) Specific Conductance, 5) Turbidity, and 6) Nitrogen (N).

The proposed drainage at the Project site would be divided into two drainage management areas (DMA-1 and DMA-2). The DMAs were designed to accommodate the anticipated run-off from rain events and provide an efficient flow pattern for the site. DMA-1 would be approximately 18.65 acres in size and contain an infiltration rate of 3.50 inches per hour (in/hr) which can drawdown up to 7.00 feet of stormwater in 24 hours. The effective ponding depth is 6.40 feet for the on-site underground retention system. With this justification, the design capture volume is determined with the 1.582 regression constant for 24 hours.

DMA-2 would be approximately 11.40 acres in size and contain an infiltration rate of 1.65 in/hr which can drawdown up to 6.60 feet of stormwater in 48 hours. The effective ponding depth is 6.40 feet for the on-site underground retention system. With this justification, the design capture volume is determined using the 1.963 regression constant for 48 hours. There is approximately 2.11 acres of self-treating landscape along the western and southern property line that will not be routed through a BMP for treatment. There is approximately 0.09 acres of driveway run-off, along Boyle Avenue, that will be accounted for in DA 1 DMA A even though it does not physically drain there.

The Project site does not have existing water bodies within its boundaries. This includes lakes, ponds, rivers, streams, or intermittent waters. As discussed above, water would flow off the Project site to downstream areas, but there are no existing water resources within the Project site. To manage pollutants that may flow from such site, the County of San Bernardino has adopted the EPA's National Pollutant Discharge Elimination System (NPDES) regulations in an effort to reduce pollutants in urban run-off and stormwater flows. The Santa Ana RWQCB issued the County a Municipal Separate Storm Sewer System (MS4) Permit (Order No. R8-2010-0036), which establishes pollution prevention requirements for planned developments. The County participates in an area-wide Urban Stormwater Runoff Management Program to comply with the MS4 Permit requirements.

4.9.3 Regulatory Framework

Federal

Federal Clean Water Act

The proposed Project site is subject to federal permit requirements under the Federal Clean Water Act (CWA). The primary goals of the CWA are to maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations, including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, antidegradation policy, nonpoint-source discharge programs, and wetlands protection. The United States Environmental Protection Agency (EPA) has delegated the administrative responsibility for portions of the CWA to State and regional agencies. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality.

Under the NPDES permit program, the EPA establishes regulations for discharging stormwater by municipal and industrial facilities and construction activities. Section 402 of the CWA prohibits the discharge of pollutants into "Waters of the United States" from any point source unless the discharge is in compliance with an NPDES Permit.

The Anti-degradation Policy under EPA's Water Quality Standards Regulations (48 F.R. 51400, 40 CFR131.12, November 8, 1983), requires states and tribes to establish a three-tiered anti-degradation program to prevent a decrease in water quality standards.

- Tier 1—Maintains and protects existing uses and water quality conditions that support such uses. Tier 1 is applicable to all surface waters.
- Tier 2—Maintains and protects "high quality" waters where existing conditions are better than necessary to support "fishable/swimmable" waters. Water quality can be lowered in such waters but not to the point at which it would interfere with existing or designed uses.
- Tier 3—Maintains and protects water quality in outstanding national resource waters (ONRWs). Water quality cannot be lowered in such waters except for certain temporary changes.

Anti-degradation was explicitly incorporated into the federal CWA through 1987 amendments, codified in §303(d)(4)(B), requiring satisfaction of anti-degradation requirements before making certain changes in NPDES permits.

Section 303(d) of the CWA requires the SWRCB to list impaired water bodies that are too polluted or otherwise degraded to meet the water quality standards set by states, territories, or authorized tribes. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop Total Maximum Daily Loads for these waters.

Section 404 of the CWA is administered and enforced by the U.S. Army Corps of Engineers (USACE). Section 404 establishes a program to regulate the discharge of dredged and fill material into waters of the

United States, including wetlands and coastal areas below the mean high tide. USACE administers the day-to-day program, and reviews and considers individual permit decisions and jurisdictional determinations. USACE also develops policy and guidance and enforces Section 404 provisions.

Federal Emergency Management Agency – National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) is tasked with responding to, planning for, recovering from, and mitigating against disasters. Among other things, FEMA is responsible for coordinating the federal response to floods. The Federal Insurance and Mitigation Administration within FEMA is responsible for administering the National Flood Insurance Program (NFIP) and other programs that provide assistance for mitigating damage from natural hazards. Established in 1968 with the passage of the National Flood Insurance Act, the NFIP is a federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for state and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the federal government. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods.

California Toxics Rule

The California Toxics Rule is a federal regulation issued by the EPA with water quality criteria for potentially toxic constituents in receiving waters with human health or aquatic life designated uses in California. Criteria are applicable to the receiving water body and therefore must be calculated based on the receiving waters' probable hardness values for evaluation of acute (and chronic) toxicity criteria. At higher hardness values for the receiving water, copper, lead, and zinc are more likely to be complexed (bound with) components in the water column. This, in turn, reduces these metals' bioavailability and resulting potential toxicity.

Because of the intermittent nature of stormwater run-off, especially in Southern California, the acute criteria are considered to be more applicable to stormwater conditions than the chronic criteria and therefore are used in assessing impacts. The acute criteria represent the highest concentration of a pollutant to which aquatic life can be exposed for a short period of time without deleterious effects; the chronic criteria equal the highest concentration to which aquatic life can be exposed for an extended period of time (four days) without deleterious effects.

State

California Porter-Cologne Water Quality Control Act (Porter-Cologne Act)

The Porter-Cologne Act (California Water Code §13000 et seq) is the principal law governing water quality regulation in California. It established a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution.

Pursuant to the Porter-Cologne Act the policy of the State is as follows:

- That the quality of all the waters of the State shall be protected;

- That all activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason; and
- That the State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation.

The Porter-Cologne Act established nine RWQCB's (based on hydrogeologic barriers which prevent the movement of viable pathogens from a contaminant source to a public supply well) and the SWRB, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The State Water Board provides program guidance and oversight, allocates funds, and reviews Regional Water Board decisions. In addition, the State Water Board allocates rights to the use of surface water. The Regional Water Boards have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrology regions. The State Water Board and Regional Water Boards have numerous nonpoint source pollution (NPS) (broad and disconnected sources of pollution) -related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

The Regional Water Boards regulate discharges under the Porter-Cologne Act primarily through issuance of NPDES permits for point source discharges and waste discharge requirements (WDRs) for NPS discharges. Anyone discharging or proposing to discharge materials that could affect water quality (other than to a community sanitary sewer system regulated by an NPDES permit) must file a report of waste discharge. The SWRCB and the RWQCBs can make their own investigations or may require dischargers to carry out water quality investigations and report on water quality issues. The Porter-Cologne Act provides several options for enforcing WDRs and other orders, including cease and desist orders, cleanup and abatement orders, administrative civil liability orders, civil court actions, and criminal prosecutions.

The Porter-Cologne Act also implements many provisions of the Clean Water Act, such as the NPDES permitting program. Section 401 of the Clean Water Act gives the State Water Board the authority to review any proposed federally permitted or federally licensed activity that may impact water quality and to certify, condition, or deny the activity if it does not comply with State water quality standards. If the State Water Board imposes a condition on its certification, those conditions must be included in the federal permit or license. Except for dredge and fill activities, injection wells, and solid waste disposal sites, waste discharge requirements may not "specify the design, location, type of construction, or particular manner in which compliance may be had…." (Porter-Cologne Act §13360). Thus, waste discharge requirements ordinarily specify the allowable discharge concentration or load or the resulting condition of the receiving water, rather than the manner by which those results are to be achieved. However, the Regional Water Boards may impose discharge prohibitions and other limitations on the volume, characteristics, area, or timing of discharges and can set discharge limits such that the only practical way to comply is to use management practices. Regional Water Boards can also waive waste discharge requirements for a specific discharge or category of discharges on the condition that management measures identified in a water quality management plan approved by the State Water Board or Regional Water Boards are followed.

The Porter-Cologne Act also requires adoption of water quality control plans that contain the guiding policies of water pollution management in California. A number of statewide water quality control plans

have been adopted by the State Water Board. In addition, regional water quality control plans (basin plans) have been adopted by each of the Regional Water Boards and are updated as necessary and practical. These plans identify the existing and potential beneficial uses of waters of the State and establish water quality objectives to protect these uses. The basin plans also contain implementation, surveillance, and monitoring plans. Statewide and regional water quality control plans include enforceable prohibitions against certain types of discharges, including those that may pertain to nonpoint sources. Portions of water quality control plans, the water quality objectives and beneficial use designations, are subject to review by EPA. When approved, they become water quality standards under the CWA. On a statewide basis, according to the California State Water Board, the water basin for the area is under jurisdiction of the Santa Ana watershed.

The Porter-Cologne Act establishes a comprehensive program for the protection of beneficial uses of the waters of the state. California Water Code Section 13050(f) describes the beneficial uses of surface and ground waters that may be designated by the state or regional board for protection as follows: "Beneficial uses of the waters of the state that may be protected against quality degradation include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply; power generation; recreation; aesthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves." Water bodies with substantial evidence which indicates that the waterbody supports rare, threatened, or endangered species are identified as RARE. Twenty-three beneficial uses are now defined statewide; of these 23, 20 beneficial uses are recognized in the Santa Ana Basin (Santa Ana RWQCB 2016). Section 303(d) specifically requires the state to develop a list of impaired water bodies and subsequent numeric total maximum daily loads (TMDLs) for whichever constituents impair a particular water body. These constituents include inorganic and organic chemical compounds, metals, sediment, and biological agents. The EPA approved a revised list of impaired waters pursuant to Section 303(d) in July 2003.

State Water Resources Control Board

The SWRCB administers water rights, water pollution control, and water quality functions throughout the State, while the RWQCBs conduct planning, permitting, and enforcement activities. The City of Fontana lies within the jurisdiction of the RWQCB.

The NPDES permit is broken up into two Phases: I and II. Phase I requires medium and large cities, or certain counties with populations of 100,000 or more to obtain NPDES permit coverage for their stormwater discharges. Phase II requires regulated small Municipal Separate Storm Sewer Systems (MS4s) in urbanized areas, as well as small MS4s outside the urbanized areas that are designated by the permitting authority, to obtain NPDES permit coverage for their stormwater discharges. Concerning the proposed Project, the NPDES permit is divided into two parts: construction and post-construction. The construction permitting is administered by the SWRCB, while the post-construction permitting is administered by the RWQCB. Development projects typically result in the disturbance of soil that requires compliance with the NPDES General Permit, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities (Order No. 2012-0006-DWQ, NPDES Number CAS000002) (General Construction Permit). This Statewide General Construction Permit regulates discharges from construction sites that disturb one or more acres of soil.

The SWRCB has issued and periodically renews a statewide General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (GCASP) and a statewide General Industrial Activities Stormwater Permit (GIASP) for projects that do not require an individual permit for these activities. The GCASP was adopted in 2009 and further revised in 2012 (Order No. 2012 0006 DWQ). The most recent GIASP (Order No. 2014-0057-DWQ) was adopted in April 2014 and requires dischargers to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) to reduce or prevent industrial pollutants in stormwater discharges, eliminate unauthorized non-storm discharges, and conduct visual and analytical stormwater discharge monitoring to verify the effectiveness of the SWPPP and submit an annual report.

By law, all stormwater discharges associated with construction activity where clearing, grading, and excavation results in soil disturbance of at least one acre of total land area must comply with the provisions of this NPDES Permit and develop and implement an effective SWPPP. The SWPPP is required to contain a site map, which shows the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the Project site. The SWPPP is required to list Best Management Practices (BMPs) the discharger would use to protect stormwater run-off (such as stormwater treatment systems) and the placement of those BMPs. Additionally, the SWPPP must contain the following elements: a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. Construction General Permit Section A describes the elements that must be contained in an SWPPP. A project applicant must submit a Notice of Intent (NOI) to the SWRCB to be covered by the NPDES General Permit and prepare the SWPPP before beginning construction. SWPPP implementation starts with the commencement of construction and continues through project completion. Upon project completion, the applicant must submit a Notice of Termination (NOT) to the SWRCB to indicate that construction is completed.

The Municipal Stormwater Permitting Program regulates stormwater discharges from municipal separate storm sewer (drain) systems (MS4s). Most of these permits are issued to a group of co-permittees encompassing an entire metropolitan area. The MS4 permits require the discharger to develop and implement a Stormwater Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in CWA §402(p). The management programs specify what BMPs will be used to address certain program areas. The program areas include public education and outreach; illicit discharge detection and elimination; construction and post-construction; and good housekeeping for municipal operations.

For construction activities that would result in the disturbance of one acre or more, permittees must develop, implement, and enforce a program to reduce pollutant run-off in stormwater. This includes: 1) a program to prevent illicit stormwater discharges; 2) structural and non-structural BMPs to reduce pollutants in run-off from construction sites; and 3) preventing discharges from causing or contributing to violations of water quality standards. Permittees are required to review construction site plans to determine potential water quality impacts and ensure proposed controls are adequate. These include preparation and submission of an Erosion and Sediment Control Plan (ESCP) with elements of an SWPPP, prior to issuance of building or grading permits. The 2012 MS4 permit requires that the ESCP be developed

by a Qualified SWPPP Developer. Permittees are required to develop a list of BMPs for a range of construction activities.

Watershed Management Initiative (WMI)

The State and Regional Water Boards are currently focused on looking at entire watersheds when addressing water pollution. The Water Boards adopted the Watershed Management Initiative (WMI) to further their goals. The WMI establishes a broad framework overlying the numerous federal and State mandated priorities. As such, the WMI helps the Water Boards achieve water resource protection, enhancement and restoration while balancing economic and environmental impacts (SWRCB, 2017). The integrated approach of the WMI involves three main ideas:

- Use water quality to identify and prioritize water resource problems within individual watersheds. Involve stakeholders to develop solutions.
- Better coordinate point source and nonpoint source regulatory efforts. Establish working relationships between staff from different programs.
- Better coordinate local, state, and federal activities and programs, especially those relating to regulations and funding, to assist local watershed groups.[3]

Sustainable Groundwater Management Act (SGMA)

The California Department of Water Resources' (DWR's) 2014 Sustainable Groundwater Management Act (SGMA) requires local public agencies and Groundwater Sustainability Agencies (GSAs) in "high"- and "medium"-priority basins to develop and implement Groundwater Sustainability Plans (GSPs) or Alternatives to GSPs (DWR, 2019). The DWR categorizes the priority of groundwater basins (DWR, 2018). The DWR categorizes the priority of groundwater basins (DWR, 2018). GSPs are detailed road maps for how groundwater basins will reach long-term sustainability. Section 10720.8(a) of the SGMA exempts adjudicated basins from the SGMA's requirement to prepare a GSP.[4]

Local

City of Fontana Local Hazard Mitigation Plan (LHMP)

The City's FEMA-approved Local Hazard Mitigation Plan[5] (LHMP) provides natural hazard profiles which describe each hazard that is considered to pose a risk to the City; a risk assessment which measures the potential impact to life, property and economic impacts resulting from the identified hazards; a vulnerability assessment which includes an inventory of the numbers and types of buildings and their tabulated values that are subject to the identified hazards; and mitigation goals, objectives and actions relative to each hazard.

The City developed the LHMP in coordination with an internal/external planning team including representatives from city departments, external stakeholders/agencies, and the general public.

[3] California Water Boards, Watershed Management Initiative (WMI). Available: https://www.waterboards.ca.gov/water_issues/programs/watershed/ Accessed: April 16, 2020.
[4] United States Geologic Survey, 2014. Sustainable Groundwater Management. Available: https://ca.water.usgs.gov/sustainable-groundwater-management/ Accessed: April 16, 2020.
[5] City of Fontana. 2017. City of Fontana Local Hazard Mitigation Plan. Available at https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan (accessed May 2020).

As required by the Department of Homeland Security's Federal Emergency Management Agency (DHS FEMA), all LHMPs must be updated, adopted, and approved every five years in order to validate and incorporate new information into the plan and identify progress that has been made since the last approval of the plan. The City's current 2017 LHMP is an update to its' previously-adopted 2012 LHMP.

San Bernardino County Municipal Stormwater Management Plan (MSMP)

San Bernardino County Municipal Stormwater Management Plan (MSMP) The purpose of the MSMP was to satisfy NPDES permit conditions for creating and implementing an Urban Runoff Management Program (URMP) to reduce pollutant discharges to the maximum extent practicable (MEP) for protection of receiving waterbody water quality and support of designated beneficial uses. The MSMP contains guidance on both structural and nonstructural BMPs for meeting these goals.

The MSMP identifies activities required to implement the following six minimum control measures required under the Municipal Permit: public outreach; public involvement; illicit discharge detection and elimination; construction site run-off; new development and redevelopment; and municipal operations. Some typical types of outreach may include a stormwater hotline, website, storm drain stenciling, and other programs. Public meetings and presentations, volunteer water quality monitoring groups, and community cleanup days are some of the elements of the public involvement component.

One Water One Watershed

The One Water One Watershed (OWOW) program, is the result of an integrated planning process convened for the management of the Santa Ana River Watershed. The OWOW program integrates water resources management with various disciplines such as land use planning, flood control, and natural resource management. The OWOW plan is now in its second iteration, which was adopted in 2014.

The OWOW plan process complies with the standards of the State of California's Integrated Regional Water Management Program while supporting synergies in planning how to address water challenges across the Santa Ana River Watershed. The OWOW 2.0 Plan describes the next generation of integrated regional watershed planning, solving problems on a regional scale, and giving all water interests a voice in the planning process. The plan provides a blueprint for management of the watershed, which includes the following goals:

- Achieve a watershed that is sustainable, drought-proofed and salt-balanced by 2035, and in which water resources are protected and water is used efficiently;
- Value a watershed that supports economic prosperity and environmental viability;
- Assure a watershed that diminishes carbon emissions and is resilient to climate change;
- Demand a watershed free of environmental injustices;
- Maintain a watershed in which the natural hydrology is protected, restored, and enhanced;
- Instill a water ethic within institutions and people that will make efficient use of water a California way of life

City of Fontana Water Quality Management Plan (WQMP)

The City of Fontana Water Quality Management Plan (WQMP) was written in response to requirements set forth in the 1972 CWA which established requirements for MS4 permitting under the NPDES. The MS4 Permit regulates discharges from all MS4 facilities within the Santa Ana River watershed in San Bernardino County, which includes the project area. The area-wide MS4 program requires the completion of a Water Quality Management Plan (WQMP) to minimize the potential adverse effects that development projects can have on receiving waters. To simplify the process, the City prepared a WQMP handbook to streamline the process. The Handbook notes that all significant development projects such as redevelopment projects that would add or replace 5,000 or more sf of impervious surfaces and new developments that include more than 10,000 sf or more of new impervious surfaces would require a WQMP. The WQMP includes similar to other permitting vehicles and includes, identification of drainage areas, impervious surfaces, anticipated flows, existing impaired waters, best management practices (BMPs) to reduce run-off and polluted run-off, low impact development (LID) strategies to retain water on-site before being discharged, etc.[6]

Fontana General Plan 2015-2035

Infrastructure and Green Systems Element

The Infrastructure and Green Systems Element of the Fontana GP includes the goals and policies that will be applied to the Project related to hydrology and water quality. This element represents the City's plan to effectively and safely use and conserve water.

Goal 1: ***Fontana collaborates with public and private agencies for an integrated and sustainable water resource management program.***

Policy

- Support initiatives to provide a long-term supply of the right water for the right use through working with regional providers and the One Water One Watershed Plan.

Goal 2: ***Fontana promotes use of non-potable water for uses where drinking water is not needed.***

Policies

- Encourage use of processed water from the IEUA systems using recycled water for all non-drinking water purposes.
- Promote laundry-to-landscape greywater systems for single-family housing units.

Goal 3: ***The City continues to have an effective water conservation program.***

Policies

- Support landscaping in public and private spaces with drought-resistant plants.
- Continue successful city water conservation programs and partnerships.

[6] City of Fontana 2016. Water Quality Management Plan Handbook. Available: https://www.fontana.org/DocumentCenter/View/19908/WQMP-Handbook Accessed: March 13, 2020.

Goal 4: ***The City of Fontana consistently seeks reasonable rates from the city's drinking water providers.***

Policy

- Support City negotiations to keep drinking water rates reasonable for residents and other users.

Goal 5: ***Fontana collaborates closely with the Inland Empire Utility Agency to promote innovative and resource-efficient systems and reduce sewer fees.***

Policies

- Support and participate in IEUA programs that help Fontana be more resource-efficient.
- Support incorporation of greywater systems in new developments.

Goal 6: ***Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional One Water One Watershed standards.***

Policies

- Continue to implement the Water Quality Management Plan for stormwater management that incorporates low-impact and green infrastructure standards.
- Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.

San Bernardino County Municipal Stormwater Management Plan (MSMP)

The purpose of the MSMP was to satisfy NPDES permit conditions for creating and implementing an Urban Runoff Management Program (URMP) to reduce pollutant discharges to the maximum extent practicable (MEP) for protection of receiving waterbody water quality and support of designated beneficial uses. The MSMP contains guidance on both structural and nonstructural BMPs for meeting these goals.

The MSMP identifies activities required to implement the following six minimum control measures required under the Municipal Permit: public outreach; public involvement; illicit discharge detection and elimination; construction site run-off; new development and redevelopment; and municipal operations. Some typical types of outreach may include a stormwater hotline, website, storm drain stenciling, and other programs. Public meetings and presentations, volunteer water quality monitoring groups, and community cleanup days are some of the elements of the public involvement component.

Fontana Municipal Code

Section 23-511, Prohibited Discharges

Section 23-511 of the City's Municipal Code states that all discharges to the City's storm drain system are prohibited, and only discharges pursuant to the NPDES permit are permitted. Discharges shall specifically comply with the requirements outlined in the respective general permits. This includes depositing any pollutant or trash in the streets or sidewalk as it has the potential to enter the storm drain, along with failure to implement BMP's when directed so by the environmental manager.

Section 23-513, Illicit Connections to the Storm Drain System

Section 23-513 of the City's Municipal Code states that no person shall use or maintain any illicit connection to the storm drain system. This prohibition applies retroactively regardless of whether the connection to the storm drain system was permissible under the law or practices applicable at the time of the connection.

Section 12-1-12-25, Flood Damage Prevention

The City's Municipal Code Section 12 regarding flood control states the City's focus on minimizing public and private losses due to flood condition in specific areas by provisions outlined throughout the section. The City has several flood hazard areas which are subject to periodic inundation which can adversely affect public health and safety. The City outlines several provisions that are outlined in the entirety of Section 12:

1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
4) Control filling, grading, dredging, and other development which may increase flood damage; and
5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

4.9.4 Significance Criteria and Thresholds

The CEQA Guidelines Appendix G Initial Study Checklist, includes questions concerning hydrology and water quality. The questions presented in the Initial Study Checklist have been utilized as significance criteria in this section. The Project would have a significant effect on the environment if it would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality (see Impact 4.8-1);
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin (see Impact 4.8-2);
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
    - Result in substantial erosion or siltation on-or off-site?
    - Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?

- Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?

- In flood hazard, tsunami, or seiche zones, risk release or pollutants due to project inundation (see Impact 4.8-4);
- Conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan (see Impact 4.8-5).

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning hydrology and water quality. This analysis also considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards (LORS) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

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

The baseline conditions and impact analyses are based on available information in public databases including local planning documents, a site evaluation of the Project site; review of project maps and drawings; and analysis of aerial and ground-level photographs. The determination that a Project component will or will not result in "substantial" adverse effects on standards related to hydrology and water quality materials considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.9.5 Impacts and Mitigation Measures

Impact 4.9-1 ***Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?***

Level of Significance: Less than Significant Impact

Construction

Grading activities during construction of the Project site would occur after the proposed Project is approved. Construction at the Project site would result in the baring and exposure of soils. During construction, fuels, lubricants, and solid and liquid wastes would be stored within active construction areas. If the construction areas are not properly managed to contain loose soils and liquid and solid contaminants, temporary water quality impacts could occur due to run-off from the active construction site.

Pursuant to the requirements of the Santa Ana RWQCB and Fontana Municipal Code Chapter 23, Article IX, the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit) associated with the Project site. The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the applicant would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Program. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The SWPPP would specify the Best Management Practices (BMPs) that all construction contractors would be required to implement during construction activities to ensure that potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property.

BMPs are designed to control and prevent discharges of pollutants that can adversely impact the downstream surface water quality. Construction activities are also required to comply with the City's Stormwater/Urban Runoff Ordinance, the Erosion and Sediment Control Ordinance, and other required regulations. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydroseeding. Pursuant to the City's Municipal Code Chapter 9, Article II, all project applicants also would be required to implement an erosion control plan to minimize water and windborne erosion. Mandatory compliance with the SWPPP and the erosion control plan would ensure that the construction of the Project site do not violate any water quality standards or waste discharge requirements. Therefore, water quality impacts associated with construction activities would be less than significant and no mitigation measures would be required.

Operations

Stormwater pollutants that may be produced during operation of the Project site include pathogens (bacterial/virus), phosphorous, nitrogen, sediment, metals, oil/grease, trash/debris, pesticides/herbicides, and organic compounds. The expected pollutants of concern for the Project site would be pathogens, nitrogen, and metals.

To meet the requirements of the City's Municipal Storm Water Permit – and in accordance with City's Municipal Code Chapter 23, Article IX – the project applicant for the Project site would be required to prepare and implement a Storm Water Quality Management Plan (SWQMP). A SWQMP is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters, under long-term conditions via BMPs. Implementation of the SWQMP ensures ongoing, long-term protection of the watershed basin. It is anticipated that the structural source control BMPs would be sufficient to reduce impacts. Structural source controls would consist of measures such as low impact development strategies including underground infiltration chambers, bioretention areas, and hydrodynamic separators as well as operational source control BMPs (including but not limited to: the installation of water-efficient landscape irrigation systems, storm drain system stenciling and signage, and implementation of a trash and waste storage areas) to minimize, prevent, and/or otherwise appropriately treat stormwater run-off flows before they are discharged into the City's storm drain system.

Specifically related to industrial uses, the NPDES program requires certain industrial land uses to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. On April 1, 2014, the California State Water Resources Control Board adopted an updated new NPDES permit for storm water discharge associated with industrial activities (referred to as the "Industrial General Permit") (SWRCB, 2014b). The new Industrial General Permit, which is more stringent than the former Industrial General Permit, became effective on July 1, 2015. Under this currently effective NPDES Industrial General Permit, the industrial uses such as but not limited to manufacturing, facilities subject to stormwater effluent limitations, transportation facilities, and other uses with typically heavy industrial uses would require permitting. Warehousing uses are not specifically included. Based on the future uses, if a covered use is implemented, the Project could require NPDES coverage under this order (2014-0057-DWQ). This would require preparation of a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. This permit is dependent upon a detailed accounting of all operational activities and procedures. Prior to final Project approval a detailed account of the proposed uses within the Warehouse facility will be provided to the City to determine if permitting would be required. If such permitting is required, the mandatory compliance with all applicable water quality regulations would reduce potential water quality impacts during long-term operation. This impact would therefore, be less than significant.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-2 ***Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?***

Level of Significance: Less than Significant Impact

Construction and Operations

The Project site overlies the Chino water basin. The Project site would be within the service area of FWC, which derive some of its water from the Chino basin. Accordingly, the Project site would connect to the municipal water systems and would not use on-site wells nor would any other groundwater extractive activities occur. Therefore, the Project would not directly draw water from the groundwater basin. Accordingly, implementation of the Project in this regard would not substantially deplete or decrease groundwater supplies and direct impact to groundwater supplies would be less than significant.

Additionally, as discussed in additional detail in **Section 4.15, Utilities,** considering the above and considering current as well as project water demand through the year 2040 in both normal, and single, two year, and multiple dry year scenarios, FWC has an adequate supply of water to serve the Project. This would be done without jeopardizing ground water supplies in any of the underlying basins.

The Project would be constructed on an existing site that is currently vacant as the existing structures were demolished at the will of the City in the summer of 2020 and before the publication of the NOP in September 2020. Soils on-site are entirely Tujunga loamy sand, 0 to 5 percent slopes (TuB) as mapped by the U.S. Department of Agriculture (USDA) web soil survey (USDA, 2020) as identified in Attachment A, Figure 8 of the BRA, which is provided as **Appendix C** the EIR.

While construction of the Project would introduce new impermeable surfaces to the site, a WQMP would be required. As part of the WQMP, the Project would include elements to reduce the effects of the new impervious areas. The WQMP would include design measures such as low impact development (LID) and other stormwater drainage controls. The LIDs would be engineered to capture and control run-off prior to being released downstream. This would increase the duration that water is held on-site prior to being released to downstream receiving waters. This timed-release allows more water time to infiltrate the ground and facilitates recharge. In addition, LIDs that include permeable materials, enable run-off to immediately infiltrate and begin the recharge process. Lastly, the Project site also includes areas that will be landscaped with permeable surfaces, which also would facilitate groundwater recharge. Therefore, should the Project would change recharge characteristics, with the required measures in place, the loss of the permeable area would not be substantial, and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-3 ***Would the Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would?***

Level of Significance: Less than Significant Impact

Construction and Operations

Implementation of the proposed Project would alter the existing ground contours of the Project site. The Project site is currently vacant, but construction of the warehouse would result in the installation of more impervious surfaces. Although the same drainage patterns, southerly, and southwesterly flows would be maintained, the Project would result in changes to the site's existing, internal drainage patterns. In addition, the Project would include the installation of an integrated, on-site system consisting of measures designed to capture and control stormwater. These measures may include, but would not necessarily be limited to, underground storm drain pipes, catch basins, underground infiltration basins, LIDs, and other structural BMPs to capture on-site stormwater run-off, and temporarily capture and hold stormwater before conveying the run-off off-site. Thus, with these measures in place, impacts in this regard would be less than significant.

Impact 4.9-4 ***Result in substantial erosion or siltation on- or off-site?***

Level of Significance: Less Than Significant Impact

Construction and Operations

Although construction of the Project would alter the subject property's interior drainage patterns, the changes would not result in substantial erosion or siltation on- or off-site. The Project would be required to follow of the State Water Resources Control Board's erosion control standards and would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. Because the Project site is greater than 1 acre, this requirement would apply.

In addition, because the Project area is located within the Sana Ana RWQCB's jurisdiction, it would be required to conform with the Santa Ana River Basin Water Quality Control Program. Compliance involves the preparation and implementation of a SWPPP for construction-related activities. More specifically, BMPs would be required to be implemented in accordance with the SWPPP that would be required prior to initiation of any construction activities. These measures would help ensure that during construction waterborne pollution from erosion and siltation is reduced, prevented, or minimized. Other measures may include ways to treat run-off prior to discharge. BMPs may include but not be limited to, sandbag barriers, silt fences, soil stabilizers, reseeding, straw mats, and other ground covers. Lastly, the Project would be required to implement an erosion and dust control plan pursuant to City's Municipal Code Chapter 9, Article II (and to ensure compliance with SCAQMD Rule 403 to minimize water- and windborne erosion. Conformance with these requirements and measures would ensure that erosion during construction is reduced to less than significant.

Erosion control measures also would be in place upon completion of construction on the Project site, and these measures would take effect immediately. The Project would be required to prepare and implement a SWQMP as well. The SWQMP would be site-specific and would include post-construction water quality management measures that would be implemented and designed to minimize erosion and siltation. The SWQMP would include engineered erosion control and sediment control measures used to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. Each set of erosion control measures would be site-specific and respond to anticipated flows, run-off constituents, and unique demands of the site. This would ensure an ongoing and long-term erosion control plan is in place to account for operational impacts from the Project site. Compliance would be ensured because the SWQMP is required pursuant to the City's Municipal Code Chapter 23, Article IX. Because the Project would be required to prepare and implement such a plan as a condition of project approval, impacts would be less than significant. Mitigation is not required.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-5 ***Substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or off-site?***

Level of Significance: Less Than Significant Impact

Construction and Operations

As discussed previously, grading and construction on the Project site would generally mimic the waterflow paths of the existing site condition. Stormwater flows from the Project would continue to trend to the south and southwest and would not substantially alter the natural flow regime.

The rate and amount of surface run-off versus infiltration on a given site is determined by multiple factors, including the amount and intensity of precipitation; amount of other imported water that enters a watershed; surface and subsurface soil layers vegetative cover, existing soils moisture content, slope, and others. In addition, the rate of surface run-off is largely determined by topography and the intensity of rainfall over a given period of time.

Development of the Project site would create impervious surfaces where less of these areas currently exist. While the Project site also would include some areas with landscaping, the surface of the site would be substantially changed with new hardscape or building area. The Project would include designs with LIDs that would contain materials and temporary water storage that would release over time and would facilitate infiltration of surface water run-off.

None of the project elements would alter precipitation amounts or intensities, nor would they require any additional water to be imported into the Project site. However, construction of the Project would require earth-disturbing activities which may temporarily affect site-specific infiltration and permeability during construction and permanently, from operation. This would result in a substantially greater volume of water flowing off-site from the Project site.

The Project would have a new storm water system designed and installed to be site-specified and that would contain and collect storm water flows in the Project site. Water would be captured and stored and treated if needed before run-off is allowed to drain off-site. New storm water facilities would be planned and designed to satisfy the SWQMP requirements as discussed above. In addition, this would include plans that ensure the post-development flows do not exceed pre-development flows. All designs and conformance with the SWQMP would be verified by the City and incorporated as conditions of approval to the Project site prior to the issuance of any construction permit. Compliance with these requirements would ensure impacts are less than significant and mitigation would not be required.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-6 ***Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?***

Level of Significance: Less Than Significant Impact

Construction and Operations

As discussed in above, the Project site must comply with the requirements of the NPDES General Permit, which helps control water pollution by regulating point and non-point sources that discharge pollutants into receiving waters.

The Project would be required to obtain a General Construction Permit. The General Construction Permit requires implementation of a SWPPP, which would include BMPs designed to protect the quality of storm water run-off. Preparation, implementation, and participation with both the NPDES General Permit and the General Construction Permit, including the SWPPP and BMPs, would reduce the potential for storm water flows, and any potential contaminants contained within those flows, to be conveyed off-site during construction of the proposed Project. As a result, short-term construction-related impacts associated with creating or contributing to run-off and additional sources of polluted run-off would be less than significant**.** Conformance with these requirements would be verified prior to any project approval and included as conditions of approval to any future project. Impacts would therefore be less than significant.

As mandated by the RWQCB and through implementation of the SWQMP, the Project would include new storm water drainage system facilities that would be engineered, designed, and installed to satisfy the all water quality requirements. These measures would include minimizing impervious surfaces as feasible and directing flows to LID areas; integrating appropriately sized LIDs to ensure post-development flows do not exceed pre-development flows; and where feasible, incorporating bio-retention in combination with site planning, and dispersion of run-off to meet LID requirements.

To ensure that the new storm water drainage improvements are planned and designed to satisfy these requirements as well as all other applicable standards and requirements, would be verified by the City and incorporated as conditions of approval to all project prior to the issuance of any construction permit. Compliance with these requirements would ensure impacts are less than significant and mitigation would not be required.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-7 Impede or redirect flood flows?

Level of Significance: Less Than Significant Impact

Construction and Operations

FEMA Flood Insurance Rated Map (FIRM) shows the Project being covered by one main indication panel, which is 06071 C8656H, effective August 29, 2008. Based on a review of this panel, this is an area of minimal flood hazard. More specifically, the Project site is located within "Zone X," which corresponds to areas with minimal flood hazard outside of the 500-year floodplain (also referred to as the 0.2% annual

chance floodplain).[7] Therefore, no portions of the Project site are located within a 100-year flood hazard area and impacts would be less than significant. No mitigation is required.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-8 In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Level of Significance: Less Than Significant Impact

Construction and Operations

The Pacific Ocean is located approximately 43 miles from the Project. Considering this distance, there is no potential for the Project site to be impacted by a tsunami. The Project site also is not subject to flooding hazards associated with a seiche because the nearest large body of surface water likely to be affected by a seiche is Lake Matthews approximately 15 miles to the south. At this distance, the Project would be unaffected. Furthermore, as noted in the City's General Plan EIR, the City is not mapped in a dam inundation area. Accordingly, the impacts to the Project site associated with release of pollutants due to inundation would not occur. No mitigation is required.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.9-9: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Level of Significance: Less Than Significant Impact

Construction and Operations

As discussed in the Impacts discussions above, the Project site is located within the Santa Ana River Basin. The site's related construction and operational activities would be required to comply with the Santa Ana RWQCB's Santa Ana River Basin Water Quality Control Plan which requires the preparation of and adherence to a SWPPP and SWQMP. The Project would be required to show conformance prior to any approval. Implementation of the Project would not conflict with or obstruct the Santa Ana River Basin Water Quality Control Plan and impacts would be less than significant. The Project site is located within the Chino Groundwater Basin, which is an adjudicated groundwater basin. Adjudicated basins, like the Chino Groundwater Basin, are exempt from the 2014 Sustainable Groundwater Management Act (SGMA)

[7] FEMA, 2008. FEMA Flood Map Service Center. Available: https://msc.fema.gov/portal/search?AddressQuery=Fontana Accessed: April 16, 2020.

because such basins already operate under a court-ordered management plan to ensure the long-term sustainability of the Subbasin. Therefore, the Project components would not obstruct or prevent implementation of the management plan for the Chino Groundwater Basin. As such, construction and operation of the Project would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

4.9.6 Cumulative Impacts

Cumulative impacts to hydrology and water quality could occur as new development, redevelopment, and existing uses are ongoing within the watershed. This includes the Project site, and other past, present and future projects. Because urbanized nature of the watershed, growth is anticipated to consist of a mix of redevelopment as well as new urban development. Development is anticipated to consist of a mix of uses (residential, commercials, industrial, etc.) consistently with past and present growth trends. New development, including the Project, would result in some increases in impervious surfaces, and thus could generate increased run-off from the affected Project site. SWPPPs with BMPs to control erosions and stormwater run-off in accordance with all required water quality permits and the Water Quality Control Plan are dependent on the location of a project. The location of the Project requires the creation of specific BMPs to minimize impact to stormwater systems and conveyance. This would include conformance with the Santa Ana RWQCB's Santa Ana River Basin Wastewater Management Plan (WWMP). As needed projects would implement BMPs, including LID BMPs to minimize run-off, erosion, and storm water pollution. As part of these requirements, projects would be required to implement and maintain source controls, and treatment measures to minimize polluted discharge and prevent increases in run-off flows that could substantially decrease water quality. Conformance to these measures would minimize run-off from those sites and reduce contamination of run-off with pollutants. Therefore, related projects are not expected to cause substantial increases in storm water pollution. With compliance with State and local mandates, cumulative impacts would be less than significant, and project impacts would not be cumulatively considerable.

4.9.7 Significant Unavoidable Impacts

No significant unavoidable hydrology and water quality impacts have been identified.

4.10 LAND USE AND PLANNING

4.10.1 Introduction

This section of the Draft Environmental Impact Report (EIR) discusses the potential land use impacts associated with the implementation of the Fontana Sierra Business Center Project (Project). The existing land uses of the Project site and surrounding areas along with applicable federal, state, and local regulations will be described in order to contextualize the Project's potential to result in land use impacts. In the event that a potentially significant environmental impact is identified, mitigation measures would be proposed in order to reduce the impacts to less than significant levels.

4.10.2 Affected Environment

Existing and Surrounding Land Uses

The Project is located within 45 parcels in the southeastern portion of the City of Fontana (City). The Assessor Parcel Numbers (APNs) associated with the Project site are included in ***Table 3.0-1***, and here in ***Table 4.10-1: Project Site Assessor Parcel Numbers***.

