

**SAN BERNARDINO COUNTY  
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
ENVIRONMENTAL CHECKLIST FORM**

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to County Guidelines under Ordinance 3040 and Section 15063 of the State CEQA Guidelines.

**PROJECT LABEL:**

<b>APNs:</b>	0230-031-20 and 21	<b>USGS Quad:</b>	Fontana
<b>Applicant:</b>	Mco Development	<b>T, R, Section:</b>	T01S, R06W, Section 10
<b>Location</b>	Approximately 600 feet south of Foothill Blvd., on the west side of Banana Avenue, in the Fontana area of San Bernardino County and subdivisions in the City of Fontana abutting the site to the north and extending to Foothill Blvd.	<b>Thomas Bros</b>	
<b>Project No:</b>	PROJ-2020-00230	<b>Community Plan:</b>	Fontana
<b>Rep</b>	Jessica Thelwell	<b>LUZD:</b>	RM RM-10M (Single Residential, 10,000 sq. ft. minimum lot size)
<b>Proposal:</b>	A Tentative Tract Map No. 20016 and a Conditional Use Permit to develop a 112 unit multiple family condominium project on approximately 6.7 acres within the RM (Multiple Residential) Zone.	<b>Overlays:</b>	Burrowing Owl

**PROJECT CONTACT INFORMATION:**

**Lead agency:** County of San Bernardino  
Land Use Services Department  
385 N. Arrowhead Avenue, 1<sup>st</sup> Floor  
San Bernardino, CA 92415-0182

**Contact person:** Jim Morrissey, Contract Planner  
**Phone No:** (909) 387-4234    **Fax No:** (909) 387-3223  
**E-mail:** [Jim.Morrissey@lus.sbcounty.gov](mailto:Jim.Morrissey@lus.sbcounty.gov)

**PROJECT DESCRIPTION:**

**Summary**

The proposed Project is a 112-unit multiple family residential condominium on approximately 6.7 acres, approximately 600 feet south of Foothill Boulevard, on the west side of Banana Avenue, in the unincorporated area of San Bernardino County. The proposed Project includes a Tentative Tract Map No. 20016 and Conditional Use Permit to provide for the individual ownership pattern requested and overall design of the Project. The proposal is adjacent to several subdivisions within the City of Fontana proposed by the same developer for additional multiple family condominiums that will ultimately allow the development to operate as a single Project.

Primary access to the property is from Banana Avenue, with secondary access ultimately provided to Foothill Boulevard as part of Tentative Tract Map No. 20382, which is in process with the City of Fontana, as a 71-unit townhouse proposal. Access along Banana Avenue will consist of two separate gated entries. A third subdivision, Tentative Tract Map No. 20397, which is a 23-unit condominium project as in the City of Fontana, will obtain vehicular access from Tentative Tract Map 20016 in the unincorporated area.

### ***Surrounding Land Uses and Setting***

The unincorporated Project site is located within an area that includes primarily single family development along Banana Avenue, in addition to a variety of vacant, commercial, and mobile home park properties. Property immediately to the west includes detached single family homes and a mobile home park. To the north are vacant land and single family homes. Commercial use and a fire station are located along Foothill Boulevard. That portion in the City of Fontana also adjoins the same mobile home park to the west and vacant land to the east. The unincorporated Project site occurs within the Fontana area of the County of San Bernardino and has a current Policy Plan Land Use designation of RM (Multiple Residential) and consistent zoning of RM (Multiple Residential). Most of the properties to the west and all of the properties to the north and those encompassing two adjoining subdivisions are in the City Fontana, with a Land Use Designation of WMXU-1 (Walkable Mixed Use Corridor & Downtown). Parcels to the south are General Planned by the City as R-SF (Single Family Residential, 2.1-5 du/ac) and WMXU-1. The City of Fontana has zoned these properties consistent with the General Plan Land Use Designations; FBC (Walkable Mixed-Use Urban Village) and R-1 (Single Residential). Information provided by the City of Fontana identifies most of the land to the west and north as within the Route 66 Gateway area.

The subject property is relatively flat, but slopes gradually to the south in a uniform manner. The property has some mature trees, but any native grasses have been removed.