Table 4.10-1: Project Site Assessor Parcel Numbers

Parcel	APN Number	Parcel	APN Number	Parcel	APN Number
1.	0251-172-46	16.	0251-172-16	31.	0251-181-27
2.	0251-172-44	17.	0251-172-06	32.	0251-181-28
3.	0251-172-41	18.	0251-172-07	33.	0251-181-18
4.	0251-172-39	19.	0251-172-08	34.	0251-181-19
5.	0251-172-25	20.	0251-172-47	35.	0251-181-01
6.	0251-172-26	21.	0251-172-10	36.	0251-181-02
7.	0251-172-22	22.	0251-181-20	37.	0251-181-03
8.	0251-172-24	23.	0251-181-23	38.	0251-181-04
9.	0251-172-18	24.	0251-181-33	39.	0251-181-05
10.	0251-172-04	25.	0251-181-22	40.	0251-181-32
11.	0251-172-32	26.	0251-181-34	41.	0251-181-08
12.	0251-172-42	27.	0251-181-15	42.	0251-181-09
13.	0251-172-33	28.	0251-181-30	43.	0251-181-10
14.	0251-172-27	29.	0251-181-31	44.	0251-181-11
15.	0251-172-29	30.	0251-181-26	45.	0251-181-36

The Project site is currently vacant due to the demolition of existing residential, commercial, and industrial structures completed prior to the publication of the EIR's Notice of Preparation in September 2020. The undeveloped areas predominately contain grass-covered fields with intermittent trees and bushes. A roadway, Boyle Avenue, traverses the middle of Project site from east to west connecting Juniper Avenue to Vineyard Drive.

The area surrounding the Project contains roadways, residential uses, commercial uses, and light industrial uses. The Project is directly north of Slover Avenue and multiple commercial and residential properties. The Project site is also directly west of Juniper Avenue, residential developments, and commercial/industrial uses. Vacant land and multiple industrial uses are directly west of the Project site. Railroad tracks and Interstate (I-10) are directly north of the Project site.

General Plan and Zoning Designations

The City's General Plan Land Use Map shows that the portion of the Project site north of Boyle Avenue has been labeled with a General Industrial land use designation. The portion of the Project site south of Boyle Avenue has been labeled with a Light Industrial land use designation.

General Industrial land use designations allow a variety of industrial uses such as warehousing, fabrication, assembly, processing, trucking, equipment. Similarly, Light Industrial land use designations allow for the development of warehouse developments as long as they contain limited off-site impacts. Light Industrial land use zones also allow for the development of business parks, research and development, technology centers, corporate and support office uses, clean industry, supporting retail uses, truck and equipment sales and related services. Zoning created a more consistent area and led to the currently vacant state of the Project site.

Surrounding land use designations include parcels with Light Industrial, General Industrial, General Commercial, and Public Facilities. ***Table 4.10-2: Surrounding Land Uses*** summarizes the land use designations and their direction adjacent to the Project site.

Table 4.10-2: Surrounding Land Uses

Location	General Plan Land Use	Zoning Designation
Project Site	General Industrial (I-G) Light Industrial (I-L)	Light Industrial (M-1) General Industrial (M-2)
North	Public Facilities (P-PF) (Right of Way for I-10 Freeway and rail line)	Right of Way for I-10 Freeway and rail line
East	General Industrial (I-G) General Commercial (C-G)	General Industrial (M-2) General Commercial (C-2)
South	Light Industrial (I-L)	Light Industrial (M-1)
West	Light Industrial (I-L) General Industrial (I-G)	Light Industrial (M-1) General Industrial (M-2)

Source: City of Fontana. (2019). City of Fontana General Plan Land Use Map. Retrieved from: https://www.fontana.org/DocumentCenter/View/28163/General-Plan-Land-Use-Map---September-10-2019

Public Facilities include properties in public or quasi-public ownership, such as existing schools; the facilities of agencies such as the City, County, water and sewer districts, and fire protection districts; and hospitals and quasi-public institutions. The Public Facility north of the Project site is the I-10 freeway. This roadway provides regional connectivity to the City and Project site.

4.10.3 Regulatory Framework

Regional

Southern California Association of Governments

Southern California Association of Governments (SCAG) is a council of governments representing Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. SCAG is the Federally recognized Metropolitan Planning Organization (MPO) for this region. SCAG is a regional planning agency and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under Federal and State law. In this role, SCAG reviews proposed

development and infrastructure projects to analyze their impacts on regional planning programs. As the Southern California region's MPO, SCAG cooperates with the South Coast Air Quality Management District, Caltrans, and other agencies in preparing regional planning documents. SCAG has developed the Regional Comprehensive Plan, the Regional Housing Needs Assessment, and the Regional Transportation Plan /Sustainability Communities Strategy.

2020-2045 Regional Transportation Plan/Sustainable Communities Strategies

SCAG's Connect SoCal 2020-2045 Regional Comprehensive Plan/Sustainable Communities Strategies (RTP/SCS) provides the long-range vision of the SCAG region. The RTP/SCS expands land use and transportation strategies established from previous cycles to increase mobility options and achieve a more sustainable growth pattern. The RTP/SCS contains plans and projections for the region's future, from 2020 through the horizon year of 2045. Like other RTP/SCS publications, the Connect SoCal RTP/SCS provides a policy framework for preparing local plans and handling issues of regional significance, such as land use and housing, open space and biological habitats, water, energy, air quality, solid waste, transportation, security and emergency preparedness, economy, and education. Specifically, the plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries and more efficient use of resources.

The RTP/SCS advances regional planning by incorporating an integrated approach between SCAG, State and local governments, transportation commissions, resources agencies and conservation groups, the private sector, and the general public.

Local

Fontana General Plan

The Fontana General Plan (Fontana GP) contains includes goals and policies intended to provide benefits to the City through long-range planning. The Fontana GP was recently updated in 2017 and adopted in November 2018 to provide planning framework to guide the City's growth and development from the years 2015 through 2035. The General Plan update included revisions to the included General Plan Elements, including their Land Use Element, to more closely reflect the recent state of the City and for a more current baseline.

Land Use and Urban Design Element

Goal 2	***Fontana development patterns support a high quality of life and economic prosperity.***
Policy 2.1	Locate industrial uses where there is easy access to regional transportation routes.
Goal 4	***Compact, walkable, mixed-use centers are located at key locations along corridors to be served by public transit in the future and at intersections where neighborhood retail and diverse housing options can succeed.***
Policy 4.1	Promote a land use pattern that provides connections among land uses and a mixture of land uses.

Goal 5	***High-quality job producing industrial uses are concentrated in a few locations where there is easy access to regional transportation routes.***
Policy 5.3	Avoid locating small areas of residential uses where they will be surrounded by intensive commercial or industrial uses.
Goal 7	***Public and private development meets high design standards.***
Policy 7.1	Support high-quality development in design standards and in land use decisions.

Stewardship and Implementation Element

Goal 3	***Update the city zoning code to be compatible with the general plan.***
Policy 3.1	Support zoning changes that promote implementation of the Plan.

City of Fontana Municipal Code

The City of Fontana Municipal Code Chapter 30 is the Fontana Development Code. The Fontana Development Code assists the Fontana GP by providing driving policies that reinforce the goals set by the GP. By complying with the standards set in the development code, the City will more efficiently achieve sustainable growth. This document outlines the City's guidelines and requirements for developments for each zoning type. Industrial projects within the City are required to adhere to standards provided in Article VII of the development code. These standards include allowed uses within industrial zones as well as development standards such as maximum height, lot coverage, and provided parking requirements. The Project will be required to comply with these Standards in order to be approved for development.

4.10.4 Significance Thresholds and Criteria

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

- Would the Project physically divide an established community? (see Impact 4.10-1);
- Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (see Impact 4.10-2);

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning land use and planning. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts.

Approach to Analysis

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

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component will or will not result in "significant" adverse effects on land use and planning standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.10.5 Impacts and Mitigation Measures

Impact 4.10-1 ***Would the Project physically divide an established community?***

Level of Significance: Less Than Significant Impact

Construction and Operation

The Project involves the development of an approximately 705,735-square foot warehouse building within an approximately 32-net acre site, with associated facilities and improvements including approximately 4,500 square feet of office space, vehicle parking, loading dock doors, trailer parking, onsite landscaping, and related onsite and off-site improvements. The Project would occupy an area with existing General Industrial and Light Industrial land use and zoning designations. The Project, proposing a warehousing development, would conform to the established land use and zoning of the area. As well, surrounding land uses largely consist of commercial industrial uses such as storage yards and waste management services.

Residential uses are within the surrounding area of the Project site. However, these developments are not part of a planned community. Further, the residential developments are classified as nonconforming uses since residential uses are inconsistent with uses allowed within their respective zoning designation of General Commercial (C-2). Further, the Project would not involve the removal of vital roadways or points of connection for residents. The dwelling units in the surrounding area are sporadically placed and do not form a cohesive community, geographically. Therefore, development of the Project would not divide an established community and a less than significant impact would occur.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.10-2 ***Would the Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?***

Level of Significance: Less than Significant

Construction and Operation

The Project would be required to comply with any applicable Federal, State, regional, and local land use plans, policies, and regulations. Projects should be consistent with applicable policies in order to promote the efficient, sustainable growth projected in the long-term planning documents. At a regional level, the Project should comply with the goals and policies presented in SCAG's RTP/SCS. Locally, the Project should comply with the City's General Plan document, development standards, and any airport land use compatibility plans (ALUCPs). The Project's consistency with these applicable policies are described below.

SCAG 2020-2045 RTP/SCS

The SCAG RTP/SCS is a long term planning document intended to guide the growth of the region that includes the Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial counties. The RTP/SCS allows public agencies who implement transportation projects to do so in a coordinated manner and assists the region in achieving California's greenhouse gas emission reduction goals and federal Clean Air Act requirements. The plan also strives to achieve broader regional objectives, such as the preservation of natural lands, improvement of public health, increased roadway safety, support for the region's vital goods movement industries and more efficient use of resources. The Project's compliance with the RTP/SCS would promote the sustainable and beneficial growth of the region. ***Table 4.10-3: SCAG 2020-2045 RTP/SCS Goals and Strategies*** summarizes the Project's compliance with the RTP/SCS.

Table 4.10-3: SCAG 2020-2045 RTP/SCS Goals and Strategies

Goal	Consistency
Encourage regional economic prosperity and global competitiveness	**Consistent:** The Project would involve the development of a warehouse facility which would increase the City's ability to process and distribute goods. This increased goods processing capacity would improve trade both in the City and, potentially, the region.
Improve mobility, accessibility, reliability, and travel safety for people and goods	**Consistent:** The Project would include street improvements in the adjacent roadways including Slover Avenue and Juniper Avenue. As well, four project driveways are proposed, connecting the Project to Juniper and Slover Avenues.
Enhance the preservation, security, and resilience of the regional transportation system	**Consistent:** The Project would include roadway improvements designed to more adequately allow for vehicle access and transportation.
Increase person and goods movement and travel choices within the transportation system	**Consistent:** With a focus on warehousing, the Project would improve the City's goods movement capacity. Improvements to the surrounding roadways will also increase the efficiency of goods transport.
Reduce greenhouse gas emissions and improve air quality	**Consistent:** The Project would be developed on land designated for general and light industrial use.
Support healthy and equitable communities	**Consistent:** The Project would be developed in an area designated for light industrial and general industrial uses. This would align with the plans for the area. The development of the Project would also increase employment for the City and its residents.

Goal	Consistency
Adapt to a changing climate and support an integrated regional development pattern and transportation network	**Consistent:** The Project would be consistent with the land use designation of the area it would occupy and would therefore promote the planned development pattern of the City and Region.
Leverage new transportation technologies and data-driven solutions that result in more efficient travel	**Consistent:** The Project is not a transportation project. However, the project would include roadway improvements that would result in more efficient travel.
Encourage development of diverse housing types in areas that are supported by multiple transportation options	**Consistent:** The Project does not propose housing developments.
Promote conservation of natural and agricultural lands and restoration of habitats	**Consistent:** The Project does not propose development on natural or agricultural lands. Although the Project site includes vacant land, these are not designated open spaces and are not used for agricultural purposes.
Source: Southern California Association of Governments. (2020). Connect SoCal 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy. Page 9. Los Angeles, CA: Southern California Association of Governments	

City of Fontana General Plan

The City recently adopted an updated General Plan which contains goals and policies meant to guide growth and development within the City. These include Land Use goals and Policies which would specifically guide land usage for future City development and growth. ***Table 4.10-4: General Plan Consistency***.

Table 4.10-4: General Plan Consistency

Policy	Consistency
LAND USE AND URBAN DESIGN ELEMENT	
Goal 2: Fontana development patterns support a high quality of life and economic prosperity.	
Policy 2.1: Locate industrial uses where there is easy access to regional transportation routes.	**Consistent:** The Project site is located less than one mile from access points to regional transportation route I-15. Further, this Project would be developed within an area designated for light industrial and general industrial uses.
Goal 4: Compact, walkable, mixed-use centers are located at key locations along corridors to be served by public transit in the future and at intersections where neighborhood retail and diverse housing options can succeed.	
Policy 4.1: Promote a land use pattern that provides connections among land uses and a mixture of land uses.	**Consistent:** The Project would be developed on an area that is designated for both general industrial and light industrial land use designations. Further, the surrounding area includes industrial, commercial, and residential uses.
Goal 5: High-quality job producing industrial uses are concentrated in a few locations where there is easy access to regional transportation routes.	
Policy 5.3: Avoid locating small areas of residential uses where they will be surrounded by intensive commercial or industrial uses.	**Consistent:** The Project does not propose residential developments.
Goal 7: Public and private development meets high design standards.	
Policy 7.1: Support high-quality development in design standards and in land use decisions.	**Consistent:** The Project would be within the land use allowances for the Light Industrial and General Industrial land use designations as well as the associated design standards.

Policy	Consistency
STEWARDSHIP AND IMPLEMENTATION ELEMENT	
Goal 3: Update the city zoning code to be compatible with the general plan.	
Policy 3.1: Support zoning changes that promote implementation of the Plan.	**Consistent:** The Project does not propose a zoning change as it complies with the existing zoning designations.
Source: City of Fontana. (2019). *Fontana Forward General Plan Update 2015-2035*. Fontana, CA: City of Fontana	

City of Fontana Development Code

The Fontana Municipal Code (Fontana MC) contains a development code which provides specific guidelines for developments within the City and the allowed uses within each zone. This document work alongside the General Plan to set specific standards that promote the goals of the Fontana GP. The Project would be built within Light Industrial (M-1) and General Industrial (M-2) zones. Being a warehousing development, this would be an allowed use within each zone. ***Table 4.10-5: Compliance with Fontana Zone Standards*** summarizes the Project's design characteristics and their consistency with the Light Industrial and General Industrial zone standards set in the Fontana Development Code.

Table 4.10-5: Compliance with Fontana Zone Standards

Name	M-1[1] Standard	M-2[2] Standard	Project
Minimum Lot Size	20,000 square feet	2 acres	1,405,836 square feet/32.27 acres
Maximum Building Height	75 feet	75 Feet	49.5 feet
Maximum Lot Coverage	60 percent	60 percent	50.2 percent
Maximum F.A.R.[3]	0.60	0.60	0.50
Required Auto Parking[4]	164 stalls		330 stalls
Required Trailer Parking	1/5,000 square feet = 142 stalls		179 stalls
Landscape Requirement	15 percent (excluding building area)		19.0 percent

Notes:
[1]M-1 = Light Industrial
[2]M-2 = General Industrial
[3]F.A.R. = Floor Area Ratio
[4]Office: 1/250 square feet (if office use exceeds 10% of development). Warehouse: First 20,000 square feet = 1/1,000 square feet; Second 20,000 square feet = 1/2,000 square feet, after 40,000 square feet of development = 1/5,000 square feet.

LA/Ontario International Airport Land Use Compatibility Plan

The Project is within the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) influence area. However, the Project site is outside of the plan's safety zones and allows the development of structures greater than 200 feet. Although the Project is within the airport influence area, it is not in any specified zones that would require restrictions which would restrict planned components and Project design.

The Project would comply with land use plans, policies, and regulations that would apply to its development and the surrounding area. The Project would therefore cause a less than significant impact regarding compliance with land use policies and no mitigation is required.

MITIGATION MEASURES

No mitigation is required.

4.10.6 Cumulative Impacts

For purposes of land use and planning impact analysis, cumulative impacts are considered for cumulative development according to the related projects. Those projects represent past, present, and potential future projects that could lead to cumulative impacts when combined with the proposed Project. The geographic context for the land use and planning cumulative impact analysis includes the jurisdiction of local and regional agencies including the City of Fontana, San Bernardino County and SCAG.

However, because the Project does not require the modification of land uses within its Project area or the surrounding area, no land use specific impact to the development of other projects is expected.

4.10.7 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

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4.11 NOISE

4.11.1 Introduction

This section evaluates both construction-related and operational noise and vibration levels to on-site and surrounding land uses resulting from the proposed Sierra Business Center Project ("proposed Project," "Project"). The analysis in the section evaluates the level of noise impacts the proposed Project would have on the environment. Noise data and assumptions that are used for quantifying the proposed Project's emissions are based on the following sources completed by Kimley-Horn. The noise data and calculations are included in Appendix G of this EIR.

- Acoustical Assessment Fontana Sierra Business Center Project (November 2020);
- City of Fontana General Plan.

4.11.2 Affected Environment

The Project site is located in southeastern Fontana, in San Bernardino County (County). The Project site is located approximately 120 feet south of Interstate 10 (I-10), 0.25 miles west of Sierra Avenue, directly north of Slover Avenue, directly west of Juniper Avenue, and directly east of Cypress Avenue. The Project site is a rectangular lot that contains vacant parcels**.** The site's existing land use designation is General Industrial (I-G) and Light Industrial (I-L); the existing zoning is Light Industrial (M-1) and General Industrial (M-2). Regional Project access would be from Interstate 10 (I-10) via the officially designated local truck route Sierra Avenue. Local access would be provided via Slover Avenue and Juniper Avenue

The Project involves the development of an approximately 705,735-square foot warehouse building within an approximately 32-net acre site, with associated facilities and improvements including approximately 4,500 square feet of office space, vehicle parking, loading dock doors, trailer parking, on-site landscaping, and related on-site and off-site improvements. The building height would be less than the allowable maximum of 75 feet, with a Floor Area Ratio (FAR) less than the maximum FAR of 0.60.

Characteristics of Noise

Acoustics is the science of sound. Sound can be described as the mechanical energy of a vibrating object transmitted by pressure waves through a medium (e.g., air) to human (or animal) ear. If the pressure variations occur frequently enough (at least 20 times per second), they can be heard and are called sound. The number of pressure variations per second is called the frequency of sound and is expressed as cycles per second, or hertz (Hz).

Noise is defined as loud, unexpected, or annoying sound. In acoustics, the fundamental model consists of a noise source, a receptor, and the propagation path between the two. The loudness of the noise source, obstructions, or atmospheric factors affecting the propagation path, determine the perceived sound level and noise characteristics at the receptor. Acoustics deal primarily with the propagation and control of sound. A typical noise environment consists of a base of steady background noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These sources can vary from an occasional aircraft or train passing by to

continuous noise from traffic on a major highway. Perceptions of sound and noise are highly subjective from person to person.

Measuring sound directly in terms of pressure would require a large range of numbers. To avoid this, the decibel (dB) scale was devised. The dB scale uses the hearing threshold of 20 micropascals (µPa) as a point of reference, defined as 0 dB. Other sound pressures are then compared to this reference pressure, and the logarithm is taken to keep the numbers in a practical range. The dB scale allows a million-fold increase in pressure to be expressed as 120 dB, and changes in levels correspond closely to human perception of relative loudness. ***Table 4.11-1: Typical Noise Levels*** provides typical noise levels.

Table 4.11-1: Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	– 110 –	Rock Band
Jet fly-over at 1,000 feet		
	– 100 –	
Gas lawnmower at 3 feet		
	– 90 –	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	– 80 –	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawnmower, 100 feet	**– 70 –**	Vacuum cleaner at 10 feet
Commercial area		Normal Speech at 3 feet
Heavy traffic at 300 feet	**– 60 –**	
		Large business office
Quiet urban daytime	**– 50 –**	Dishwasher in next room
Quiet urban nighttime	**– 40 –**	Theater, large conference room (background)
Quiet suburban nighttime		
	– 30 –	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	– 20 –	
		Broadcast/recording studio
	– 10 –	
Lowest threshold of human hearing	**– 0 –**	Lowest threshold of human hearing

dBA = A-weighted decibels; mph = miles per hour

Source: California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

Noise Descriptors

The dB scale alone does not adequately characterize how humans perceive noise. The dominant frequencies of a sound have a substantial effect on the human response to that sound. Several rating scales have been developed to analyze the adverse effect of community noise on people. Because environmental noise fluctuates over time, these scales consider that the effect of noise on people is largely dependent on the total acoustical energy content of the noise, as well as the time of day when the noise occurs. The equivalent noise level (L_{eq}) is the average noise level averaged over the measurement period, while the day-night noise level (L_{dn}) and Community Equivalent Noise Level (CNEL) are measures of energy average during a 24-hour period, with dB weighted sound levels from 7:00 p.m. to 7:00 a.m.

Most commonly, environmental sounds are described in terms of L_{eq} that has the same acoustical energy as the summation of all the time-varying events. Each is applicable to this analysis and defined in ***Table 4.11-2: Definitions of Acoustical Terms***.

Table 4.11-2: Definitions of Acoustical Terms

Term	Definitions
Decibel (dB)	A unit describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure. The reference pressure for air is 20.
Sound Pressure Level	Sound pressure is the sound force per unit area, usually expressed in µPa (or 20 micronewtons per square meter), where 1 pascals is the pressure resulting from a force of 1 newton exerted over an area of 1 square meter. The sound pressure level is expressed in dB as 20 times the logarithm to the base 10 of the ratio between the pressures exerted by the sound to a reference sound pressure (e.g., 20 µPa). Sound pressure level is the quantity that is directly measured by a sound level meter.
Frequency (Hz)	The number of complete pressure fluctuations per second above and below atmospheric pressure. Normal human hearing is between 20 Hz and 20,000 Hz. Infrasonic sound are below 20 Hz and ultrasonic sounds are above 20,000 Hz.
A-Weighted Sound Level (dBA)	The sound pressure level in dB as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high-frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.
Equivalent Noise Level (L_{eq})	The average acoustic energy content of noise for a stated period of time. Thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure. For evaluating community impacts, this rating scale does not vary, regardless of whether the noise occurs during the day or the night.
Maximum Noise Level (L_{max}) Minimum Noise Level (L_{min})	The maximum and minimum dBA during the measurement period.
Exceeded Noise Levels (L_{01}, L_{10}, L_{50}, L_{90})	The dBA values that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period.
Day-Night Noise Level (L_{dn})	A 24-hour average L_{eq} with a 10 dBA weighting added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity at nighttime. The logarithmic effect of these additions is that a 60 dBA 24-hour L_{eq} would result in a measurement of 66.4 dBA L_{dn}.
Community Noise Equivalent Level (CNEL)	A 24-hour average L_{eq} with a 5 dBA weighting during the hours of 7:00 a.m. to 10:00 a.m. and a 10 dBA weighting added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively. The logarithmic effect of these additions is that a 60 dBA 24-hour L_{eq} would result in a measurement of 66.7 dBA CNEL.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Intrusive	That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends on its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

The A-weighted decibel (dBA) sound level scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. Because sound levels can vary markedly over a short period of time, a

method for describing either the average character of the sound or the statistical behavior of the variations must be utilized. Most commonly, environmental sounds are described in terms of an average level that has the same acoustical energy as the summation of all the time-varying events.

The scientific instrument used to measure noise is the sound level meter. Sound level meters can accurately measure environmental noise levels to within about plus or minus 1 dBA. Various computer models are used to predict environmental noise levels from sources, such as roadways and airports. The accuracy of the predicted models depends on the distance between the receptor and the noise source.

A-Weighted Decibels

The perceived loudness of sounds is dependent on many factors, including sound pressure level and frequency content. However, within the usual range of environmental noise levels, perception of loudness is relatively predictable and can be approximated by dBA values. There is a strong correlation between dBA and the way the human ear perceives sound. For this reason, the dBA has become the standard tool of environmental noise assessment. All noise levels reported in this document are in terms of dBA, but are expressed as dB, unless otherwise noted.

Addition of Decibels

The dB scale is logarithmic, not linear, and therefore sound levels cannot be added or subtracted through ordinary arithmetic. Two sound levels 10 dB apart differ in acoustic energy by a factor of 10. When the standard logarithmic dB is A-weighted, an increase of 10 dBA is generally perceived as a doubling in loudness. For example, a 70-dBA sound is half as loud as an 80-dBA sound and twice as loud as a 60-dBA sound. When two identical sources are each producing sound of the same loudness, the resulting sound level at a given distance would be 3 dBA higher than one source under the same conditions. Under the dB scale, three sources of equal loudness together would produce an increase of 5 dBA.

Sound Propagation and Attenuation

Sound spreads (propagates) uniformly outward in a spherical pattern, and the sound level decreases (attenuates) at a rate of approximately 6 dB for each doubling of distance from a stationary or point source. Sound from a line source, such as a highway, propagates outward in a cylindrical pattern. Sound levels attenuate at a rate of approximately 3 dB for each doubling of distance from a line source, such as a roadway, depending on ground surface characteristics. No excess attenuation is assumed for hard surfaces like a parking lot or a body of water. Soft surfaces, such as soft dirt or grass, can absorb sound, so an excess ground-attenuation value of 1.5 dB per doubling of distance is normally assumed. For line sources, an overall attenuation rate of 3 dB per doubling of distance is assumed.

Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm reduces noise levels by 5 to 10 dBA. The way older homes in California were constructed generally provides a reduction of exterior-to-interior noise levels of about 20 to 25 dBA with closed windows. The exterior-to-interior reduction of newer residential units is generally 30 dBA or more.

Human Response to Noise

The human response to environmental noise is subjective and varies considerably from individual to individual. Noise in the community has often been cited as a health problem, not in terms of actual physiological damage, such as hearing impairment, but in terms of inhibiting general well-being and contributing to undue stress and annoyance. The health effects of noise in the community arise from interference with human activities, including sleep, speech, recreation, and tasks that demand concentration or coordination. Hearing loss can occur at the highest noise intensity levels.

Noise environments and consequences of human activities are usually well represented by median noise levels during the day or night or over a 24-hour period. Environmental noise levels are generally considered low when the CNEL is below 60 dBA, moderate in the 60 to 70 dBA range, and high above 70 dBA. Examples of low daytime levels are isolated, natural settings with noise levels as low as 20 dBA and quiet, suburban, residential streets with noise levels around 40 dBA. Noise levels above 45 dBA at night can disrupt sleep. Examples of moderate-level noise environments are urban residential or semi-commercial areas (typically 55 to 60 dBA) and commercial locations (typically 60 dBA). People may consider louder environments adverse, but most will accept the higher levels associated with noisier urban residential or residential-commercial areas (60 to 75 dBA) or dense urban or industrial areas (65 to 80 dBA). Regarding increases in dBA, the following relationships should be noted:

- Except in carefully controlled laboratory experiments, a 1-dBA change cannot be perceived by humans.
- Outside of the laboratory, a 3-dBA change is considered a just-perceivable difference.
- A minimum 5-dBA change is required before any noticeable change in community response would be expected. A 5-dBA increase is typically considered substantial.
- A 10-dBA change is subjectively heard as an approximate doubling in loudness and would almost certainly cause an adverse change in community response.

Effects of Noise on People

Hearing Loss

While physical damage to the ear from an intense noise impulse is rare, a degradation of auditory acuity can occur even within a community noise environment. Hearing loss occurs mainly due to chronic exposure to excessive noise but may be due to a single event such as an explosion. Natural hearing loss associated with aging may also be accelerated from chronic exposure to loud noise. The Occupational Safety and Health Administration has a noise exposure standard that is set at the noise threshold where hearing loss may occur from long-term exposures. The maximum allowable level is 90 dBA averaged over 8 hours. If the noise is above 90 dBA, the allowable exposure time is correspondingly shorter.

Annoyance

Attitude surveys are used for measuring the annoyance felt in a community for noises intruding into homes or affecting outdoor activity areas. In these surveys, it was determined that causes for annoyance include interference with speech, radio and television, house vibrations, and interference with sleep and rest. The L_{dn} as a measure of noise has been found to provide a valid correlation of noise level and the

percentage of people annoyed. People have been asked to judge the annoyance caused by aircraft noise and ground transportation noise. There continues to be disagreement about the relative annoyance of these different sources. A noise level of about 55 dBA L_{dn} is the threshold at which a substantial percentage of people begin to report annoyance.[1]

Groundborne Vibration

Sources of groundborne vibrations include natural phenomena (earthquakes, volcanic eruptions, sea waves, landslides, etc.) or man-made causes (explosions, machinery, traffic, trains, construction equipment, etc.). Vibration sources may be continuous (e.g., factory machinery) or transient (e.g., explosions). Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude. One is the peak particle velocity (PPV); another is the root mean square (RMS) velocity. The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. The RMS velocity is defined as the average of the squared amplitude of the signal. The PPV and RMS vibration velocity amplitudes are used to evaluate human response to vibration.

Table 4.11-3: Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibrations, displays the reactions of people and the effects on buildings produced by continuous vibration levels. The annoyance levels shown in the table should be interpreted with care since vibration may be found to be annoying at much lower levels than those listed, depending on the level of activity or the sensitivity of the individual. To sensitive individuals, vibrations approaching the threshold of perception can be annoying. Low-level vibrations frequently cause irritating secondary vibration, such as a slight rattling of windows, doors, or stacked dishes. The rattling sound can give rise to exaggerated vibration complaints, even though there is very little risk of actual structural damage. In high noise environments, which are more prevalent where groundborne vibration approaches perceptible levels, this rattling phenomenon may also be produced by loud airborne environmental noise-causing induced vibration in exterior doors and windows.

Table 4.11-3: Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibrations

Peak Particle Velocity (in/sec)	Approximate Vibration Velocity Level (VdB)	Human Reaction	Effect on Buildings
0.006-0.019	64-74	Range of threshold of perception	Vibrations unlikely to cause damage of any type
0.08	87	Vibrations readily perceptible	Recommended upper level to which ruins and ancient monuments should be subjected
0.1	92	Level at which continuous vibrations may begin to annoy people, particularly those involved in vibration-sensitive activities	Virtually no risk of architectural damage to normal buildings
0.2	94	Vibrations may begin to annoy people in buildings	Threshold at which there is a risk of architectural damage to normal dwellings

[1] Federal Interagency Committee on Noise, Federal Agency Review of Selected Airport Noise Analysis Issues, August 1992.

Peak Particle Velocity (in/sec)	Approximate Vibration Velocity Level (VdB)	Human Reaction	Effect on Buildings
0.4-0.6	98-104	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Architectural damage and possibly minor structural damage

Source: California Department of Transportation, *Transportation and Construction Vibration Guidance Manual*, 2013.

Ground vibration can be a concern in instances where buildings shake, and substantial rumblings occur. However, it is unusual for vibration from typical urban sources such as buses and heavy trucks to be perceptible. Common sources for groundborne vibration are planes, trains, and construction activities such as earth-moving which requires the use of heavy-duty earth moving equipment. For the purposes of this analysis, a PPV descriptor with units of inches per second (in/sec) is used to evaluate construction-generated vibration for building damage and human complaints.

Existing Noise Sources

The City is impacted by various noise sources. Mobile sources of noise, especially cars, trucks, and trains are the most common and significant sources of noise. Other noise sources are the various land uses (i.e., residential, commercial, institutional, and recreational and parks activities) throughout the City that generate stationary-source noise.

Mobile Sources

Existing roadway noise levels were calculated for the roadway segments in the Project vicinity. This task was accomplished using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108) and existing traffic volumes from the *Traffic Impact Study for the Sierra Business Center in the City of Fontana*, prepared by Kimley-Horn (October 2020) (Traffic Impact Study). The noise prediction model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average vehicle noise rates (also referred to as energy rates) used in the FHWA model have been modified to reflect average vehicle noise rates identified for California by the California Department of Transportation (Caltrans). The Caltrans data indicates that California automobile noise is 0.8 to 1.0 dBA higher than national levels and that medium and heavy truck noise is 0.3 to 3.0 dBA lower than national levels. The average daily noise levels along roadway segments in proximity to the Project site are included in ***Table 4.11-4: Existing Traffic Noise Levels***. As shown in ***Table 4.11-4***, existing traffic noise levels in the Project vicinity range between 65.8 dBA CNEL and 66.2 dBA CNEL.

Table 4.11-4: Existing Traffic Noise Levels

Roadway Segment	ADT	dBA CNEL[1]
Slover Avenue		
Citrus Avenue to Cypress Avenue	15,478	66.2
Cypress Avenue to Sierra Avenue	14,273	65.8

ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level
1. Traffic noise levels are at 100 feet from the roadway centerline.
Source: Based on traffic data provided by Kimley-Horn and Associates, Inc., October 2020. Refer to Appendix A for traffic noise modeling results.

Stationary Sources

The primary sources of stationary noise in the Project vicinity are those associated with residential properties to the south and east and industrial operations to the west of the Project. The noise associated with these sources may represent a single-event noise occurrence or short-term noise. Other noises include mechanical equipment (e.g., heating ventilation and air conditioning [HVAC] equipment), dogs barking, idling vehicles, and residents talking.

Sensitive Receptors

Sensitive populations are more susceptible to the effects of air pollution than is the general population. Sensitive receptors that are in proximity to localized sources of toxics are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. Sensitive land uses near the Project include single-family residential homes approximately 60 feet to the east on the opposite side of Juniper Avenue, single-family residential homes approximately 104 feet to the south on the opposite side of Slover Avenue, and a single-family residential home on the northwest corner of Slover Avenue and Cypress Avenue approximately 280 feet to the west of the Project.

4.11.3 Regulatory Framework

Federal

Federal Transit Administration Noise and Vibration Guidance

The Federal Transit Administration (FTA) has published the Transit Noise and Vibration Impact Assessment Report to provide guidance on procedures for assessing impacts at different stages of transit Project development. The report covers both construction and operational noise impacts and describes a range of measures for controlling excessive noise and vibration. The specified noise criteria are an earlier version of the criteria provided by the Federal Railroad Administration's High-Speed Ground Transportation Noise and Vibration Impact Assessment. In general, the primary concern regarding vibration relates to potential damage from construction. The guidance document establishes criteria for evaluating the potential for damage for various structural categories from vibration.

State

California Government Code

California Government Code §65302(f) mandates that the legislative body of each county and city adopt a noise element as part of its comprehensive general plan. The local noise element must recognize the land use compatibility guidelines established by the State Department of Health Services. The guidelines rank noise land use compatibility in terms of "normally acceptable," "conditionally acceptable," "normally unacceptable," and "clearly unacceptable" noise levels for various land use types. Single-family homes are "normally acceptable" in exterior noise environments up to 60 Community Noise Equivalent Level (CNEL) and "conditionally acceptable" up to 70 CNEL. Multiple-family residential uses are "normally acceptable" up to 65 CNEL and "conditionally acceptable" up to 70 CNEL. Schools, libraries, and churches are "normally acceptable" up to 70 CNEL, as are office buildings and business, commercial, and professional uses.

Title 24 – Building Code

The State's noise insulation standards are codified in the California Code of Regulations, Title 24: Part 1, Building Standards Administrative Code, and Part 2, California Building Code. These noise standards are applied to new construction in California for interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new multi-family residential buildings, the acceptable interior noise limit for new construction is 45 dBA CNEL.

California General Plan Guidelines

The California General Plan Guidelines, published by the Governor's Office of Planning and Research, provides guidance for the acceptability of specific land use types within areas of specific noise exposure. ***Table 4.11-5: Land Use Compatibility for Community Noise Environments***, presents guidelines for determining acceptable and unacceptable community noise exposure limits for various land use categories. The guidelines also present adjustment factors that may be used to arrive at noise acceptability standards that reflect the noise control goals of the community, the particular community's sensitivity to noise, and the community's assessment of the relative importance of noise pollution. OPR guidelines are advisory in nature. Local jurisdictions, including the City of Fontana, have the responsibility to set specific noise standards based on local conditions.

Table 4.11-5: Land Use Compatibility for Community Noise Environments

Land Use Category	Community Noise Exposure (CNEL)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential – Low Density, Single-Family, Duplex, Mobile Homes	50 – 60	55 - 70	70-75	75-85
Residential – Multiple-Family	50 – 65	60 - 70	70 – 75	70 - 85
Transient Lodging – Motel, Hotels	50 – 65	60 - 70	70 – 80	80 - 85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50 – 70	60 - 70	70 – 80	80 - 85
Auditoriums, Concert Halls, Amphitheaters	NA	50 - 70	NA	65 - 85
Sports Arenas, Outdoor Spectator Sports	NA	50 - 75	NA	70 - 85
Playgrounds, Neighborhood Parks	50 – 70	NA	67.5 – 75	72.5 - 85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 – 70	NA	70 – 80	80 - 85
Office Buildings, Business Commercial and Professional	50 – 70	67.5 - 77.5	75 – 85	NA
Industrial, Manufacturing, Utilities, Agriculture	50 – 75	70 - 80	75 – 85	NA

NA: Not Applicable; Ldn: average day/night sound level; CNEL: Community Noise Equivalent Level

Land Use Category	Community Noise Exposure (CNEL)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Notes: Normally Acceptable – Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. Conditionally Acceptable – New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice. Normally Unacceptable – New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design. Clearly Unacceptable – New construction or development should generally not be undertaken.				
Source: Office of Planning and Research, California, *General Plan Guidelines*, October 2003.				

Local

City of Fontana General Plan 2015-2035

Adopted on November 13, 2018, the Fontana Forward General Plan Update 2015-2035 (Fontana General Plan) identifies noise standards that are used as guidelines to evaluate transportation noise level impacts. These standards are also used to assess the long-term traffic noise impacts on specific land uses. According to the Fontana General Plan, land uses such as residences have acceptable exterior noise levels of up to 65 dBA CNEL. Based on the guidelines in the Fontana General Plan, an exterior noise level of 65 dBA CNEL is generally considered the maximum exterior noise level for sensitive receptors.

Land uses near these significant noise-producers can incorporate buffers and noise control techniques including setbacks, landscaping, building transitions, site design, and building construction techniques to reduce the impact of excessive noise. Selection of the appropriate noise control technique would vary depending on the level of noise that needs to be reduced as well as the location and intended land use. The City has adopted the Noise and Safety Element as a part of the updated Fontana General Plan. The Noise and Safety Element specifies the maximum allowable unmitigated exterior noise levels for new developments impacted by transportation noise sources. Additionally, the Noise and Safety Element identifies transportation noise policies designed to protect, create, and maintain an environment free of harmful noise that could impact the health and welfare of sensitive receptors. The following Fontana General Plan goals, policies, and actions for addressing noise are applicable to the Project:

Noise and Safety Element

Goal 8	***The City of Fontana protects sensitive land uses from excessive noise by diligent planning through 2035.***
Policy 8.2	Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors.
Policy 8.4	Noise spillover or encroachment from commercial, industrial and educational land uses shall be minimized into adjoining residential neighborhoods or noise-sensitive uses.
Action C	The State of California Office of Planning and Research General Plan Guidelines shall be followed with respect to acoustical study requirements.

Goal 9:	***The City of Fontana provides a diverse and efficiently operated ground transportation system that generates the minimum feasible noise on its residents through 2035.***
Policy 9.1	All noise sections of the State Motor Vehicle Code shall be enforced.
Policy 9.2	Roads shall be maintained such that the paving is in good condition and free of cracks, bumps, and potholes.
Action A	On-road trucking activities shall continue to be regulated in the City to ensure noise impacts are minimized, including the implementation of truck-routes based on traffic studies.
Action B	Development that generates increased traffic and subsequent increases in the ambient noise level adjacent to noise-sensitive land uses shall provide appropriate mitigation measures.
Action D	Explore the use of "quiet pavement" materials for street improvements.
Goal 10:	***Fontana's residents are protected from the negative effects of "spillover" noise.***
Policy 10.1	Residential land uses and areas identified as noise-sensitive shall be protected from excessive noise from non-transportation sources including industrial, commercial, and residential activities and equipment.
Action A	Projects located in commercial areas shall not exceed stationary-source noise standards at the property line of proximate residential or commercial uses.
Action B	Industrial uses shall not exceed commercial or residential stationary source noise standards at the most proximate land uses.
Action C	Non-transportation noise shall be considered in land use planning decisions.
Action D	Construction shall be performed as quietly as feasible when performed in proximity to residential or other noise-sensitive land uses.

City of Fontana Municipal Code 18-63

Standards established under the City of Fontana Municipal Code (Municipal Code) are used to analyze noise impacts originating from the Project. Operational noise impacts are typically governed by Fontana Municipal Code Sections 18-61 through 18-67. However, the City currently relies on delineated general industrial areas. According to the General Plan Noise and Safety section, these areas are buffered from residential uses through land use zoning that places either light industrial or commercial uses between the major manufacturers involved in heavy industrial uses and local residents. This separation of land uses meaning noise intrusion on conforming land uses is not a problem at this time.

Guidelines for non-transportation and stationary noise source impacts from operations at private properties are found in the Zoning and Development Code in Chapter 30 of the Fontana Municipal Code. Applicable guidelines indicate that no person shall create or cause any sound exceeding the City's stated noise performance standards measured at the property line of any residentially zoned property. Per Fontana Municipal Code Section 30-543(A), the performance standards for exterior noise emanating from industrial uses are 70 dBA between the hours of 7:00 a.m. and 10:00 p.m. and 65 dBA during the noise-sensitive hours of 10:00 p.m. to 7:00 a.m. at residential uses.

The City has also set restrictions to control noise impacts from construction activities. Section 18 63(b)(7) states that the erection (including excavation), demolition, alteration, or repair of any structure shall only occur between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays, except in the case of urgent necessity or otherwise approved by the City of Fontana. Although the Fontana Municipal Code limits the hours of construction, it does not provide specific noise level performance standards for construction.

4.11.4 Significance Thresholds and Criteria

Methodology and Assumptions

Construction

Construction noise levels were based on typical noise levels generated by construction equipment published by the Federal Transit Administration (FTA) and FHWA. Construction noise is assessed in dBA Leq. This unit is appropriate because Leq can be used to describe noise level from operation of each piece of equipment separately, and levels can be combined to represent the noise level from all equipment operating during a given period.

FHWA's Roadway Construction Noise Model (RCNM) was used to estimate construction noise at nearby sensitive receptors. For modeling purposes, construction equipment has been distributed evenly between the center of the construction site and the nearest receptor. To be conservative, the loudest and most used equipment was placed nearest the sensitive receptor. Noise level estimates do not account for the presence of intervening structures or topography, which may reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of actual temporary construction noise.

Operations

The analysis of the Without Project and With Project noise environments is based on noise prediction modeling and empirical observations. Reference noise level data are used to estimate the Project operational noise impacts from stationary sources. Noise levels are collected from field noise measurements and other published sources from similar types of activities are used to estimate noise levels expected with the Project's stationary sources. The reference noise levels are used to represent a worst-case noise environment as noise level from stationary sources can vary throughout the day. Operational noise is evaluated based on the standards within the City's Noise Ordinance and General Plan. The Without Project and With Project traffic noise levels in the Project vicinity were calculated using the FHWA Highway Noise Prediction Model (FHWA-RD-77-108).

Vibration

Groundborne vibration levels associated with construction-related activities for the Project were evaluated utilizing typical groundborne vibration levels associated with construction equipment, obtained from FTA published data for construction equipment. Potential groundborne vibration impacts related to building/structure damage and interference with sensitive existing operations were evaluated, considering the distance from construction activities to nearby land uses and typically applied criteria.

For a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any vibration damage. Human annoyance is evaluated in vibration decibels (VdB) (the vibration velocity level in decibel scale) and occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. The FTA Transit Noise and Vibration Impact Assessment Manual identifies 80 VdB as the threshold for buildings where people normally sleep.

4.11.5 Impacts and Mitigation Measures

Impact 4.11-1 ***Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

Level of Significance: Less than Significant Impact

Construction

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g., land clearing, grading, excavation, paving). Noise generated by construction equipment, including earthmovers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods surrounding the construction site. The nearest sensitive receptors to the Project construction area are existing residential uses located approximately 60 feet to the east, on the opposite side of Juniper Avenue. However, it is acknowledged that construction activities would occur throughout the Project site and would not be concentrated at a single point near sensitive receptors.

Construction activities would include site preparation, grading, building construction, paving, and architectural coating. Such activities would require dozers and tractors during site preparation; excavators, graders, and dozers during grading; cranes, forklifts, generators, tractors, and welders during building construction; pavers, rollers, mixers, and paving equipment during paving; and air compressors during architectural coating. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). Noise generated by construction equipment, including earthmovers, material handlers, and portable generators, can reach high levels. Typical noise levels associated with individual construction equipment are listed in ***Table 4.11-6: Typical Construction Noise Levels***. Noise levels at 60 feet, the distance to the nearest sensitive receptor from the construction area, are included in ***Table 4.11-6.***

Table 4.11-6: Typical Construction Noise Levels

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 60 feet from Source[1]
Air Compressor	81	79
Backhoe	80	78
Compactor	82	80
Concrete Mixer	85	83
Concrete Pump	82	80
Concrete Vibrator	76	74

Equipment	Typical Noise Level (dBA) at 50 feet from Source	Typical Noise Level (dBA) at 60 feet from Source[1]
Crane, Derrick	88	86
Crane, Mobile	83	81
Dozer	85	83
Generator	81	79
Grader	85	83
Impact Wrench	85	83
Jack Hammer	88	86
Loader	85	83
Paver	89	87
Pneumatic Tool	85	83
Pump	76	74
Roller	74	72
Saw	76	74
Scraper	89	87
Shovel	82	80
Truck	88	86

Note:
1. Calculated using the inverse square law formula for sound attenuation: $dBA_2 = dBA_1+20Log(d_1/d_2)$
Where: dBA_2 = estimated noise level at receptor; dBA_1 = reference noise level; d_1 = reference distance; d_2 = receptor location distance

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

The noise levels calculated in ***Table 4.11-7: Project Construction Noise Levels at Nearest Receptor***, show estimated exterior construction noise without accounting for attenuation from physical barriers or topography. ***Table 4.11-7*** depicts a worst-case scenario for each phase of construction, with all equipment operating simultaneously while located as close to the nearest sensitive receptor as possible. However, during construction, equipment would operate throughout the Project site and the associated noise levels would not occur at a fixed location for extended periods of time.

The City's Municipal Code does not establish quantitative construction noise standards. Instead, the Municipal Code establishes limited hours of construction activities. Municipal Code Section 18-63 states that construction activities may only take place between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays, except in the case of urgent necessity or otherwise approved by the City of Fontana. However, this analysis conservatively uses the FTA's threshold of 80 dBA (8-hour L_{eq}) for residential uses and 85 dBA (8-hour L_{eq}) for non-residential uses to evaluate construction noise impacts.[2]

Table 4.11-7: Project Construction Noise Levels at Nearest Receptor

Construction Phase	Modeled Exterior Construction Noise Level (dBA L_{eq})	Noise Threshold (dBA L_{eq})	Exceed Threshold?
Site Preparation	76.7	80	No
Grading	76.4	80	No
Building Construction	78.0	80	No
Paving	74.1	80	No
Architectural Coating	71.4	80	No

Note: Equipment distributed evenly between the center of the construction site and the nearest sensitive receptor.
Source: Federal Highway Administration, *Roadway Construction Noise Model,* 2006. Refer to Appendix A for noise modeling results.

[2] Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, Table 7-2, Page 179, September 2018.

Compliance with the Municipal Code would minimize impacts from construction noise, as construction would be limited to daytime hours on weekdays and Saturdays. By following Municipal Code standards, Project construction activities would result in a less than significant noise impact.

Operations

Implementation of the proposed Project would create new sources of noise in the project vicinity. The major noise sources associated with the Project that would potentially impact existing nearby residences include stationary noise equipment (i.e., trash compactors, air conditioners, etc.); truck and loading dock (i.e., slow moving truck on the site, maneuvering and idling trucks, equipment noise); parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by); and off-site traffic noise.

Mechanical Equipment

The nearest sensitive receptors to the Project site are the residences 60 feet east of the Project site. Potential stationary noise sources related to long-term operation of the Project would include mechanical equipment. Mechanical equipment (e.g., heating ventilation and air conditioning [HVAC] equipment) typically generates noise levels of approximately 52 dBA at 50 feet.[3] Based on Project site plans, the nearest potential location for a HVAC unit would be located approximately 290 feet from the nearest residential property and HVAC noise levels would attenuate by the distance to approximately 36.7 dBA, which is well below the City's 65 dBA noise standard for residential uses. Operation of mechanical equipment would not increase ambient noise levels beyond the acceptable compatible land use noise levels. Further, it is noted that noise from stationary sources at the Project site would primarily occur during the daytime activity hours of 7:00 a.m. to 10:00 p.m. Therefore, the proposed Project would result in a less than significant impact related to stationary noise levels.

Truck and Loading Dock Noise

During loading and unloading activities, noise would be generated by the trucks' diesel engines, exhaust systems, and brakes during low gear shifting' braking activities; backing up toward the docks; dropping down the dock ramps; and maneuvering away from the docks. Loading/unloading activities would occur on the eastern and western portions of the proposed warehouse building. Driveways and access to the site would occur along Slover Avenue and Juniper Avenue.

The proposed warehouse building includes dock-high doors for truck loading/unloading and manufacturing/light industrial operations. The dock-high doors are set back approximately 270 feet from the nearest residences to the east of the Project site. Loading dock noise is approximately 68 dB at 50 feet.[4] Loading dock noise levels would be approximately 53 dB at the nearest receptors conservatively assuming a clear line of sight and no attenuation from intervening walls or structures. However, it is worth noting that 8-14' high concrete screen walls would enclose the truck courts, further attenuating the loading dock noise levels. Furthermore, loading dock doors would be surrounded with protective aprons, gaskets, or similar improvements that, when a trailer is docked, would serve as a noise barrier between the interior warehouse activities and the exterior loading area. This would attenuate noise emanating from interior activities, and as such, interior loading and associated activities would be permissible during

[3] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, 2015.
[4] Charles M. Salter Associates, Inc., *Midpoint at 237 Loading Dock Noise Study,* March 27, 2014.

all hours of the day. Therefore, noise levels associated with truck loading/unloading activities would not exceed the City's noise standards of 65 dBA when measured at the nearest residential uses.

Trucks at the Project site would also utilize backup alarms during loading/unloading activities. Backup alarms produce a typical noise level of 79 dB at 30 feet.[5] At 270 feet, backup alarm noise levels would be approximately 60 dB[6] and would be below the City's 65 dBA noise standard. Therefore, noise levels from trucks and loading/unloading activities would not exceed any local noise standards and a less than significant impact would occur.

Parking Noise

The Project would provide 330 parking stalls, 179 trailers stalls, and 98 docks. Parking stalls would be located on all sides of the proposed warehouse building near the site perimeter. Nominal parking noise would occur within the on-site parking facilities. Traffic associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. The instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys range from 53 to 61 dBA[7] and may be an annoyance to adjacent noise-sensitive receptors. It should be noted that parking lot noises are instantaneous noise levels compared to noise standards in the hourly L_{eq} metric, which are averaged over the entire duration of a time period.

Additionally, parking noise also occurs at the adjacent properties to the west under existing conditions. Parking and driveway noise would be consistent with existing noise in the vicinity and would be partially masked by background traffic noise from motor vehicles traveling along Slover Avenue so the south and I-10 freeway to the north. Actual noise levels over time resulting from parking activities will be far below the local noise standards. Therefore, noise impacts associated with parking would be less than significant.

Off-Site Traffic Noise

Implementation of the Project would generate increased traffic volumes along nearby roadway segments. According to the Traffic Impact Study, the proposed Project would generate 4,545 daily trips which would result in noise increases on Project area roadways. In general, a traffic noise increase of less than 3 dBA is barely perceptible to people, while a 5-dBA increase is readily noticeable.[8] Generally, traffic volumes on Project area roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA. Therefore, permanent increases in ambient noise levels of less than 3 dBA are considered to be less than significant.

Traffic noise levels for roadways primarily affected by the Project were calculated using the FHWA's Highway Noise Prediction Model (FHWA-RD-77-108). Traffic noise modeling was conducted for conditions with and without the Project, based on traffic volumes from the Traffic Impact Analysis. As indicated in ***Table 4.11-8: Opening Year and Opening Year Plus Project Traffic Noise Levels***, Opening Year Plus Project traffic-generated noise levels on Project area roadways would range between 67.3 dBA CNEL and 67.8 dBA

[5] Ibid.

[6] Based on the inverse square law for sound attenuation, and assuming a minimum of 5 dB noise reduction from the intervening warehouse building on the proposed Project site (FHWA, 2006).

[7] Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.

[8] Federal Highway Administration, *Highway Traffic Noise Analysis and Abatement Policy and Guidance, Noise Fundamentals*, https://www.fhwa.dot.gov/environMent/noise/regulations_and_guidance/polguide/polguide02.cfm, accessed March 11, 2020.

CNEL at 100 feet from the centerline, and the Project would result in a maximum increase of 1.4 dBA CNEL along Slover Avenue. Noise impacts from off-site traffic would be less than significant.

Table 4.11-8: Opening Year and Opening Year Plus Project Traffic Noise Levels

Roadway Segment	Opening Year		Opening Year Plus Project		Project Change from No Build Conditions	Significant Impact?
	ADT	dBA CNEL[1]	ADT	dBA CNEL[1]		
Slover Avenue						
Citrus Avenue to Cypress Avenue	16,421	66.4	18,625	67.8	1.4	No
Cypress Avenue to Sierra Avenue	15,142	66.1	17,264	67.3	1.2	No

ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level
1. Traffic noise levels are at 100 feet from the roadway centerline.
Source: Based on traffic data provided by Kimley-Horn and Associates, Inc., October 2020. Refer to Appendix A for traffic noise modeling results.

The Horizon Year "2040 Without Project" and "2040 Plus Project" scenarios were also compared. As shown in ***Table 4.11-9: Horizon Year and Horizon Year Plus Project Traffic Noise Levels***, roadway noise levels would range between 68.0 dBA CNEL and 68.4 dBA CNEL at 100 feet from the centerline, and the Project would result in a maximum increase of 1.3 dBA CNEL. As such, the Project would result in an increase of less than 3.0 dBA CNEL for the roadway segments analyzed and traffic noise. Noise impacts from off-site traffic would be less than significant in this regard.

Table 4.11-9: Horizon Year and Horizon Year Plus Project Traffic Noise Levels

Roadway Segment	Horizon Year (2040)		Horizon Year (2040) Plus Project		Project Change from No Build Conditions	Significant Impact?
	ADT	dBA CNEL[1]	ADT	dBA CNEL[1]		
Slover Avenue						
Citrus Avenue to Cypress Avenue	18,998	67.0	21,202	68.4	1.3	No
Cypress Avenue to Sierra Avenue	18,193	66.9	20,315	68.0	1.1	No

ADT = average daily trips; dBA = A-weighted decibels; CNEL= Community Equivalent Noise Level
1. Traffic noise levels are at 100 feet from the roadway centerline.
Source: Based on traffic data provided by Kimley-Horn and Associates, Inc., October 2020. Refer to Appendix A for traffic noise modeling results.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.11-2 Generation of excessive groundborne vibration or groundborne noise levels?

Level of Significance: Less than Significant Impact

Construction and Operations

Increases in groundborne vibration levels attributable to the proposed Project would be primarily associated with short-term construction-related activities. The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations in their 2018 *Transit Noise*

and Vibration Impact Assessment Manual. The types of construction vibration impacts include human annoyance and building damage.

Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any vibration damage. Human annoyance is evaluated in vibration decibels (VdB) (the vibration velocity level in decibel scale) and occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. The FTA Transit Noise and Vibration Impact Assessment Manual identifies 80 VdB as the approximate threshold for annoyance.

Table 4.11-10: Typical Construction Equipment Vibration Levels, lists vibration levels at 25 feet and 60 feet for typical construction equipment. Groundborne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. As indicated in ***Table 4.11-10***, based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity, which is below the FTA's 0.20 PPV threshold. The nearest sensitive receptors are the residential uses located approximately 60 feet to the east of the active construction zone.

Table 4.11-10: Typical Construction Equipment Vibration Levels

Equipment	Peak Particle Velocity at 25 Feet (in/sec)	Peak Particle Velocity at 60 Feet (in/sec)[1]	Approximate VdB at 25 Feet	Approximate VdB at 60 Feet[2]
Large Bulldozer	0.089	0.0239	87	76
Loaded Trucks	0.076	0.0204	86	75
Jackhammer	0.035	0.0094	79	68
Small Bulldozer/Tractors	0.003	0.0008	58	47

Notes:
1. Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$, where: PPV_{equip} = the peak particle velocity in in/sec of the equipment adjusted for the distance; PPV_{ref} = the reference vibration level in in/sec from Table 7-4 of the Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018; D = the distance from the equipment to the receiver.
2. Calculated using the following formula: Lv(D) = Lv(25 feet) - (30 x log10(D/25 feet)) per the FTA Transit Noise and Vibration Impact Assessment Manual (2018).

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, 2018.

As shown in ***Table 4.11-10***, construction VdB levels would reach 76 VdB at 60 feet (i.e., below the 80 VdB threshold). It is also acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest residential structure(s). Therefore, vibration impacts associated with the Project construction would be less than significant.

Once operational, the Project would not be a significant source of groundborne vibration. Groundborne vibration surrounding the Project currently result from heavy-duty vehicular travel (e.g., refuse trucks, heavy-duty trucks, delivery trucks, and transit buses) on the nearby local roadways. Operations of the proposed Project would include truck deliveries. Due to the rapid drop-off rate of ground-borne vibration and the short duration of the associated events, vehicular traffic-induced ground-borne vibration is rarely

perceptible beyond the roadway right-of-way, and rarely results in vibration levels that cause damage to buildings in the vicinity. According to the FTA's Transit Noise and Vibration Impact Assessment, trucks rarely create vibration levels that exceed 70 VdB (equivalent to 0.012 inches per second PPV) when they are on roadways. Therefore, trucks operating at the Project site or along surrounding roadways would not exceed FTA thresholds for building damage or annoyance. Impacts would be less than significant in this regard.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.11-3 ***For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?***

Level of Significance: Less than Significant Impact

The nearest airport to the Project site is the Flabob Airport located approximately 5.5 miles to the southeast. The Project is not within 2.0 miles of a public airport or within an airport land use plan. Additionally, there are no private airstrips located within the Project vicinity. Therefore, the Project would not expose people residing or working in the Project area to excessive airport- or airstrip-related noise levels and no mitigation is required.

MITIGATION MEASURES

No mitigation is necessary.

4.11.6 Cumulative Impacts

For purposes of noise resource impact analysis, cumulative impacts are considered for cumulative development according to the related Projects; see ***Table 4-1: Cumulative Projects List***. The Project's construction activities would not result in a substantial temporary increase in ambient noise levels. Construction noise would be periodic and temporary noise impacts that would cease upon completion of construction activities. The Project would contribute to other proximate construction project noise impacts if construction activities were conducted concurrently. However, based on the noise analysis above, the Project's construction-related noise impacts would be less than significant following the City of Fontana Municipal Code.

Construction activities at other planned and approved projects near the Project site would be required to comply with applicable City rules related to noise and would take place during daytime hours on the days permitted by the applicable Municipal Code, and projects requiring discretionary City approvals would be required to evaluate construction noise impacts, comply with the City's standard conditions of approval, and implement mitigation, if necessary, to minimize noise impacts. Construction noise impacts are by nature localized. Based on the fact that noise dissipates as it travels away from its source, noise impacts would be limited to the Project site and vicinity. Therefore, Project construction would not result in a cumulatively considerable contribution to significant cumulative impacts, assuming such a cumulative impact existed, and impacts in this regard are not cumulatively considerable.

Cumulative Operational Noise

Cumulative Off-Site Traffic Noise

Cumulative noise impacts describe how much noise levels are projected to increase over existing conditions with the development of the proposed Project and other foreseeable projects. Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to buildout of the proposed Project and other projects in the vicinity. Cumulative increases in traffic noise levels were estimated by comparing the Existing and Opening Year Without Project scenarios to the Opening Year Plus Project scenario. The traffic analysis considers cumulative traffic from future growth assumed in the transportation model, as well as cumulative projects.

Cumulative noise impacts describe how much noise levels are projected to increase over existing conditions with the development of the proposed Project and other foreseeable projects. Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to buildout of the proposed Project and other projects in the vicinity. Cumulative increases in traffic noise levels were estimated by comparing the Existing and Opening Year Without Project scenarios to the Opening Year Plus Project scenario. The traffic analysis considers cumulative traffic from future growth assumed in the transportation model, as well as cumulative projects.

A project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. The following criteria is used to evaluate the combined and incremental effects of the cumulative noise increase.

- *Combined Effect*. The cumulative with Project noise level ("Opening Year With Project") would cause a significant cumulative impact if a 3.0 dB increase over "Existing" conditions occurs and the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the proposed Project in combination with other related projects (combined effects), it must also be demonstrated that the Project has an incremental effect. In other words, a significant portion of the noise increase must be due to the proposed Project.
- *Incremental Effects*. The "Opening Year With Project" causes a 1.0 dBA increase in noise over the "Opening Year Without Project" noise level.

A significant impact would result only if both the combined and incremental effects criteria have been exceeded. Noise by definition is a localized phenomenon and reduces as distance from the source increases. Consequently, only the proposed Project and growth due to occur in the general area would contribute to cumulative noise impacts.

Table 4.11-11: Opening Year Plus Project Conditions Predicted Traffic Noise Levels identifies the traffic noise effects along roadway segments in the Project vicinity for "Existing," "Opening Year Without Project," and "Opening Year With Project," conditions, including incremental and net cumulative impacts.

Table 4.11-11: Opening Year Plus Project Conditions Predicted Traffic Noise Levels

Roadway Segment	Existing	Opening Year Without Project	Opening Year With Project	Combined Effects	Incremental Effects	Cumulatively Significant Impact?
				Difference In dBA Between Existing and Opening Year With Project	Difference In dBA Between Opening Year Without Project and Opening Year With Project	
Slover Avenue						
Citrus Avenue to Cypress Avenue	66.2	66.4	67.8	1.6	1.4	No
Cypress Avenue to Sierra Avenue	65.8	66.1	67.3	1.5	1.2	No

ADT = average daily trips; dBA = A-weighted decibels; CNEL = Community Noise Equivalent Level; WB = westbound; EB = eastbound
1. Traffic noise levels are at 100 feet from the roadway centerline. The actual sound level at any receptor location is dependent upon such factors as the source-to-receptor distance and the presence of intervening structures, barriers, and topography.

Source: Based on traffic data within the *VMT Assessment & Local Access, Safety, and Circulation Study*, prepared by Kimley-Horn, 2020. Refer to **Appendix A** for traffic noise modeling assumptions and results.

Table 4.11-11 shows the increase for combined effects and incremental effects and none of the segments meet the criteria for cumulative noise increase. The proposed Project would not result in long-term mobile noise impacts based on project-generated traffic as well as cumulative and incremental noise levels. Therefore, the proposed Project, in combination with cumulative background traffic noise levels, would result in a less than significant cumulative impact. The proposed Project's contribution would not be cumulatively considerable.

Cumulative Stationary Noise

Stationary noise sources of the proposed Project would result in an incremental increase in non-transportation noise sources in the Project vicinity. However, as discussed above, operational noise caused by the proposed Project would be less than significant. Similar to the proposed Project, other planned and approved projects would be required to mitigate for stationary noise impacts at nearby sensitive receptors, if necessary. As stationary noise sources are generally localized, there is a limited potential for other projects to contribute to cumulative noise impacts.

No known past, present, or reasonably foreseeable projects would combine with the operational noise levels generated by the Project to increase noise levels above acceptable standards because each project must comply with applicable City regulations that limit operational noise. Therefore, the Project, together with other projects, would not create a significant cumulative impact, and even if there was such a significant cumulative impact, the Project would not make a cumulatively considerable contribution to significant cumulative operational noises.

Given that noise dissipates as it travels away from its source, operational noise impacts from on-site activities and other stationary sources would be limited to the Project site and vicinity. Thus, cumulative operational noise impacts from related projects, in conjunction with Project specific noise impacts, would not be cumulatively significant.

4.11.7 Significant Unavoidable Impacts

No significant unavoidable noise impacts have been identified.

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4.12 PUBLIC SERVICES AND RECREATION

4.12.1 Introduction

This section evaluates potential Project impacts on public services and recreation amenities by identifying anticipated demand and evaluating its relationship to existing and planned public services, facilities, and availability to serve the City population. For abbreviation purposes, the general term "public services" in this Administrative Draft EIR includes the following: fire protection, police protection, schools, parks, and library services. This section identifies potential impacts that could result from implementation of the proposed Project, which includes construction and operation of the proposed industrial warehouse Project. This chapter discusses the existing conditions in terms of land use designations, existing land uses on the Project sites, characteristics of the surrounding land uses, and potential conflicts resulting in impacts to the environment that could occur should the Project be implemented.

In accordance with Appendix G of CEQA, the emphasis in this Administrative Draft EIR is on impacts to public services that could result from implementation of the proposed Project and that could require construction or expansion of existing public service facilities resulting in a physical impact on the environment. CEQA Appendix G questions related to fire service are addressed separately in this EIR in **Section 4.16, Wildfire**. The environmental setting discussion is based largely on review of relevant documents and information including the following:

- City of Fontana General Plan Update 2015-2035
- Aerial Photographs
- Field Observations

4.12.2 Affected Environment

Setting

The Project site is located on the north side of Slover Avenue between Juniper and Cypress Avenues. The site is currently vacant. The undeveloped areas of the Project site predominately contain grass-covered fields with intermittent trees and bushes. The existing residential and commercial uses surrounding the Project site are provided with all required public services.

The property is accessible from Slover Avenue, Juniper Avenue, and Boyle Avenue. Boyle Avenue currently traverses the Project site. In the future, the proposed Project site would have two access points along Slover Avenue and two along Juniper Avenue.

4.12.3 Regulatory Framework

Federal

There are no Federal regulations pertaining to fire services, police services, or school services that would be applicable to the proposed Project.

State

California Senate Bill 50 and California Government Code (Section 65995(b)) and Education Code (Section 17620)

California Senate Bill (SB) 50 places limitations on the power of local governments to require mitigation of school facilities by developers. Under the provisions of SB 50, school districts can collect fees to offset the cost of expanding school capacity, which becomes necessary as development occurs. These fees are determined based on the square footage of proposed uses. As a part of this Bill, school districts must base their long-term facilities needs and costs on long-term population growth in order to qualify for this source of funding. Payment of statutory school fees is deemed to be adequate mitigation of school impacts under CEQA. Prior to SB 50, case law allowed cities to consider and impose conditions to mitigate impacts of new development on school facilities.

SB 50 amended California Government Code Section 65995, which contains limitations on Education Code Section 17620, the statute that authorizes school districts to assess development fees within school district boundaries. Government Code Section 65995(b)(3) requires the maximum square footage assessment for development to be increased every two years, according to inflation adjustments. Currently, the maximum impact fees allowed by SB 50 are as follows:

- In the case of residential construction, two dollars and ninety-seven cents ($3.79) per square foot of assessable space.
- In the case of any commercial or industrial construction, thirty-three cents ($0.61) per square foot of chargeable covered and enclosed space. (Gov. Code §65995, subd. (b)).

According to California Government Code §65995(3)(h), the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities." The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Mitigation Fee Act (California Government Code (Sections 66000 through 66008)

Enacted as Assembly Bill (AB) 1600, the Mitigation Fee Act requires a local agency, such as the City of Fontana establishing, increasing, or imposing an impact fee as a condition of development to identify the purpose of the fee and the use to which the fee is to be put. The agency must also demonstrate a reasonable relationship between the fee and the purpose for which it is charged, and between the fee and the type of development project on which it is to be levied. This Act became enforceable on January 1, 1989 (California Legislative Information, 2019).

California State Assembly Bill 97 (AB 97)

Approved in July 2013, AB 97 revises existing regulations related to financing for public schools, by requiring State funding for county superintendents and charter schools that previously received a general-purpose entitlement. The Bill authorizes local educational agencies to spend, for any local educational

purpose, the funds previously required to be spent for specified categorical education programs, including, among others, programs for teacher training and class size reduction.

Assembly Bill 75

Assembly Bill (AB) 75, approved by the Governor in 1999, took effect on January 1, 2000. This Bill added new provisions to the Public Resources Code, requiring each State agency to develop and adopt an Integrated Waste Management Plan (IWMP). AB 75 also mandated that community service districts providing solid waste services report disposal and diversion information to the City, county, or regional agency in which the community service district is located.

California Building Code

The State of California provides a minimum standard for building design through the California Building Code (CBC), which is located in Part 2 of Title 24 of the California Code of Regulations. The California Building Code is based on the International Building Code but has been modified for California conditions. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. Commercial and residential buildings are plan checked by local City and County building officials for compliance with the CBC. Typical fire safety requirements of the CBC include the installation of sprinklers in all commercial and residential buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildfire hazard areas.

2016 California Fire Code

California Code of Regulations (CCR) Title 24, Part 9 (2016 California Fire Code) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of wildland-urban interface areas, among other issues. The California Fire Code is updated every three years by the California Building Standards Commission and was last updated in 2016 (adopted January 1, 2017). The Fire Code sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the proposed Project would be subject to applicable regulations of the California Fire Code.

California Health and Safety Code

State fire regulations are set forth in California Health and Safety Code §13000 et seq., and include provisions concerning building standards, fire protection and notification systems, fire protection devices, and fire suppression training, as also set forth in the 2016 CBSC and related updated codes.

Mutual Aid Agreements (MAA)

The Emergency Management Mutual Aid (EMMA) system is a collaborative effort between City and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center (REOC), local Emergency Operations Centers (EOCs), the Disaster Field Office (DFO), and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the MAA, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

The Quimby Act

The Quimby Act (California Government Code, Section 66477) was established by the California legislature in 1965 to develop new or rehabilitate existing neighborhood or community park or recreation facilities. This legislation was enacted in response to the need to provide parks and recreation facilities for California's growing communities. The Quimby Act gives the legislative body of a city or county the authority, by ordinance, to require the dedication of land or payment of in-lieu fees, or a combination of both, for park and recreational purposes as a condition of approval of a tract map or parcel map. The Quimby Act is implemented through City Ordinance and is discussed further below.

Senate Bill 50

Senate Bill (SB) 50 (the Leroy F. Greene School Facilities Act of 1998), adopted in 1998, defined the school impact fee needs analysis process in Government Code Sections 65995.5–65998. Pursuant to its provisions, school districts may collect fees to offset the costs associated with increasing school capacity as a result of development. By statute, payment of a statutory fee by developers serves as the total mitigation of the potential impact of a development on school facilities pursuant to CEQA.

California Department of Education Code Section 17212.5

The California Department of Education Code Section 17212.5 states that "no school building shall be constructed, reconstructed, or relocated on the trace of a geological fault along which surface rupture can be reasonably expected to occur within the life of the school building."

Local

City of Fontana General Plan Update 2015-2035

Public and Community Services

This Element of the Fontana Forward Plan focuses on three important aspects of municipal service provision: public safety, public facilities, and the many services provided by the Community Services department. Fontana residents are generally very satisfied with the public services and facilities provided by the City. Continuing this high level of service provision while making improvements is the theme of this element of the plan.

Goal 1 ***Fontana's crime rate continues to be below state and county rates.***

Policies

- Continue the Police Department's successful community policing programs.
- Provide appropriate security for new amenities, such as trails and parks.
- Support Police Department needs for staff and technology to keep up with population growth and contemporary policing methods.
- Promote and enhance use of anti-crime design strategies and programs.

Goal 2 ***Fontana's Fire Department meets or exceeds state and national benchmarks for protection and responsiveness.***

Policy

- Continue the City's successful partnership with the San Bernardino County Fire Department.

Goal 3 ***Fontana has modern, well-maintained public facilities that meet the needs of residents of all ages, businesses, and government.***

Policies

- Support development of a City facilities master plan and use an asset management system for all City property.
- Support initiatives to reduce energy costs in public facilities.
- Develop an "Aging in Fontana" plan to prepare to serve an increasing number of senior citizens.

Goal 5 ***New community centers, parks, and facilities are located in the context of multimodal networks for maximum accessibility.***

Policy

- Support location of new facilities in coordination with mobility planning.

4.12.4 Significance Thresholds and Criteria

CEQA Guidelines Appendix G, Environmental Checklist Form, includes questions pertaining to public services. The issues presented in the Environmental Checklist have been utilized as thresholds of significance in this section. Accordingly, the Project would have a significant adverse environmental impact if it:

- Would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
  - *Fire protection?*

- *Police protection?*
- *Schools?*
- *Parks?*
- *Other public facilities?*

- Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Methodology and Assumptions

The proposed Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning public services. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce a potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the proposed Project's potentially significant environmental impacts associated with public services and recreational resources.

Approach to Analysis

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

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component will or will not result in "substantial" adverse effects on public services and recreation standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.12.5 Impacts and Mitigation Measures

Impact 4.12-1 ***Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

A significant impact would result if development of the Project site would result in a significant increase demands for fire protection services, police protection, schools, parks, or other facilities such that new or physically altered stations, schools, parks, or other facilities or location from which services are provided would be needed. If the construction or operation of such facilities would cause substantial environmental effects due to the expansion or construction of facilities on new sites needed to maintain acceptable service ratios, response times, or other performance objectives a potentially significant impact could result.

i) Fire protection?

Level of Significance: Less Than Significant

The Fontana Fire Protection District (FFPD) was created in 2008 and provides emergency, preventive, and administrative services to the 52.4 square miles within the City limits and within the City SOI through a contract with the San Bernardino County Fire Department (SBCFD). The City is served by seven fire stations, an administrative office, and a fire prevention office.

Both the District's administrative offices and the fire prevention offices are located at City Hall, 8353 Sierra Avenue. The Fontana Fire District serves the City of Fontana and its sphere of influence. The District's administrative offices are located at 17001 Upland Avenue and the fire prevention offices are located at City Hall, 8353 Sierra Avenue. The District is staffed with 129 full-time personnel: 113 safety employees and 16 non-safety employees. Emergency response, administrative and support services are provided through a contract under the umbrella of the San Bernardino County Fire Department. The FFD has three levels of measures for response times including six minutes or less for the 1st unit; eight minutes or less for the 2nd unit, and twelve minutes or less for a full assignment. For all measures the actual response times from 2017 – 2018, estimated response times from 2018-2020, and targeted response times from 2019-2020 are 90% or anticipated to be 90%[1]. The closest Fire Station to the Project site is Station 77 at 17459 Slover Avenue, approximately 1.5 miles east.

The proposed Project would be consistent with Goal 3 of the General Plan which requires that industrial structures adhere to applicable fire codes for buildings and structures, fire access, and other standards in accordance with Fire Hazard Overlay District, California Fire Code, and City of Fontana Municipal Code. Additionally, the proposed Project is required to be compliant with the Subdivision Map Act requirements for structural fire protection and suppression services, subdivision requirements for on/off-site improvements, ingress and egress, street standards, and other concerns. The Fire Department is also required to review and approve all plans associated with the Project for fire protection and safety prior to construction. Therefore, impacts would be less than significant.

Additionally, implementation of the proposed Project would increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this Project. Finally, the Project will be required to pay Fire Facilities development impact fee totaling $0.029 per building square foot prior to building permit issuance, which will provide an

[1] City of Fontana, 2019. City of Fontana, California Adopted Operating Budget Fiscal Year 2019-2020. Available: https://www.fontana.org/DocumentCenter/View/29901/2019--2020-Adopted-Operating-Budget Accessed: May 19, 2020

additional funding to offset any increases in the anticipated demands for public services generated by this Project.

ii) Police protection?

Level of Significance: Less Than Significant

Police protection services for the City and proposed Project sites is provided by the Fontana Police Department (FPD). The FPD operates out of its headquarters at 17005 Upland Avenue, which is approximately 2.5 miles north of the Project site. As with fire protection services discussed above, the Project site is already within the service area of the FPD. The FPD serves the City with 304 full-time employees of which 202 are sworn officers and 102 are none sworn. Based on the current population of the City from the 2019 US Census of 213,739 people, this represents a current ratio of 1.06 officers per 1,000 population.

FPD is comprised of four divisions including the Office of the Chief of Police, Administrative Services, Field Services and Special Operations[2]. Within these division numerous units are used to serve the public. This includes but is not limited to records, field evidence, K-9, code compliance, traffic, etc. The Patrol unit is the largest unit within the department and calls for routine and emergency service are typically handled by this unit. In 2017-2018 there were a total of 129,680 calls for service and the response time of patrol to the Priority One calls was 7:30 minutes. In 2018 the calls dropped to 111,159 and estimated response time was 7:19. The targeted numbers for 2019-2020 are 95,596 total calls and a response time to Priority one calls of 7:15 minutes[3]. The FPD also operate the Southridge Contact Station at 11500 Live Oak Avenue. There is an additional contact station located within the Palm Court Shopping Center, at 17122 Slover Avenue. The stations are used by officers for reporting, but neither is staffed[4].

The FPD would be provided the opportunity to review the Project's design to verify that all feasible Crime Prevention measures through Environmental Design (CPTED) strategies are incorporated. CPTED is a way of designing the built environment to create a safer built environment. CPTED elements include the strategic use of nighttime security lighting, avoidance of landscaping and fencing that limit sightlines, and use of a single, clearly identifiable point of entry. Therefore, impacts would be less than significant.

Additionally, fees are required on new developments to pay for new facilities. Funding for the operation and maintenance of existing services comes from the City's General Fund. It is anticipated that the Warehouse site would be adequately served by existing FPD facilities, equipment, and personnel such that new facilities would not be required. As discussed above, because the Project site is not residential, although some calls for service are anticipated, the increase for police services would not be significantly impacted due to construction and operation of the warehouse. Additionally, development of the site would increase property tax revenues to provide a source of funding to offset any increases in the anticipated demands for public services generated by the proposed Project. Finally, the Project will be required to pay a Police Facilities development impact fee totaling $0.038 per building square foot prior

[2] City of Fontana, 2019. City of Fontana, California Adopted Operating Budget Fiscal Year 2019-2020. Available: https://www.fontana.org/DocumentCenter/View/29901/2019--2020-Adopted-Operating-Budget Accessed: May 19, 2020.

[3] City of Fontana, 2019. City of Fontana, California Adopted Operating Budget Fiscal Year 2019-2020. Available: https://www.fontana.org/DocumentCenter/View/29901/2019--2020-Adopted-Operating-Budget Accessed: May 19, 2020.

[4] City of Fontana 2018. Fontana Forward General Plan Update 2015-2035 DEIR. Available: https://www.fontana.org/2137/Environmental-Documents Accessed: May 19, 2020.

to building permit issuance, which will provide an additional funding to offset any increases in the anticipated demands for public services generated by this Project.

iii) Schools?

Level of Significance: Less Than Significant

The Fontana Unified School District (FUSD) serves the City of Fontana with education services. The FUSD serves students in preschool through adult education using 45 different schools. According to the FUSD during the 2018-2019 school year they served a total of 41,116 students of which 17,327 were in elementary school, 8,622 were in middle school, and 11,152 were in high school. The balance enrolled students, 4,015 are in early education/preschool, infant and toddler, continuation schools, or adult schools. Within the district students are served by 29 elementary schools, 1 elementary magnet school, 7 middle schools, 5 high schools, 2 continuation high schools, 1 adult school, 27 preschools, 1 head start site, and 2 infant/toddler sites. To support operations there are over 3,948 employees in the District of which: 1,904 are certificated, 1,769 are support staff, and 275 are administrators. The Project site is within the Cypress Elementary School boundary, located approximately 1.0-mile north[5].

Because the proposed Project is industrial in nature, no students are anticipated to directly generated by the construction and operation of the warehouse. As discussed in the *Chapter 7*, *Effects Found Not to Be Significant*, it is anticipated that most workers would come from surrounding areas or from currently planned residential developments. The proposed Project however is consistent with regional growth forecasts. The City of Fontana is anticipated to grow in population from 200,200 in 2012 to 280,900 in 2040. In the same time frame, Fontana's household and employment are anticipated to grow from 49,600 to 74,000 households and from 47,000 to 70,800 employment opportunities, respectively[6].