**Figure 1 Regional Location**

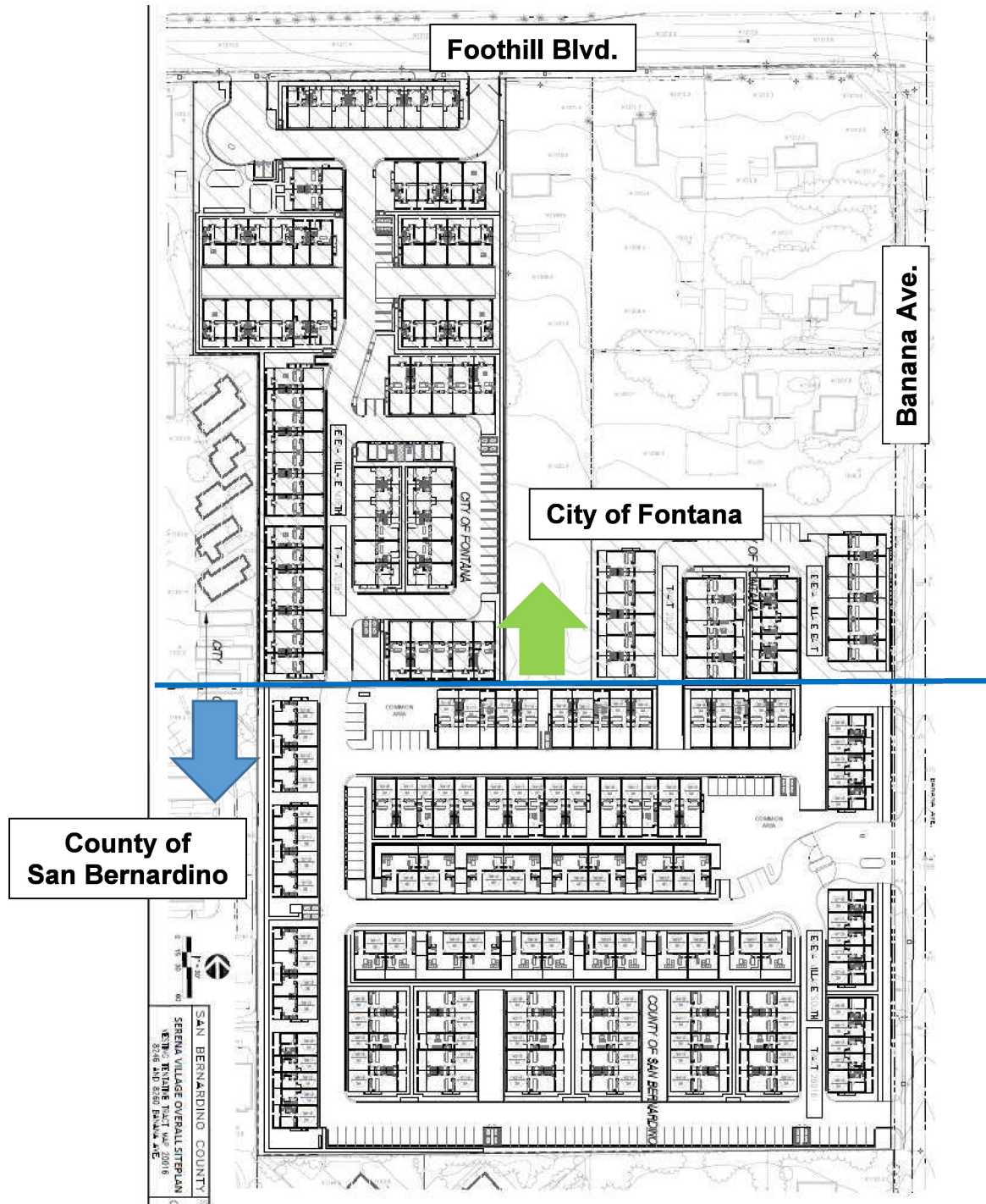


**Figure 2 Vicinity Map**

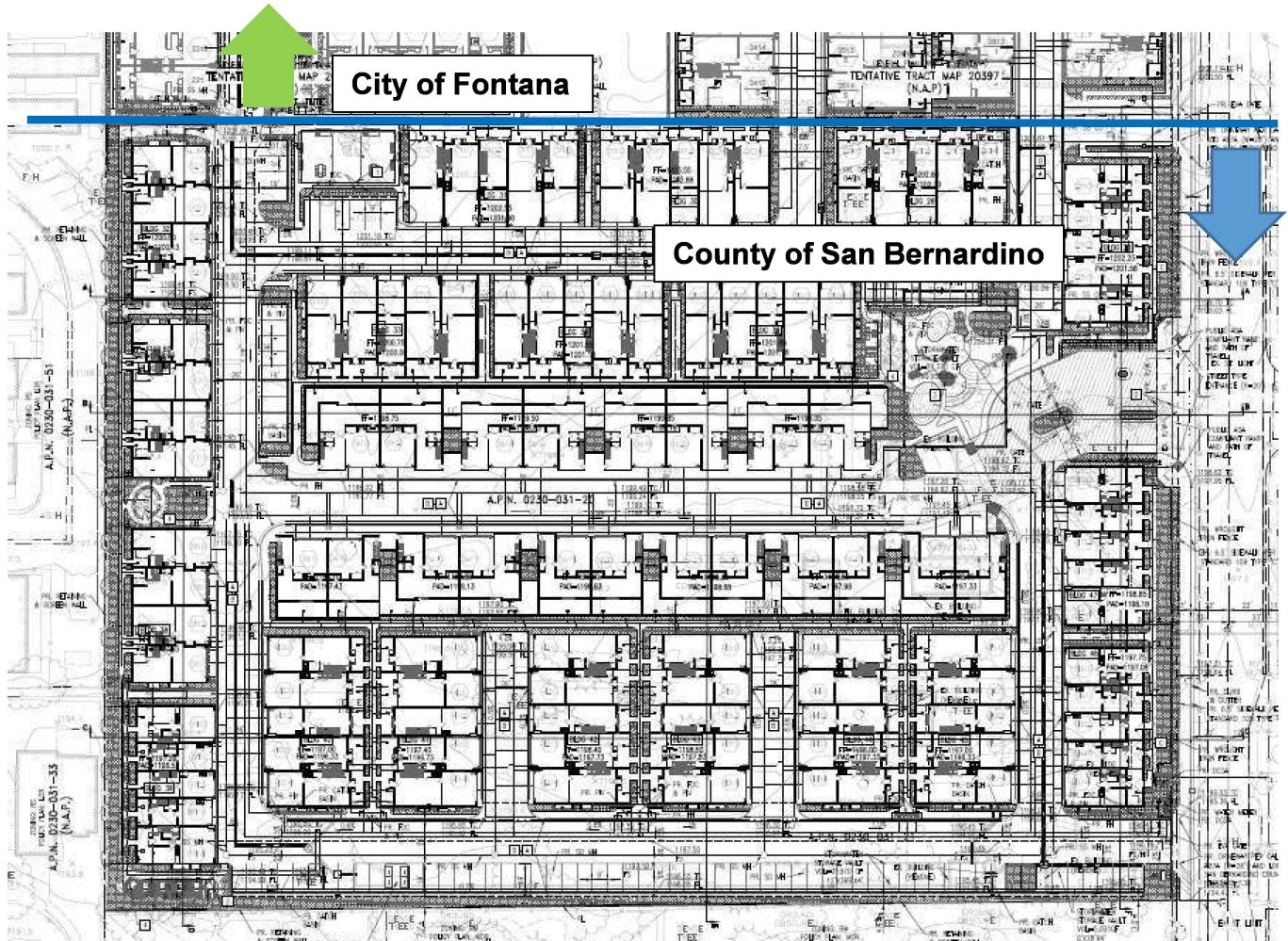




**Figure 3a – Overall Site Plan**  
**County of San Bernardino and City of Fontana**



**Figure 3b – Site Plan (Unincorporated Portion)**



### **Project Site Location, Existing Site Land Uses and Conditions**

The unincorporated Project site is located in the Fontana area of San Bernardino County and adjacent to the Fontana City Limits to the north and west. The San Bernardino Countwide Policy Plan designates the property MDR (Medium Density Residential and is zoned RM (Multiple Residential).