Additionally, Assembly Bill 2926 passed in 1986 allows school districts to collect impact fees from developers of new residential and commercial/industrial building space. Senate Bill 50 and Proposition 1A, both of which passed in 1998, provided a comprehensive school facility financing and reform program. According to California Government Code Section 65995(3)(h), the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization...on the provision of adequate school facilities." The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

The FUSD requires school mitigation impact fees of $0.65 per square foot for commercial/industrial developments[7]. The Project applicant would be required to pay the District's current developer impact fees for commercial/industrial use in effect at the time of submitting the building permit application. The FUSD uses these fees to pay for facility expansion and upgrades needed to serve new students. While this component of the proposed Project would not generate any new students and increase demand for school services such that new facilities would be required, payment of fees in compliance with Government Code

[5] Fontana Unified School District, 2019. Fontana Unified School District – A Quick Reference to Fontana Unified School District. Available: https://ca50000190.schoolwires.net/cms/lib/CA50000190/Centricity/Domain/143/2018-19%20Fontana%20Flash%20Facts.pdf Accessed: May 19, 2020.

[6] Southern California Association of Governments (SCAG). 2016. RTP/SCS, Appendix X, page 28.

[7] Fontana Unified School District, 2020. *Developer Fee*. Available at https://www.fusd.net/Page/639, accessed on May 19, 2020.

Section 65996 fully mitigates all impacts to school facilities. Therefore, this impact would be less than significant.

iv) Parks?

Level of Significance: Less Than Significant

Parks and recreation areas within the City are managed by City of Fontana Facilities & Parks Department. The City of Fontana maintains over 40 parks, sports facilities, and community centers. There are no parks or recreational facilities in the Project site. The nearest park to the Project site is the Sycamore Hills Park at 11075 Mayberry St, located approximately 1.0 mile southeast[8] of the Project site. Because the warehouse would not involve the development of habitable structures, new residents would not be directly be generated as part of the industrial Project. It is possible that new employees could occasionally use public parks or facilities between shifts. However, such use is likely to be negligible compared to existing conditions. Therefore, the proposed Project would not impact local or neighboring parks. Therefore, a less than significant impact would occur.

v) Other public facilities?

Level of Significance: Less Than Significant

Other Public Facilities generally refers to libraries and government buildings that serve the population within the jurisdiction. The Fontana Lewis Library & Technology Center is located at 8437 Sierra Avenue, located approximately 2.0 miles north of the Project site. The construction and operation of the warehouse would not result in a substantial increase in demand for these services such that a significant deterioration of the existing facilities would occur, or such that new facilities would be required.

Regardless of any added level of use to existing libraries or other public facilities, the Project applicant would be required to pay its fair share of Development Impact Fees to help offset incremental impacts to libraries by helping fund capital improvements and expenditures. The City charges $.008 per building sf to help offset costs and improvements needed to provide library services to the residents.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.12-2 Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Level of Significance: Less Than Significant

The demand for parks is determined by changes and increases in housing and population. In this case, the Project site would be developed with an industrial use, and no new residents or housing would be introduced to the area. Therefore, this component of the proposed Project would not directly induce

[8] City of Fontana, 2020. Fontana Community Services. Available: https://www.fontana.org/DocumentCenter/View/31336/Fontana-Parks--Sports-Complex- Accessed: May 19, 2020.

population growth or increase demand on parks and recreational resources. Impacts in this regard would be less than significant.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.12-3 ***Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?***

Level of Significance: Less Than Significant

The proposed Project does not include recreational facilities or require the expansion of recreational facilities which might have an adverse physical effect on the environment; because the proposed Project would not result in an increased demand for recreational facilities, less than significant impacts would occur.

MITIGATION MEASURES

No mitigation is necessary.

4.12.6 Cumulative Impacts

The proposed Project is not anticipated to substantially increase the need for public services in the City. The Project would not result in an overall net increase in City population. As discussed above, anticipated increase demands for public services within the City was accounted for in the General Plan and analyzed in the GP EIR, which accounts for cumulative growth in the City. In addition, related to all public services, the Project would pay the required development fees that would be appropriately allocated for police, fire, schools, and other public facilities.

Similar to the proposed Project, other cumulative projects would be required to demonstrate their level of impact on public services including paying the appropriate development fees; therefore, the past, present, and future projects would not result in a cumulative impact related to the provision of public services.

4.12.7 Significant Unavoidable Impacts

No significant unavoidable public services and recreation impacts have been identified.

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4.13 TRANSPORTATION AND TRAFFIC

4.13.1 Introduction

This section addresses transportation and traffic impacts related to the construction and operation of the Project, including the existing transportation system, significance criteria for transportation impacts, and potential Project impacts resulting from Project implementation. Information presented in this section was obtained from the following:

- City of Fontana General Plan Update 2015-2035 (GP).
- City of Fontana Active Transportation Plan (ATP).
- *Traffic Impact Analysis (TIA) for Sierra Business Center in the City of Fontana* (Kimley-Horn 2021).
- *VMT (Vehicle Miles Traveled) Analysis for Sierra Business Center in the City of Fontana* (Kimley-Horn 2021).

4.13.2 Affected Environment

The Project site is a rectangular 32-net acre site comprised of 45 parcels. The Project consists of the construction of a 705,735 square-foot warehouse with 330 parking stalls and 179 trailer parking stalls. The Project site currently contains a mixture of residential dwelling units, commercial (truck parking), and vacant parcels with remnants of foundations from previous structures. According to available historical sources, the Project site was utilized for residential and orchard uses from approximately 1938-1950. After 1950, additional residential structures were built. The immediate surrounding properties consist of a Southern Pacific Rail Line to the north, and a mixture of residential (non-conforming), commercial, and industrial uses to the south, east, and west of the Project site. The Project site is currently accessible from Slover Avenue, Juniper Avenue, Boyle Avenue, and Vineyard Drive. Boyle Avenue and Vineyard Drive currently traverse the Project site.

Existing Transportation System – Roadway

Regional access to the Project site is provided primarily by the San Bernardino Freeway (Interstate [I-] 10). Project access to I-10 is provided via the I-10/Citrus Avenue interchange to the west and the I-10/Sierra Avenue interchange to the east; both located approximately a half-mile from the Project site.

The following provides a description of the roadways surrounding the Project site.

Slover Avenue – Slover Avenue is a four-lane roadway with a center two-way left-turn lane (TWLTL) within the TIA study area. On-street parking on Slover Avenue is allowed intermittently and the posted speed limit is 45 miles per hour (mph). Slover Avenue forms the southern boundary of the Project site and would provide passenger vehicle access to the site via two driveways and via the Juniper Avenue intersection. Slover Avenue is designated as a Primary Highway on the City of Fontana Circulation Master Plan.

Cypress Avenue – Cypress Avenue is a four-lane roadway with Class II bike lanes between Slover Avenue and Valley Boulevard and a two-lane roadway north of Valley Boulevard and south of Slover Avenue. On-street parking on Cypress Avenue is not allowed and the posted speed limit is 45 mph. Cypress Avenue is

designated as a Secondary Highway south of Valley Boulevard and a Collector Street north of Valley Boulevard.

Juniper Avenue – Juniper Avenue is a two-lane roadway with on-street parking allowed on the east side south of Slover Avenue. Juniper Avenue forms the eastern boundary of the Project site and would provide passenger vehicle access to the site via two driveways. The posted speed limit south of Juniper Avenue is 40 mph. Juniper Avenue is designated as a Collector Street on the City of Fontana Circulation Master Plan.

Citrus Avenue – North of Slover Avenue, Citrus Avenue has two southbound lanes and three northbound lanes with a raised central median, and bike lanes in both directions. North of Slover Avenue, it is classified as a Major Highway on the City of Fontana Circulation Master Plan. South of Slover Avenue, Citrus Avenue has one lane southbound and two lanes northbound with a center TWLTL. South of Slover Avenue, Citrus Avenue is classified as a Primary Highway on the City of Fontana Circulation Master Plan. On-street parking on Citrus Avenue is not allowed.

Sierra Avenue – Within the TIA study area, Sierra Avenue has three southbound lanes and four northbound lanes with a raised central median. On-street parking on Sierra Avenue is not allowed. Sierra Avenue is designated as a Major Highway on the City of Fontana Circulation Master Plan.

Existing Transportation System – Transit

Transit service to the Project area is provided via the OmniTrans transit lines, which serve many San Bernardino cities in the area. The closest bus stop in the Project vicinity is at the intersection of Juniper Avenue at Slover Avenue, adjacent to the Project site. A description of the bus route serving the Project area is provided below.

Route 82 operates between the City of Fontana and the City of Rancho Cucamonga, traveling through Fontana along Sierra Avenue and Jurupa Avenue. Route 82 operates on weekdays from approximately 4:30 AM to 10:15 PM with approximately 15-minute headways (the time between bus arrivals), on Saturdays from approximately 6:15 AM to 7:30 PM with approximately 30-minute headways, and on Sundays from approximately 6:15 AM to 7:10 PM with approximately 30-minute headways. Bus stops served by Route 82 are located adjacent to the Project site at the Cypress Avenue and Slover Avenue intersection and at the Sierra Avenue and Slover Avenue intersection.

Existing Transportation System – Bike and Pedestrian

As stated previously, Cypress Avenue has Class II bike lanes between Slover Avenue and Valley Boulevard and Citrus Avenue has bike lanes north of Slover Avenue. Slover Avenue does not contain any current bicycle facilities. There are currently no sidewalks along Vineyard Drive, Boyle Avenue or Juniper Avenue adjacent the Project site. There are discontinuous sidewalks intermixed with beaten pedestrian paths along Slover Avenue adjacent the Project site.

4.13.3 Regulatory Framework

Federal

Americans With Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination toward people with disabilities and guarantees that they have equal opportunities as the rest of society to become employed, purchase goods and services, and participate in government programs and services. The ADA includes requirements pertaining to transportation infrastructure. The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

Surface Transportation Assistance Act Routes

The Surface Transportation Assistance Act (STAA) of 1982 allows large trucks, referred to as STAA trucks that comply with maximum length and wide requirements, to operate on routes that are part of the National Network. The National Network includes the Interstate System and other designated highways that were a part of the Federal-Aid Primary System on June 1, 1991; states are encouraged, however, to allow access for STAA trucks on all highways.

State

Sustainable Communities Strategies: Senate Bill 375 – Land Use Planning

Senate Bill (SB) 375 provides a planning process to coordinate land use planning and regional transportation plans (RTP) and funding priorities in order to help California meet the greenhouse gas (GHG) reduction goals established in Assembly Bill (AB) 32. SB 375 requires that RTPs developed by metropolitan planning organizations (MPO) (e.g., Southern California Association of Governments [SCAG]) incorporate a "sustainable communities' strategy" (SCS) that will achieve GHG emission reduction targets set by the California Air Resources Board (CARB). SB 375 also includes provisions for streamlined CEQA review for some infill projects, such as Transit-Oriented Developments (TODs).

California Complete Streets Act of 2008

The California Complete Streets Act requires that the circulation elements of local general plans accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways in manners that are suitable to applicable rural, suburban, or urban contexts. Users are defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and riders of public transportation.

SB 743 – Update to the CEQA Guidelines for Transportation Impacts

In January 2019, the Natural Resources Agency finalized updates to the CEQA Guidelines including the incorporation of SB 743 modifications. The changes to the Guidelines were approved by the Office of Administrative Law and are now in effect. The updated guidelines shift traffic analysis from delay and operations to VMT when evaluating transportation impacts under CEQA. This change in methodology is a

result of SB 743, which was signed into law in September 2013. SB 743 created a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 required the Governor's Office of Planning and Research (OPR) to amend the CEQA guidelines to provide an alternative to LOS for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses.

Measurements of transportation impacts may include VMT, VMT per capita, automobile trip generation rates, or automobile trips generated. According to SB 743, projects should aim to reduce VMT and mitigate potential VMT impacts through the implementation of transportation demand management (TDM) strategies. By July 1, 2020, all CEQA lead agencies must analyze a project's transportation impacts using VMT. Specific to SB 743, Section 15064.3(c) states, "The provisions of the section shall apply prospectively as described in section 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide." In order to implement these new CEQA guidelines, each lead agency will need to identify their preferred VMT metric; VMT methodology; VMT impact significance threshold; and VMT mitigation Scenarios. However, Section 15007(d) also states, "Public agencies shall comply with new requirements in amendments to the Guidelines beginning with the earlier of the following dates: (1) The effective date of the agency's (City's) procedures amended to conform to the new Guideline amendments; or (2) The 120th day after the effective date of the Guideline amendments giving the City a grace period of 120 days following the July 1st date for the City to implement the new VMT CEQA guidelines."

In developing the new CEQA guidelines, the OPR prepared a Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory). The final version of the Technical Advisory is dated December 2018 and provides guidance for local jurisdictions in developing methodologies and thresholds for evaluating VMT.

The City of Fontana has adopted VMT thresholds of significance for determining the significance of transportation impacts consistent with *City of Fontana Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* (October 2020).

Regional

Regional Transportation Plan/Sustainable Communities Strategy

As the metropolitan planning organization for the region's six counties and 191 cities, the Regional Council of SCAG is mandated by law to develop a long-term regional transportation and sustainability plan every four years. On September 3, 2020, SCAG's Regional Council approved and fully adopted Connect SoCal (2020–2045 RTP/SCS). Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Connect SoCal identifies 10 goals that fall into four categories: economy, mobility, environment and healthy/complete communities. The RTP/SCS is discussed further in Section 4.9, Land Use and Planning, of this DEIR.

San Bernardino County Congestion Management Program

The San Bernardino County Transportation Authority (SBCTA) is San Bernardino's Congestion Management Agency (CMA). SBCTA prepares, monitors and periodically updates the County Congestion

Management Program (CMP) to meet federal Congestion Management Process requirement and the County's Measure I Program. The San Bernardino County CMP defines a network of state highways and arterials, LOS standards and related procedures; the process for mitigation of impacts of new development on the transportations system, and technical justification for the approach.

Measure I Strategic Plan

Measure I authorizes a half-cent sales tax in San Bernardino County until March 2040 for use exclusively on transportation improvement and traffic management programs. San Bernardino County voters first approved the measure in 1989 and in 2004 overwhelmingly approved the extension through 2040. Measure I includes language mandating development to pay its fair share for transportation improvements in San Bernardino County. The Measure I Strategic Plan is the official guide for the allocation and administration of the combination of local transportation sales tax, State and Federal transportation revenues, and private fair-share contributions to regional transportation facilities to fund the Measure I 2010–2040 transportation programs. The Strategic Plan identifies funding categories and allocations and planned transportation improvement projects in the County for freeways, major and local arterials, bus and rail transit, and traffic management systems. The City has adopted a development impact fee (DIF) program that is consistent with Measure I requirements.

Local

City of Fontana Active Transportation Plan

The Fontana ATP, adopted in 2017, is used to implement infrastructure improvements for better connectivity throughout Fontana and to surrounding cities and the region by providing safe and comfortable walking and bicycling linkages. The ATP addresses the City's goal of becoming a community that is healthy, engaged, economically vibrant, family-oriented, and safe. Goals, objectives, and policies from the ATP relevant to the Project are as follows:

Goal 1	***Mobility & Access - Increase and improve pedestrian and bicyclist access to employment centers, schools, transit, recreation facilities, other community destinations across the City of Fontana, and facilities in neighboring cities for people of all ages and abilities.***
Objective 1.B	Reduce barriers to pedestrian and bicyclist travel.
Policy 1.B.2	Identify gaps in the pedestrian and bicyclist facilities network and needed improvements to and within key activity centers such as employment centers, schools, Fontana Metrolink station, bus stops, and retail areas, and define priorities for eliminating these gaps by making needed improvements.
Objective 1.C	Work with transit providers to develop high quality pedestrian and bicycle accessible transit stops and stations.
Policy 1.C.1	Coordinate with Omnitrans to establish appropriate designs for transit stops and station access ways. Bus stops can provide shelter from the weather, realtime arrival information, electronic signage, benches, garbage cans, and route maps. Bus stops can also become spaces to showcase public art.

Goal 3 ***Infrastructure & Support Facilities - Maintain and improve the quality, operation, and integrity of the pedestrian and bicycle network infrastructure that allows for convenient and direct connections throughout Fontana. Increase the number of high quality support facilities to complement the network, and create public pedestrian and bicycle environments that are attractive, functional, and accessible to all people.***

Objective 3.A Incorporate pedestrian and bicycle facilities and amenities into private and public development projects.

Policy 3.A.1 Support and encourage local efforts to require the construction of pedestrian and bicycle facilities and amenities such as landscaping, wayfinding and seating areas, as a condition of approval of new development and major redevelopment projects.

City of Fontana Development Impact Fee Program

The City of has adopted a DIF program pursuant to the requirements of Government Code §66000 et seq. The City's Development Services Department oversees the use of the DIF fees and the DIF is used to fund various projects included in the City's capital improvement program, which is updated periodically. Generally, DIF-eligible intersections are those consisting of two intersecting Hierarchy of Streets Plan roadways. Fee credits and reimbursements will be available as part of the DIF program and are given to projects that are identified as a DIF program facility

City of Fontana General Plan 2015-2035

Community Mobility and Circulation Element

The Community Mobility and Circulation Element of the Fontana GP is focused on connecting neighborhoods and city destinations by expanding transportation choice in Fontana. While the element supports continuing programs to improve travel by cars and trucks, it provides guidance on expanding the options for transit and "active transportation" (pedestrian and bicycle mobility) for Fontana. This element represents the City's overall transportation plan to accommodate the movement of people and goods. Goals and policies relevant to the Project are as follows:

Goal ***Local transit within the City of Fontana is a viable choice for residents, easily accessible and serving destinations throughout the City.***

Policy Maximize the accessibility, safety, convenience, and appeal of transit service and transit stops.

Goal ***The city has attractive and convenient parking facilities, including electric charging stations, for both motorized and nonmotorized vehicles that meet needs that fit the context.***

Policy Provide sufficient motor vehicle and secure bicycle parking in commercial and employment centers to support vibrant economic activity.

Land Use, Zoning, and Urban Design Element

The Land Use and Zoning Element sets forth the policy framework over the next 20 years for the physical development of Fontana regarding transportation. This element represents the guide for decision-makers

on the pattern and distribution of transportation development. Goals and policies relevant to the Project are as follows:

Goal	***Fontana development patterns support a high quality of life and economic prosperity.***
Policy	Locate high-quality industrial uses where there is appropriate access to regional transportation routes.
Goal	***High-quality job-producing industrial uses are located in proximity to regional transportation routes***
Policy	Promote the Southwest Industrial Park and the I-10 corridor as preferred locations for industrial uses.
Policy	***Maintain but do not expand existing heavy industrial land use areas in proximity to one another and to services for industrial uses.***

4.13.4 Significance Thresholds and Criteria

The following significance criteria for transportation impacts were derived from the Environmental Checklist in State CEQA Guidelines Appendix G. An impact of the Project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities (see Impact 4.13-1);
- Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) (see Impact 4.13-2);
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment? (see Impact 4.13-3); or
- Result in inadequate emergency access (see Impact 4.13-4).

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning transportation resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended to avoid or reduce the Project's potentially significant environmental impacts.

4.13.5 Impacts and Mitigation Measures

Impact 4.13-1: ***Would the Project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?***

Level of Significance: Less Than Significant Impact

Table 4.13-1: Consistency Analysis, below describes the Project's consistency with Fontana GP and Fontana ATP goals and policies relevant to the Project.

Table 4.13-1: Consistency Analysis

Fontana GP	
Community Mobility and Circulation Element	
Goal: Local transit within the City of Fontana is a viable choice for residents, easily accessible and serving destinations throughout the City.	
Policy: Maximize the accessibility, safety, convenience, and appeal of transit service and	
Goal: The city has attractive and convenient parking facilities, including electric charging stations, for both motorized and nonmotorized vehicles that meet needs that fit the context.	
Policy: Provide sufficient motor vehicle and secure bicycle parking in commercial and employment centers to support vibrant economic activity.	**Consistent**: Per City MC, the Project would require 164 auto parking spaces and 142 trailer parking stalls. However, the Project would provide 330 auto parking spaces and 179 trailer stalls. Of the 330 auto parking spaces provided: • 272 are standard • 4 are standard accessible • 4 are van accessible • 1 is van-accessible EV • 1 is standard accessible EV • 20 are standard EV • 28 are clean air/vanpool
Land Use, Zoning, and Urban Design Element	
Goal: Fontana development patterns support a high quality of life and economic prosperity.	
Policy: Locate high-quality industrial uses where there is appropriate access to regional transportation routes.	**Consistent**: Regional access to the Project site is provided primarily by the San Bernardino Freeway (I-10). Project access to I-10 is provided via the I-10/Citrus Avenue interchange to the west and the I-10/Sierra Avenue interchange to the east; both located approximately a half-mile from the Project site.
Goal: High-quality job-producing industrial uses are located in proximity to regional transportation routes.	
Policy: Promote the Southwest Industrial Park and the I-10 corridor as preferred locations for industrial uses.	**Consistent**: The Project is located adjacent the I-10 corridor.
Policy: Maintain but do not expand existing heavy industrial land use areas in proximity to one another and to services for industrial uses.	**Consistent**: The Project would not be located adjacent to or in close proximity to existing heavy industrial land uses.
Fontana ATP	
Goal 1: Mobility & Access - Increase and improve pedestrian and bicyclist access to employment centers,	
Objective 1.B: Reduce barriers to pedestrian and bicyclist travel.	
Policy 1.B.2: Identify gaps in the pedestrian and bicyclist facilities network and needed improvements to and within key activity centers such as employment centers, schools, Fontana Metrolink station, bus stops, and retail areas, and define priorities for eliminating these gaps by making needed improvements.	**Consistent**: The Project would provide continuous sidewalks along its frontages with Slover Avenue and Juniper Avenue. This would eliminate the discontinuous sidewalks along westbound Slover Avenue and provide a continuous networking connecting to the existing sidewalks to the east.

Fontana ATP	
Objective 1.C: Work with transit providers to develop high quality pedestrian and bicycle accessible transit stops and stations.	
Policy 1.C.1: Coordinate with Omnitrans to establish appropriate designs for transit stops and station access ways. Bus stops can provide shelter from the weather, realtime arrival information, electronic signage, benches, garbage cans, and route maps. Bus stops can also become spaces to showcase	
Goal 3: Infrastructure & Support Facilities - Maintain and improve the quality, operation, and integrity of the	
Objective 3.A: Incorporate pedestrian and bicycle facilities and amenities into private and public development projects.	
Policy 3.A.1: Support and encourage local efforts to require the construction of pedestrian and bicycle facilities and amenities such as landscaping, wayfinding and seating areas, as a condition of approval of new development and major redevelopment projects.	**Consistent**: The Project would provide continuous sidewalks along its frontages with Slover Avenue and Juniper Avenue. Paved pedestrian paths would be provided connecting the proposed sidewalks to the Project site. The Project would also provide bicycle parking spaces. The outside perimeter of the Project site would be landscaped.
Sources: City of Fontana. 2018. *Fontana General Plan Update 2015-2035*. Available at: https://www.fontana.org/2632/General-Plan-Update-2015---2035; and City of Fontana. 2017. *Fontana Active Transportation Plan*. Available at https://www.fontana.org/3143/Active-Transportation-Plan-ATP.	

As demonstrated in the above table, the Project's circulation elements will be consistent with the Fontana GP and ATP elements pertaining to the circulation system, including transit, bicycle and pedestrian facilities, resulting in a less than significant impact.

MITIGATION MEASURES

No mitigation measures are necessary.

Impact 4.13-2: Would the Project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Level of Significance: Significant and Unavoidable

State CEQA Guidelines §15064.3 codifies the change from LOS to VMT as a metric for transportation impact analysis. On September 27, 2013, former Governor Jerry Brown signed SB 743 into law, which initiated a process to change transportation impact analyses completed in support of CEQA documentation. SB 743 eliminates LOS as a basis for determining significant transportation impacts under CEQA and establishes VMT as a new performance metric. As a result, the State is shifting from measuring a project's impact to drivers (LOS) to measuring the impact of driving (VMT) as it relates to achieving State goals of reducing GHG emissions, encouraging infill development, and improving public health through active transportation.

VMT Screening

The Project was screened against the screening thresholds, identified in the City's guidelines, which can be used to identify when a proposed land use project is anticipated to result in a less than significant

impact without conducting a more detailed level analysis. Screening thresholds are broken into the following three steps:

1. Transit Priority Area (TPA) Screening
2. Low VMT Area Screening
3. Low Project Type Screening
4. Project Net Daily Trips Less Than 500 ADT

A land use project needs only meet one of the above screening thresholds to be presumed to result in no significant impact under CEQA pursuant to SB 743. The Project, however, does not satisfy VMT screening criteria; therefore, a VMT analysis was conducted for the Project based on San Bernardino County Transportation Analysis Model (SBTAM) consistent with the City of Fontana guidelines. For detailed information see the VMT Analysis in Appendix L.

Transit Priority Area (TPA) Screening

As described in the City Guidelines, projects located within half mile from an existing major transit stop or within half of a mile from an existing stop along a high-quality transit corridor can be screened out. Based on San Bernardino County Transportation Authority (SBCTA) VMT Screening Tool, the Project is not located in a Transit Priority Area (TPA). As such, the TPA screening criteria is not met.

Low VMT Area Screening

The Project is located in TAZ number 53724301. The Project is not located in a Low VMT (15% below County Average) zone based on SBCTA VMT Screening tool. As such, the Low VMT Area screening threshold is not met.

Land Use Type Screening

The City Guidelines identify that project types falling under the screening criteria includes the following:

- Local-serving retail less than 50,000 square feet K-12 Schools
- Local-serving K-12 schools
- Local parks
- Daycare centers
- Local serving gas stations
- Local serving banks
- Local serving hotels (e.g., non-destination hotels)
- Student housing projects on or adjacent college campuses
- Local-serving assembly uses, Community Institutions
- Local serving community colleges
- Affordable or supportive housing, Assisted living facilities, Senior housing
- Projects generating less than 110 daily vehicle trips

The Land Use Type Screening criteria is not met.

Project Net Daily Trips Less Than 500 ADT Screening

The City Guidelines identify that projects with a net daily trip generation of less than 500 ADT can be screened out. The Project is estimated to generate 4,145 passenger car trips and 400 truck trips on a daily basis. As such, the Project Net Daily Trips Less Than 500 ADT screening criteria is not met.

VMT Thresholds

The City of Fontana Transportation Impact Analysis (TIA) Guidelines for VMT and LOS Assessment (June 2020) recommends VMT thresholds set to 15% below the baseline County of San Bernardino VMT per service population.

A project would result in a significant project-generated VMT impact if either of the following conditions are satisfied:

1. The baseline project-generated VMT per service population exceeds 15% below the baseline County of San Bernardino VMT per service population, or
2. The cumulative project-generated VMT per service population exceeds 15% below the baseline County of San Bernardino VMT per service population.

The City of Fontana TIA Guidelines for VMT and Assessment states that "In some cases, it may be appropriate to extract the Project-generated VMT using the production-attraction trip matrix. This may be appropriate when a project is entirely composed of retail or office uses, and there is a need to isolate the home-based-work (HBW) VMT for the purposes of isolating commute VMT. The City should evaluate the appropriate methodology based on the project land use types and context."

Further, CEQA Guidelines Section 15064.3, subdivision (a) states "For the purposes of this section 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project." The OPR's 2018 Technical Advisory notes that the term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. The total VMT per service population metric includes all vehicle types, including heavy truck trips. Total VMT per service population metric was not chosen for this project as there is no reasonable way to mitigate heavy truck VMT for an industrial warehouse use.

Since employee commute trips are the primary automobile trips associated with employment generating uses such as the proposed warehouse project, HBW VMT per Employee metric has been utilized to determine the project's transportation impact.

A significant cumulative impact would occur if the project is determined to be inconsistent with the RTP/SCS and causes total daily VMT within the City to be higher than the no project alternative under cumulative conditions. As the Project is consistent with the City's General Plan Land Use and Zoning, the project-generated HBW VMT per Employee has been considered for this analysis.

As the project does not satisfy VMT screening criteria, a VMT analysis has been conducted for the project based on San Bernardino County Transportation Analysis Model (SBTAM) consistent with the City of Fontana guidelines.

For purposes of this VMT assessment the project's home-based work (HBW) VMT per Employee has been compared to 15% below countywide average VMT, based on data provided by SBCTA; refer to ***Table 4.13-2: VMT Thresholds,*** shows the calculated VMT thresholds for HBW VMT per Employee.

VMT Analysis

For purposes of this VMT assessment the Project's home-based work (HBW) VMT per Employee has been compared to 15 percent below countywide average VMT, based on data provided by SBCTA. ***Table 4.13-2: VMT Thresholds*** shows the calculated VMT thresholds for HBW VMT per Employee.

Table 4.13-2: VMT Thresholds

Threshold Option	Countywide Average	Threshold (15 percent below)
HBW VMT per Employee	17.1	14.5
Source: Kimley-Horn. 2020. *Sierra Business Center VMT Analysis*. Table 1.		

Project VMT was calculated using the most current version of SBTAM. Adjustments in socio-economic data (households, population and employment) were made to the appropriate traffic analysis zone (TAZ) within the SBTAM model to reflect the Project's proposed land use.

Project Home-Based Work VMT per Employee

The HBW VMT per employee is the HBW attraction VMT divided by the number of employees derived from the SBTAM model. The HBW VMT per Employee is used to measure efficiency of VMT generated by employment-based uses. The Project HBW VMT per Employee calculated based on SBTAM is 18.55.

Heavy Truck VMT

Consistent with air quality and GHG analyses, the average trip length for heavy trucks were based on the data provided in Forecasting Metropolitan Commercial and Freight Travel (NCHRP Synthesis 384, Transportation Research Board, 2008) document. The document cites average internal trip lengths of 5.92 miles for light truck, 13.06 for medium truck, and 24.11 for heavy trucks. As a conservative measure, a trip length of 25 miles has been utilized for all trucks multiplied by the daily truck trips (400) estimated in the TIA based on Institute of Transportation Engineer (ITE) trip rates, resulting in a heavy truck daily VMT of 10,000.

Potential Impacts

As shown in ***Table 4.13-3: VMT Impact Evaluation***, the Project's HBW VMT per Employee would not meet the 15 percent below countywide average threshold. As such, the Project's transportation impact is potentially significant based on City of Fontana's recommended thresholds.

Table 4.13-3: VMT Impact Evaluation

Threshold Option	Threshold	Project	Change in VMT	Potentially Significant?
HBW VMT Employee	14.5	18.55	+4.05 (21.8%)	Yes
Source: Kimley-Horn. 2020. *Sierra Business Center VMT Analysis*. Table 2.				

Project Evaluation of Available Trip Reduction Measures

As indicated in the City's Guidelines, the following choices are available to the Project Applicant:

- Modify the Project's built environment characteristics to reduce VMT generated by the Project.
- Implement TDM measures to reduce VMT generated by the Project.
- Participate in a VMT fee program and/or VMT mitigation exchange/banking program (if they exist) to reduce VMT from the Project or other land uses to achieve acceptable levels.

Note that the Project's VMT analysis was conducted in accordance with the City's *Traffic Impact Analysis (TIA) Guidelines for Vehicles Miles Traveled (VMT) and Level of Service Assessment* (2020). The City's Guidelines offer the above three choices for VMT trip reduction measures. TDM strategies have been evaluated for reducing VMT impacts determined to be potentially significant. Given the jurisdiction's suburban land use context, the following key strategies may be considered for the Project.[1]

- Provide pedestrian network improvements (potential VMT reduction 0.5% - 5.7%)
- Provide traffic calming measures (potential VMT reduction 0.25% - 1%)
- Build low-stress bicycle network (potential VMT reduction 0%-1.7%)
- Provide ride-share programs. (potential VMT reduction 2.5%-8.3%)

The Fontana GP Bicycle Facilities Map shows Citrus Avenue, Cypress Avenue, and Sierra Avenue as proposed Class II bicycle lanes. Slover Avenue does not contain any current or proposed bicycle facilities. Pedestrian sidewalks are proposed intermittently on the north and south side of Slover Avenue. The Project would construct pedestrian sidewalks along Project frontage on Slover Avenue and Juniper Avenue. The Project site is accessible by transit via OmniTrans Bus Route 82, which as stops on Slover Avenue near Juniper Avenue, adjacent to the Project site.

The effectiveness of the above-noted TDM measures would be dependent on the ultimate building tenant(s), which are unknown at this time. Beyond Project design and tenancy considerations, land use context is a major factor relevant to the potential application and effectiveness of TDM measures. More specifically, the land use context of the Project is characteristically suburban. Of itself, the Project's suburban context acts to reduce the range of feasible TDM measures and their potential effectiveness.

Based on available research, for projects located within a suburban context, a maximum 10 percent reduction in VMT is achievable when combining multiple mitigation strategies. Due to limitations of project-level approaches to reducing VMT, the City or region may consider larger mitigation programs such as VMT mitigation banks and exchanges. VMT mitigation banks and exchanges have not yet been developed or tested. SBCTA is undertaking a study to evaluate the feasibility of a VMT mitigation bank or exchange in order to assist lead agencies in implementing SB 743.

Conclusion

The Project's transportation impact based on VMT is potentially significant based on City of Fontana's recommended thresholds.

The project will implement TDM measures consistent with the requirements in the City of Fontana Zoning and Development Code, Article XIV – Transportation Demand Management and Trip Reduction Requirements.

As the efficacy of TDM measures and reduction of VMT impacts below thresholds cannot be assured, Project's VMT impact is therefore considered significant and unavoidable.

[1] SB 743 Implementation Mitigation and TDM Strategy Assessment, Attachment B (Fehr & Peers, November 2019) prepared for San Bernardino County Transportation Authority (SBCTA).

Trip Reduction Measures

The following trip reduction measures shall be implemented, consistent with the City of Fontana Zoning and Development Code, Article XIV – Transportation Demand Management and Trip Reduction Requirements (Section 30-962).

- Bicycle parking racks or secured bicycle lockers shall be provided. Bicycle racks or lockers shall be provided at a rate of one bicycle parking space per 20 automobile parking spaces with a minimum of a two-bike rack.
- On-site pedestrian walkways and bicycle paths shall be provided between adjoining buildings and connecting each building in a development to public streets and sidewalks or transit stops.
- Preferential parking spaces which are signed and striped for vanpools and carpools shall be provided at a minimum rate of ten percent of employee vehicle parking.
- A passenger loading area equivalent to a minimum of three parking spaces shall be provided in a location close to the main building entrance or employee entrance, designed not to interfere with vehicular circulation.
- Parking spaces shall be designed with a minimum vertical clearance of seven feet two inches to accommodate vanpool vehicles.
- Locker, shower, and changing room facility(ies) accessible to both men and women shall be provided for employees bicycling or walking to work.
- Provide an information area easily accessible to employees that offers information on available transportation alternatives, such as: metro link service schedules, transit route schedules and maps, rideshare matching services, available employees or customer incentives and air quality information.
- Sidewalks shall be provided along project frontage in accordance with the City's circulation element of the general plan.
- Construct a curb-adjacent 10’ wide x 25’ long concrete bus pad pursuant to Omnitrans’ applicable standards along the Project’s Slover Avenue frontage.

Impact would be significant and unavoidable, despite the inclusion of the feasible trip reduction measures identified above.

Impact 4.13-3: ***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)?***

Level of Significance: Less than Significant Impact

Construction

Construction impacts associated with the Project may temporarily restrict vehicular traffic or cause temporary hazards. Construction operations will be required to implement appropriate and feasible measures to facilitate the passage of people and vehicles through/around any required road or lane closures or implement detours if needed. Site-specific activities, such as temporary construction activities,

are approved on a project-by-project basis by the City and are required to ensure adequate traffic flow. At the time of approval of any site-specific development plans required for the construction of infrastructure, the Project would be required to comply with the City requirements including obtaining a Lane Closure Permit, Encroachment Permit, and/or other measures that would maintain traffic flow and access through standard conditions of approval that would be placed on Project buildout. The Project does not propose the use of agricultural equipment that would lead to incompatible uses. Furthermore, the traffic control measures as required by the City will be implemented necessary to maintain adequate circulation.

Overall, on-site construction activities would not substantially increase hazards due to a geometric design feature or incompatible uses. Potential construction-related transportation hazards will be less than significant.

Operations

The post-Project condition will generally maintain the existing roadway network, with the exception of improvements to Juniper Avenue. All proposed modifications will be compliant with the City of Fontana and relevant regulatory agency development standards, requirements, and regulations as stated above in Section 4.13.3. Roadway improvements in and around the Project site would be designed and constructed to meet all City requirements for street widths, corner radii, and intersection control as well as incorporate design standards tailored specifically to Project access requirements that would result in the safe and efficient flow of traffic within and throughout the Project site. Adhering to the City's regulatory requirements for general street alignments and circulation/mobility, would ensure that the Project would not include any sharp curves for the public and Project uses, or create dangerous intersections, or design hazards.

Site Access Analysis

Vehicular access for the Project site would be via one right-in/right-out driveway and one full access driveway on Slover Avenue, and one right-in/right-out driveway and one full access driveway on Juniper Avenue. All four Project driveways would be unsignalized.

Project traffic would also enter the site via the Juniper Avenue and Slover Avenue intersection, which would be signalized as part of the Project.

The 95th percentile ingress queuing at the Project driveways on Slover Avenue and Juniper Avenue is projected to be between one and two passenger car lengths and would fit within available storage space, as shown in the HCM 2010 Synchro reports found in Appendix C of the Traffic Impact Study.

Project Driveway Sight Distance and Corner Clearance

Adequate sight distance is needed to provide drivers with an unobstructed view of the roadway and oncoming traffic, and to permit the driver to make informed decisions to avoid collisions. Intersection sight distance of the Project site access points on Slover Avenue were assessed using Section 9.5.3 of A Policy on Geometric Design of Highways and Streets, 6th Edition, American Association of State Highway and Transportation Officials (AASHTO) to ensure safety of vehicle departure from site. AASHTO categorizes intersection sight distance in a case-by-case scenario. Case B is designated for Stop Controlled Intersections: Case B1 - Left-Turns, and Case B2 – Right-Turns. Design Intersection Sight Distance – Case B1

– Left Turn From Stop. Case B1, Left Turn from Stop and Case B2, Right Turn From Stop were analyzed at Driveway 2 for a 45 mph design speed and Case B2, Right Turn From Stop was analyzed at Driveway 1 for a 45 mph design speed and for Driveway 4 for a 25 mph design speed and the resulting required sight distance triangles are shown in ***Figure 4.13-1,*** *Project Driveway Sight Distance Evaluation*. As illustrated in ***Figure 4.13-1***, all driveways are shown to provide adequate sight distance.

As Driveway 3 is located at the end of a cul-de-sac without conflicting movements, adequate sight distance is provided at Driveway 3 and as a result, no sight distance triangles are required. Pavement or landscape areas on either side of the driveway entrances should not contain obstructions that block the adequate sight distance triangles shown in ***Figure 4.13-1***.

Overall, on-site operations activities would not substantially increase hazards due to a geometric design feature or incompatible uses. Potential operations-related transportation hazards will be less than significant.

MITIGATION MEASURES

No mitigation measures are necessary.

Impact 4.13-4: Would the Project result in inadequate emergency access?

Level of Significance: Less than Significant Impact

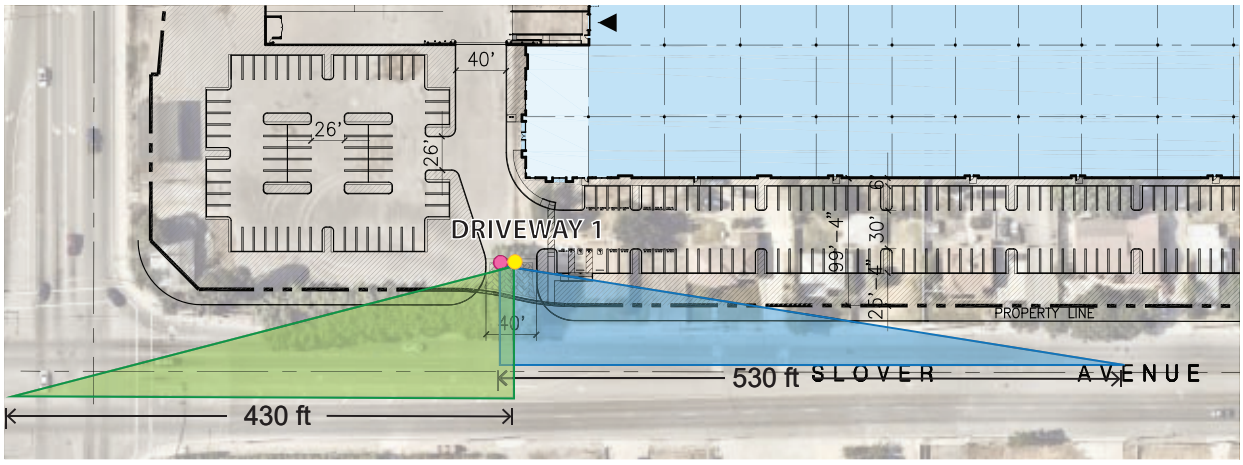
Construction

The Project is not anticipated to result in any significant emergency access impacts during construction. In case of an emergency, the construction manager will have assigned staff to flag emergency response vehicles and direct them to the emergency location. Unimpeded access throughout the Project site would not be parked or placed in a manner that would impede access for emergency response vehicles. Site conditions, during and after the workday, would be either maintained or left in a condition that adheres to Division of Occupational Safety and Health (OSHA) safety standards to prevent any hazardous condition that may affect construction staff and emergency responders.

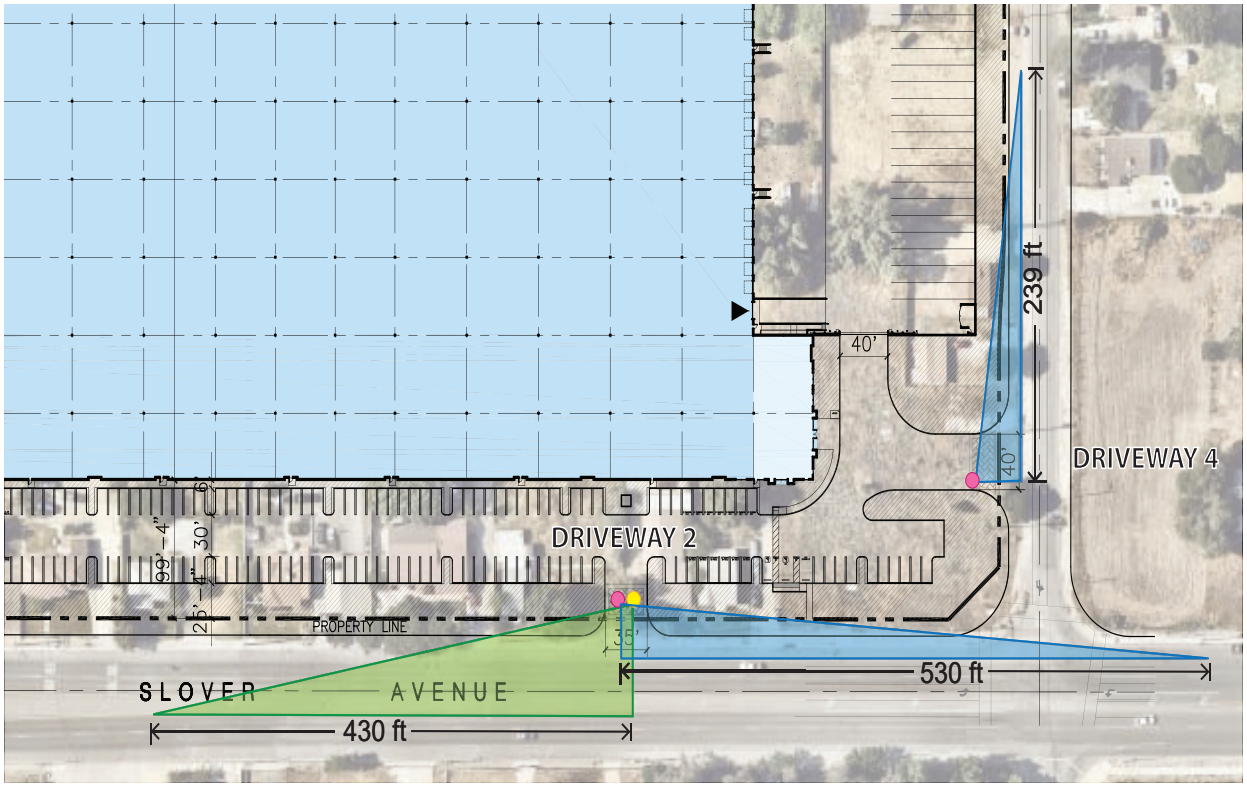
Access roads to the site will be constructed throughout the Project site for construction staff/inspectors, construction equipment and materials delivery/removal, and emergency response vehicles. The access roads will be kept or maintained in such condition to allow for the safe passage for emergency response vehicles. The Project site as described in Section 3.0, Project Description, will provide vehicular access through four driveways: two on Slover Avenue and two on Juniper Avenue.

Overall, the Project adherence to applicable City laws and regulations, and provision of many access points will make construction of the Project impacts less than significant.

Driveway 1 (West)- Full Access



Driveway 2 (East)- Full Access & Driveway 4 (Juniper Ave)- Right-in/Right-out



LEGEND

- Left-Turn Departure Point (14.4 ft from major road)
- Right-Turn Departure Point (14.4 ft from major road)
- Left-Turn Sight Triangle
- Right-Turn Sight Triangle

Figure 4.13-1: Project Driveway Sight Distance Evaluation
Sierra Business Center Project

Kimley»Horn

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Operations

See Site Access Analysis above. The Project would provide vehicular access through four driveways: two on Slover Avenue and two on Juniper Avenue. Driveways on Slover Avenue would be 35 and 40 feet wide and both driveways on Juniper Avenue would be 40 feet wide. A fire access lane, varying in width from 30 to 55 feet wide, would encircle the Project building. The Project, and associated emergency access characteristics, would be in compliance with the Fire Prevention Standards as provided by San Bernardino County Fire (https://www.sbcfire.org/ofm/Safety/ConstructionPlanning/Standards.aspx). Standards applicable to the Project are listed below (note this is not an exhaustive list):

- In all commercial and industrial development, a minimum of two or more separate points of fire access into a site or premises, which meet the requirements of the County or City Engineering Department for unrestricted motor vehicle access as well as all the other requirements of this standard, shall be provided whenever fire apparatus access roadways are required on-site.
- In all development except single family residential, where required, fire apparatus access roadways shall be provided on at least one (1) side of every building or structure, which shall be the side with the greatest length. The access road shall run parallel to the entire length of the building. The roadway shall not be closer than ten (10) feet or farther than thirty (30) feet from the building, as measured from the face of curb or edge of the access roadway to the exterior wall or projection of the building or structure.
- Buildings which exceed 100,000 square feet shall have fire access roadways provided on all sides.
- Fire apparatus access roadways serving all buildings, structures or facilities shall be a minimum of twenty-six (26) feet in unobstructed width.
- Parking of vehicles shall not be allowed to obstruct fire department access at any time.
- All fire access roadway surfaces, except for driveways providing fire access to no more than two (2) single family dwellings or accessory structures, shall be capable of supporting a fire apparatus with a gross vehicle weight of 80,000 pounds (lbs.) For design purposes, fire apparatus weight is distributed as 60,000 lbs. on the rear dual axles and 20,000 lbs. on the front axle. When required by the fire code official, the design of fire access roadways shall bear the stamp of a registered professional engineer in order to verify that they meet this requirement.
- Fire access roadways shall be paved with a concrete or asphalt material in order to provide "all-weather" safe driving conditions. The appropriate thickness of surface materials and base materials shall be determined by a qualified engineer and subject to the approval of the County or City Engineering Department, but shall be in all cases a minimum of four (4) inches.

As stated previously, these are only a handful of Fire Prevention Standards applicable to the Project, to which the Project would adhere. For a complete list of standards visit the above website. Through compliance with applicable San Bernardino County Fire Prevention Standards, operations impacts to the adequacy of emergency access would be less than significant.

MITIGATION MEASURES

No mitigation measures are required.

4.13.6 Supplemental Traffic Impact Analysis

In compliance with the City's *Traffic Impact Analysis(TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment*, a TIA was conducted for the Project which includes an LOS analysis. However, this additional information is provided for informational purposes only, as additional delay – to an intersection or roadway segment – is no longer considered a significant impact under CEQA. Details of the TIA LOS analysis is summarized below. For a complete discussion of analysis methodology and findings, see the TIA in Appendix L. Note, that the LOS standard in the City of Fontana is LOS C or better. See the TIA for LOS definitions and criteria.

This traffic study includes documentation of existing conditions, future conditions, and identification of Project-related deficiencies at the following study intersections:

1. Citrus Avenue at I-10 WB Ramps
2. Citrus Avenue at I-10 EB Ramps
3. Citrus Avenue at Slover Avenue
4. Cypress Avenue at Slover Avenue
5. Sierra Avenue at I-10 Ramps
6. Sierra Avenue at Slover Avenue
7. Juniper Avenue at Slover Avenue
8. Project Driveway 1 at Slover Avenue
9. Project Driveway 2 at Slover Avenue
10. Project Driveway 3 at Juniper Avenue
11. Project Driveway 4 at Juniper Avenue

This traffic study includes documentation of existing conditions, future conditions, and identification of project-related impacts at the following study segments:

1. Slover Avenue between Citrus Avenue and Cypress Avenue
2. Slover Avenue between Cypress Avenue and Sierra Avenue

Analyses of the above intersections/segments was conducted for the following scenarios in the morning and evening peak hours:

- Existing Conditions
- Existing Plus Project
- Project Opening Year 2022
- Project Opening Year 2022 Plus Project
- Horizon Year 2040
- Horizon Year 2040 Plus Project

In summary, the LOS analysis found that:

- Under all scenarios, all study roadway segments are projected to operate at an acceptable LOS.
- Based on the City of Fontana's LOS standards, deficiencies occur at the following intersections under Existing conditions:
  - #3: Citrus Avenue and Slover Avenue –AM and PM Peak Hours
  - #4: Cypress Avenue and Slover Avenue –AM and PM Peak Hours
  - #5: Sierra Avenue and I-10 Ramps – AM and PM Peak Hours
  - #6: Sierra Avenue and Slover Avenue – PM Peak Hour
  - #7: Juniper Avenue and Slover Avenue – PM Peak Hour
- Based on the City of Fontana's LOS standards, Project-related deficiencies would occur at the following intersections under Existing Plus Project conditions:
  - #2: Citrus Avenue and I-10 EB Ramp – AM and PM Peak Hours
  - #3: Citrus Avenue and Slover Avenue – AM and PM Peak Hours
  - #5: Sierra Avenue and I-10 Ramps – AM Peak Hour
  - #6: Sierra Avenue and Slover Avenue – PM Peak Hour
  - #7: Juniper Avenue and Slover Avenue – AM and PM Peak Hours
- Based on the City of Fontana's LOS standards, deficiencies would occur at the following intersections under Project Opening Year 2022 conditions:
  - #3: Citrus Avenue and Slover Avenue –AM and PM Peak Hours
  - #4: Cypress Avenue and Slover Avenue – AM and PM Peak Hours
  - #5: Sierra Avenue and I-10 Ramps – AM and PM Peak Hours
  - #6: Sierra Avenue and Slover Avenue – PM Peak Hour
  - #7: Juniper Avenue and Slover Avenue – AM and PM Peak Hours
- Based on the City of Fontana's LOS standards, Project-related deficiencies would occur at the following intersections under Project Opening Year 2022 Plus Project conditions:
  - #2: Citrus Avenue and I-10 EB Ramp – AM and PM Peak Hours
  - #3: Citrus Avenue and Slover Avenue – AM and PM Peak Hours
  - #5: Sierra Avenue and I-10 Ramps – AM and PM Peak Hours
  - #6: Sierra Avenue and Slover Avenue – PM Peak Hour
  - #7: Juniper Avenue and Slover Avenue – AM and PM Peak Hours
- The following improvements are recommended to address Project-related deficiencies under Project Opening Year 2022 plus Project conditions:
  - #2: Citrus Avenue and I-10 EB Ramps – Optimize cycle length and signal timings

- #3: Citrus Avenue and Slover Avenue – Optimize cycle length and signal timings, install a westbound right-turn overlap phase, and convert the currently striped-out westbound lane to a westbound left-turn lane.
- #5: Sierra Avenue and I-10 Ramps – Optimize cycle length and signal timings
- #6: Sierra Avenue and Slover Avenue – Re-stripe the northbound and southbound approaches to include a dedicated right turn lane, and install a southbound right-turn overlap phase.
- #7: Juniper Avenue and Slover Avenue – Install a traffic signal

The Project fair share costs, to all of the above improvements, with the exception of the installation of a traffic signal at the intersection of Juniper Avenue and Slover Avenue (#7 above), are included in the existing development impact fees (DIF) program per the City of Fontana updated development impact fees study dated September 2019. The installation of the traffic signal at the intersection of Juniper Avenue and Slover Avenue (#7) is proposed as a planned improvement of the Project.

- Based on the City of Fontana's LOS standards, deficiencies would occur at the following intersections under Horizon Year 2040 conditions:
  - #2: Citrus Avenue and I-10 EB Ramp – AM Peak Hour
  - #3: Citrus Avenue and Slover Avenue –AM and PM Peak Hours
  - #6: Sierra Avenue and Slover Avenue – AM and PM Peak Hour
  - #7: Juniper Avenue and Slover Avenue – AM and PM Peak Hours
- Based on the City of Fontana's LOS standards, Project-related deficiencies would occur at the following intersections under Horizon Year 2040 plus Project conditions:
  - #2: Citrus Avenue and I-10 EB Ramp – AM and PM Peak Hours
  - #3: Citrus Avenue and Slover Avenue – AM and PM Peak Hours
  - #6: Sierra Avenue and Slover Avenue – PM Peak Hour
  - #7: Juniper Avenue and Slover Avenue – AM and PM Peak Hours
- The following improvements are recommended to address Project-related deficiencies under Horizon Year 2040 Plus Project conditions:
  - #2: Citrus Avenue and I-10 EB Ramps – Optimize cycle length and signal timings
  - #3: Citrus Avenue and Slover Avenue – Optimize cycle length and signal timings, install a westbound right-turn overlap phase, and convert the currently striped-out westbound lane to a westbound left-turn lane.
  - #6: Sierra Avenue and Slover Avenue – Re-stripe the northbound and southbound approaches to include a dedicated right turn lane, and install a southbound right-turn overlap phase
  - #7: Juniper Avenue and Slover Avenue – Install a traffic signal

As previously noted, the Project fair share costs, to all of the above improvements, with the exception of the installation of traffic signal at the intersection of Juniper Avenue and Slover Avenue (#7), are included in the existing DIF program per the City of Fontana updated development impact fees study date

September 2019. The installation of traffic signal at the intersection of Juniper Avenue and Slover Avenue (#7) is proposed as a planned improvement of the Project.

4.13.7 Cumulative Impacts

Future development facilitated by the Project, in conjunction with cumulative development in the City, would increase development in previously developed areas and could result in transportation impacts. Future development on the cumulative development sites would be subject to discretionary permits and require CEQA evaluation at the project-level. This means that each cumulative Project would require separate discretionary approval and CEQA assessment, which would address potential transportation impacts and identify necessary mitigation measures, where appropriate. The traffic analysis analyzes the 2040 scenario described above as the cumulative scenario.

Consequently, future development on the cumulative development sites would not result in significant environmental transportation-related impacts, nor would future development on the cumulative development sites conflict with or obstruct a state or local plan or regulation related to transportation. Therefore, the Project would not cause a cumulatively considerable transportation impact, and no mitigation measures are required.

4.13.8 Significant Unavoidable Impacts

The Project would realize a significant and unavoidable impact as it pertains to conflict or inconsistency with CEQA Guidelines Section 15064.3, subdivision (b) (Impact 4.13-2).

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4.14 TRIBAL CULTURAL RESOURCES

4.14.1 Introduction

This section of the Draft Environmental Impact Report (EIR) identifies and analyzes the Tribal Cultural Resources impacts associated with the development of the Fontana Sierra Business Center Project (Project). Historically, the term "cultural resources" encompassed archaeological, historical, paleontological and tribal cultural resources, including both physical and intangible remains, or traces left by historic or prehistoric peoples. Tribal resources refer to either a site, feature, place, cultural landscape, that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California native American tribe.

4.14.2 Affected Environment

Ethnographic, Archeological, and Historic Contexts

Ethnographic/Protohistoric

Ethnography is the descriptive and analytic study of the culture of particular groups or communities. An ethnographer seeks to understand a community through interviews with its members and often through living in and observing it (a practice referred to as "participant observation"). Although no prehistoric sites have been locally recorded, in general the project site is situated at an ethnographic nexus peripherally occupied by the Gabrielino and Serrano Bands of Indians.

Gabrielino Band of Indians

The Gabrielino name has been attributed by association with the Spanish mission of San Gabriel and refers to a subset of people sharing speech and customs with other Cupan speakers (such as the Juaneño/Luiseño/Ajachemem) from the greater Takic branch of the Uto-Aztecan language family. Gabrielino villages occupied the watersheds of various rivers (locally including the Santa Ana) and intermittent streams. Chiefs were usually descended through the male line and often administered several villages.

The Gabrielino probably first encountered Europeans when Spanish explorers reached California's southern coast during the 15th and 16th centuries. The first documented encounter, however, occurred in 1769 when Gaspar de Portola's expedition crossed Gabrielino territory. Other brief encounters took place over the years and are documented in McCawley 1996 (citing numerous sources).

Gabrielino society was somewhat stratified and is thought to have contained three hierarchically ordered social classes which dictated ownership rights and social status and obligations (Bean and Smith 1978:540-546). Plants utilized for food were heavily relied upon and included acorn-producing oaks, as well as seed-producing grasses and sage. Animal protein was commonly derived from rabbits and deer in inland regions, while coastal populations supplemented their diets with fish, shellfish, and marine mammals. Dog, coyote, bear, tree squirrel, pigeon, dove, mud hen, eagle, buzzard, raven, lizards, frogs, and turtles were specifically not utilized as a food source.

Serrano Band of Indians

The name "Serrano" is applied to four groups, each with distinct territories: the Kitanemuk, Tataviam, Vanyume, and Serrano. Only one group, in the San Bernardino Mountains and West-Central Mojave Desert, ethnically claims the term Serrano. The Vanyume, an obscure Takic population, was found along the Mojave River at the time of Spanish contact. The Kitanemuk lived to the north and west, while the Tataviam lived to the west. All may have used the western San Bernardino County area seasonally.

Serrano villages consisted of small collections of willow-framed domed structures situated near reliable water sources. A lineage leader administered laws and ceremonies from a large ceremonial house centrally located in most villages. Local Serrano relied heavily on acorns and piñon nuts for subsistence, although roots, bulbs, shoots, and seeds supplemented these. When available, game animals commonly included deer, mountain sheep, antelope, rabbits, small rodents, and various birds –particularly quail.[1]

Existing Cultural Resources

Record searches were conducted by BCR Consulting using available South Central Coastal Information Center (SCCIC) data, the National Register of Historic Places (National Register), the California Register of Historical Resources (California Register), and documents and inventories from the California Office of Historic Preservation including the lists of California Historical Landmarks, California Points of Historical Interest, Listing of National Register Properties, and the Inventory of Historic Structures. Field studies were also conducted 10-15 meters apart across open or vacant parts of the Project site. Soil exposures were carefully inspected for evidence of cultural resources. No culturally significant resources were observed on the Project site.

Coordination

Formal notification was provided to California Native American tribal representatives which may have interest in projects within the geographic area traditionally and culturally affiliated with the tribe(s) pursuant to Public Resources Code (PRC) §21080.3.1(b). Native American groups may have knowledge about cultural resources in the area and may have concerns about adverse effects from development on Traditional Tribal Cultural Places (TCPs), as defined in the National Register Bulletin 38 (NRB 38).

In accordance with Assembly Bill 52 (AB 52), the City of Fontana requested formal tribal consultation with tribes on August 31, 2020. The following tribes were contacted for consultation: Torres Martinez Desert Cahuilla Indians, Soboba Band of Luiseno Indians, San Manuel Band of Mission Indians (SMBMI), and the Gabrieleno Band of Mission Indians-Kizh-Nation. On September 4, 2020, the San Manuel Band of Mission Indians requested consultation for the proposed Project. SMBMI responded and requested formal consultation. The formal consultation took place on January 27, 2021. At which point SMBMI noted that proposed Project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed Project, and given the Cultural Resources Management (CRM) Department's present state of knowledge, SMBMI does not have any concerns with the Project's implementation, as planned, at this time. As a result, SMBMI requested a set of two mitigation measures to be made a part of the Project/permit/plan conditions. Additionally, neither Torres

[1] Kimley-Horn and Associates. (2020). Cultural Resources Assessment, Sierra Business Center Project. Page 3. Claremont, CA: BCR Consulting.

Martinez Desert Cahuilla Indians, Soboba Band of Luiseno Indians, or the Gabrieleno Band of Mission Indians-Kizh-Nation requested consultation.

4.14.3 Regulatory Framework

Federal

Archaeological Resources Protection Act

The intent of the Archaeological Resources Protection Act of 1979 (ARPA) is to ensure preservation and protection of archaeological resources on public and Native American lands. ARPA places primary emphasis on a Federal permitting process in order to control the disturbance and investigation of archaeological sites on these lands. In addition, ARPA's protective provisions are enforced by civil penalties for violation of the Act.

Under this regulation, the term "archaeological resources" includes but is not limited to:

> *"pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items. Nonfossilized and fossilized paleontological specimens, or any portion or piece thereof, shall not be considered archaeological resources, under the regulations under this paragraph, unless found in an archaeological context. No item shall be treated as an archaeological resource under regulations under this paragraph unless such item is at least 100 years of age."*

ARPA mandates consultation procedures before initiation of archaeological research on Native American lands or involving Native American archaeological resources. Section 4(c) requires Native American tribes be notified of possible harm to, or destruction of, sites having religious or cultural significance to that group. The Federal land manager must notify affected tribes before issuing the permit for archaeological work. Section (g)(2) specifies that permits to excavate or remove archaeological resources from Indian lands require consent of the Native American or Native American tribe owning or having jurisdiction over such lands. The permit, it is also stipulated, must include such terms and conditions as may be requested by the affected Native Americans.

Concerning the custody of archaeological resources, ARPA stipulates that any exchange or ultimate disposition of archaeological resources excavated or removed from Native American lands must be subject to the consent of the Native American or Native American tribe that owns or has jurisdiction over such lands.

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains, associated funerary objects, and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural

items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

National Register Bulletin 38

The National Park Service (NPS) has prepared guidelines to assist in the documentation of TCPs by public entities. While it is federal guidance, it serves as the best and most recognized guidance for identifying TCPs. NRB 38 is intended to be an aid in determining whether properties have traditional cultural significance and if they are eligible for inclusion in the NRHP. It is also intended to assist federal agencies, State Historic Preservation Offices (SHPO), Certified Local Governments, tribes, and other historic preservation practitioners who need to evaluate such properties when considering their eligibility for the NRHP as part of the review process prescribed by the ACHP.

Section 106 of the National Historic Protection Act

It is possible, although unlikely, that the Project would be subject to the federal permitting processes under "Section 106 review". Although at this time, it is not anticipated any federal action or approval would be required, under Section 106 of the National Historic Protection Act (NHPA), federal agencies are required to consider the effects of their actions on places that are listed in, or eligible for listing in, the National Register of Historic Places (NRHP).

Natural Register of Historic Places

The NRHP was established by the NHPA of 1966, as "an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation's historic resources and to indicate what properties should be considered for protection from destruction or impairment" (CFR 36 §60.2). The NRHP recognizes both historical-period and prehistoric archaeological properties that are significant at the national, state, and local levels.

To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must meet one or more of the following four established criteria (U.S. Dept. of the Interior, 1995):

1. Are associated with events that have made a significant contribution to the broad patterns of our history;
2. Are associated with the lives of persons significant in our past;
3. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
4. Have yielded, or may be likely to yield, information important in prehistory or history.

Unless the property possesses exceptional significance, it must be at least 50 years old to be eligible for listing in the NRHP (U.S. Dept. of the Interior, 1995). In addition to meeting the criteria of significance, a property must have integrity. Integrity is defined as "the ability of a property to convey its significance" (U.S. Dept. of the Interior, 1995). The NRHP recognizes seven qualities that, in various combinations,

define integrity: location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity a property must possess several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property to convey its significance.

State

California Public Records Act

Sections 6254(r) and 6254.10 of the California Public Records Act (Government Code §6250 et seq.) were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places and records of Native American places, features, and objects… maintained by, …, the Native American Heritage Commission…." Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the [NAHC], another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency."

California Assembly Bill 52

On July 1, 2015, California AB 52 of 2014 was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." (PRC §21084.2). It further states that the lead agency shall avoid damaging effects to a tribal cultural resource, when feasible (PRC §21084.3). PRC §21074 (a)(1) and (2) defines tribal cultural resources as "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and meets either of the following criteria:

a) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC §5020.1(k), or

b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC §5024.1. In applying the criteria set forth in subdivision (c) of PRC §5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also established a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. AB 52 requires that lead agencies "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project" if requested (PRC §21080.3.1(b)). Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is "an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to

indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC §5024.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks (CHL) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest (PHI) program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the SHRC determines that it meets one or more of the following criteria, which are modeled on NRHP criteria:

- **Criterion 1:** It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- **Criterion 2:** It is associated with the lives of persons important in our past.
- **Criterion 3:** It embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.
- **Criterion 4:** It has yielded, or may be likely to yield, information important in history or prehistory.

Under PRC §5024.1 and 14 CCR §4852(c), a cultural resource must retain integrity to be considered eligible for the CRHR. Specifically, it must retain sufficient character or appearance to be recognizable as a historical resource and convey reasons of significance. Integrity is evaluated with regard to retention of such factors as location, design, setting, materials, workmanship, feeling, and association. Cultural sites that have been affected by ground-disturbing activities, such as agricultural activities and off-road vehicle use (both of which occur within the Project site), often lack integrity because they have been directly damaged or removed from their original location, among other changes.

Typically, a prehistoric archaeological site in California is recommended eligible for listing in the CRHR based on its potential to yield information important in prehistory or history (Criterion 4). Important information includes chronological markers such as projectile point styles or obsidian artifacts that can be subjected to dating methods or undisturbed deposits that retain their stratigraphic integrity. Sites such as these have the ability to address research questions.

California Historical Landmarks

CHLs are buildings, structures, sites, or places that have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value and that have been determined to have statewide historical significance by meeting at least one of the criteria listed below. The resource also must have written consent of the property owner; be recommended by the SHRC; and be officially designated by the Director of California State Parks. The specific standards now in use were first applied in the designation of CHL No. 770. CHLs numbered 770 and above are automatically listed in the CRHR.

To be eligible for designation as a CHL, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type in the state or within a large geographic region (northern, central, or southern California);

- It is associated with an individual or group having a profound influence on the history of California; or,
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer, or master builder.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is "an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC §5024.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks (CHL) numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest (PHI) program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the SHRC determines that it meets one or more of the following criteria, which are modeled on NRHP criteria:

- **Criterion 1:** It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- **Criterion 2:** It is associated with the lives of persons important in our past.
- **Criterion 3:** It embodies the distinctive characteristics of a type, period, region, or method of construction; represents the work of an important creative individual; or possesses high artistic values.
- **Criterion 4:** It has yielded, or may be likely to yield, information important in history or prehistory.

Under PRC §5024.1 and 14 CCR §4852(c), a cultural resource must retain integrity to be considered eligible for the CRHR. Specifically, it must retain sufficient character or appearance to be recognizable as a historical resource and convey reasons of significance. Integrity is evaluated with regard to retention of such factors as location, design, setting, materials, workmanship, feeling, and association. Cultural sites that have been affected by ground-disturbing activities, such as agricultural activities and off-road vehicle use (both of which occur within the warehouse site), often lack integrity because they have been directly damaged or removed from their original location, among other changes.

Typically, a prehistoric archaeological site in California is recommended eligible for listing in the CRHR based on its potential to yield information important in prehistory or history (Criterion 4). Important information includes chronological markers such as projectile point styles or obsidian artifacts that can be subjected to dating methods or undisturbed deposits that retain their stratigraphic integrity. Sites such as these have the ability to address research questions.

California Native American Graves Protection and Repatriation Act

Enacted in 2001, the California Native American Graves Protection and Repatriation Act (California Repatriation Act), requires all state agencies and museums that receive state funding and that

have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate Native Amerian tribe(s).

Local

Fontana General Plan 2015-2035

Community and Neighborhoods Element

This Element is focused on attributes of the City that contribute to the protection of cultural historic resources that link Fontana to its past.

Goal 1	***The integrity and character of historic structures, cultural resources sites and overall historic character of the city of Fontana is maintained and enhanced.***
Policy 1	Coordinate City programs and policies to support preservation goals.
Policy 2	Support and promote community-based historic preservation initiatives.
Policy 3	Designate local historic landmarks.
Policy 4	Provide appropriate tools to review changes that may detract from historic integrity and character.

4.14.4 Significance Criteria and Thresholds

Significance Criteria Under CEQA

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

a) The Project is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or

b) The Project contains a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Methodology and Assumptions

The proposed Project is evaluated against the aforementioned significance criteria/thresholds as the basis for determining the impact's level of significance concerning tribal cultural resources. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impacts. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts.

Approach to Analysis

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

The baseline conditions and impact analyses are based on field reconnaissance conducted by BCR Consulting, LLC; review of project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that any components of the Project may result in "substantial" adverse effects on historical and archaeological resources and human remains considers the existing site's historical resource value and the severity of the Project implementation on resources that may be considered significant tribal cultural resources.

4.14.5 Impacts and Mitigation Measures

Impact 4.14-1 ***Would the Project be developed in an area 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)?***

Level of Significance: Less than Significant Impact without Mitigation.

Construction and Operations

For purposes of this impact analysis, a TCP is defined as a property that is eligible for inclusion in the NRHP or CRHR because of its association with cultural practices or beliefs of a living community that (a) are rooted in that community's history, and (b) are important in maintaining the continuing cultural identity of the community.

Data from the South Central Coastal Information Center (SCCIC) revealed that 31 cultural resource studies have taken place resulting in the recording of 42 cultural resources within a one-mile radius of the Project site. Although none of the sites were prehistoric, all of the structures documented in the records search results were from the historic period. The documented sites include the Southern Pacific Railroad alignment, ranch complexes, single-family residences, commercial buildings, and the Kaiser Fontana Medical Center campus. No culturally significant resources were identified on the Project site. Therefore, a less than significant impact is anticipated.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.14-2 ***Would the Project contain a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code***

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

Level of Significance: Less than Significant with Mitigation Applied.

Construction and Operations

As discussed above in Impact 4.14-1, records searches and field surveys concluded that the Project site contained no culturally significant resources for California Native American tribes. Further, records searches conducted from the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) in May 2020 found no significant resources within the Project site. However, the absence of specific site information in the SLF does not indicate the absence of cultural resources in any project area. To ensure that all potential sites were accounted for and that any potentially identified tribal resource was well managed, formal letters inviting consultation for the Project pursuant to PRC §21080.3.1(b) were sent were sent to representatives of the Desert Cahuilla Indians, Soboba Band of Luiseno Indians, SMBMI, and Gabrieleno Band of Mission Indians – Kizh Nation. SMBMI responded and requested formal consultation. The formal consultation took place on January 27, 2021. At which point SMBMI noted that proposed Project area exists within Serrano ancestral territory and, therefore, is of interest to the Tribe. However, due to the nature and location of the proposed Project, and given the CRM Department's present state of knowledge, SMBMI does not have any concerns with the Project's implementation, as planned, at this time. As a result, SMBMI requested **Mitigation Measure** (**MM) TCR-1** and **TCR-2**, to be made a part of the Project/permit/plan conditions. Additionally, neither Torres Martinez Desert Cahuilla Indians, Soboba Band of Luiseno Indians, or the Gabrieleno Band of Mission Indians-Kizh-Nation requested consultation.

MITIGATION MEASURES

MM TCR-1 The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in MM CUL-1, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with SMBMI, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents SMBMI for the remainder of the project, should SMBMI elect to place a monitor on-site.

MM TCR-2 Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to SMBMI. The Lead Agency and/or applicant shall, in good faith, consult with SMBMI throughout the life of the project.

4.14.6 Cumulative Impacts

For purposes of cumulative impact analysis to cultural and tribal resources, the geographic context for cumulative analysis is regional and considers both direct and indirect impacts over a wide area. However, the discussion is focused on the Projects potential for resulting in site-specific impact that could contribute

to a cumulative loss. Accordingly, impacts are site-specific and not generally subject to cumulative impacts unless multiple projects impact a common resource, or an affected resource extends off-site, such as a historic townsite or district. With this consideration, the cumulative analyses for historical, archaeological, and tribal cultural resources considers whether the Project, in combination with the past, present, and reasonably foreseeable projects, could cumulatively affect any common cultural or paleontological resources.

As discussed above, the NAHC determined that there are no known Native American cultural resources within the immediate Project site. However, the potential exists for undiscovered tribal cultural resources to be adversely impacted during groundbreaking activities. In the event that a potential tribal cultural resource is found, the Project would implement the previously discussed mitigation measures provided by SMBMI that would mitigate further damage to the found tribal resource and in the surrounding area. Therefore, Project impacts would be reduced to a less than significant level.

In addition, future cumulative development projects have the potential to encounter/adversely affect tribal cultural resources. Potential tribal cultural resource impacts associated with other project development would be site-specific and would undergo individually environmental and design review pursuant to CEQA in order to evaluate potential impacts. The combination of the proposed Project as well as past, present, and reasonably foreseeable projects in the City and San Bernardino County would be required to comply with all applicable State, federal, and County and local regulations concerning preservation, salvage, or handling of cultural and paleontological resources, including compliance with required mitigation. This also includes project-by-project consultation with the appropriate tribal representatives to discuss mitigation measures that would be included to mitigate impacts to tribal cultural resources. In addition, implementation of the proposed mitigation measures would reduce project-specific impacts to a less than significant level. Therefore, the Project's contribution to cumulative impacts would be less than significant.

4.14.7 Significant Unavoidable Impacts

No significant and unavoidable impacts were identified.

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4.15 UTILITIES AND SERVICE SYSTEMS

4.15.1 Introduction

This section evaluates potential impacts of the Fontana Sierra Business Center Project (Project) on utilities and service systems by identifying anticipated demand and evaluating its relationship to existing and planned utilities services facilities and availability. For abbreviation purposes, the general term "public services" in this Draft EIR includes the following: water, sewer, stormwater, electricity and natural gas, and solid waste. This section identifies potential impacts that could result from the proposed Project, which includes construction and operation of a warehouse facility. This section discusses the existing conditions in terms of land use designations, existing land uses on the Project site, characteristics of the surrounding land uses, and potential conflicts resulting in impacts to the environment that could occur should the proposed Project be implemented.

This section evaluates the existing public utilities and service systems that would be used by the proposed Project and analyses associated environmental impacts from implementation. Information herein is derived from the following:

- City of Fontana General Plan Update 2015-2035
- San Gabriel Valley Water Company Fontana Water Company Division 2015 Urban Water Management Plan, Amended December 2017
- West Valley Water District and San Bernardino Valley Regional Urban Water Management Plan

4.15.2 Affected Environment

The Project is approximately 32 net acres and is within the southeastern portion of the City of Fontana. The site consists of vacant parcels. The immediate surrounding properties consist of a Southern Pacific Rail Line to the north, and a mixture of residential (non-conforming), commercial, and industrial uses to the south, east, and west of the Project site. The property is accessible on the south via Slover Avenue, which is an existing four lane roadway, along with Cypress Avenue, another 4-lane roadway, on the west. As part of the Project development, Slover and Juniper Avenues would be improved and provide access to the Project site via two driveways on each street.

Water

Water Supply Assessment

A Water Supply Assessment (WSA) was prepared for the proposed Project to evaluate the existing and future demands on the water supply needed to be supplied from FWC. The present and future water supplies available to FWC to provide water service to the Project are groundwater pumped from the Chino Basin, Lytle Basin, Rialto Basin, and No-Man's Land Basin, surface water diversions from Lytle Creek, imported State Water Project water from Inland Empire Utilities Agency (IEUA) and San Bernardino Valley Municipal Water District (SBVMWD), and recycled water. This WSA analyzes and evaluates FWC's historical water supplies, water rights, current Urban Water Management Plans (UWMPs) developed by FWC and IEUA, the Chino Basin Optimum Basin Management Plan, and the historical and future availability of State Water Project (SWP) water.

Fontana Water Company (FWC)

FWC has a service area of approximately 52 square miles and provides water utility service to a population of approximately 223,000 people within the City. FWC has a total of 38 wells, 17 storage reservoirs, and 3.5 million feet of water distribution mains ranging up to 36-inches in diameter. The water supply is produced from Lytle Creek surface flow, and from groundwater wells in the Lytle Basin, Rialto Basin, Chino Basin, and the "No Man's Land" basin. FWC purchases untreated and imported water from the State Water Project (SWP), Inland Empire Utilities Agency (IEUA), and San Bernardino Valley Municipal Water District (SBVMWD). The imported surface water is treated at FWC's Sandhill Plan which has a current capacity of 29 million gallons per day (MGD).

In accordance with requirements, FWC prepared an UWMP. The UWMP provided historical water supplies from 1995 to 2015 as well as projected supplies for consecutive five-year periods between 2020 and 2040. ***Table 4.15-1: FWC Water Supplies***, below shows these volumes from each of the respective sources.

Additionally, FWC also provides anticipated water supplies for a normal year, single dry year, multiple dry years. The UWMP plan developed for the SGVWC and FWC performed these calculations, which are shown in ***Tables 4.15-2: San Gabriel Valley Water Company (SGVWC) and FWC Normal Year Supply and Demand Comparison***, and ***Table 4.15-3, SGVWC and FWC Single Dry Year Supply and Demand Comparison***, and ***Table 4.15-4, SGVWC and FWC Multiple Dry Years Supply and Demand Comparisons***.

Table 4.15-1: FWC Water Supplies

Groundwater Supplies Basins							Surface Water	Imported Water		Recycled	Total
Year	Chino	Rialto-Colton	No Man's Land	Lytle	Subtotal	Percent		IEUA	SBVMWD	Recycled	
2015	14,504	2,728	4,523	3,768	25,523	73%	1,784	7,657	0	0	34,964
2020	9,920	2,520	4,000	5,000	21,440	53.4%	5,700	10,000	2,000	1,000	40,140
2025	10,416	2,520	4,000	9,400	26,336	55.4%	5,700	12,000	2,000	1,500	47,536
2030	13,153	2,520	4,000	9,400	29,073	57.3%	5,700	12,000	2,000	2,000	50,773
2035	15,591	2,520	4,000	9,400	31,511	58.7%	5,700	12,000	2,000	2,500	53,711
2040	17,942	2,520	4,000	9,400	33,862	59.9%	5,700	12,000	2,000	3,000	56,562

Source: Water Supply Assessment for the Sierra Business Center Project, Stetson Engineering, Appendix N, page 9, November 2020.