The subject property is within the City of Fontana Sphere of Influence and has two separate City General Plan Land Use designations of Walkable Mixed Use Corridor & Downtown and R-SF (Single Family Residential, 2.1-5 du/ac) is Zoned FBC (Walkable Mixed-Use Urban Village) and RS (Single Family), respectively. Access to the site is available from Banana Avenue, which is a pave two lane roadway. Access to the subdivisions to the north in the City of Fontana would be provided by Foothill Boulevard. The Project Site is relatively flat and generally slopes to the south.

The unincorporated Project property consists of two parcels with several structures, one of which is vacant. The parcels immediately surrounding the property include a combination of vacant land and various types of residential uses. Primary and secondary vehicle access is proposed from Banana Avenue.

### **ADDITIONAL APPROVAL REQUIRED BY OTHER PUBLIC AGENCIES**

**Federal:** None

**State:** None

**County of San Bernardino:** Land Use Services Department-Building and Safety, Public Health-Environmental Health Services, and Public Works.

**Regional:** None

**CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES**

On April 29, 2021, the County of San Bernardino mailed notifications pursuant to SB 18 to five tribes. Table 1 – *AB 52 Consultation*, shows a summary of comments and responses provided for the Project.

**Table 1  
 AB 52 Consultation**

<b>Tribe</b>	<b>Comment Received</b>	<b>Summary of Response</b>	<b>Conclusion</b>
Soboba Band of Mission Indians	None	None	
Gabrieleno Band of Mission Indians - Kizh Nation,	None	None	
San Gabriel Band of Mission Indians	None	None	
Morongo Band of Mission Indians	None	None	
San Manuel Band of Mission Indians	None	Indicated they have no concerns. Requested inclusion of measures should any resources be found.	
Twenty-Nine Palms Band of Mission Indians	None	None	

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

## **EVALUATION FORMAT**

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the State CEQA Guidelines (California Code of Regulations Section 15000, et seq.). Specifically, the preparation of an Initial Study is guided by Section 15063 of the State CEQA Guidelines. This format of the study is presented as follows. The project is evaluated based on its effect on 20 major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less than Significant	No Impact
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Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. **No Impact:** No impacts are identified or anticipated, and no mitigation measures are required.
2. **Less than Significant Impact:** No significant adverse impacts are identified or anticipated, and no mitigation measures are required.
3. **Less than Significant Impact with Mitigation Incorporated:** Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List of mitigation measures)
4. **Potentially Significant Impact:** Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are (List of the impacts requiring analysis within the EIR).

At the end of the analysis, the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.



**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

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

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> <u>Aesthetics</u>                | <input type="checkbox"/> <u>Agriculture and Forestry Resources</u> | <input type="checkbox"/> <u>Air Quality</u>                        |
| <input type="checkbox"/> <u>Biological Resources</u>      | <input type="checkbox"/> <u>Cultural Resources</u>                 | <input type="checkbox"/> <u>Energy</u>                             |
| <input type="checkbox"/> <u>Geology/Soils</u>             | <input type="checkbox"/> <u>Greenhouse Gas Emissions</u>           | <input type="checkbox"/> <u>Hazards &amp; Hazardous Materials</u>  |
| <input type="checkbox"/> <u>Hydrology/Water Quality</u>   | <input type="checkbox"/> <u>Land Use/Planning</u>                  | <input type="checkbox"/> <u>Mineral Resources</u>                  |
| <input type="checkbox"/> <u>Noise</u>                     | <input type="checkbox"/> <u>Population/Housing</u>                 | <input type="checkbox"/> <u>Public Services</u>                    |
| <input type="checkbox"/> <u>Recreation</u>                | <input type="checkbox"/> <u>Transportation</u>                     | <input type="checkbox"/> <u>Tribal Cultural Resources</u>          |
| <input type="checkbox"/> <u>Utilities/Service Systems</u> | <input type="checkbox"/> <u>Wildfire</u>                           | <input type="checkbox"/> <u>Mandatory Findings of Significance</u> |

**DETERMINATION:** Based on this initial evaluation, the following finding is made:

<input type="checkbox"/>	The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION shall be prepared.
<input checked="" type="checkbox"/>	Although the proposed project could have a significant effect on the environment, there shall not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION shall be prepared.
<input type="checkbox"/>	The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

James Morrissey  
 Signature: (Jim Morrissey, Contract Planner)

2/11/22  
 Date

\_\_\_\_\_  
 Signature: (Chris Warrick, Supervising Planner)

\_\_\_\_\_  
 Date



Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>I. AESTHETICS</b> – Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** (Check  if project is located within the view-shed of any Scenic Route listed in the General Plan):  
**San Bernardino General Plan, 2020; The City of Fontana, Fontana Forward, Draft Environmental Impact Report (Draft EIR) for General Plan Update 2015-2035; Submitted Project Materials.**

- a) *Have a substantial adverse effect on a scenic vista?*  
**Less Than Significant Impact**

The unincorporated Project site consists of two parcels on the westerly side of Banana Avenue. The surrounding area is urbanized, with single family residential and mobile home development to the east, west, and south. A mixture of commercial, residential, and governmental uses exist along the south side of Foothill Boulevard, just to the north of the property. Similar units exist near the adjoining subdivisions in the City of Fontana. The San Bernardino Countywide Plan (General Plan) Policy NR-4.1 identifies scenic vistas and natural features as prominent hillsides, ridgelines, dominant landforms, and reservoirs, which do not exist within the Project area. The San Gabriel Mountains exist to the north with views of the urban valley below, including the Project site, but no unique features exist within the immediate vicinity of the Project site.

The City of Fontana, Fontana Forward, Draft Environmental Impact Report (Draft EIR) for General Plan Update 2015-2035, dated June 8, 2018, noted the following with respect to potential visual impact of new development:

“Infill, redevelopment, and new construction as described above would alter the visual character in areas in which that development would occur. However, the Land Use, Zoning, and Urban Design Element provides specific strategies and recommendations to ensure that urban design applied to new and existing development would be visually appealing and compatible with existing development, and would enhance connectivity throughout the City. While the visual character could change substantially with implementation of the General Plan Update (e.g., infill development where no structures currently exist; new mixed-use development on underutilized land), such changes are more likely to be considered a beneficial aesthetic impact and an improvement to the views within the Project area, rather than an adverse impact.” (p. 5.1-11 and 12)

The proposed development is located within the unincorporated area of the County, but portions of the adjoining development in the City of Fontana to the north represent a continuation of the Project. It is being designed as a single ownership with vehicular access through both the City and County. The proposed design features are consistent with the requirements of the City of Fontana. As such, the proposed Project would not represent a significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- b) *Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?*  
**Less Than Significant Impact**