Tables 4.15-2: SGVWC and FWC Normal Year Supply and Demand Comparison

	2020	2025	2030	2035	2040
Supply Total	40,140	47,536	50,773	53,711	56,562
Demand Total	40,140	47,536	50,773	53,771	56,562
Difference	0	0	0	0	0

Note: Volumes are in AF; table references to DWR table numbers

Table 4.15-3: SGVWC and FWC Single Dry Year Supply and Demand Comparison

	2020	2025	2030	2035	2040
Supply Total	29,998	35,526	37,945	40,141	42,272
Demand Total	29,998	35,526	37,945	40,141	42,272
Difference	0	0	0	0	0

Note: Volumes are in AF

Table 4.15-4: SGVWC and FWC Multiple Dry Years Supply and Demand Comparisons

		2020	2025	2030	2035	2040
First Year	Supply Totals	37,757	44,714	47,759	50,523	53,204
	Demand Totals	37,757	44,714	47,759	50,523	53,204
	Difference	0	0	0	0	0
Second Year	Supply Totals	36,462	43,180	46,120	48,790	51,379
	Demand Totals	36,462	43,180	46,120	48,790	51,379
	Difference	0	0	0	0	0
Third Year	Supply Totals	29,998	35,526	37,945	40,141	42,272
	Demand Totals	29,998	35,526	37,945	40,141	42,272
	Difference	0	0	0	0	0
Notes: Volumes are in AF						

FWC continued to optimize their supply through a number of actions with the intent to maximize the use of local water resources and minimize water importation. Two such projects include purchase of surplus Indian water supplies and use of the Lewis Homes' groundwater production well. In addition, FWC continues its water shortage contingency planning. One such measure includes the coordination with other cities and service providers including MWD, County of San Bernardino, CPUC, Department of Water Resources, IEUA, SBVMWD, and the Chino Basin Watermaster.

Stormwater Drainage

The proposed Project site is located within the boundaries of the San Sevaine Channel Watershed, which is a subwatershed of the Santa Ana Watershed. This is within the San Bernardino County Flood Control District (SBCFCD) Zone 1. The San Sevaine Channel is located near the western boundary of Fontana and City of Rancho Cucamonga and flows to the south. Zone 1 covers an area of 275 square miles includes the cities of Fontana, Rancho Cucamonga, Ontario, Upland, Montclair, Chino, and Chino Hills. Both the City and the SBCFCD provide flood control facilities for Fontana. SBCFCD is responsible for the construction of dams, containment basins, channels, and storm drains to intercept and convey flood flows through and away from developed areas. The City constructs and maintains local storm drains that feed into the county's area-wide system. Stormwater from the City generally flows westerly through a combination of overland and underground facilities and outfalls to the San Sevaine Channel. In addition, the City has adopted a Master Drainage Plan.

As a permittee in the Santa Ana RWQCB Basin Plan, the City implements a Municipal Storm Water Management Plan, which prohibits certain discharges, and regulates flows and mandates inspections and public education. This also allows for the City to place controls on new development and redevelopment, and specifies site-specific and construction site maintenance practices. Stormwater controls and water quality management strategies are included in additional detail in **Section 4.9, Hydrology and Water Quality**.

Groundwater Recharge

Groundwater recharge depends on numerous factors and but occurs largely through snowmelt and rainwaters that are able to enter the aquifer after entering the ground and seeping to lower depths within the ground. Impervious surfaces introduced from development such as roofs, streets, and parking lots, induce runoff and impede infiltration and can keep water from reaching the aquifer. Artificial groundwater recharge is increasingly used where natural sources are insufficient and many projects

include designs that incorporate detention basis and timed release of runoff to facilitate infiltration. As discussed above, the City's groundwater supplies come in part from Chino Basin, which encompasses 235 square miles, 80% of which is in San Bernardino County. Groundwater is also extracted from the Rialto and Lytle Basins along with an unnamed basin.

Several agencies, including the IEUA, sponsor the Chino Basin Recycled Water Groundwater Recharge Program, a network of pipelines that direct stormwater runoff, imported water from the State Water Project, and IEUA-recycled water to 16 recharge sites. Most of these are basins designed to hold the water and allow it to percolate into the ground. Other agencies such as the SBVMWD have a system which includes 28 service connections to deliver both native and SWP water for direct delivery or groundwater recharge within the District's boundary. Groundwater recharge is conducted to lessen the impact of increasing well production from the various groundwater basins within the District's boundary and to help the District meet certain legal obligations.[1] This program helps ensure the availability of local groundwater supplies and has become a nationally acclaimed, award-winning program because it relies on local resources, natural organic cycles, innovative treatment techniques and energy-saving methods.

Recycled Water

The IEUA is a municipal water district that was formed in 1950, with the mission to supply supplemental water to the Chino Basin. IEUA has expanded its areas of responsibility from a supplemental water supplier to a regional wastewater treatment agency with domestic and industrial disposal systems and energy recovery/production facilities. In addition, IEUA has become a recycled water supplier, compost provider and continues as a leader in water quality management and protection. IEUA provides these services to over 830,000 people within a 242-square mile area.[2]

To increase recycled water delivery, FWC established an agreement with the City of Fontana for the direct use of recycled water in the southern portion of FWC's service area known as IEUA's 1158 Zone. Recycled water will be provided by IEUA's RP-4. This Project will provide up to approximately 2,000 AFY of recycled water within the City of Fontana to schools, parks, and commercial customers as part of a multi-phased program. FWC also has an agreement with IEUA and CPUC approval to provide recycled water service to California Steel Industries and California Speedway. IEUA is responsible for the infrastructure improvements and satisfying the necessary recycled water credits and FWC will be responsible for meter installations and monthly billing.

The estimated potable water savings from these two customers is 500 AFY. The 1158 Zone Recycled Water Project began delivering recycled water to customers in late 2016. Additional facilities are required to accept delivery of recycled water from IEUA for delivery to FWC's customers in other portions of the City of Fontana. These facilities will include additional pipelines, and possibly booster stations and reservoirs. In addition, the City of Fontana is entitled to use up to approximately 12,000 AFY of tertiary treated recycled water as part of an existing agreement with IEUA. [3]

[1] SBVMWD, 2015 – Change in Groundwater Storage for the San Bernardino Basin, Rialto-Colton and Yucaipa Basin areas. Available: https://www.sbvmwd.com/Home/ShowDocument?id=4216 Accessed:

[2] IEUA, 2020. Regional Water Recycling. Available: https://18x37n2ovtbb3434n48jhbs1-wpengine.netdna-ssl.com/wp-content/uploads/2014/09/IEUA_recycle14_5.6.14.pdf Accessed: March 12, 2020.

[3] City of Fontana, 2017 – UWMP. Available: https://www.fontanawater.com/water-quality-supply/2015-urban-water-management-plan/ Accessed: March 12, 2020.

Conservation

The Metropolitan Water District (MWD), one of the larger agencies from which the local water providers receive some of their water, imports about half of the region's overall supply from the Colorado River and Northern California and holds water in storage in case of drought. During an extraordinary drought cycle, MWD will limit water supplied and mandatory conservation is required. The district created a Water Supply Allocation Plan to approach drought in a regional and fair manner designed to minimize impacts. The governor called for a 25% reduction in urban water use starting in June 2015, which California communities have been meeting and exceeding. Some of the measures used to reduce potable water consumption includes limiting water use for landscaping, use of drought-tolerant vegetations, use of recycled water by municipalities, and encouraging extension of recycled water lines.

Solid Waste

Solid waste and recycling services are provided to the City through Burrtec Waste Industries, Inc. For waste generated within the City, Burrtec transports the waste to the Mid-Valley Sanitary Landfill in Rialto for disposal[4]. The landfill has a capacity of 7,500 tons of solid waste per day and a total capacity of 101,300,000 cubic yards. As of June 30, 2019, the landfill had 61,219,377 cubic yards of capacity available. The facility has a cease operation date of April 1, 2045.[5] As of October 2017, the landfill accepted an average of 3,475 tons per day leaving a daily capacity of approximately 4,025 tons per day.[6]

Gas and Electricity

The proposed Project would be served by Southern California Gas Company (SoCalGas) and Southern California Edison (SCE). SCE currently owns and operates a service road adjacent to the south side of the Project which provides access to their easement that extends northerly on the eastern side of the Project and westerly from the substation. As part of the roadway improvements, Casa Grande Avenue would be improved, and gas and electricity would be included as needed.

4.15.3 Regulatory Framework

FEDERAL

Safe Drinking Water Act

The EPA administers the Safe Drinking Water Act (SDWA), the primary federal law that regulates the quality of drinking water and establishes standards to protect public health and safety. The Department of Health Services (DHS) implements the SDWA and oversees public water system quality statewide. DHS establishes legal drinking water standards for contaminants that could threaten public health.

[4] City of Fontana, 2020. Trash and Recycling Services. Available: https://www.fontana.org/541/Trash-and-Recycling-Services Accessed: March 13, 2020.
[5] CalRecycle, 2020. SWIS Facility Detail – Mid-Valley Sanitary Landfill (36-AA-0055). Available: https://www2.calrecycle.ca.gov/swfacilities/Directory/36-AA-0055/ Accessed: March 13, 2020.
[6] City of Pasadena, 2017. ArtCenter Master Plan. Available: https://ww5.cityofpasadena.net/planning/wp-content/uploads/sites/56/2017/10/IV.M.3-Utilities-and-Service-Systems-Solid-Waste.pdf Accessed: March 13, 2020.

Clean Water Act

In 1972, the Federal Water Pollution Control Act Amendments were enacted to address water pollution problems. After an additional amendment in 1977, this law was re-named the Clean Water Act (CWA). Thereafter, it established the regulation of discharges of pollutants into waters of the United States by the EPA. Under the Clean Water Act, the EPA can implement pollution control programs and set water quality standards. Additionally, the CWA makes it unlawful for any person to discharge any pollutant from a point source into navigable waters unless a permit is obtained pursuant to its provisions.

STATE

California Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, which was passed in California in 1969 and amended in 2013, the State Water Resources Control Board (SWRCB) has authority over State water rights and water quality policy. This Act divided the state into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Board (RWQCB) to oversee water quality on a day-to-day basis at the local and regional level. RWQCBs engage in a number of water quality functions in their respective regions. RWQCBs regulate all pollutant or nuisance discharges that may affect either surface water or groundwater. Fontana is overseen by the Santa Ana Area RWQCB.

State Water Resources Control Board

The State Water Resources Control Board (SWRCB) is the California (State) agency focused on providing and ensuring clean sustainable water for all state residents. This State agency works alongside other federal programs like the Clean Water Act to regulate water sources and uses. The SWRCB regulates water consumption for irrigation and drinking, as well as water discharges from construction, municipal uses, storm water, and other sources.

Urban Water Management Planning Act

In 1983, the California legislature enacted the Urban Water Management Planning Act (California Water Code, Sections 10610–10656), which requires specified urban water suppliers within the state to prepare an UWMP and update it every 5 years. Specifically, section 10610.04 et seq. as amended, of the California Urban Water Management Planning Act specifies that “Urban Water Suppliers shall be required to develop water management plans to actively pursue the efficient use of available supplies. As such, UWMPs serve as an important element in documenting water supply availability and reliability for purposes of compliance with Senate Bills 610 and 221, which link water supply sufficiency to large land use development Project approvals. Urban water suppliers also must prepare UWMPs, pursuant to the Urban Water Management Planning Act, in order to be eligible for state funding and drought assistance.

On June of 2016, the EMWD Board of Directors adopted the District’s 2015 UWMP. This plan details EMWD's demand projections and provides information regarding EMWD's supply. The majority of EMWD's existing and future planned demand is met through imported water delivered by MWD. EMWD's 2015 UWMP relies heavily on information and assurances included in the 2010 MWD RUWMP when determining supply reliability. Demand for EMWD included in the 2015 UWMP is calculated across the District and is not project-specific.

Sustainable Groundwater Management Act (2014)

The Sustainable Groundwater Management Act of 2014 (SGMA) consists of three legislative bills, Senate Bill (SB) 1168 (Pavley), AB 1739 (Dickinson), and SB 1319 (Pavley). The legislation provides a framework for long-term sustainable groundwater management across California. Under the roadmap laid out by the legislation, local and regional authorities in medium and high priority groundwater basins will form Groundwater Sustainability Agencies that oversee the preparation and implementation of a local Groundwater Sustainability Plan. Local stakeholders have until 2017 to organize themselves in Groundwater Sustainability Agencies. Groundwater Sustainability Plans will have to be in place and implementation will begin between 2020 and 2022. Groundwater Sustainability Agencies will have until 2040 to achieve groundwater sustainability.

California Senate Bills 610 and 221

SB 610 and SB 221 amended State law to (1) ensure better coordination between local water supply and land use decisions and (2) confirm that there is an adequate water supply for new development. Both statutes require City and County decision-makers to receive detailed information regarding water availability prior to approval of large development projects. SB 610 requires the preparation of a Water Supply Assessment (WSA) for certain types of projects subject to the California Environmental Quality Act (CEQA). Projects that would be required to prepare a WSA include, but are not limited to, residential developments of more than 500 dwelling units and shopping centers or business establishments employing more than 1,000 persons or having more than 500,000 square feet of floor area.

Water Conservation in Landscaping Act of 2006 (AB 1881)

The Water Conservation in Landscaping Act of 2006 (AB 1881) required the State Department of Water Resources to update the State Model Water Efficient Landscape Ordinance (WELO) by 2009. The State's model ordinance was issued on October 8, 2009. Under AB 1881, Cities and Counties are required to adopt a State updated model landscape water conservation ordinance by January 31, 2010, or to adopt a different ordinance that is at least as effective in conserving water as the updated Model Ordinance (MO).

2015 Update of the State Model Water Efficient Landscape Ordinance (per Governor's Executive Order B-29-15)

To improve water savings in the landscaping sector, the California Department of Water Resources (DWR), updated the Model Ordinance in 2015 (in accordance with Executive Order B-29-15). The Model Ordinance promotes efficient landscapes in new developments and retrofitted landscapes. The Executive Order calls for revising the Model Ordinance to increase water efficiency standards for new and retrofitted landscapes through more efficient irrigation systems, greywater usage, and on-site stormwater capture, and by limiting the portion of landscapes that can be covered in turf. New development projects that include landscape areas of 500 square feet or more are subject to the Ordinance. This applies to residential, commercial, industrial, and institutional projects that require a permit, plan check, or design review.

Local agencies had until December 1, 2015 to adopt the Ordinance or adopt their own ordinance, which must meet or exceed effectiveness. The Fontana City Council adopted an ordinance on

November 10, 2015, amending Municipal Code Article IV of Chapter 28 regarding Landscaping and Water Conservation, to incorporate updates consistent with the Executive Order B-29-15, as well as AB 1881.

Assembly Bill (AB) 1668 and Senate Bill (SB) 606 – May 31, 2018

AB 1668 and SB 606 build on Governor Brown's ongoing efforts to make water conservation a way of life in California and create a new foundation for long-term improvements in water conservation and drought planning. SB 606 and AB 1668 establish guidelines for efficient water use and a framework for the implementation and oversight of the new standards, which must be in place by 2022.

The two bills strengthen the state's water resiliency in the face of future droughts with provisions that include:

- Establishing water use objectives and long-term standards for efficient water use that apply to urban retail water suppliers; comprised of indoor residential water use, outdoor residential water use, commercial, industrial and institutional (CII) irrigation with dedicated meters, water loss, and other unique local uses.
- Providing incentives for water suppliers to recycle water.
- Identifying small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and provide recommendations for drought planning.
- Requiring both urban and agricultural water suppliers to set annual water budgets and prepare for drought.

Solid Waste

Integrated Waste Management Act – AB 939

The Integrated Waste Management Act (AB 939) mandates that communities reduce their solid waste. AB 939 required local jurisdictions to divert 25 percent of their solid waste by 1995 and 50 percent by 2000, compared to a baseline of 1990. AB 939 also established an integrated framework for program implementation, solid waste planning, and solid waste facility and landfill compliance.

Mandatory Commercial Recycling – AB 341

In 2011, AB 341 was passed that sets a State policy goal of not less than 75 percent of solid waste that is generated to be source reduced, recycled, or composted by the year 2020. CalRecycle was required to submit a report to the legislature by January 1, 2014 outlining the strategy that will be used to achieve this policy goal.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act require areas in development projects to be set aside for collecting and loading recyclable materials. The Act required CalRecycle (formerly the California Integrated Waste Management Board) to develop a model ordinance for adoption by any local agency relating to adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model, or an ordinance of their own,

providing for adequate areas in development projects for the collection and loading of recyclable materials.

Mandatory Commercial Organics Recycling – AB 1826

In October of 2014 Governor Brown signed AB 1826 requiring businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multifamily residential dwellings that consist of five or more units. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. Greenhouse gas (GHG) emissions result from the decomposition of organic wastes in landfills. Mandatory recycling of organic waste is aimed at helping achieve California's aggressive recycling and GHG emission goals. The implementation schedule began in January 2016 and as of January 1, 2019, businesses that generate 4 cubic yards or more of commercial solid waste per week shall arrange for organic waste recycling services. In addition, future regulations include the following:

- Fall 2020: After receipt of the 2019 annual reports submitted on August 1, 2020, CalRecycle shall conduct its formal review of all jurisdictions.
- Summer/Fall 2021: If CalRecycle determines that the statewide disposal of organic waste in 2020 has not been reduced by 50 percent of the level of disposal during 2014, the organic recycling requirements on businesses will expand to cover businesses that generate two cubic yards or more of commercial solid waste per week. Additionally, certain exemptions, previously discussed, may no longer be available if this target is not met.

LOCAL

Fontana General Plan 2015-2035

Infrastructure and Green Systems Element

The Infrastructure and Green Systems Element of the Fontana GP includes the goals and policies that will responsible for water, wastewater, flood control, storm drainage, electricity, and natural gas systems in the City. This General Plan element addresses possible impacts to the utilities' infrastructure with policies intended to maintain and provide adequate service levels with new development projects.

Goal 1 ***Fontana collaborates with public and private agencies for an integrated and sustainable water resource management program.***

Policy

- Support initiatives to provide a long-term supply of the right water for the right use through working with regional providers and the One Water One Watershed Plan.

Goal 2 ***Fontana promotes use of non-potable water for uses where drinking water is not needed.***

Policies

- Encourage use of processed water from the Inland Empire Utility Agency (IEUA) systems using recycled water for all non-drinking water purposes.
- Promote laundry-to-landscape greywater systems for single-family housing units.

Goal 3 ***The City continues to have an effective water conservation program.***

Policies

- Support landscaping in public and private spaces with drought-resistant plants.
- Continue successful city water conservation programs and partnerships.

Goal 4 ***The City of Fontana consistently seeks reasonable rates from the city's drinking water providers.***

Policy

- Support City negotiations to keep drinking water rates reasonable for residents and other users.

Goal 5 ***Fontana collaborates closely with the inland Empire Utilities Agency to promote innovative and resource-efficient systems and reduce sewer fees.***

Policies

- Support and participate in IEUA programs that help Fontana be more resource-efficient.
- Support incorporation of greywater systems in new developments.

Goal 6 ***Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional One Water One Watershed standards.***

Policies

- Continue to implement the water-quality management plan for stormwater management that incorporates low-impact and green infrastructure standards.
- Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.

Goal 7 ***Fontana is becoming an energy-efficient community.***

Policy

- Promote renewable energy and distributed energy systems in new development and retrofits of existing development to work towards the highest levels of low-carbon energy-efficiency.

Goal 8 ***All residences, businesses, and institutions have a dependable, environmentally safe means to dispose of solid waste.***

Policies

- Continue to use best practices for environmentally safe collection, transport and disposal of hazardous wastes.
- Continue to maximize landfill capacity by supporting recycling innovations, such as organic waste recycling for compost.

Goal 9 ***Up-to-date telecommunications technology is available to all developed areas in the city.***

Policy

- Ensure that Fontana remains competitive as a place to live, work, and learn in terms of available telecommunications and other technology.

City of Fontana Municipal Code

Waste Management

The City's Municipal Code Chapter 24 explains in detail the City's regulations regarding waste management. This includes the guidelines for service and requirements for both the collectors of waste and the owners of the waste-generating properties. This section also details the unlawful acts associated with trash collection, such as prohibited containers and refuse burning.[7]

Utilities

The City's Municipal Chapter 27 is responsible for the City's regulations regarding utilities. This includes underground utility districts and permitted and unlawful acts regarding the use of utilities.

4.15.4 Significance Criteria and Thresholds

State CEQA Guidelines Appendix G contains the Initial Study Checklist, which includes questions concerning utilities and service systems. The questions presented in the Initial Study Checklist have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects (issues related to storm water drainage facilities are addressed in **Section 4.9, Hydrology and Water Quality***)*;
- Have sufficient water supplies available to serve the Project and reasonable foreseeable future development during normal, dry and multiple dry years;
- Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments;

[7] City of Fontana, 2020 – Section 24 – Solid Waste and Recycling. Available: https://library.municode.com/ca/fontana/codes/code_of_ordinances?nodeId=CO_CH24SOWARE Accessed: March 13, 2020.

- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals;
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Methodology and Assumptions

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact level of significance concerning utilities and service systems. In addition to the Project and its design features, this analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards (LORS)) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

Approach to Analysis

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

The baseline conditions and impact analyses are based on field observations conducted by Kimley-Horn; review of Project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component will or will not result in "substantial" adverse effects on utilities and service systems considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.15.5 Impacts and Mitigation Measures

Impact 4.15-1 ***Would the Project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?***

Level of Significance: Less Than Significant Impact

The Project site is currently vacant with some existing roadway and natural drainage improvements. Adjacent and nearby uses including residential and industrial developments are served by existing utilities, including electricity, natural gas, wet and dry facilities but they have not been extended into the Project site.

Utilities necessary for the Project site to operate and the associated service providers are as follows:

- Electricity – SCE
- Water – FWC

- Sewer – City of Fontana
- Cable – Charter Communications
- Telephone – AT&T
- Gas – SoCalGas Company

Existing utilities would be extended and upgraded as needed during construction of Project to serve the anticipated demands and to accommodate operation of the warehouse. All required improvements to existing electrical, natural gas, or telecommunications utilities would occur within the existing roadways adjacent to the Project site, including Slover Avenue and Juniper Avenue. All areas adjacent to the existing roadways also are heavily disturbed and are within the overall footprint of Project and any impacts are therefore, discussed and disclosed as part of this Draft EIR within the various sections of this document. As such, upgrades to existing utilities are already evaluated as part of the overall project. Therefore, impacts associated with extension of services in these areas and within the site, are less than significant. Services provided by each utility is discussed in additional detail below.

Construction and Operations

Water

Water to the Project site would be provided by FWC. This WSA analyzes and evaluates FWC's historical water supplies, water rights, current Urban Water Management Plans (UWMPs) developed by FWC and IEUA, the Chino Basin Optimum Basin Management Plan, and the historical and future availability of State Water Project (SWP) water. The WSA shows clearly that FWC's available water supplies will be sufficient to meet all of the water demands of the entire Project for the next twenty years through 2040, including during single and multiple dry years. **Table 4.15-3, *Project Water Supply Through Year 2040***, above, shows these values. In all cases through year 2040, even during single and multiple dry year conditions, water supplies available to FWC will be sufficient to meet all present and future water supply requirements of the Project for the next twenty years

More specifically, based on water use rates, the Project would be anticipated to consume water at a rate of approximately 40 AFY (acre-feet per year) for the commercial and industrial area. The estimated irrigation water demand for the Project is approximately 5,389,859 gallons per year, or 17 AFY. FWC's water system losses have averaged approximately 7.7 percent from calendar year 2016 to calendar year 2019. Accounting for this average water loss, FWC would need to produce approximately 62 AFY of water in order to supply 57 AFY to the Project site.[8] Based on the Project water usage rate, the Project would represent a nominal percentage of FWC's present and future water supplies for both single- and multiple-dry-year scenarios. As such, the project's future water demands would be met through projected future water supplies and would be conveyed and treated via existing infrastructure without the need for new or expanded facilities.

Therefore, based on the incremental increase in demand that would result from implementation of the Project, impacts would be less than significant.

[8] Stetson Engineers, 2020. Water Supply Assessment for the Sierra Business Center Project.

Wastewater

Construction of the Project site would result in an additional 705,735 sf of industrial warehouse use at the northeastern corner of Cypress Avenue and Slover Avenue. Prior to construction or operations of the Project, the permitting process would ensure adequate capacity to treat the anticipated wastewater occurs before the Project is implemented. The applicant would file a Commercial/Industrial Wastewater Survey and Permit Application with the City. This includes information pertaining to the nature and frequency of discharge including types of wastewater and what on-site systems would be used, if any (i.e., numbers of personnel, processes used and chemicals that may be added to the wastewater flows, and pretreatment measures employed, etc.).

The IEUA has previously used wastewater generation rates for industrial uses of approximately 2,500 gallons per day per acre. [9] Based on this value, wastewater generated by the approximately 16.2 acre proposed warehouse building would be approximately 40,500 gallons per day. This represents approximately 0.04% of the total daily capacity of the IEUA's 86 Million Gallon per Day (MGD) treatment capacity. The IEUA's facilities currently treat an average of 60 MGD. The Project would therefore represent approximately 0.07 percent of the remaining treatment capacity. Therefore, the increase in the daily wastewater generated by the Project site would be minimal and result in a less than significant impact. Improvements to facilitate service to the Project site would consist of tie-ins to the existing wastewater lines and privately maintained lift station within the site. All areas needed for improvement would occur in previously disturbed or areas already proposed to be disturbed. Impacts would be less than significant.

Electric Power

SCE currently operates electric power in the City through electricity distribution lines both aboveground and buried. SCE also operates at least 6 substations within the City and no power plants. The existing residential dwelling units located within the Project site are currently occupied and are provided electricity by SCE. The Project would connect to the existing SCE lines which would enable services to the site. Although some new utility infrastructure may be required on the site, extension of services is not anticipated to require the construct of any new off-site electric power facilities in order to serve the Project site. At most, it is anticipated that SCE would provide more electricity to the Project compared to what is currently consumed, due to the current vacant status of the Project site. This would represent a less than significant impact and mitigation is not required.

Natural Gas

The SoCalGas Company provides gas services to most of southern California. It is anticipated that the proposed Project site would require some amount of natural gas to support future operations. Similar to electrical services, natural gas lines already exist in the area to enable service to surrounding uses. Existing natural gas lines exist within current rights-of-way adjacent to or within the vicinity of the Project. These areas are anticipated to be heavily disturbed and would not contain any pristine resources. Additionally, it is not anticipated that new or expanded gas supply facilities would be required to serve the Project. As such, all required improvements would be made as part of the proposed

[9] City of Fontana, 2019 – Almond Avenue Warehouse Project EIR Addendum. Available: https://www.fontana.org/DocumentCenter/View/30847/Almond-Avenue-Warehouse-Project---Almond-Addendum-and-Appendices Accessed: March 16, 2020.

improvements in areas that would be disturbed as part of Project implementation or in the aforementioned previously disturbed areas. Therefore, these impacts would be less than significant.

Telecommunication

The Project site would require telecommunication services to be provided by AT&T. As discussed above, existing telecommunication lines would be located within existing adjacent right-of-ways needed to serve the existing surrounding development. Service to the Project site would require tying into these lines but these improvements would occur within existing areas of disturbance such as those adjacent to existing roadways. The construction of substantial new telecommunication infrastructures would not be required. These impacts would be less than significant.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.15-2 Would the Project have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?

Level of Significance: Less Than Significant Impact

See Discussion in on Impact 4.15-1. The Project's water service providers are anticipated to have adequate capacity to serve the projected demands. The proposed Project would result in less than significant impacts on services provided by the water service providers.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.15-3 Would the Project result in a determination by the waste water treatment provider, which serves or may serve the Project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Level of Significance: Less Than Significant Impact

See the discussion in Impact 4.15-1. The Project's wastewater service provider is anticipated to have adequate capacity to treat the projected demand. The Project is anticipated to cause a less than significant impact on services provided by the wastewater service provider.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.15-4 ***Would the Project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?***

Level of Significance: Less Than Significant Impact

Construction and Operations

Solid waste generated by construction and operation of the Project would be collected and handled in compliance with any applicable regulation including those in Section 24 of the City's Municipal Code, through service provided by Burrtec. All solid wastes will be deposited at the Mid Valley Landfill, operated by the San Bernardino County Department of Public Works. The Project is anticipated to generate solid waste during the temporary, short-term construction phase, as well as the operational phase, but it is not anticipated to result in inadequate landfill capacity. According to CalRecycle's Estimated Solid Waste Generation Rates[10], a warehouse facility is estimated to produce 13.82 pounds of waste per employee per day. The estimated number of employees to operate the warehouse would be approximately 334 people. This equates to approximately 4,615.9 pounds (2.3 tons) of waste per day from the Project. That is approximately 0.03 percent of the Mid-Valley Sanitary Landfill's maximum daily throughput. Solid waste service for the City is provided by the Mid-Valley Sanitary Landfill located in the northern portion of the City of Rialto. This facility handles solid waste from mixed municipal, construction/demolition, industrial, and tires. According to CalRecycle, the landfill has a maximum throughput of 7,500 tons per day. This landfill has a maximum permitted capacity of approximately 101.3 million cubic yards, and the landfill has a remaining capacity of approximately 67.52 million cubic yards. The landfill has an expected operational life through year 2033 with the potential for vertical, or downward expansion.[11] For these reasons, the proposed Project's solid waste disposal needs can be met by the Mid-Valley Sanitary Landfill and impacts would be less than significant.

MITIGATION MEASURES

No mitigation is necessary.

SIGNIFICANCE AFTER MITIGATION

Less than significant impact.

Impact 4.15-5 ***Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?***

Level of Significance: Less Than Significant Impact

Refer to Impact Statement 4.15-4, above. Less than significant impacts would occur.

[10] CalRecycle. 1992. *Estimated Solid Waste Generation Rates*. Available at https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates, accessed June 2019.
[11] CalRecycle. 2019. *Mid-Valley Sanitary Landfill Detail (36-AA-0055).* Available at https://www2.calrecycle.ca.gov/SWFacilities/Directory/36-AA-0055/Detail, accessed on April 2019.

4.15.6 Cumulative Impacts

For purposes of public utilities and service systems, cumulative impacts are considered for projects located within Fontana. As discussed above, all impacts from the Project site to public services and utilities systems would be less than significant in consideration of compliance with existing laws, ordinances, regulations and standards. In addition, the Project site would recycle and implement measures on-site to reduce the waste stream to landfill(s). The Project applicant would pay the applicable development impact and service fees. Impacts related to storm water drainage facilities are addressed in **Section 4.9, Hydrology and Water Quality**. Although temporary significant impacts during construction could occur, these impacts would only occur during development of the sites, would be typical of construction, would be localized, would occur at different times, and would be required to implement site-specific erosion control plans. Therefore, impacts are not anticipated to be cumulatively considerable. Other past, present, and reasonably foreseeable projects would be anticipated to implement similar measures or implement mitigation to fully mitigates their contribution to cumulative impacts. Therefore, there are no significant cumulative impacts anticipated relative to public utility and service systems, and the Project's contribution toward potential future utility and service system impacts in the City is not cumulatively considerable.

4.15.7 Significant Unavoidable Impacts

No significant unavoidable utility impacts have been identified.

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4.16 WILDFIRE HAZARDS

4.16.1 Introduction

This section evaluates potential wildfire hazard impacts that may result from the implementation of the proposed Project. This section identifies existing wildfire hazard conditions of the Project and surrounding areas; considers applicable federal, state, regional and local goals and policies; identifies and analyzes environmental impacts; and recommends measures to minimize or avoid potential adverse impacts as a result of Project implementation.

Information presented in this wildfire hazards impact analysis is derived largely from the following:

- General Plan Update 2015-2035
- Fontana Local Hazard Mitigation Plan (LHMP)
- City of Fontana Municipal code (MC)

4.16.2 Affected Environment

Natural Setting

The proposed Project is located in San Bernardino County within the southeastern portion of the City of Fontana. The immediate surrounding properties consist of a Southern Pacific Rail Line to the north, and a mixture of residential (non-conforming), commercial, and industrial uses to the south, east, and west of the Project site. The Project site is a rectangular lot that contains vacant parcels. Sierra Avenue is a divided four-lane road adjacent to the west. The site is approximately 1,200 feet east of the Sierra Avenue intersection with Interstate 10 (I-10) and is adjacent to the north of Slover Avenue. The elevation of the central portion of the Project is approximately 1,085 feet above mean sea level (AMSL) and is generally flat but slopes slightly from north to south. The property has been subject to disturbances related to residential and small business uses. Local rainfall ranges from 5 to 15 inches annually.

Existing Fire Designations

The Project is listed by CAL FIRE as Non-Very High Fire Hazard Severity Zone (Non-VHFHSZ).[1] **Figure 4.16-1: *Wildfire Hazard Severity Zones***, shows these designations in relation to the Project sites graphically. Emergency services to the Project would be the Fontana Fire Department (FFD) since Fontana is listed as a Local Responsibility Area (LSA) by CAL FIRE. The Project site is immediately accessible via Sierra Avenue, Slover Avenue, and Cyprus Avenue.

[1] CAL FIRE, 2008, Very High Fire Hazard Severity Zones in LRA – Fontana, Available: https://osfm.fire.ca.gov/media/5943/fontana.pdf Accessed: April 14, 2020.

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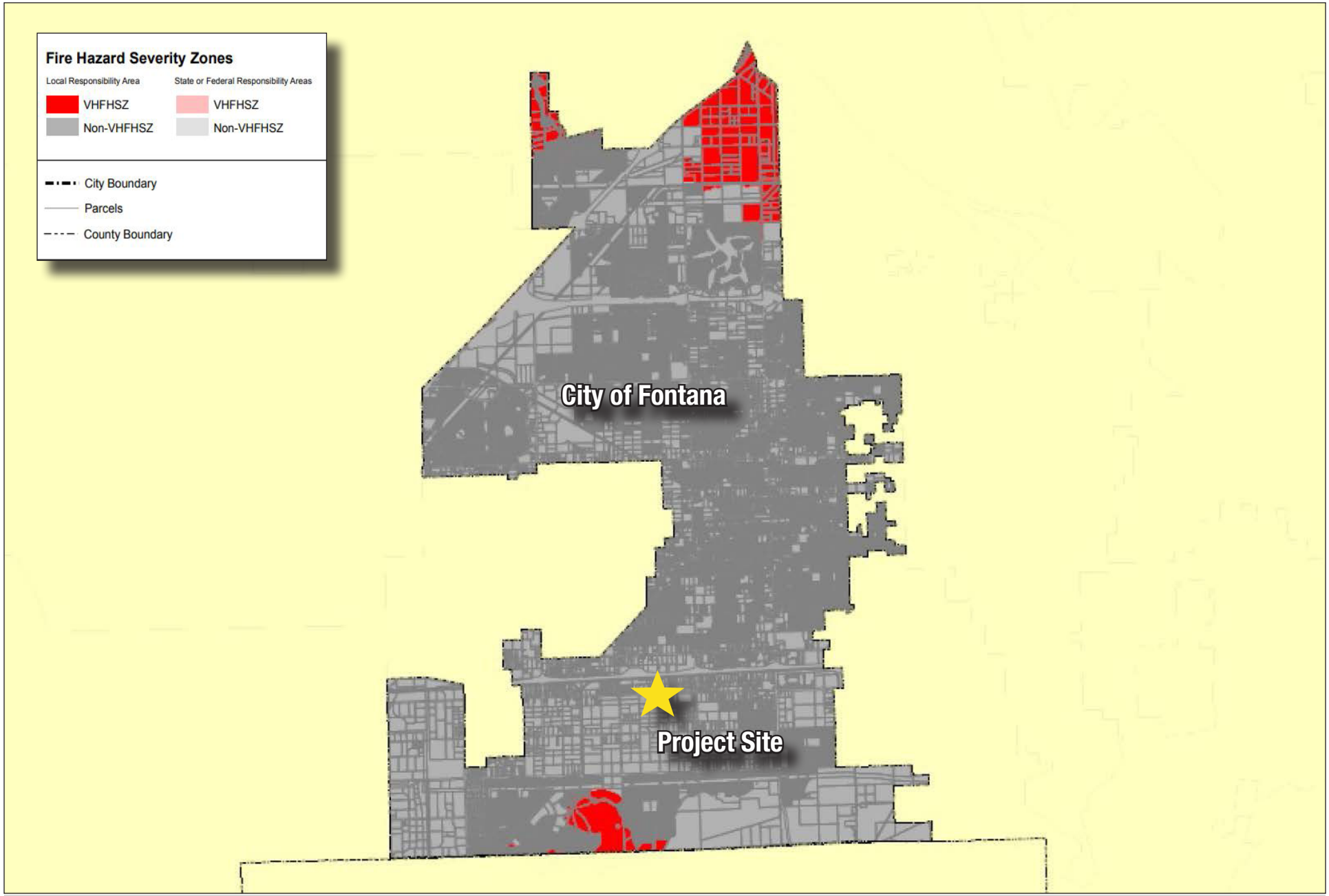

Figure 4.16-1: Wildfire Hazard Severity Zones
Sierra Business Center Project

Kimley»Horn

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4.16.3 Regulatory Framework

Federal

Federal Emergency Management Act (FEMA)

In March 2003, FEMA became part of the U.S. Department of Homeland Security. FEMA's continuing mission is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

Disaster Mitigation Act of 2000

This Act (42 United States Code [U.S.C.] §5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 U.S.C. §5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

i) Funding pre-disaster mitigation activities;

ii) Developing experimental multi-hazard maps to better understand risk;

iii) Establishing state and local government infrastructure mitigation planning requirements;

iv) Defining how states can assume more responsibility in managing the hazard mitigation grant program; and

v) Adjusting ways in which management costs for projects are funded.

The mitigation planning provisions outlined in §322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation [AIM]) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the chance of a reduced federal share of damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

Federal Fire Safety Act (FFSA)

The 1992 FFSA is different from other laws affecting fire safety as the law applies to federal operations, and there is no requirement for local action unless a private building owner leases space to the federal government. The FFSA requires federal agencies to provide sprinkler protection in any building, whether owned or leased by the federal government that houses at least 25 federal employees during the course of their employment.[2]

[2] Congress.gov. (August 1992). *H.R.3360 – Federal Fire Safety Act of 1992.* Available: https://www.congress.gov/bill/102nd-congress/house-bill/3360 Accessed: March 6, 2020.

State

California Public Resources Code (PRC) 4290 and 4291

These regulations, which implement minimum fire safety standards related to defensible space, apply to the perimeters and access to all commercial, industrial, and residential building construction with a SRA (approved after January 1, 1991), and within lands classified and designated as very high FHSZ (after July 1, 2021). §, The person(s) who control, lease, maintain, operate, or own said building in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable materials is required to preserve a defensible space of 100 feet from the perimeter of the building. The regulations include the following:

1. Road standards for fire equipment access.
2. Standards for signs identifying streets, roads, and buildings.
3. Minimum private water supply reserves for emergency fire use.
4. Fuel breaks and greenbelts.

These regulations do not supersede local regulations which equal or exceed minimum regulations adopted by the state.

2016 California Code of Regulations (CCR), Title 14 SRA Fire Safe Regulations

These regulations establish minimum wildfire protection standards in conjunction with building, construction and development in a SRA. The future design and construction of structures, subdivisions and developments in a SRA shall provide for basic emergency access and perimeter wildfire protection measures. These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification.

California Government Code 66474.02

This regulation states that before a county can approve a tentative map, or a parcel map for which a tentative map was not required, for an area (development) located in a SRA or a Very High FHSZ, the following findings must be made:

1. A finding supported by substantial evidence in the record that the subdivision is consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to Sections 4290 and 4291 of the PRC or consistent with local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations.
2. A finding supported by substantial evidence in the record that structural fire protection and suppression services will be available for the subdivision through any of the following entities:
    A. A county, city, special district, political subdivision of the state, or another entity organized solely to provide fire protection services that is monitored and funded by a county or other public entity.
    B. The Department of Forestry and Fire Protection by contract entered into pursuant to Section 4133, 4142, or 4144 of the PRC.

Upon approving a tentative map, or a parcel map for which a tentative map was not required, for an area (development) located in a SRA or Very High FHSZ, the county shall transmit a copy of the findings and accompanying maps to the State Board of Forestry and Fire Protection.