Figure 5.1-1 County Designated Scenic Routes, as contained in the Countywide Plan, does not display any scenic routes within the area. A review of the Caltrans web site <https://dot.ca.gov/-/media/dot-media/programs/design/documents/od-county-scenic-hwys-2015-a11y.pdf> for designated scenic highways found no designated highways in the area. In addition, the City of Fontana does not identify any scenic highways in the area, as noted in the Draft EIR. (p. 5.1-7)  
<https://www.fontana.org/DocumentCenter/View/29524/Draft-Environmental-Impact-Report-for-the-General-Plan-Update>

However, the City’s General Plan does have goals, policies and actions relative to trees and historic buildings. The policies and actions include maintaining the City’s urban forest and expanding the City’s tree canopy. None of these features would be affected by the proposed Project. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a 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?*  
**No Impact**

The Project site occurs within an urbanized area and the proposed Project is a request to develop a multiple family condominium development within the unincorporated area that includes adjoining portions in the City of Fontana. The proposed Project would be consistent with the development criteria of both the City of Fontana and County of San Bernardino.

As noted previously, the proposed use would be consistent with the City of Fontana development requirements and would not adversely affect scenic quality. No scenic features or concerns based upon an evaluation of the County of San Bernardino Countywide Policy Plan requirements and related environmental documents. As such, no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Create a new source of substantial light or glare, which will adversely affect day or nighttime views in the area?*

**Less Than Significant Impact**

The proposed Project would include 112-unit multiple family condominium, two-story in height. Exterior areas around the property would be illuminated for accessibility and security. While this would create a new source of lighting for the property, the County Development Code requires that illumination within the Valley portion of the County, not extend beyond the property line, so as to minimize its dispersal onto adjoining properties, as referenced in the following section:

Section 83.07.050 Valley Requirements.

Direct or indirect light from any light fixture shall not cause glare above five-tenths foot-candles when measured at the property line of a residential land use zoning district, residential parcel, or public right-of-way. Light levels shall be measured with a light meter, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination (CIE).

That portion of the overall development within the City of Fontana would also be required to meet existing development standards adopted in the City. Utilization of this standard requirement as a condition of approval would reduce potential impacts to less than significant and no mitigation measures are required.

**No significant adverse impacts are identified or anticipated, and no mitigation measures are required,**

	<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>II.</b>	<b>AGRICULTURE AND FORESTRY RESOURCES</b> - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts				

on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**SUBSTANTIATION:** (Check  if project is located in the Important Farmlands Overlay):

**San Bernardino Countywide Plan, 2020; California Department of Conservation Farmland Mapping and Monitoring Program;**

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*  
**No Impact**

The California Department of Conservation's Farmland Mapping and Monitoring Program, San Bernardino County Important Farmland 201, Sheet 2 of 2, identifies the Project Site as "Urban and Built-Up Land". "Urban and Built-Up Land" is defined as land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Common examples include residential,

industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures. No prime farmland, unique farmland, or farmland of statewide importance occurs in or around the proposed Project area, based upon a review of the above listed Farmland mapping sheet. As such, the proposed Project would not convert farmland to a non-agricultural use. No impacts are identified or are anticipated, and no mitigation measures are required.

- b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*  
**No Impact**

According to San Bernardino County's Interactive Agricultural Resources Map NR-5, the Project site is not under or adjacent to any lands under a Williamson Act Contract. The proposed Project would be consistent with the Countywide Policy Plan and City of Fontana General Plan and would not conflict with existing zoning for agricultural uses or lands under a Williamson Act Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*  
**No Impact**

The subject property is within an area designated for multiple family development and that is currently improved with a variety of residential, commercial, and governmental uses. Implementation of the proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned for Timberland Production. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*  
**No Impact**

Forest land is defined as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The subject property is currently mostly vacant and located within an area planned for residential development and surrounded by substantial residential development. Implementation of the proposed Project would not result in loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

- e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*  
**No Impact**

The subject Project is proposed to develop a 112-unit multiple family residential condominium development and links to similar development within the adjoining City of Fontana with several subdivisions proposed for 94-units. Detached single family development exists to the south and east, and a mobile home park to the west. Implementation of the proposed Project would not result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impacts are identified or are anticipated, and no mitigation measures are required.

**No adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>III. AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management district or air pollution control district might be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** *(Discuss conformity with the Mojave Desert Air Quality Management Plan, if applicable):*

**San Bernardino Countywide Plan, 2020; Air Quality and Greenhouse Gas Emissions Impact Analysis (CalEEMod); Submitted Project Materials**

- a) *Conflict with or obstruct implementation of the applicable air quality plan?*  
**Less Than Significant Impact**

The subject property is located within the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (2016

AQMP) was adopted by the SCAQMD on March 3, 2017. The 2016 AQMP incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2016 Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

A project is inconsistent with the AQMP if: (1) it does not conform with the local general plan; or (2) it uses a disproportionately large portion of the forecast growth increment. If a project proves to be inconsistent with the AQMP, project proponent can prepare a general plan amendment (GPA). The County of San Bernardino currently designates the Project Site as Medium Density Residential and that portion in the City of Fontana is designated WMXU-1 (Walkable Mixed Use Corridor & Downtown). The proposed use is consistent with these land use designations.

An evaluation of potential air quality impacts related to the buildout of the entire Project, both the applicant's portion in the unincorporated area, as well as that portion in the adjoining City of Fontana. Table 2 and Table 3 illustrate operational emissions associated with the current General Plan/Zoning designations and the proposed Project. Construction emissions were modeled, although their impacts would be short-term in nature, and measures consistent with existing requirements would be imposed to minimize such impacts. As shown, operational impacts resulting from the proposed Project would not exceed SCAQMD thresholds. Consequently, the proposed Project would not result in a conflict or obstruction to the implementation of the AQMP. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.



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

**Less Than Significant Impact**

The proposed Project would allow the development of multiple family development. Construction and operational emissions were screened using California Emissions Estimator Model (CalEEMod) version 2016.3.2. The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive/volatile organic gases (ROG), nitrous oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). Two of the analyzed pollutants, ROG and NOx, are ozone precursors. Both summer and winter season emission levels were estimated.