2016 California Building Code (CBC), Chapter 7A

Chapter 7A of the CBC focuses primarily on preventing ember penetration into homes, a leading cause of structure loss from wildfires. Thus, it is an important component of the requirements of the FPTR especially for structures and projects within an area statutorily designated a high fire hazard severity zone (FHSZ) or very high FHSZ.

Fire hazard designations are based on topography, vegetation, and weather, amongst other factors with more hazardous sites including steep terrain, unmaintained fuels/vegetation, and WUI locations. Projects situated in high or very high FHSZ's require fire hazard analysis and application of fire protection measures that have been developed to specifically result in defensible communities in these WUI locations.

These codes have been developed through decades of after fire structure "save" and "loss" evaluations to determine what causes buildings to ignite or avoid ignition during wildfires. The resulting fire codes now focus on mitigating former structural vulnerabilities through construction techniques and materials so that the buildings are resistant to ignitions from direct flames, heat, and embers, as indicated in the 2016 CBC (Chapter 7A, Section 701A Scope, Purpose and Application).[3]

2016 California Fire Code, Chapter 49 Requirements for WUI Fire Areas

This code provides minimum standards to increase the ability of a building or structure to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in fire losses through the use of performance and prescriptive requirements. Buildings and structures located on unincorporated land designated as a SRA Moderate, High, and Very High FHSZ and land designated as Very High FHSZ by a city or other local agency shall maintain the required hazardous vegetation and fuel management standards

2016 California Fire Code

CCR Title 24, Part 9 (2016 California Fire Code) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of WUI areas, among other issues. The California Fire Code is updated every three years by the California Building Standards Commission and was last updated in 2016 (adopted January 1, 2017). The Fire Code sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the proposed Project would be subject to applicable regulations of the California Fire Code.

[3] Dudek (2017). *Murrieta Hills Fire Protection Technical Report Plan No. SP 012-3164, TTM 35853*. Page 3. Encinitas, CA.

Title 8 California Code of Regulations Sections 1270 and 6773

In accordance with CCR, Title 8 §1270 "Fire Prevention" and §6773 "Fire Protection and Fire Equipment," the California Occupational Safety and Health Administration (Cal-OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

2016 California Building Standards Code

California building standards are published in the CCR, Title 24, also known as the California Building Standards Code (CBSC). The CBSC, which applies to all applications for building permits, consists of 12 parts that contain administrative regulations for the California Building Standards Commission and for all state agencies that implement or enforce building standards. Local agencies must ensure the development complies with the guidelines contained in the CBSC. Cities and counties can adopt additional building standards beyond the CBSC including the CBSC Part 2, named the California Building Code which is based upon the 2016 International Building Code, and Part 11, named the California Green Building Standards Code, also called the CalGreen Code. The City of Murrieta adopted Title 24, Parts 1-12 in 2018.

California Health and Safety Code

State fire regulations are set forth in California Health and Safety Code §13000 et seq., and include provisions concerning building standards, fire protection and notification systems, fire protection devices, and fire suppression training, as also set forth in the 2016 CBSC and related updated codes.

Emergency Mutual Aid Agreements (EMAA)

The EMMA system is a collaborative effort between city and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center (REOC), local Emergency Operations Centers (EOCs), the Disaster Field Office (DFO), and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the EMAA, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

California Governor's Office of Emergency Management Agency (Cal-EMA)

In 2009, the State of California passed legislation creating the Cal-EMA and authorizing it to prepare a Standardized Emergency Management System (SEMS) program (Title 19 CCR §2400 *et seq.*), which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster.

Cal-EMA serves as the lead state agency for emergency management in the state. Cal-EMA coordinates the state response to major emergencies in support of local government. The primary responsibility for

emergency management resides with local government. Local jurisdictions first use their own resources and, as these are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the state through the statewide mutual aid system. In California, the SEMS provides the mechanism by which local government requests assistance. Cal-EMA serves as the lead agency for mobilizing the state's resources and obtaining federal resources; it also maintains oversight of the state's mutual aid system.

Local

City of Fontana General Plan Update 2015-2035

The City of Fontana General Plan (CFGP) discusses fire hazards and uses the CAL FIRE threat potential mapping. Based on the location within the city and proximity to the fire threat areas, the City recognizes that some developments may be subject to significant risk from wildfire. Specifically, the City recognizes that some of its area is within the High and Very High Fire Hazard Severity Zone. The Project is not within a Fire Hazard Overlay, which is shown in **Figure 3.0-3**, *General Plan Land Use Designations* in **Section 3.0, Project Description**.

Based on fire hazards and proximity of the wildland urban interface the City addresses Fire Access standards which notes that clear emergency vehicle access to buildings is important and is regulated by the adopted and amended California Fire Code (CFC), which the City has adopted, and Fontana Land Development Engineering standards. More specifically, the CFGP notes all potions of a building must be within 150 feet of a serviceable fire access road, road grades must be less than 12 percent grade, support 75,000 pounds; roads must be 26 feet wide, and project perimeters adjacent to fuel modification zones and fire hazard areas must have adequate vehicular access for fire fighting vehicles

In relation to vegetation management, the CFGP requires all new development within high fire severity zones to have a fire protection plan (FPP) approved by the fire code official. The FPP is required to include mitigation measures consistent with the unique problems within a given area and account for geology, topography, flammable vegetation, and localized climate. In addition, the FPPs must address water supply, access, building ignition and fire resistance, fire protection systems and equipment, defensible space, and vegetation management, and must be consistent with the requirements of California Building Code Chapter7A, the International Wildland-Urban Interface Code, and the City's Municipal Code.

In consideration of the above, the CFGP lists goals, policies, and actions related to wildland fire and fire safety. Although most of these items are related to actions on the part of the City, they are listed below as a reference for the proposed Project and implementing and maintaining a project that is respectful of the potential for wildfire.

Public and Community Services Element

Goal 2: ***Fontana's Fire Department meets or exceeds state and national benchmarks for protection and responsiveness.***

Policy

- Continue the City's successful partnership with the San Bernardino County Fire Department.

Actions

- Ensure continuing fire protection as the city's population grows and natural fire events may increase in number or intensity due to changing climate.
- Monitor population growth and development to ensure continuing protection through sufficient stations, equipment, training, and resources.
- Continue to provide public education about risks from fire, hazardous materials, and other hazards.

Noise and Safety Element

Goal 7: ***Threats to public and private property from urban and wildland fire hazards are reduced in Fontana.***

Policies

- The City shall continue to require residential, commercial, and industrial structures to implement fire hazard-reducing designs and features.
- The City shall continue to ensure to the extent possible that fire services, such as fire equipment, infrastructure, and response times, are adequate for all sections of the city.
- The City shall monitor development or redevelopment in areas where fire zones have been mapped through the city.

Actions

- The City shall require all new development in areas with a high fire hazard to provide fire-retardant landscaping and project design to reduce their fire hazard, and the City shall take measures to reduce the risk of fire at the Wildland/Urban Interface.
- The City will continue to support the wildland fire expertise provided by the San Bernardino County Fire Department in the Fontana Fire District.

City of Fontana Local Hazard Mitigation Plan

The City's Local Hazard Mitigation Plan (LHMP) was last updated in June 2017. The intent of the LHMP is to demonstrate the plan for reducing and/or eliminating risk in the City of Fontana. The LHMP process encourages communities to develop goals and projects that will reduce risk and build a more disaster resilient community by analyzing potential hazards. Section 4.4, Wildfire Hazard Profile, of

the LHMP includes a discussion on the existing wildfire regulatory environment, past wildfire occurrences, location/geographic extent of wildfire, wildfire magnitude/severity, frequency/probability of future occurrences of wildfire, and information regarding future development within high fire hazard severity zones.[4]

4.16.4 Significance Thresholds and Criteria

The following thresholds of significance are based on CEQA Guidelines Appendix G. For the purposes of this EIR, implementation of the Project would be considered to have significant wildfire hazard impacts if the Project area is located in or near state responsibility areas or lands classified as very high fire hazard severity zones and would do any of the following:

- Substantially impair an adopted emergency response plan or emergency evacuation plan?
- Due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Methodology and Assumptions

The Project site is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning wildfire. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards [LORS]) that avoid or reduce the potentially significant environmental impact. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the potentially significant environmental impacts at the site.

Approach to Analysis

This analysis of impacts from wildfire hazards examines the proposed Project's temporary (i.e., construction) and permanent (i.e., operational) effects based on application of the significance criteria/thresholds outlined above. For each criterion, the analyses are generally divided into two main categories: (1) temporary impacts; and (2) permanent impacts. Each criterion is discussed in the context of Project components that share similar characteristics/geography. The impact conclusions consider the potential for changes in environmental conditions, as well as compliance with the regulatory framework enacted to protect the environment.

The baseline conditions and impact analyses are based on field observations; review of project maps and drawings; analysis of aerial and ground-level photographs; and review of various data available in public records, including local planning documents. The determination that a Project component would

[4] City of Fontana, 2017. City of Fontana Local Hazard Mitigation Plan. Available: https://www.fontana.org/DocumentCenter/View/28274/2017-Local-Hazard-Mitigation-Plan Accessed: April 8, 2020.

or would not result in "substantial" adverse effects on wildfire hazards standards considers the available policies and regulations established by local and regional agencies and the amount of deviation from these policies in the Project's components.

4.16.5 Impacts and Mitigation Measures

Impact 4.16-1 ***If located in or near SRA or lands classified as Very High FHSZ, would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?***

Level of Significance: Less Than Significant Impact

Construction and Operations

According the CAL FIRE's *Very High Fire Hazard Severity Zones* Exhibit, the Project resides in a Non-VHFHSZ Zone meaning that the San Bernardino County Fire Department (SBCFD) will serve as first responders in case of any structural fire and medical emergency response service, as well as other diverse emergency management and response programs. Although urban structural fire conflagration is relatively low in Fontana, the SBFPD is able to provide rapid response through the implementation of programs such as their Emergency Medical Services (EMS) that consists of certified paramedics who are trained to provide Advanced Life Support (ALS) services to treat a variety of injuries and illnesses. The nearest fire station that the Project will receive help from will be fire station 72, located 2.3 miles away. It is important that existing roadways and emergency routes are maintained in support of emergency vehicles and that the proposed project provide adequate site access for emergency vehicles.

As described previously in **Section 4.13, Transportation**, the plan checks and building permit process by the Fontana Fire Protection District includes review of access for emergency vehicles, in accordance with the California Fire Code. Compliance with the requirements for emergency lane width, vertical clearance, and distance would ensure that adequate emergency access is available for all new development and redevelopment projects. Additionally, the Project site is also within an existing developed area of the City where roadways already exist, so no new roadways are required.

Development of the Project is not expected to create risks of wildfire since the site is primarily undeveloped and undisturbed. The developer is expected to pay the necessary development fees prior to construction to remove trees. Due to quick response times, building designs compliant with state, regional, and local codes, and designation of the Project site in a Non-VHFHSZ zone, the Project will cause a less than significant impact to the SBFPD's emergency response plan and evacuation plan.

MITIGATION MEASURES

The Project will not require mitigation measures due to payment of the necessary developmental fees, and compliance to fire building codes.

Impact 4.16-2 ***If located in or near SRA or lands classified as Very High FHSZ, would the Project, due to slope, prevailing winds, and other factors, exacerbate wildlife risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***

Level of Significance: Less Than Significant Impact

Construction and Operations

The City identifies factors contributing to the high, widespread wildfire risk in the City; these include: narrow and often one-lane and/or dead-end roads complicating evacuation and emergency response, nature and frequency of ignitions and increasing population density leading to more ignitions; slope of the foothills; and residential development along the foothills. The Project site is not located in areas with steep slopes that can accelerate the spread of wildfire and it is listed as a non-VHFHSZ site, so wildfire risk is minimal. The site and surrounding areas do not contain tall or even a substantial number of tall trees that would experience a crown fire. Due to the existing urbanized setting of the Project, wildfire risk is minimal due to lack of fuel.

The Project site is predominantly surrounded by existing development including industrial, residential, and commercial uses. Just north of the Project site is a railroad line. The dominant vegetation patterns on the Project site is that of standard vegetation and trees found in residential areas. However, much of this vegetation will be replaced with construction of the Project site.

Therefore, due to the presence of surrounding development, lack of existing undeveloped areas in the vicinity, presence of area roadways, lack of steep slopes, and concrete construction of the Project, it is not likely to be affected by a wildfire during construction or operations. Lastly, the warehouse structure would be predominantly concrete which is not typically susceptible to fire. As a result, impacts will be less than significant.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.16-3 ***If located in or near SRA or lands classified as Very High FHSZ, 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?***

Level of Significance: Less Than Significant Impact

Construction and Operations

The proposed Project includes construction of an approximately 705,735-square foot industrial warehouse facility on the vacant parcels adjacent to Cypress Avenue, Slover Avenue, and Juniper Avenue. These adjacent roadways are anticipated to have improvements as part of the proposed Project in accordance with all City and design standards as part of planned improvements for the area. The proposed Project does not include any interior roadways, fuel breaks, emergency water sources, or above ground power or utility lines that would exacerbate a fire hazard with their installation or in their operations. The improvements of these roadways similarly would not exacerbate fire hazard as the roadway improvement would increase accessibility to the Project site while removing potential fuels. All improvements would occur within areas already planned for disturbance as part of the proposed Project or within existing or planned roadways or within easements that have been previously disturbed. None of the proposed Project improvements, including landscaping or installation of interior circulation driveways or emergency access lanes, would result in impacts to the environment not analyzed in the

respective chapters of this EIR. Impacts in this regard would be less than significant and no additional impacts related to fire protection or wildfire would occur. No mitigation is required.

Impact 4.16-4 ***If located in or near SRA or lands classified as Very High FHSZ, 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?***

Level of Significance: Less Than Significant Impact

As discussed above, the proposed Project does not contain steep slopes and is flat. Slopes can be an important factor relative to wildfire, because steeper slopes can facilitate more rapid-fire spread. No flooding risk would occur should a wildfire occur in the Project vicinity. No evidence of on-site landslides or debris flow was observed during field investigations or documented on the California Geologic Survey Landslide inventory. There is no risk of land sliding and rockfall for the Project site and surrounding locations, as these areas do not have steep slopes or contain loose rock or debris. Additionally, the Project site is not located within a 100-year floodplain, but is in "Zone X," which is areas determined to be outside of the 0.2 percent annual chance (500-year) floodplain. The potential for flooding on the Project site, therefore, is considered low.

Construction of the proposed Project would alter the existing drainage pattern of the site through the development of new impervious surfaces such as the proposed warehouse building and surface parking improvements. The proposed Project would alter the rate and amount of surface runoff because the existing site is generally residential, with few existing impervious surfaces with the presence of lawns and open area. Although the same drainage patterns, southerly, and southwesterly flows would be maintained, the Project would result in changes to the site's existing, internal drainage patterns. In addition, the Project would include the installation of an integrated, on-site system consisting of measures designed to capture and control stormwater. These measures may include, but would not necessarily be limited to, underground storm drainpipes, catch basins, underground infiltration basins, LIDs, and other structural BMPs to capture on-site stormwater runoff, and temporarily capture and hold stormwater before conveying the runoff offsite. In addition, the proposed project includes BMPs and low impact development to minimize run-off and maximize infiltration. These structures are designed to accommodate both existing drainage flows and potential drainage flow increases that would result from Project implementation.

The proposed project also would not introduce new slopes that would exacerbate existing hazards of wildfire.

Therefore, due to the existing topography and low slopes both on the Project site and surrounding areas as well as proposed drainage improvements, as well as impervious areas and landscaping incorporated into Project design, the Project would not substantially exacerbate risks with slope instability due to landslides or flooding if a wildfire should occur in these areas.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.16-5 ***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?***

Level of Significance: No Impact

The Project would include installation of utilities and improvements to surrounding roads abutting the Project area. The Project does not include any fuel breaks and does not require a fuel break. In addition, emergency water sources are not required beyond water supply needed to comply with applicable building codes. No elements of the Project would exacerbate the risk of wildfire.

MITIGATION MEASURES

No mitigation is necessary.

Impact 4.16-6 ***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?***

Level of Significance: No Impact

The Project is on relatively flat ground and not adjacent to any steep slopes. The completed Project is not subject threats from wildfire and there is no potential for downslope or downstream flooding. The Project site is surrounded by urban and suburban development on relatively flat land. There are no slopes on-site or on adjacent properties. There is no impact associated with downslope of downstream flooding.

MITIGATION MEASURES

No mitigation is necessary.

4.16.6 Cumulative Impacts

According to the City's General Plan, **Section 4.8** and **4.16** in this EIR; **Hazards and Hazardous Materials**, and **Public Services**, and the City's development code, the Project would result in a less than significant impact from wildfire hazards following adherence to and/or compliance with existing Federal, State, Regional, and local regulatory framework.

4.16.7 Significant Unavoidable Impacts

No significant unavoidable wildfire hazard impacts have been identified for either the construction or operation phases of the Project.

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5.0 ALTERNATIVES TO THE PROPOSED PROJECT

5.1 Introduction

The California Environmental Quality Act (CEQA) requires that Environmental Impact Reports (EIRs) "describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project and evaluate the comparative merits of the alternatives." (State CEQA Guidelines §15126.6). The State CEQA Guidelines require that the EIR include sufficient information about each Alternative to allow meaningful evaluation, analysis, and comparison with the Project. If an alternative would cause one or more significant effects in addition to those that would be caused by the Project as proposed, the significant effects of the Alternative must be discussed, but these effects may be discussed in less detail than the significant effects of the Project as proposed (CCR §15126.6[d]). The EIR is not required to consider every conceivable Alternative to a project but is guided by a rule of reason. An EIR is not required to consider alternatives which are infeasible. Section 15126.6[d]) states that the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. Key provisions of the State CEQA Guidelines on alternatives (§15126.6(a) through (f)) are summarized below to explain the foundation and legal requirements for the Alternative's analysis in the Draft EIR.

- "The discussion of alternatives shall focus on alternatives to the Project or its location which are capable of avoiding or substantially lessening any significant effects of the Project, even if these alternatives would impede to some degree the attainment of the Project objectives or would be more costly" (§15126.6(b)).
- "The specific alternative of 'no project' shall also be evaluated along with its impact" (§15126.6(e)(1)). "The no project analysis shall discuss the existing conditions at the time the Notice of Preparation (NOP) is published, or if no Notice of Preparation was published, at the time the environmental analysis is commenced, as well as what would reasonably be expected to occur in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services. If the environmentally superior Alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives" (§15126.6(e)(2)).
- "The range of alternatives required in an EIR is governed by a 'rule of reason' that require an EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the Project" (§15126.6(f)).
- "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)" (§15126.6(f)(1)).

- For alternative locations, "only locations that would avoid or substantially lessen any of the significant effects of the Project need be considered for inclusion in the EIR" (§15126.6(f)(2)(A)).
- "An EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative" (§15126.6(f)(3)).

Range of Alternatives

The lead agency is responsible for selecting this range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. This Chapter describes three Alternatives to the Project. These alternatives include the No Project Alternative (existing development state of the Project site and surrounding roadways), a Reduced Building Intensity Alternative (600,203-square foot warehouse), and a Two Building Alternative (includes two warehouse buildings totaling 691,170-square feet). An alternate site alternative was conceptualized but removed from further consideration due to their conflict with Project objectives, and the infeasibility of changing locations. The three alternatives are discussed in more detail below.

Alternatives were developed based on the following: information provided by the Project applicant, the City of Fontana (City), and input received from comments on the Notice of Preparation (NOP). At first a larger group of alternatives was developed and after an initial review, the Alternative was either retained for further analysis or discarded. Among the factors that may be taken into account when addressing the feasibility of alternatives, as described in §15126.6(f)(1) of the CEQA Guidelines, are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the project proponent could reasonably acquire, control, or otherwise have access to an alternative site.

As discussed above, one of the main purposes of the range of alternatives is to discuss different projects that are capable of avoiding or substantially lessening significant effects, especially effects that are found to be significant and unavoidable. In the case of the Project, significant impacts were identified with respect to air quality, greenhouse gas emissions, and transportation and traffic. With regard to air quality, nitrous oxide emissions exceeded the thresholds of the South Coast Air Quality Management District (during operation). Greenhouse gas emissions thresholds were exceeded in the operation phase of the Project. Transportation impacts were found to be potentially significant and unavoidable due to the Project's anticipated Vehicular Miles Traveled (VMT) and trips exceeding the City's thresholds with no way of determining whether mitigation would reduce this effect. For this reason, the alternatives analyzed were selected to evaluate the potential to further reduce impacts on air quality, greenhouse gas emissions, and transportation and traffic. For air quality and greenhouse gas emissions specifically, mobile emissions would need to be reduced, as those constitute the majority of NOx pollutants and greenhouse gas emissions. Transportation impacts would need to produce a lower VMT or total vehicular trips.

Lastly, an EIR need not consider an alternative whose effects could not be reasonably identified, whose implementation is remote or speculative, and that would not achieve the basic Project objectives. The alternatives that were selected for additional consideration were chosen in accordance with the above-listed CEQA Guidelines, represent a reasonable range of alternatives, are feasible, and will encourage discussion in a manner to foster meaningful public participation and informed decision making.

5.2 Project Objectives

As discussed above, one of the evaluation criteria for the alternative discussion is the ability of a specific alternative to attain most of the basic Project objectives. The basic Project objectives are listed in **Section 3, Project Description** are as follows:

Objective 1: Implement City of Fontana's desire to create a revenue-generating use that capitalizes on nearby transportation corridors and truck routes, stimulates employment, and responds to current market opportunities.

Objective 2: Revitalize a section of the City with new industrial use(s) that continue to expand the City's production capacity.

Objective 3: Reduce the opportunity for criminal activity and provide for a range of potential light industrial and warehouse uses.

Objective 4: Facilitate goods movement for the benefit of local and regional economic growth.

Objective 5: Provide new development that will generate a positive fiscal balance increasing the City tax base and a potential for added point of sale tax base for the City moving forward.

Objective 6: Provide additional temporary and permanent employment opportunities while improving the local balance of housing and jobs.

5.3 Criteria for Selecting Alternatives

Per §15126.6 (b) of the State CEQA Guidelines, the discussion of alternatives shall focus on alternatives to a project, or its location that are capable of avoiding or substantially lessening significant impacts of a project, even if the alternatives would impede to some degree the attainment of the project objectives or would be more costly. This alternatives analysis, therefore, focuses on project alternatives that could avoid or substantially lessen environmental impacts of the proposed Project related to the environmental categories listed in Appendix G of the State CEQA Guidelines while meeting the Project's objectives.

Table 5.0-1: Project Objective Consistency Analysis

Project Objective	Alternative 1: No Project	Alternative 2: Reduced Building Intensity	Alternative 3: Two Building
	Consistent?	Consistent?	Consistent?
Implement City of Fontana's desire to create a revenue-generating use that capitalizes on nearby transportation corridors and truck routes, stimulates employment, and responds to current market opportunities.	No	Yes	Yes
Revitalize a section of the City with new industrial use(s) that continue to expand the City's production capacity.	No	Yes	Yes
Reduce the opportunity for criminal activity and provide for a range of potential light industrial and warehouse uses.	No	Yes	Yes

Project Objective	Alternative 1: No Project	Alternative 2: Reduced Building Intensity	Alternative 3: Two Building
	Consistent?	Consistent?	Consistent?
Facilitate goods movement for the benefit of local and regional economic growth.	No	Yes	Yes
Provide new development that will generate a positive fiscal balance increasing the City tax base and a potential for added point of sale tax base for the City moving forward.	No	Yes	Yes
Provide additional temporary and permanent employment opportunities while improving the local balance of housing and jobs.	No	Yes	Yes

Comments received during the NOP process included issues related to increased vehicle traffic, warehouse intensity, public safety, and roadway safety. While all of these considerations are addressed throughout this DEIR and in the respective chapters, they also were considered to develop the reasonable range of alternatives and to address the concerns. As discussed above, alternatives were selected based on alternative designs that could reduce the Project's significant impacts on air quality. The alternatives listed below, specifically those that are evaluated, represent a reasonable range, at least partially fulfill the objectives the City is seeking and/or alleviate some of the potential impacts that would occur upon implementation of the Project as proposed.

5.4 Alternatives to the Proposed Project

The Alternatives listed below present a reasonable range of alternatives to the Project. The analysis in this section focuses on significant and unavoidable impacts attributable to each Alternative and the ability of each Alternative to meet basic project objectives.

Alternative 1: "No Project" Alternative – The "No Project" Alternative allow decision-makers the ability to compare the impacts of approving the Project with impacts of not approving the Project by leaving the proposed Project site in its existing condition.

Alternative 2: "Decreased Building Intensity" Alternative – The "Decreased Building Intensity" Alternative presents a project variation in which the proposed warehouse building would be developed at a smaller scale (600,203 square feet, or a 15% reduction in square footage when compared to the proposed Project) and would therefore create a less intense usage of the land area. Other components of the Project would remain.

Alternative 3: "Two Building" Alternative – The "Two Building" Alternative proposes two buildings (Building #1: 389,760-square-feet and Building #2: 301,410-square-feet) totaling 691,170-square-feet of warehouse.

5.5 Alternatives Removed from Further Consideration

State CEQA Guidelines section 15126.6(c) states that an EIR should identify any alternatives that were considered by the lead agency but rejected because the Alternative would be infeasible, fail to meet most of the basic project objectives, or unable to avoid significant environmental impacts. Furthermore, an EIR

may consider an alternative location for the proposed Project but is only required to do so if significant project effects would be avoided or substantially lessened by moving the Project to another site and if the Project proponent can reasonably acquire, control, or otherwise have access to the alternative site.

In developing the Project and alternatives, consideration was given to the density of development that could meet Project objectives and reduce significant impacts. The anticipated significant impacts would result from the intensity of the development proposed. In developing a reasonable range of alternatives, an alternative site alternative was considered but removed from consideration for a variety of reasons. These alternatives and the reasons are discussed briefly below:

Alternative Site Alternative

The analysis of alternatives to the proposed Project must also address "whether any of the significant effects of the Project would be avoided or substantially lessened by putting the Project in another location" (CEQA Guidelines, §15126.6(f)(2)(A)). Only those locations that would avoid or substantially lessen any of the significant effects of the Project need be considered. If no feasible alternative locations exist, the agency must disclose the reasons for this conclusion (CEQA §15126.6(f)(2)(B)). In this case, while it is feasible that an alternative site could be selected for the Project, an alternative site would entail either the same or new significant environmental effects as the Project site. For example, development of the proposed Project on any suitable alternative site in or around the City may not avoid or substantially lessen the proposed Project's impacts. This generally applies to impacts such as air quality impacts, greenhouse gas emissions, or transportation impacts that occur over a wider area than generally site-specific impacts such as those to aesthetic or biological resources. Additionally, impacts like these could be greater if the alternative site is located further away from a major transportation corridor or in areas with existing unacceptable traffic levels. Moreover, an alternative site that is adjacent to undeveloped lands could result in increased impacts on aesthetics and utilities due to increased service capacity and incongruous development, than a site, such as the Project site that is surrounded by existing development.

Furthermore, viable alternative locations for the Project are limited to those that would feasibly attain most of the Project objectives. There are no other lots appropriately located and sufficient sized and owned by the Project applicant in the City and along a major transportation corridor that would satisfy the Project objectives and eliminate or reduce impacts from the Project. The Project is proposed to be located near a major transportation route with Interstate 10 (I-10) directly to the north.

5.6 Comparison of Project Alternatives

Per the State CEQA Guidelines §15126.6(d), additional significant effects of the alternatives are discussed in less detail than the significant effects of the Project as proposed. For each Alternative, the analysis below describes each Alternative, analyzes the impacts of the Alternative as compared to the Project, identifies significant impacts of the Project that would be avoided or lessened by the Alternative, assesses the Alternative's ability to meet most of the Project objectives, and evaluates the comparative merits of the Alternative and the Project. The following sections provide a comparison of the environmental impacts associated with each of the Project alternatives, as well as an evaluation of each Project alternative to meet the Project objectives.

ALTERNATIVE 1: NO PROJECT ALTERNATIVE (NO WAREHOUSE DEVELOPMENT OR OFF-SITE IMPROVEMENTS)

State CEQA Guidelines §15126.6, requires an evaluation of the "No Project" alternative for decision-makers to compare the impacts of approving a project with the impacts of not approving it. Alternative 1: No Project Alternative (Alternative 1) assumes that the Project would not be developed, which means there would be no warehousing facility, landscape improvements, or surface lot improvements developed on the Project site or off-site.

Although this Alternative assumes "No Development" (as required by CEQA), this is considered a speculative assumption as the land is assumed to remain in private ownership (as there are no offers to purchase the land for public open space use). It is more likely that, eventually, the land would be developed with some form of industrial development in keeping with the City's General Plan land use and zoning designations.

Alternative 1 Impact Comparison to the Project

Alternative 1 would avoid all potential significant impacts that could occur from Project construction and operation as, by definition, it assumes that no development would occur and therefore no grading, construction or operational traffic and related impacts such as air quality, greenhouse gas emissions, and transportation would occur. The lack of significant impacts associated with Alternative 1 would also remove the significant and unavoidable impacts associated with proposed Project implementation. Significant and Unavoidable Impacts associated with development of the proposed Project were identified in the Air Quality, Greenhouse Gas Emissions, and Transportation environmental analyses.

Aesthetics

Under the No Project Alternative, the warehouse site would remain in its current undeveloped state. However, as previously discussed, the land use designation and zoning for the Project site is industrial, and as such, those uses could be developed on the site in the future. Until such time though, this Alternative assumes that the Project site would remain in its current undeveloped state. Therefore, under this Alternative, impacts regarding aesthetics, light, and glare would be less than significant; similar compared to the proposed Project.

Air Quality

Significant and Unavoidable Impacts were anticipated in **Section 4.2, Air Quality** in association with the Project's ability to comply with established air quality plans for the region and pollutant generation. The Project was found to potentially exceed the maximum allowed amounts of nitrous oxide emissions in both the unmitigated and mitigated operational phase of the Project. Nevertheless, mitigation was proposed in order to reduce the associated emissions as much as possible. Nitrous oxide emissions were the only emissions anticipated to be generated at levels that would exceed acceptable thresholds.

Alternative 1 would result in no construction or operational emissions from the Project as it would not be developed and would presumably continue the existing uses (vacant land) in the Project site. The continued use of the Project site in its current state would lead to no change in anticipated emissions and would therefore remain at the currently level of emissions generated.

Biological Resources

The Project would result in a less than significant environmental impacts towards special-status species, riparian habitats, wetlands, and important trees with mitigation measures implemented. Under this Alternative, none of the Project's impacts would occur, and no habitat modification would occur. The "No Project Alternative" would be the environmental superior Alternative to the Project regarding biological resources, as no habitat, or plant or wildlife species would be impacted.

Cultural Resources

The Project would result in less than significant impact to archeological resources and human remains with mitigation incorporated. Under this Alternative, these potential Project impacts would be avoided, as no ground disturbing activities would occur. This Alternative would also avoid the Project's potential for disturbing human remains, which is concluded to be less than significant through compliance with the established regulatory framework as outlined in MM CUL-2.

Energy

Under the No Project Alternative, the proposed Project would not be developed. The Project site is currently undeveloped, and as such, would not require or consume energy. Therefore, when compared to the proposed Project, no energy impacts associated with the No Project Alternative would occur.

Geology and Soils

The Project would result in a less than significant impact regarding the loss of topsoil, impacts from strong seismic activity, development on an unstable soil, and impacts on paleontological resources with mitigation measures implemented. Therefore, when compared to the proposed Project, no geology impacts associated with the No Project Alternative would occur.

The Project site is located in a region prone to strong seismicity, and is susceptible to seismic, geologic, and soils hazards. Implementation of the Project would naturally introduce potential hazards from significant geologic conditions that could result in the damage or loss of property and people. Project construction would also impact unknown paleontological resources and would require mitigation to reduce significance levels. Under this Alternative, impacts as described above would be fully avoided, with the exception being strong seismic ground shaking.

The No Project Alternative would be environmentally superior to the Project regarding geological, soils, and paleontological resources. The exposure of people to seismic, geologic, and soil hazards under the No Project Alternative would be infrequent, whereas the Project would expose people and structures to said hazards permanently.

Greenhouse Gas Emissions

The Project's significant and unavoidable greenhouse gas impacts were associated with the potential to generate harmful emissions at levels that would harm the surrounding environment and conflict with greenhouse gas emissions regulations. The Project would exceed the City's allowable threshold of Metric Tons of Carbon Dioxide equivalents (MTCO2e). The primary source of the Project's $MTCO_2e$ emissions would stem from mobile source emissions. Although mitigation is proposed to minimize the potential emissions impacts associated with Project implementation, emissions are still anticipated to exceed the

City's 3,000 $MTCO_2e$ maximum threshold. Because emissions are anticipated to exceed allowable levels, the Project's emissions would also conflict with air quality goals in a manner that would be significant and unavoidable.

Alternative 1 result in no operations emissions as a result of the Project since the Project would not be developed in this Alternative. The existing, minimal emissions would continue (site is vacant).

Hazards

Hazardous and Hazardous Materials Impacts that include 1) increased safety risk to workers due to the transport, handling, and disposal of hazardous materials and waste 2) foreseeable or accidental release of hazardous materials 3) emissions of hazardous emissions to nearby schools 4) location on Cortese List of known hazardous material sites and 5) location near a nearby airport would all be mitigated to a less than significant level associated with the proposed Project.

Under this Alternative, all the previous impacts would be avoided since no short-term construction, and long-term operations associated with the Project would not be implemented. No warehouse, landscape improvements, and other associated on-site and off-site improvements would occur which would eliminate any release of hazardous materials off-site. Therefore, the "No Project" Alternative would be environmentally superior to the Project regarding hazards and hazardous materials, since no ground disturbing activities would occur, and no buildings or structures would be constructed or operated.

Hydrology and Water Quality

The "No Project" Alternative would eliminate both short-term and long-term impacts to water quality, since grading, excavation, or construction activities associated with the project.

This Alternative would not alter or substantially change current hydrologic conditions compared to the development of the Project components nor increase the rate of stormwater runoff that would negatively affect the water quality. In addition, the "No Project" alternative would eliminate the need to seek discretionary permits as listed in **Section 4.9, Hydrology and Water Quality**.

Therefore, this Alternative would be environmentally superior to the Project regarding hydrology and water quality, since no increase in stormwater capacity would occur, impervious surfaces would not increase, and land uses would not be added.

Land Use and Planning

Under this Alternative, the Project site would retain the Project site in its condition, and as such, no warehousing and associated Project components would be developed. The proposed Project is consistent with the current General Plan land use designation and zoning, and as such, future projects could be developed on the site consistent with this designation.

Therefore, when compared to the proposed Project, land use impacts associated with the No Project Alternative would be equal to the proposed Project.

Noise

The proposed Project would implement mitigation measures to reduce excess noise levels from construction machinery, demolition, site preparation, grading, and building construction, as well as operational noise which would reduce impacts to a level of less than significant.

Under the "No Project" Alternative, on-site noise levels would be eliminated since no short-term construction activity or Project operations would occur. Therefore, the "No Project Alternative would be environmentally superior to the Project regarding noise and vibration during short-term construction activity.

Public Services

Under the No Project Alternative, no warehouse or associated improvements would be developed, and as such, no Development Impact Fees would be paid to the City of Fontana for various City services. However, because the Project site is currently vacant, there would be an increased need for police and fire services to account for the likely increase in transients occupying the vacant site. Therefore, the No Project Alternative would be environmentally inferior when compared to the proposed Project.

Transportation and Traffic

The Project would lead to a significant and unavoidable impacts since the Project's Vehicular Miles Traveled (VMT) estimates exceed both the Home Based Work (HBW) VMT per employee and the VMT per service population (SP). The Project would be required to be 15 percent below the San Bernardino County average, for which it actually exceeds in both cases. Like in all instances of anticipated significant impacts, mitigation measures are proposed. However, the effectiveness of the mitigation cannot be concluded as real-time observation and measurement is required. Therefore, despite, the presence of mitigation, the impact would remain significant and unavoidable.

Alternative 1 would not include the increased VMT associated with the Project since the Project would not be developed under this Alternative. The existing transportation pattern would continue based on the existing, vacant condition of the Project site. However, under this Alternative, the adjacent roadways would not receive improvements in the form of street improvements, sidewalk improvements, turning lanes, and traffic signal improvements. These improvements would create more efficient transportation routes and improve levels of service and VMT for the associated roadways. Under this Alternative, those roadways would continue to operate at existing levels.

Tribal Cultural Resources

The proposed Project would require mitigation measures, including on-site monitoring during ground disturbance, to reduce impacts to tribal cultural resources. The No Project Alternative would not involve the construction of uses that could potentially disturb tribal cultural resources, and as such, the No Project Alternative would be environmentally superior when compared to the proposed Project.

Utilities and Service Systems

The No Project Alternative would avoid the Project's temporary increased demand upon utilities and service systems during construction. Given the Project's scope and nature (i.e., warehouse construction and landscape maintenance), Project operations would create a demand for water, and increase

wastewater or solid or waste generation. This Alternative would eliminate the demand for water and wastewater, solid waste services, and gas and electricity services. The No Project Alternative would retain the Project site in its current condition.

The No Project Alternative would be environmentally superior to the Project regarding impacts to utilities and service systems since no utilities would be needed. Temporary increases in utility demand and construction of utilities would not occur during construction, and neither would increase in services and utilities demand resulting from operation of the warehouses.

Wildfire

The No Project Alternative would not involve the construction of warehouse uses, and rather, keep the vacant Project site in its current state. The proposed Project would include the development of a warehouse, but additionally, it would include the development of a fire suppression system that would inhibit potential wildfires to occur on-site. While the No Project Alternative would not develop the site with additional uses, the lack of fire suppression on-site could potentially increase wildfire hazards. Therefore, the No Project Alternative would be environmentally inferior when compared to the proposed Project.

Ability to Meet Project Objectives

Alternative 1 would not meet any of the Project objectives, as identified above as the Project site would remain in its current state of development (vacant).

Alternative 1 Summary

Alternative 1 would not meet any of the objectives of the Project. The Project site consists of vacant, undeveloped land.

As discussed above, Alternative 1 would avoid all potential significant impacts that could occur from Project construction and operation. “No Project,” by definition, assumes that no development would occur and therefore no grading, construction or operational traffic and related impacts such as air quality, greenhouse gas emissions, and noise would occur. The lack of significant impacts associated with the “No Project” Alternative would be mostly consistent with the conclusions made for the Project.

All impact areas which were anticipated to cause a less than significant impact, less than significant with mitigation measures, or a significant and unavoidable impact (air quality, greenhouse gas, and transportation and traffic) due to implementation of the Project would be eliminated under Alternative 1. For this reason, Alternative 1 is considered the environmentally superior Alternative. Pursuant to State CEQA Guidelines, where the “No Project” Alternative is identified as environmentally superior to the Project, the EIR needs to identify a separate “environmentally superior” alternative (described further below).

ALTERNATIVE 2: REDUCED BUILDING INTENSITY

Alternative 2 would entail the development of a single warehouse building at a smaller square footage than what was proposed for the Project. The Alternative would involve the development of a 600,203 square foot warehousing building which would include approximately 4,500 square feet of office space. Modifications would occur to multiple on-site features such as parking, landscaping, and setbacks.

Table 5.0-2, Alternative 2 Design Comparison summarizes the similarities and differences between the Project design features and Alternative 2's design features.

Table 5.0-2: Alternative 2 Design Comparison

Feature	Project	Alternative 2
Net Site Area	32.27 ac; 1,405,836 sf	32.27 ac; 1,405,836 sf
Warehouse Building Area	701,235 sf	595,703 sf
Office Building Area	4,500 sf	4,500 sf
Total Building Area	705,735 sf	600,203 sf
Lot Coverage	50.2%	42.7%
Building Height	49'-6"	49'-6"
Auto Parking Provided	330 stalls	384 stalls
Truck Parking Provided	179 stalls	236 stalls
Floor Area Ratio	0.502	0.427
Slover Avenue Setbacks:		
Parking/Landscape Setback	25'-4"	31'-10"
Building Setback	99'-4"	155'-4"
Juniper Avenue Setbacks:		
Parking/Landscape Setback	24'-9"	24'-9"
Building Setback	209'-9"	269'-9"
Cypress Avenue Setbacks:		
Parking/Landscape Setback	43'-11"	43'-11"
Building Setback	289'-11"	339'-11"
Landscape Area	19.0%; 133,069 sf	19.4%; 156,270 sf
Notes: ac = acre sf = square foot		

Off-site improvements to the adjacent roadways of Slover, Boyle, and Juniper Avenues would remain consistent with the Project.