The Project Site occurs in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (2016 AQMP) incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) from the 2016 Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

Construction Emissions

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: Site preparation, grading (fine and mass grading), building construction, paving, and architectural coating. The resulting emissions generated by construction of the proposed Project are shown in Table 2. The Modeling prepared for the proposed Project separately analyzed each of the three subdivisions, the larger of which is in the unincorporated area, except for any demolition and grading. Demolition and grading were assumed to occur for the entire site incorporating three subdivisions. In addition, it was assumed the northerly portion of the proposed Project, in the City of Fontana, would occur first. As such, the grading for the entire site was incorporated into that analysis separate from the other two locations. Based upon this separation of activities the estimated maximum construction related emissions would occur in the subdivision located within the unincorporated area. As such, those factors are listed in Table 2. Table 3 has localized emission calculations that were also analyzed for each subdivision. The maximum emissions levels are identified and drawn from both Serena Village North (unincorporated area) and East (City of Fontana). The maximum emission levels for the most missions in a phase do not include that portion involving demolition and grading.



**Table 2**  
**Construction Emissions – Maximum Phase/Activity**  
**(Pounds per Day)**

Source/Phase	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	N/A	N/A	N/A	N/A	N/A	N/A
Grading	N/A	N/A	N/A	N/A	N/A	N/A
Building Construction, Paving, and Architectural Coatings	45.05	31.42	40.99	0.08	3.93	1.99
SCAQMD Threshold	75	100	550	150	150	55
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2016.3.2

**Table 3**  
**Construction Related Local Criteria Pollutant Emissions**  
**(Pounds per Day)**

Source/Phase	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	31.44	21.57	2.14	1.53
Grading	38.84	29.04	10.31	5.10
Building Construction, Paving, and Architectural Coatings.	27.66	32.76	1.39	1.30
SCAQMD Threshold	170	972	7	4
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2016.3.2

Operational Emissions

The operational mobile source emissions were also calculated using the same CalEEMod program that evaluated construction emissions. Emissions associated with the proposed Project's estimated total daily trips were modeled and are listed in Table 4, which represent operational emissions.

**Table 4**  
**Operational Emissions Summary**  
**(Pounds per Day)**

Source	VOC	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	9.72	3.28	18.23	0.02	0.35	0.35
Energy	0.09	0.81	0.35	0.00	0.07	0.07
Mobile	2.95	17.48	35.55	0.15	11.08	3.03
<b>Totals (lbs./day)</b>	<b>12.77</b>	<b>21.56</b>	<b>54.22</b>	<b>0.17</b>	<b>11.48</b>	<b>3.43</b>
SCAQMD Threshold	55	55	550	150	150	55
<b>Significance</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2016.3.2 Emissions.

Compliance with SCAQMD Rules 402 and 403

Although the Proposed Project does not exceed SCAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the SCAB is in non-attainment status for ozone and suspended particulates (PM<sub>10</sub> and PM<sub>2.5</sub>).

The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:

1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.
  - (a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (2x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.
  - (b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.
  - (c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.
  - (d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NOX and PM10 levels in the area. Although the proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following conditions as required by SCAQMD:

2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel.
3. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site power generation during construction.
4. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
5. All buildings on the Project Site shall conform to energy use guidelines in Title 24 of the California Administrative Code.
6. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.

7. The operator shall comply with all existing and future California Air Resources Board (CARB) and SCAQMD regulations related to diesel-fueled trucks, which may include among others: (1) meeting more stringent emission standards; (2) retrofitting existing engines with particulate traps; (3) use of low sulfur fuel; and (4) use of alternative fuels or equipment.

As displayed above, construction and operational emissions are below SCAQMD thresholds. The proposed Project does not exceed applicable SCAQMD regional thresholds during either construction or operational activities. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) *Expose sensitive receptors to substantial pollutant concentrations?*  
**Less Than Significant Impact**

The Project operational-sourced emissions would not exceed applicable regional thresholds of significance established by the SCAQMD. Additionally, project-related trips will not cause or result in CO concentrations exceeding applicable state and/or federal standards (CO "hotspots). Project operational-source emissions would, therefore, not adversely affect sensitive receptors within the vicinity of the project. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- d) *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*  
**Less Than Significant Impact**

The proposed Project would allow the operation of multiple family condominium development, with a paved parking areas, outdoor activity areas, landscaping, and fencing. Potential odor sources associated with the proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities. Standard construction requirements would minimize odor impacts resulting from construction activity. Any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. In addition, the Project would continue to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed Project would be less than significant. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

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

**SUBSTANTIATION:** (Check if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database ):

**Glen Helen Specific Plan; San Bernardino County Biotic Resource Overlay; Submitted Project Materials; Biological Resources Assessment; Site Visit**

- a) *Have substantial adverse effects, 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 Impact with Mitigation Incorporated**

A *Biological Due Diligence Investigation*, prepared by ELMT Consulting, June 9, 2021, evaluated both portions of the Project area in the unincorporated area of the County and the City of Fontana. The Project biologist undertook a site visit on June 3, 2021, and found no native plant communities or natural communities of special concern. The report noted the “project site consisted of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances and existing development.” It also noted the “majority of the site supports disturbed areas that are composed primarily of non-native early successional/ruderal plant species.” (p.2) The report also noted the property provides minimal foraging and cover habitat for species adapted to a high degree of anthropogenic disturbance.

No active bird nests displaying nesting behavior were observed by the Project biologist even though the site visit was conducting during nesting season. The site also contains suitable for habitat for special-status nesting birds, including the burrowing owl and California horned lark, as well as other non-special-status bird species. Nesting bird species with potential to occur within the project are protected by California Fish and Game Code Sections 3503, 3503.5, 3511, and 3513, and by the Migratory Bird Treaty Act (16 USC 703–711). These laws regulate the take, possession, or destruction of the nest or eggs of any migratory bird or bird of prey. The biological report recommended a pre-construction survey for nesting birds prior to any vegetation removal or ground disturbing activities, if construction occurs between February 1 and August 31. A mitigation measure has been recommended to reduce this potential impact to less than significant.

The report also contained information on the potential for burrowing owls. The report noted that:

“No burrowing owls or recent sign (i.e., pellets, feathers, castings, or whitewash) were observed during the field investigation. The project site is unvegetated and/or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls. However, the project site lacks suitable burrows (>4 inches in diameter) capable of providing roosting and nesting opportunities. Further, existing buildings, electrical poles bordering the site further decrease the likelihood that burrowing owls would occur on the project site as these features provide perching opportunities for larger raptor species (i.e., red-tailed hawk [*Buteo jamaicensis*]) that prey on burrowing owls. Based on the results of the field investigation, it was determined that the project site does not provide suitable habitat for burrowing owls and are presumed absent. Focused surveys are not recommended.” (p 4)

***BIO-1: Construction activities, including vegetation removal, will be conducted outside the general bird nesting season (February 1 through August 31) to avoid***

**impacts to nesting birds. If construction activities cannot be conducted outside the bird nesting season, a pre-construction nesting bird survey by a qualified biologist is required no more than three days prior to any construction activities. Should nesting birds be found on-site, an exclusionary buffer will be established by the qualified biologist. The buffer will be clearly marked in the field by construction personnel under guidance of the qualified biologist. No construction activities will be allowed within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active. A copy of the biologist's report shall be filed with the County Planning Division upon completion.**

- b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?*

**No Impact**

The Project site is not within a federally designated Critical Habitat, with the closest site being approximately 2.2 miles to the northeast. The site investigation noted the extent of prior site disturbances and that these “disturbances have eliminated, the suitability of the habitat onsite to support special-status plant species and the availability and quality of habitats needed by each species.” (p. 4) The report found all potentially occurring special-status biological resources were either presumed absent or absent based upon site observations and review of available literature research. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

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

**No Impact**

The *Biological Due Diligence Investigation* stated that no “discernable drainage courses, inundated areas, or wetlands/obligate plant species that would be considered jurisdictional by the United States Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), or CDFW were observed within the proposed project site.” (p. 3) The site investigation did not find any special-status plant species. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**No Impact**

Habitat linkages provide connections between larger habitat areas that are separated by development. Wildlife corridors provide opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. Wildlife corridors allow for the dispersal, seasonal migration, breeding,

and foraging of a variety of wildlife species. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources.

The *Biological Due Diligence Investigation* prepared for the Project area noted the site is surrounded by urban development that has eliminated connection to nearby wildlife corridors. Therefore, implementation of the proposed Project is not expected to disrupt or have any adverse effects on any migratory corridors or linkages that may occur in the general vicinity of the Project Site. No impacts are identified or anticipated, and no mitigation measures are required.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*  
**No Impact**

The *Biological Due Diligence Investigation* noted the level of site disturbance. A limited number of trees are scattered around the site, some of which would require permits if they were removed, due to their size/maturity. However, these trees are not unique in their type and are considered properly evaluated for their significance due to the completion of the previously referenced *Biological Due Diligence Investigation*. As such, the remaining trees are not subject to the County's tree preservation requirements.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?*  
**No Impact**

The Project site is not located within the planning area of an adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan as discussed in the previously referenced *Biological Resources Assessment*. No impacts are identified or are anticipated, and no mitigation measures are required.

**Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measure BIO-1 is required as a condition of project approval to reduce these impacts to a level below significant.**

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>V. CULTURAL RESOURCES - Would the project:</b>				

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) | Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Disturb any human remains, including those outside of formal cemeteries?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION:** (Check if the project is located in the Cultural  or Paleontologic  Resources overlays or cite results of cultural resource review): **San**

**San Bernardino Countywide Plan, 2020; Glen Helen Specific Plan; Archaeological Records Search**

a,b) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

**Less Than Significant Impact**

The subject area is highly disturbed and no historical and archaeological resources are anticipated on the property. The area was previously farmed, as displayed in aerial photos from 1938 and 1948 that were accessed through NETRonline, [www.historicaerials.com](http://www.historicaerials.com). However, subsequent photos from the same source in 1959 and later displayed a transition away from farming. Buildings that existed as part of the farming activities were removed and subsequent building constructed. A number of buildings currently exist, some of which are boarded up and unoccupied.

An information request was submitted to the South Central Coastal Information Center on July 6, 2021 requesting historical and archaeological information about the property. A response was received on December 21, 2021 that included the following:

*There were several improved roads within the project search radius. The Atchison Topeka and Santa Fe R.R. (Southern California Div.) and the Etiwanda Station were present south of the project area. In 1954, there was still no visible development within the project area. There was an increase in a development within the search radius which included several additional roads, many buildings, an intermittent stream, a gravel pit and a mine. The previously mentioned rail line still remained.*

The proposed Project site is adjacent to the City of Fontana City Limits. The Fontana General Plan Draft Environmental Impact Report identifies a number of historical properties within the City, generally in the downtown area, although a variety of other sites are also included, such as the former Kaiser Steel Mill. The subject area has no known significant historical or archaeological resources.

Notices were sent to six Tribes requesting comment on the proposed Project. The San Manuel Band of Mission Indians indicated they do not have any concerns about the proposed Project, but requested the following measures:



***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.***

***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.***

***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.***

Further Tribal information can be found in **Section XVIII Tribal Cultural Resources**. As such, no impacts are identified or anticipated, and no mitigation measures are recommended.

- c) *Disturb any human remains, including those outside of formal cemeteries?*  
**Less Than Significant Impact**

Construction activities, particularly placement of footings, could potentially disturb human remains interred outside of a formal cemetery. No human remains are known to exist on-site. However, the potential exists that human remains may be unearthed during earthmoving activities associated with Project construction. If human remains are discovered during construction activities, the Project Proponent would be required to comply with the applicable provisions of California Health and Safety Code § 7050.5 as well as Public Resources Code § 5097, et. seq., which requires that if the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission, who will then identify the most likely descendants to be consulted regarding treatment and/or reburial of the remains. Mandatory compliance with these provisions of California state law would ensure that impacts to human remains, if unearthed during construction activities, would be appropriately treated. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measures CR-1, CR-2, and CR-3 are required as a condition of project approval to reduce these impacts to a level below significant.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VI. ENERGY – Would the project:</b>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION: San Bernardino Countywide Plan, 2020; CalEEMod Analysis; Submitted Materials***

- a) *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**

Electricity

The proposed Project consists of a 112-unit condominium development within the unincorporated area of the County and an adjoining 94 units in the City of Fontana. This type of operation would consume electricity in a manner similar to other residential developments.