Alternative 2 Impact Comparison to the Project

Alternative 2 would minimize impacts related to the scale of the Project. Therefore, environmental impact areas such as aesthetics, energy, utilities and service systems, and wildfire hazards may see a nominal improvement regarding potential impact significance. However, these resource areas are anticipated to have a less than significant impact under the Project. The Project was able to achieve a less than significant impact with mitigation incorporated in all environmental impact areas except air quality, greenhouse gas emissions, and transportation and traffic. These resources were anticipated to create significant and unavoidable impacts. An evaluation of the impacts associated with the development of Alternative 2 (Reduced Building Intensity) are described below.

Aesthetics

The same general aesthetics impacts would occur with the Reduced Intensity Alternative when compared to the proposed Project. Although the building footprint would be reduced with this Alternative, the same general mass and scale of the site would be the same. When compared to the proposed Project, aesthetics impacts associated with the Reduced Intensity Building Alternative would be similar when compared to the proposed Project.

Air Quality

As previously stated, the Project would conflict with established air quality plans for the region and pollutant generation. Specifically, the Project would exceed NO_x thresholds during its operational phase.

Alternative 2 would propose the same warehousing land use as the Project although the warehousing building space would be reduced by 105,532 square feet for the Alternative. Presumably, this would reduce potential operational emissions through the reduced building area. However, the majority of operational emissions stemmed from mobile sources such as vehicles and construction equipment. The vehicular traffic generated from the Project is not anticipated to be significantly reduced in Alternative 2. Operations of Alternative 2 is expected to be similar to the Project. An example of this being that both the Project and Alternative have proposed the same amount of dock doors. Because the usage would be similar, the emissions generated from the Alternative would be similar to the Project and would also likely create a significant and unavoidable impact.

Biological Resources

Both the Reduced Building Intensity Alternative and the proposed Project would disturb the same footprint for construction, and as such, would result in similar biological resource impacts. As with the proposed Project, mitigation measures would be required to reduce biological resource impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Reduced Building Intensity Alternative.

Cultural Resources

Both the Reduced Building Intensity Alternative and the proposed Project would disturb the same footprint for construction, and as such, would result in similar cultural resource impacts. As with the proposed Project, mitigation measures would be required to reduce cultural resource impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Reduced Building Intensity Alternative.

Energy

Both the Reduced Building Intensity Alternative and the proposed Project would require energy during both the construction and operations phases of the Project, although the Reduced Building Intensity Alternative would require approximately 15% less energy to build and operate when compared to the proposed Project. When compared to the proposed Project, the Reduced Building Intensity Alternative would result in fewer energy-related impacts than the proposed Project.

Geology and Soils

Both the Reduced Building Intensity Alternative and the proposed Project would disturb the same footprint for construction, and as such, would result in similar geology and soils impacts. As with the proposed Project, mitigation measures would be required to reduce geology and soils impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Reduced Building Intensity Alternative.

Greenhouse Gas

The Project's significant and unavoidable greenhouse gas impacts were associated with the potential to conflict with greenhouse gas emissions regulations though the generation of excess $MTCO_2e$. For this impact, mitigation was proposed to reduce potential impacts, however, the Project was still found to exceed thresholds with mitigation. Like air quality above, the Project's emissions stem largely from mobile source emissions.

Alternative 2 would likely reduce emissions impacts through a reduction in energy use in a smaller space. However, the usage rate of the Project site would remain similar. Even with a reduction in energy use emissions, the mobile source emissions associated with vehicular travel would not be largely reduced. Therefore, Alternative 2 would likely remain in excess of the City's greenhouse gas emissions thresholds. The impact would be expected to remain a significant and unavoidable impact.

Hazards

Both the Reduced Building Intensity Alternative and the proposed Project would disturb the same footprint for construction, and as such, would result in similar hazards impacts. As with the proposed Project, mitigation measures would be required to reduce hazards impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Reduced Building Intensity Alternative.

Hydrology and Water Quality

Both the Reduced Building Intensity Alternative and the proposed Project would disturb the same footprint for construction, and as such, would result in similar hydrology and impacts. As with the proposed Project, mitigation measures would be required to reduce geology and soils impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Reduced Building Intensity Alternative.

Land Use and Planning

Both the Reduced Building Intensity Alternative and the proposed Project would be consistent with both the General Plan land use designation and zoning for the Project site.

Noise

Both the Reduced Building Intensity Alternative and the proposed Project would generate noise during both the construction and operations phases of the Project, although the Reduced Building Intensity Alternative would generate approximately 15% less noise when compared to the proposed Project given the reduction in size. When compared to the proposed Project, the Reduced Building Intensity Alternative would result in fewer noise-related impacts than the proposed Project; however, it is anticipated that both the Reduced Intensity Alternative and the proposed Project would require similar mitigation measures to reduce noise impacts.

Public Services

Both the Reduced Building Intensity Alternative and the proposed Project would require additional public service needs, although the Reduced Building Intensity Alternative would require approximately 15% less

public service needs when compared to the proposed Project given the reduction in size. When compared to the proposed Project, the Reduced Building Intensity Alternative would result in fewer public service impacts related impacts than the proposed Project; however, it is anticipated these reductions would be nominal.

Transportation and Traffic

The Project was found to conflict with the requirement that VMT for new projects be 15 percent lower than the San Bernardino County average. The VMT for the Project was instead found to exceed the San Bernardino County threshold by 21.8 percent for the HBW VMT and 12.3 percent for VMT per SP.

As previously discussed, Alternative 2 would involve the development of a smaller warehousing building which would utilize a smaller portion of the Project site for warehousing uses. Despite the smaller size, Alternative 2 would likely remain similar to the Project in usage intensity. An aspect of this is shown in that both the Project and Alternative 2 contain the same amount of dock doors which would allow for equal potential in distribution. Further, the number of employees would be largely the same. Alternative 2 would be approximately 15 percent smaller than the Project. It is anticipated that a 15 percent reduction of projected employment would occur with this Alternative. This would not drastically change vehicular traffic for Alternative 2 especially since large amounts of traffic would come from operations-based truck transportation. Because usage would be similar between the Project and Alternative 2, traffic-based impacts would be similar. Because the vehicular travel would be largely the same between alternatives, a significant and unavoidable impact would still occur.

Tribal Cultural Resources

Both the Reduced Building Intensity Alternative and the proposed Project would disturb the same footprint for construction, and as such, would result in similar tribal cultural resource impacts. As with the proposed Project, mitigation measures would be required to reduce tribal cultural resource impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Reduced Building Intensity Alternative.

Utilities and Service Systems

Both the Reduced Building Intensity Alternative and the proposed Project would require additional utilities and service systems needs, although the Reduced Building Intensity Alternative would require approximately 15% less utility needs when compared to the proposed Project given the reduction in size. When compared to the proposed Project, the Reduced Building Intensity Alternative would result in fewer utility and service system impacts related impacts than the proposed Project; however, it is anticipated these reductions would be nominal.

Wildfire

Both the Reduced Building Intensity Alternative and the proposed Project would disturb the same footprint for construction, and as such, would result in similar wildfire impacts. As with the proposed Project, development of the Reduced Building Intensity Alternative would include fire suppression methods that would reduce the potential for fire. As such, similar impacts would occur with implementation of the Reduced Building Intensity Alternative.

Ability to Meet Objectives

Alternative 2 would meet all of the objectives of the Project as identified above as the site would be developed for warehouse use despite the smaller building size. However, Alternate 2 does not maximize the City's benefits realized or achievement of the Project Objectives when compared to the proposed Project due to the reduced land coverage (42.7% versus 50.2%).

Alternative 2 Summary

Along with completing the objectives associated with the Project, Alternative 2 would likely lead to reduced impacts in aesthetics, land use and planning, public services and recreation, utility and service systems, and wildfire hazards. The smaller size of the warehouse building proposed in Alternative 2 would create a less distinct impact to aesthetic resources such as reduction in viewership of scenic vistas. A smaller building size would still be consistent with land use designations for the Project site. Utility demand would be decreased due to the smaller building size as well, along with the associated fire hazards.

ALTERNATIVE 3: TWO BUILDING ALTERNATIVE

The "Two Building" Alternative presents a Project variation in which the proposed Project site would be developed at a lower intensity with two industrial buildings with an effective site coverage of 49.2%. Alternative 3 proposes a total of 691,170-square-feet of combined warehouse building space, inclusive of approximately 4,500 square feet of office space (14,565 square foot reduction of building square footage, or an approximately 2% reduction when compared to the proposed Project (705,735-square-foot warehouse)) and would therefore create a less intensive usage of the land area. Other associated components of the Project would remain such as automobile/trailer parking and landscaping. Modifications would occur to multiple on-site features such as parking, landscaping, and setbacks. ***Table 5.0-3, Alternative 3 Design Comparison*** summarizes the similarities and differences between the Project design features and Alternative 3's design features.

Table 5.0-3: Alternative 3 Design Comparison

Feature	Project	Alternative 3
Net Site Area	32.27 ac; 1,405,836 sf	32.27 ac; 1,405,836 sf
Warehouse Building Area	701,235 sf	686,670 sf
Office Building Area	4,500 sf	4,500 sf
Total Building Area	705,735 sf	691,170 sf
Lot Coverage	50.2%	49.2%
Building Height	49'-6"	42' (est.)
Auto Parking Provided	330 stalls	342 stalls
Truck Parking Provided	179 stalls	125 stalls
Floor Area Ratio	0.502	0.492
Slover Avenue Setbacks:		
Parking/Landscape Setback	25'-4"	25'-7"
Building Setback	99'-4"	80'-7"
Juniper Avenue Setbacks:		
Parking/Landscape Setback	24'-9"	20'-1"
Building Setback	209'-9"	94'-1"

Feature	Project	Alternative 3
Cypress Avenue Setbacks:		
Parking/Landscape Setback	43'-11"	25'-0"
Building Setback	289'-11"	101'-0"
Landscape Area	19.0%; 133,069 sf	23.6%; 168,348 sf
Notes: ac = acre sf = square foot		

Off-site improvements to the adjacent roadways of Slover, Boyle, and Juniper Avenues would remain consistent with the Project.

Alternative 3 Impact Comparison to the Project

Alternative 3 would maintain similar impacts related to the scale of the proposed Project since Alternative 3 proposes an approximately 2% decrease in warehouse building footprint. Therefore, environmental impact areas such as aesthetics, energy, utilities and service systems, and wildfire hazards may see a nominal impact decrease regarding potential impact significance. However, these resource areas are anticipated to have a less than significant impact under the Project. The Project was able to achieve a less than significant impact with mitigation incorporated in all environmental impact areas except air quality, greenhouse gas emissions, and transportation and traffic. These resources were anticipated to create significant and unavoidable impacts. An evaluation of the impacts associated with the development of Alternative 3 (Two Building Alternative) are described below.

Aesthetics

The same general aesthetics impacts would occur with the Two Building Alternative when compared to the proposed Project. Although the building footprint nominally decreased by 2% with this Alternative, the general mass and scale of the site would be the same. When compared to the proposed Project, aesthetics impacts associated with the Two Building Alternative would be similar when compared to the proposed Project.

Air Quality

As previously stated, the Project would conflict with established air quality plans for the region and pollutant generation. Specifically, the Project would exceed NO_x thresholds during its operational phase.

Alternative 3 would propose the same warehousing land use as the proposed Project, although the warehousing building space would be divided into two buildings totaling 691,170-square-feet of building. This is a decrease in warehouse footprint by 14,565 square feet for the Alternative 3. Presumably, this would reduce potential operational emissions through the reduced building area. However, the majority of operational emissions stemmed from mobile sources such as vehicles and construction equipment. The vehicular traffic generated from the Project is not anticipated to be significantly reduced in Alternative 3. Operations of Alternative 3 is expected to be similar to the Project. An example of this being that both the Project and Alternative 3 have approximately the same amount of dock doors. The proposed Project has 98 dock doors and Alternative 3 proposes 96 dock doors. Because the usage would be similar, the emissions generated from Alternative 3 would be similar to the Project and would also likely create a significant and unavoidable impact.

Biological Resources

Both the Two Building Alternative and the proposed Project would disturb similar footprint for construction, and as such, would result in similar biological resource impacts. As with the proposed Project, mitigation measures would be required to reduce biological resource impacts to a level of less than significant. The Two Building Alternative would minimally reduce the building footprint by approximately 2%. As such, similar impacts would occur with implementation of the Two Building Alternative.

Cultural Resources

Both the Two Building Alternative and the proposed Project would disturb similar footprint for construction, and as such, would result in similar cultural resource impacts. As with the proposed Project, mitigation measures would be required to reduce cultural resource impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Two Building Alternative.

Energy

Both the Two Building Alternative and the proposed Project would require energy during both the construction and operations phases of the Project, although the Two Building Alternative would require approximately 2% less energy to build and operate when compared to the proposed Project. When compared to the proposed Project, the Two Building Alternative would result in fewer energy-related impacts than the proposed Project.

Geology and Soils

Both the Two Building Alternative and the proposed Project would disturb a similar footprint for construction, and as such, would result in similar geology and soils impacts. As with the proposed Project, mitigation measures would be required to reduce geology and soils impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Two Building Alternative.

Greenhouse Gas

The Project's significant and unavoidable greenhouse gas impacts were associated with the potential to conflict with greenhouse gas emissions regulations though the generation of excess $MTCO_2e$. For this impact, mitigation was proposed to reduce potential impacts, however, the Project was still found to exceed thresholds with mitigation. Like air quality above, the Project's emissions stem largely from mobile source emissions.

Alternative 3 would likely reduce emissions impacts through a reduction in energy use in a minimally smaller divided space. However, the usage rate of the Project site would remain similar. Even with a reduction in energy use emissions, the mobile source emissions associated with vehicular travel would not be largely reduced. Therefore, Alternative 3 would likely remain in excess of the City's greenhouse gas emissions thresholds. The impact would be expected to remain a significant and unavoidable impact.

Hazards

Both the Two Building Alternative and the proposed Project would disturb a similar footprint for construction, and as such, would result in similar hazards impacts. As with the proposed Project,

mitigation measures would be required to reduce hazards impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Two Building Alternative.

Hydrology and Water Quality

Both the Two Building Alternative and the proposed Project would disturb a similar footprint for construction, and as such, would result in similar hydrology and impacts. As with the proposed Project, mitigation measures would be required to reduce geology and soils impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Two Building Alternative.

Land Use and Planning

Both the Two Building Alternative and the proposed Project are consistent with both the General Plan land use designation and zoning for the Project site.

Noise

Both the Two Building Alternative and the proposed Project would generate noise during both the construction and operations phases of the Project, although the Two Building Alternative would generate approximately 2% less noise when compared to the proposed Project given the reduction in size. When compared to the proposed Project, the Two Building Alternative would result in fewer noise-related impacts than the proposed Project; however, it is anticipated that both the Two Building Alternative and the proposed Project would require similar mitigation measures to reduce noise impacts.

Public Services

Both the Two Building Alternative and the proposed Project would require additional public service needs, although the Two Building Alternative would require approximately 2% less public service needs when compared to the proposed Project given the reduction in size. When compared to the proposed Project, the Two Building Alternative would result in fewer public service impacts related impacts than the proposed Project; however, it is anticipated these reductions would be nominal.

Transportation and Traffic

The Project was found to conflict with the requirement that VMT for new projects be approximately 15% lower than the San Bernardino County average. The VMT for the Project was instead found to exceed the San Bernardino County threshold by 21.8 percent for the HBW VMT and 12.3 percent for VMT per SP. Mitigation was proposed to combat these potential impacts. However, traffic reduction mitigation requires real-world observation to confirm viability. Until the conclusion can be reached, the impact must remain significant and unavoidable.

As previously discussed, Alternative 3 would involve the development of two cumulatively smaller warehouse buildings on the same site which would utilize a nominally smaller portion of the Project site. Despite the nominal footprint size reduction, Alternative 3 would likely remain similar to the Project in usage intensity. An aspect of this is shown in that Alternative 3 contains only 2 less dock doors (96 dock doors) compared to the proposed Project at (98 dock doors). Further, the number of employees would be largely the same. Alternative 3 would be approximately 2% percent smaller than the Project. A 2% reduction of projected employment would lead to nominal decrease in employees. This would not drastically change vehicular traffic for Alternative 3 especially since large amounts of traffic would come

from operations-based truck transportation. Because usage would be similar between the Project and Alternative 3, traffic based impacts would be similar. Because the vehicular travel would be largely the same between alternatives, a significant and unavoidable impact would still occur.

Tribal Cultural Resources

Both the Two Building Alternative and the proposed Project would disturb a similar footprint for construction, and as such, would result in similar tribal cultural resource impacts. As with the proposed Project, mitigation measures would be required to reduce tribal cultural resource impacts to a level of less than significant. As such, similar impacts would occur with implementation of the Two Building Alternative.

Utilities and Service Systems

Both the Two Building Alternative and the proposed Project would require additional utilities and service system needs. Although the Two Building Alternative would require approximately 1% less utility needs when compared to the proposed Project given the reduction in size. When compared to the proposed Project, the Two Building Alternative would result in fewer utility and service system impacts related impacts than the proposed Project; however, it is anticipated these reductions would be nominal.

Wildfire

Both the Two Building Alternative and the proposed Project would disturb a similar footprint for construction, and as such, would result in similar wildfire impacts. As with the proposed Project, development of the Two Building Alternative would include fire suppression methods that would reduce the potential for fire. As such, similar impacts would occur with implementation of the Two Building Alternative.

Ability to Meet Objectives

Alternative 3 would meet all of the objectives of the Project as identified above as the site would be developed for warehouse use despite the implementation of two cumulatively smaller buildings. However, Alternate 3 does not maximize the City's benefits realized or achievement of the Project Objectives when compared to the proposed Project due to the reduced land coverage (49.2% versus 50.2%).

Alternative 3 Summary

Along with completing the objectives associated with the Project, Alternative 3 would likely lead to minimally reduced impacts in aesthetics, land use and planning, public services and recreation, utility and service systems, and wildfire hazards. The relatively smaller size of the cumulative warehouse buildings proposed in Alternative 3 would create a less distinct impact to aesthetic resources such as reduction in viewership of scenic vistas. A smaller cumulative building size footprint would still be consistent with land use designations for the Project site; however, the smaller size would create a more cohesive land usage between Alternative 3 and surrounding existing uses. Utility demand would be nominally decreased due to the smaller building size as well as any associated fire hazards.

5.7 Environmentally Superior Alternative

An EIR is required to identify the environmentally superior Alternative from among the range of reasonable alternatives that are evaluated. Section 15126.6 (e)(2) of the State CEQA Guidelines requires that an environmentally superior alternative be designated and states that if the environmentally superior Alternative is the No Project alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.

Based on the summary of information presented in ***Table 5.0-1, Project Objective Consistency Analysis***, the environmentally superior Alternative is Alternative 1: No Project Alternative. Because Alternative 1 would leave the Project site essentially unchanged and would not have the operational effects that would be associated with any of the alternatives, this Alternative has fewer environmental impacts than the proposed Project or any of the other alternatives.

Section 15126.6(e)(2) of the State CEQA Guidelines states that if the "No Project" alternative is found to be environmentally superior, "the EIR shall also identify an environmentally superior alternative among the other alternatives. Aside from the No Project Alternative, the Alternative 2: "Reduced Building Intensity" Alternative would have the least environmental impacts.

The context of an environmentally superior alternative is based on the consideration of several factors including the reduction of environmental impacts to a less than significant level, the Project objectives, and an alternative's ability to fulfill the objectives with minimal impacts to the existing site and surrounding environment. According to ***Table 5.0-4, Comparison of Project Alternatives Environmental Impacts with the Project,*** the No Project alternative would be the environmentally superior Alternative because it would eliminate all of the potentially significant impacts of the proposed Project. However, while the No Project alternative is the environmentally superior Alternative, it is not capable of meeting any of the basic objectives of the Project.

After the No Project alternative, the environmentally superior Alternative to the proposed Project is the one that would result in the fewest or least significant environmental impacts. Based on the evaluation undertaken, Alternative 2: "Reduced Building Intensity" is the environmentally superior Alternative. This is an environmentally superior project alternative because it would have the least environmental impacts because although the impacts would not be entirely avoided, the impacts would be decreased when compared to the Project. However, while Alternative 2 would satisfy all of the Project objectives, Alternative 2 does not maximize the City's benefits realized or achievement of the Project Objectives when compared to the proposed Project. Most critically, Alternative 1 would not meet the Project objectives.

Table 5.0-4: Comparison of Project Alternatives Environmental Impacts with the Project

EIR Chapter	Alternatives			
	Project - Level of Impact After Mitigation	Alternative 1- No Project	Alternative 2- Reduced Building Intensity	Alternative 3 – Two Building Alternative
4.1 – Aesthetics	Less Than Significant	-	=	=
4.2 – Air Quality	Significant and Unavoidable	-	-	=
4.3 – Biological Resources	Less Than Significant	-	=	=
4.4 – Cultural Resources and Tribal Cultural Resources	Less Than Significant	-	=	=
4.5-- Energy	Less Than Significant	-	-	=
4.6 – Geology and Soils	Less Than Significant	-	=	=
4.7 – Greenhouse Gas Emissions	Significant and Unavoidable	-	-	=
4.8 – Hazards and Hazardous Materials	Less Than Significant	-	=	=
4.9 – Hydrology and Water Quality	Less Than Significant	-	=	=
4.10 – Land Use and Planning	Less Than Significant	=	=	=
4.11 – Noise	Less Than Significant	-	-	=
4.12 – Public Services & Recreation	Less Than Significant	-	-	=
4.13 – Transportation and Traffic	Significant and Unavoidable	-	-	=
4.14 – Tribal Cultural Resources	Less Than Significant	-	=	=
4.15 – Utilities and Service Systems	Less Than Significant	-	-	=
4.16—Wildfire Hazards	Less than Significant	=	=	=
Attainment of Project Objectives	Meets all of the Project Objectives	Meets none of the Project Objectives	Meets all of the Project Objectives	Meets all of the Project Objectives

A plus (+) sign means the Project Alternative has more impacts compared to the proposed Project.
A minus (-) sign means the Project Alternative has less impact compared to the proposed Project.
An equal sign (=) means the Project Alternative has similar impact compared to the proposed Project.

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6.0 ADDITIONAL CEQA CONSIDERATIONS

This section of the Draft Environmental Impact Report (EIR) for the Fontana Sierra Business Center Project (Project) discusses additional California Environmental Quality Act (CEQA) considerations. The additional considerations discussed in this section include:

1. Significant Irreversible Environmental Changes;
2. Growth Inducing Impacts; and

6.1 Significant Irreversible Environmental Changes

Section 15126.2(d) of the State CEQA Guidelines requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, the section states that a project would result in significant irreversible environmental changes if the following occurs:

- The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely;
- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely.

The Project would not involve the utilization of nonrenewable resources in a manner that would make their nonuse or removal unlikely. Nonrenewable resources associated with the development of the proposed Project would include fossil fuels. Fossil fuels would serve as energy sources during both proposed Project construction and operations. Fossil fuels would act as transportation energy sources for construction vehicles and heavy equipment during the construction period and by vehicles and equipment used during proposed Project operations. Though the proposed Project would endeavor to utilize fossil fuels efficiently, their use would be vital for construction and operations activities, making their nonuse unlikely. However, the proposed Project would not require the continued use of fossil fuels at the end of its operational life.

By nature of being a nonrenewable resource, fossil fuels, once consumed, cannot be replaced. Those fuels, once spent, may be transformed into another form of matter such as exhaust or smoke. Standard vehicles and equipment used by the proposed Project in both construction and operational phases would likely utilize fossil fuels. Some construction and operational equipment such as forklifts may be electrified and therefore not rely on fossil fuels. Energy-efficient equipment would be utilized according to their availability and in order to comply with energy regulations and policies.

The Project does not propose any fueling stations and would not likely store significant amounts of fossil fuels on the site. Fossil fuels on-site would especially not be stored in a manner that would make their removal unlikely. No infrastructure is proposed to store fossil fuels in large amounts or without the ability of removal.

The proposed Project would also require the commitment of land on which the proposed Project would be developed for industrial use. Land is another finite resource in that once developed and in active use it removes the ability for that land to be used for other uses and developments. However, land developments associated with the Project would not remove the possibility of redevelopment in the future. The land development would not, therefore, make the nonuse of the land unlikely.

The primary and secondary impacts would generally commit future generations to similar uses.

The Project's development is anticipated to produce some significant and unavoidable impacts based on analyses conducted in **Sections 4.2, Air Quality**, **4.7, Greenhouse Gas Emissions**, and **4.13, Transportation and Traffic**. These impacts would also affect the surrounding environment. However, these significant impacts would not commit future generations to similar uses. The uses associated with the Project would not modify the land in a way that required future developments to be developed similarly. As previously stated, the proposed warehousing structure would be able to be removed at the end of the Project's life and replaced.

Hazardous waste usage would be minimal; mostly used for cleaning and operational maintenance. Compliance with federal, state, and local regulations would ensure that the usage and storage of any hazardous materials and waste would be completed in the safest and most efficient manner. Similarly, the Project would comply with any federal, state, and local air quality and water quality regulations to further ensure the least amount of environmental impact. The light industrial warehousing nature of the Project is unlikely to lead to impacts that would relegate future generations and developments to similar uses.

The Project would be developed in a portion of the City of Fontana (City) classified with Light Industrial and General Industrial land use and zoning designations. The Project would not modify these land use designations. Therefore, the Project would not influence future development in that land area as the existing land use designations would be unchanged.

The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project.

The Project is intended to develop one warehousing facility and is not anticipated to release hazardous materials into the environment. Construction and operation of the Project would utilize chemical substances common with typical construction and warehousing activities and do not generally pose a significant hazard to the public or environment. However, in the event that hazardous materials are either used or stored on the Project site, mitigation measures are proposed, which would both reduce the significant of any impacts and ensure the Project's compliance with any Federal, State, and local policy regarding hazardous materials and accidents.

The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

The Project would comply with any applicable federal, state, and local regulation and law regarding the use of resources during both construction and operations. As established in **Section 4.15, Utilities and Service Systems**, development of the Project would not significantly impact water, electricity, solid waste, and telecommunications resources. It was found that the Fontana Water Company (FWC), the water supplier for the City and Project site, has adequate supplies to serve the Project's expanded demand. Further, development of the Project would include the use of energy-efficient vehicles and equipment in accordance with the most recent Federal, State, and local regulations. Therefore, resources used for the Project, including energy, would be done in an efficient, justifiable manner.

6.2 Growth-Inducing Impacts of the Proposed Action

State CEQA Guidelines § 15126.2(e) requires that EIRs include a discussion of ways in which a project could induce growth. The State CEQA Guidelines identify a project as "growth-inducing" if it fosters economic or population growth or if it encourages 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. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. The proposed Project would therefore have a growth-inducing impact if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing;
- Remove obstacles to population growth;
- Require the construction of new or expanded facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

A project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, the potential for growth inducement is not considered necessarily detrimental nor necessarily beneficial, and neither is it automatically considered to be of little significance to the environment. This issue is presented to provide additional information on ways in which the proposed Project could contribute to significant changes in the environment, beyond the direct consequences of implementing the proposed Project examined in the preceding sections of this Draft EIR.

Direct Growth-Inducing Impacts in the Surrounding Environment

Potential growth-inducing effects are examined through analysis of the following questions:

Would the project directly or indirectly foster economic or population growth, or the construction of additional housing? No

Population and Employment

The California Department of Finance (DOF) estimated that the City's population reached 213,000 people in January of 2020. This was a 16,931-person increase from 2010, when the City had an estimated population of 196,069 people. The average rate of population change over the 10 years would therefore be a population growth of approximately 0.9 percent of the population annually. The average household size in Fontana was also established to be 4.04 persons per household.[1]

The California Employment Development Department (EDD) provided an annual average unemployment rate of 3.6 percent for the City in 2019. This translated to an average of 3,500 people unemployed in 2019.[2] This is their most recent annual average. This rate increased to 10.1 percent by September 2020 with an unemployed population of 9,900.[3] This current rate is their most recent estimate. This growth in unemployment can be attributed to unprecedented economic conditions associated with the global pandemic caused by the COVID-19 virus (Coronavirus).

The Southern California Association of Governments (SCAG) produced an employment density report that contained average employee generation rates for various land uses within its member counties. The report estimated that for warehousing uses, one employee is generated for every 2,111 square feet of building space.[4] The Project's 705,735-square foot building space would generate approximately 334 new employees. These employees would comprise approximately 9.5 percent of the average unemployed population in the City, and approximately 3.4 percent of the current unemployed population. Either case would not directly necessitate economic growth since the City's unemployed population would be suitable to meet the employment needs of the Project.

Assuming that each new employee would enter the City along with a new household, each employee would count as a 4.04-person household and would comprise a total population increase of approximately 1,349 persons. The City would experience a population growth. However, this growth would be approximately 0.6 percent of the City's estimated population in 2020 and below the average rate of population growth experienced by the City. Therefore, although the Project could foster population growth, the projected population growth would not exceed average rates of growth already experienced by the City.

Housing

The DOF estimates that the City contains 55,093 housing units in 2020, of which 52,592 are occupied. Assuming one housing unit per household induced by the Project, a total of approximately 334 housing units would be required to house the Project's potential employees. The 2,501 vacant housing units would be able to adequately serve the households and residents generated by the Project. Therefore, this would not necessitate growth within the City. Senate Bill 330 (SB 330) requires that cities maintain

[1] California Department of Finance. (2020). *Table 2:E-5 City/County Population and Housing Estimates, 1/1/2020.* Sacramento, CA: Department of Finance

[2] Employment Development Department. (2020). *Monthly Labor Force Data for Cities and Census Designated Places (CDP): Annual Average 2019 - Revised*. Sacramento, CA: Employment Development Department

[3] Employment Development Department. (2020). *Monthly Labor Force Data for Cities and Census Designated Places (CDP): September 2020 - Preliminary*. Sacramento, CA: Employment Development Department

[4] Southern California Association of Governments. (2001). Employment Density Study Summary Report. Page 4. Yorba Linda, CA: The Natelson Company, Inc.

no net loss policy for their housing in which housing potential in the City may not be reduced, only maintained or increased. The Project site does not contain housing, and is zoned for industrial uses.

Would the project remove obstacles to population growth? No

The Project site currently consists of vacant undeveloped parcels, which were previously improved with residential and industrial structures that have since been demolished (see **Section 3.0, Project Description** for more information). The demolition of these structures did not induce population growth since they will be replaced with the proposed warehouse facilities. Additionally, the zoning and General Plan designation for the Project site is General Industrial and Light Industrial and would not allow for residential development without a Zone Change or General Plan Amendment to a residential designation. The Project would be an allowed and expected use within these land use zones and would therefore not create or remove an obstacle for growth.

The proposed Project's development is localized to the Project site. The construction of the new infrastructure would not amend the Land Use or increase density on the parcels adjacent or north of the Project site. The development of the proposed Project would involve the expansion and updating of utility facilities such as electricity and water connections. The Project would also involve the improvement of existing roadways including Slover Avenue and Juniper Avenue. These improvements would serve the existing residences and businesses in the City and improve services to these facilities and City connectivity. Roadway improvements included in the Project are discussed in **Section 4.13, Transportation and Traffic,** and analyzed in the Traffic Impact Analysis (TIA) (see Appendix L). Substantial upgrades to the roadway system outside of the general Project area, which would promote further development are not included as components of the Project.

Would the project require the construction of new or expanded facilities that could cause significant environmental effects? No

The Project site was previously disturbed and developed with commercial, industrial, and legal nonconforming residential uses, which have since been demolished. These uses required utility and infrastructure improvements in order to function. The Project would include infrastructure improvements and connections to existing facilities to allow for the efficient use of resources such as natural gas, electricity, and water. Improvements to the Project adjacent streets would also include underground dry utility facilities (e.g., cable, electric, telephone, natural gas, television and fiber optics) along the Project's frontage streets: Slover Avenue, Juniper Avenue and Cypress Avenue. The environmental impacts associated with the facility improvements associated with the proposed Project have been analyzed in **Section 4.1, Aesthetics** through **Section 4.16, Wildfire Hazards** of this EIR. In the presence of potentially significant impacts which were not minimized by the Project design features, mitigation measures have been proposed which, when implemented, would reduce potential impacts stemming from the proposed Project's development to less than significant levels, with the exception of impacts associated with air quality, greenhouse gas emissions, and traffic, which would remain significant and unavoidable. Further, the proposed Project would not require the expansion of utility facilities such as water treatment plants or landfills. Adequate capacity was concluded for each of those facilities.

Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Refer to **Section 4.1, Aesthetics** through **Section 4.16, Wildfire Hazards** of this EIR. No cumulative impacts were discovered during the analysis of the Project. The design features and objectives of the Project were concluded as having the potential to create significant unavoidable impacts to air quality, greenhouse gas, and, transportation and traffic analyses. Mitigation is proposed in each case to minimize the potential of these impacts. However, through the nature of development some impacts cannot be avoided.

7.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

7.1 Introduction

During the evaluation of the Fontana Sierra Business Project (Project) evaluation, certain environmental impact areas were found to have "no impact" or a "less than significant" impact because of the absence of project characteristics producing the effects which are the subject of inquiry. This section briefly describes effects found to have no impact or a less than significant impact based on the analysis conducted during the Draft Environmental Impact Report (Draft EIR) preparation process. Several issues indicated as having no impact or less than significant impact have been identified and addressed in **Sections 4.1, Aesthetics** through **4.16, Wildfire Hazards** of this Draft EIR as a matter of clarification or convenience for the reader.

7.2 Agriculture and Forestry Resources

Impact 7.2-1 ***Would the Project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***

Level of Significance: No Impact

Construction and Operations

Prime farmland, is land that has the best combination of physical and chemical attributes that is conducive to sustained agricultural uses and production of the nation's short and long term needs for food and fiber. Prime farmland is limited and therefore requires conservation when able. Unique farmland is classified as any farmland other than prime farmland that is used to generate high-value food and fiber crops, such as citrus, tree nuts, olives, cranberries, and other fruits and vegetables. Like prime farmland, unique farmland contains an adequate combination of physical and chemical attributes that is conducive to the growth of those high-value crops. Farmland of statewide importance is delineated by individual states and includes land that may not meet the standards of prime or unique farmland but is still able to be an area of significant production for a state.[1]

The City of Fontana's (City's) land use map shows that there are no zones which allow agricultural uses within or nearby the Project site. The Project would occupy a portion of the City which has been classified for General Industrial and Light Industrial Land Use and zoning. The Project, being a warehousing development with some office uses, would be consistent with the goals and standards intended for these zones. The Project site also contains existing uses in the form of commercial, industrial, and legal nonconforming residential developments, which have since been demolished. None of the previously existing uses were agricultural and their removal did not reduce the City's agricultural activity or potential. The California Department classifies the Project site as urban built up land and does not classify it for

[1] United States Department of Agriculture. (2020). *Prime & Other Important Farmlands Definitions.* Retrieved from: https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/pr/soils/?cid=nrcs141p2_037285

agricultural use.[2] Due to the lack of agricultural uses and land classifications, the Project would not impact prime farmland, unique farmland, or farmland of statewide importance. No impact would occur.

Impact 7.2-2 ***Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

Level of Significance: No Impact

Construction and Operations

See response to Impact 7.2-1 above. The Project site contains General Industrial and Light industrial land use designations. Further, the California Department of Conservation lists the area as urban built up land which would preclude it from being agriculturally active. No impact would occur.

Impact 7.2-3 ***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))?***

Level of Significance: No Impact

Construction and Operations

See response to Impact 7.2-1 above. The Project site contains General Industrial and Light industrial land use designations. Further, the California Department of Conservation lists the area as urban built up land which would preclude it from being agriculturally active. No impact would occur.

Impact 7.2-4 ***Would the Project result in the loss of forest land or conversion of forest land to non-forest use?***

Level of Significance: No Impact

Construction and Operations

See response to Impact 7.2-1 above. The Project would be located within previously developed land in an urbanized portion of the City. Previous onsite uses included commercial, industrial, and legal nonconforming residential developments; however, all onsite uses have since been demolished. Because this area of the City is developed, it is not conducive to forest land or forestry activities. Further, the City has zoned the area for General Industrial and Light industrial use which would be consistent with the proposed developments associated with the Project. The Project's location in a previously developed, urbanized area would lead to no impacts on forest land. Therefore, no impact would occur.

7.3 Mineral Resources

Impact 7.3-1 ***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?***

Level of Significance: No Impact

[2] California Department of Conservation. (2020). *California Important Farmland Finder*. Retrieved from: https://maps.conservation.ca.gov/DLRP/CIFF/

Construction and Operations

The Project site is categorized as a Mineral Resource (MR) Zone-3, known as having an undetermined significance for mineral deposits[3]. As previously stated, the Project site would be within an area of the City which is currently disturbed and developed. None of the existing uses, all of which have since been demolished, included those that focus on mineral refinement or mining. No mineral resources have been identified in or around the Project site. No impact to mineral resources would occur.

Impact 7.3-2 ***Would the Project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

Level of Significance: No Impact.

Construction and Operations

See response to Impact 7.3-1 above. The Project would be located in a previously urbanized and developed portion of the City. The previous uses at the Project site did not include mining activities or mineral processing. Further, no active mining sites exist within the City according to the California Department of Conservation.[4] Therefore, the Project would not interfere with any existing or potential mining activities. No impact would occur.

7.4 Population and Housing

Impact 7.4-1 ***Would the Project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?***

Level of Significance: No Impact.

Construction and Operations

Refer to **Section 6.0, Additional CEQA Considerations** for an expanded discussion of potential population and economic growth stimulated by the development of the Project. It was concluded that the Project could stimulate population growth through the need for employees during both the construction and operations phase. However, the growth anticipated by the Project would still be within the average growth rate of the City and would therefore not create an unplanned growth in population. Because the Project would not cause population growth that exceeds the expected or current rate, a less than significant impact is anticipated, and no mitigation would be necessary.

Impact 7.4-2 ***Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?***

Level of Significance: No Impact.

[3] County of San Bernardino. 2019. *Draft Environmental Impact Report San Bernardino Countywide Plan, Chapter 5 – Mineral Resources.* Retrieved from: http://countywideplan.com/wp-content/uploads/2019/06/Ch_05-11-MIN.pdf.

[4] California Department of Conservation. (2020). *Mines Online*. Retrieved from: https://maps.conservation.ca.gov/mol/index.html

Construction and Operations

The Project does not propose any residential development within the Project area. Previous uses within the site included commercial, industrial, and legal nonconforming residential uses. However, those on-site uses were previously demolished. As such, no impacts would occur.

8.0 AGENCY CONTACTS AND PREPARERS

8.1 Lead Agency

City of Fontana

- Orlando Hernandez, Planning Manager
- Paul Gonzales, Senior Planner

8.2 Environmental Document Preparers

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- Kevin Thomas, Project Director
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- Leo Espelet, Traffic
- Achilles Malisos, Air Quality, Greenhouse Gas Emissions
- Alex Pohlman, Air Quality, Noise, Greenhouse Gas Emissions
- Amanda McCallum, Document Production

8.3 Technical Study Preparation

Biological Resources

- Jericho Systems, Inc.

Cultural Resources

- BCR Consulting, LLC

Hydrology and Water Quality

- Thienes Engineering, Inc.

Geology and Soils

- Geotechnical Professionals, Inc.

Phase I Environmental Site Assessments / Phase II Environmental Investigations

- Avocet Environmental, Inc.

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