The subject property is serviced by Southern California Edison for electric power. In 2018, the Industry sector of the Southern California Edison planning area consumed 18228.339531 GWh of electricity. The proposed Project improvements would not result in a significant increase in electrical demand upon the overall system based upon the number of dwelling units proposed. Utilizing the energy use tabulation in the CalEEMod air quality estimate for 206 dwelling units, the estimated electricity demand for the proposal is 602,672 Kilowatts/year or 0.602672 GWh per year. The estimated increase in electricity demand from implementation of the Project would be insignificant when compared to the existing demand.

Natural Gas

The proposed Project and surrounding area are serviced by Southern California Gas Company. The subject property is primarily vacant. According to the California Energy Commission's Energy Report, previously referenced in County Initial Studies, the Industry Sector was responsible for 1755.124869 million Therms of natural gas consumption in the SoCalGas Planning Area in 2018. Based upon the energy use tabulation in the CalEEMod air quality estimate, the estimated natural gas demand for the proposal is 3.58214 Therms, which represents an insignificant percentage to the

overall demand in SoCalGas's service area. Therefore, implementation of the Project would not increase the Project site's natural gas demand and result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*  
**No Impact**

The proposed Project would be designed to comply with the County of San Bernardino Greenhouse Gas Emissions Reduction Plan, and the State Building Energy Efficiency Standards (Title 24). Project development would not cause inefficient, wasteful and unnecessary energy consumption, and no adverse impact would occur.

The proposed Project would not conflict with any applicable plan, policy or regulation of an agency adopted to reduce GHG emissions. The proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, no impacts are identified or anticipated, and no mitigation measures are recommended.

**Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VII. GEOLOGY AND SOILS - Would the project:</b>				

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

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map Issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:** (Check  if project is located in the Geologic Hazards Overlay District):  
**San Bernardino Countywide Plan, 2020; Glen Helen Specific Plan**

- a) *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**

The proposed Project is a 112-unit multiple family condominium development on approximately 6.7 acres and an adjoining 94 units in the City of Fontana. The Countywide Plan Map HZ-1, Earthquake Fault Zones, does not display a fault near the subject property. The closest identified fault is approximately 3.5 miles to the northwest of the subject property. According the County’s Draft Environmental Impact Report Appendices, Safety Background Figures, the closest fault is identified as the Red Hill-Etiwanda Avenue Fault. It is not noted in Appendix G, Safety Background Report, as one of the prominent active faults in the Valley Region of the County. According to Table 2-4 of the Countywide Safety Background Report, the maximum probable magnitude is 7.0.

Nonetheless, the proposed Project would be required to comply with the California Building Code requirements and the Uniform Fire Code requirements and all applicable

statutes, codes, ordinances, and standards of the San Bernardino County Fire Department. Compliance with the California Building Codes and Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department would address potential impacts resulting from an earthquake event. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

*ii) Strong seismic ground shaking?*  
**Less Than Significant Impact**

According to the Countywide Plan Map HZ-1, the Red Hill-Etiwanda Avenue Fault is closest fault zone to the subject property. As is the case for most areas of Southern California, ground shaking resulting from earthquakes associated with nearby and more distant faults may occur at the Project site. The design of any structures on-site would incorporate measures to accommodate projected seismic ground shaking in accordance with the California Building Code (CBC) and local building regulations. The CBC is intended to preclude significant adverse effects associated with strong seismic ground shaking. Compliance to the CBC would ensure potential impacts are reduced to a less than significant and the proposed Project would not expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

*iii) Seismic-related ground failure, including liquefaction?*  
**Less Than Significant Impact**

Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. According to the Countywide Plan, HZ-2 Liquefaction & Landslides, the subject property is not within an area designated as having the potential for liquefaction. However, even though the site is not identified as having the potential for liquefaction, a soils analysis will be required as part of the grading plan to ensure on-site soils are properly compacted for the proposed residential structures. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

*iv) Landslides?*  
**No Impact**

Landslides and slope failure can result from ground motion generated by earthquakes. Based upon a field survey of the site no slopes exist on the property. As such, the property would not be subject to slope instability. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

*b) Result in substantial soil erosion or the loss of topsoil?*  
**No Impact**

The subject property is relatively flat and is not subject to flooding, based upon Countywide Policy Plan Map, NZ-4 Flood Hazards. However, FEMA FIRM Map No. 06071C 8651 H, dated 8/28/2008, displays the area as Zone X. Zone X is defined as "Areas of 0.2% annual chance flood; areas of 1% annual chance of flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas

protected by levees from 1% annual chance flood.” Grading of the site will be necessary for final improvements to ensure adequate soil compaction and drainage flows. The location of the Project and its size will necessitate preparation of a drainage study and water quality management plan (WQMP) to respond to construction and operational activities on the property. As such, the development of the proposed Project would not result in substantial soil erosion or loss of topsoil. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

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

**No Impact**

As noted previously, the Project site is not known to be subject to liquefaction, subsidence or collapse. However, a soils report will be required as part of grading to be evaluated site conditions. No landslides are foreseen due to the relatively flat topography of the site. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

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

**Less Than Significant Impact**

According to material provided by the U.S. Department of Agriculture, Soil Survey Web Site, site soils consist of Tujunga loamy sand (TuB) and Tujunga gravelly loamy sand (TvC). This soil category is listed as somewhat excessively drained and would not represent a potential for expansive soils. According to the County’s Engineering Geologist, this type of soil is slightly expansive. As surficial soils they are expected to be removed as part of the initial grading process. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

**No Impact**

The proposed Project will connect to a public sewer system. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- f) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**No Impact**

The San Bernardino Countywide Plan Cultural Resources Section 5.5 of the Countywide Plan Draft Environmental Impact Report (EIR) states, “the Younger Alluvium (Q) across the valley floor is too young to preserve fossil resources in the upper layers, but the deeper layers and underlying sediments have high paleontological sensitivity, as do the Miocene Marine Sediments (M).” (p. 19) In addition, according to Appendix F: Paleontological Resources Technical Report, contained in the Draft EIR “The Valley Region is characterized by a broad valley floor deposit of Younger Alluvium

(Q), which is likely underlain by Older Alluvium (Qoa) and Pleistocene-Pliocene Nonmarine Sediments (QPc), such the San Timoteo Formation, that also occur as scattered outcrops along the valley margins. A large area of Miocene Marine Sediments (M), including the Vaqueros and Puente Formations, is present in the southwestern corner, whereas the northern margins of the region about the granitic rocks of the San Bernardino Mountains. The Younger Alluvium (Q) across the valley floor is too young to preserve fossil resources in the upper layers, but the deeper layers and underlying sediments have high paleontological sensitivity, as do the Miocene Marine Sediments (M).” (p. 25)

The Paleontological Resources Technical Report also noted “The depth at which Holocene sediments are old enough to preserve fossil resources (i.e., more than 5,000 years old) or transitions to Older Alluvium is highly variable and often unknown for any specific area. One study of inland valley fossil deposits in Riverside and San Bernardino counties identifies this transition as relatively shallow in many areas, with fossil-bearing sediments occurring as little as 1.5 m (5 feet) below the surface (Reynolds and Reynolds, 1991). These deposits are mapped as covering large surface areas across the Valley, East Desert, and North Desert Regions, and as scattered deposits in the Mountain Region.” (p. 13)

It is not envisioned that substantial excavation greater than five feet of the site will be necessary due to the type of use proposed. As such, it is unlikely paleontological resources would be uncovered on the property. Therefore, no significant impacts are identified or are anticipated, and no mitigation measures are required.

**Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>VIII. GREENHOUSE GAS EMISSIONS – Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:***  
***San Bernardino Countywide Plan, 2020; Submitted Project Materials; Air Quality and Greenhouse Gas Emissions Impact Analysis (CalEEMod) provided by applicant.***

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

**Less Than Significant Impact**

According to CEQA Guidelines Section 15064.4, when making a determination of the significance of greenhouse gas emissions, the “lead agency shall have discretion to determine, in the context of a particular project, whether to (1) use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use.” In addition, CEQA Guidelines section 15064.7 provides that “a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts” on the condition that “the decision of the lead agency to adopt such thresholds is supported by substantial evidence.”

The Global Warming Solutions Act of 2006 requires that by the year 2020, the Greenhouse Gas (GHG) emissions generated in California be reduced to the levels of 1990. Emissions were estimated using the CalEEMod version 2016.3.2.

Many gases make up the group of pollutants that are believed to contribute to global climate change. However, three gases are currently evaluated and represent the highest concentration of GHG: Carbon dioxide (CO<sub>2</sub>), Methane (CH<sub>4</sub>), and Nitrous oxide (N<sub>2</sub>O). The Proposed Project would not generate Fluorinated gases, as defined by AB 32, only the GHGs (CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O) that are emitted by construction equipment. SCAQMD provides guidance methods and/or Emission Factors that are used for evaluating a project’s emissions in relation to the thresholds. A threshold of 10,000 MTCO<sub>2</sub>E per year has been adopted by SCAQMD for industrial type projects.

In September 2011, the County adopted a Greenhouse Gas Emissions (GHG) Reduction Plan (GHG Plan). The GHG Plan presents a comprehensive set of actions to reduce the County’s internal and external GHG emissions to 15% below 2007 levels by 2020, consistent with the AB 32 Scoping Plan. This Plan was updated in 2021. GHG emissions impacts are assessed through the GHG Development Review Process (DRP) by applying appropriate reduction requirements as part of the discretionary approval of new development projects. Through its development review process the County will implement CEQA and require new development projects to quantify the project’s GHG emissions and adopt feasible mitigation to reduce project emissions below a level of significance. This occurs through a screening process that involves accumulating an adequate number of points through the use of various construction methods and equipment use. If this point level is achieved, then no additional analysis is required. The applicant achieved over 100 points. However, the applicant also prepared a GHG analysis as part of their Air Quality evaluation. As shown in Table 5, the proposed Project’s emissions would exceed the County’s 3,000 MTCO<sub>2</sub>e threshold of significance, without mitigation utilizing the CalEEMod program. However, inclusion of CalEEMod mitigation incorporated into the CalEEMod program, this number was reduced below 3,000 MTCO<sub>2</sub>e. These measures included the sites proximity to existing public transportation. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.



**Table 5  
 Project Related Greenhouse Gas Annual Emissions with Mitigation  
 (Metric Tons per Year)**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O	CO <sub>2</sub> e
Area <sup>1</sup>	47.99	0.0	0.0	48.34
Energy <sup>2</sup>	509.85	0.1	0.0	512.09
Mobile <sup>3</sup>	1,694.45	0.09	0.0	1,696.73
Solid Waste <sup>4</sup>	4.81	0.28	0.0	11.92
Water and Wastewater <sup>5</sup>	77.91	0.37	0.0	89.39
Construction <sup>6</sup>	36.88	0.0	0.0	41.27
<b>Total GHG Emissions</b>	<b>2,371.89</b>	<b>0.84</b>	<b>0.00</b>	<b>2,393.44<sup>7</sup></b>
County Threshold	3,000			
<b>Significant</b>	<b>No</b>			

Notes:

- <sup>1</sup> Area sources consist of GHG emissions from consumer products, architectural coatings, and landscaping equipment.
- <sup>2</sup> Energy usage consists of GHG emissions from electricity and natural gas usage.
- <sup>3</sup> Mobile sources consist of GHG emissions from vehicles.
- <sup>4</sup> Waste includes the CO<sub>2</sub> and CH<sub>4</sub> emissions created from the solid waste placed in landfills.
- <sup>5</sup> Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
- <sup>6</sup> Construction emissions amortized over 30 years as recommended in the SCAQMD GHG Working Group on November 19, 2009. Source: CalEEMod Version 2016.3.2.
- <sup>7</sup> Sequestration has been incorporated into the final total and reduced the estimated CO<sub>2</sub>e generated.

- b) *Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?*  
**Less Than Significant Impact**

The proposed Project is not anticipated to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Any project that does not exceed 3,000 MTCO<sub>2</sub>e per year will be considered to be consistent with the County's GHG Plan and determined to have a less than significant individual and cumulative impact for GHG emissions. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**Therefore, no significant adverse impacts are identified or anticipated and no mitigation measures are required.**

Issues	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant	No Impact
<b>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

***SUBSTANTIATION:***

***San Bernardino Countywide Policy Plan, 2020; Department of Toxic Substances Control, EnviroStor Program; Submitted Project Materials***

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*  
**Less Than Significant Impact**

The proposed Project is a 112-unit multiple family condominium development that that will connect with 93 additional proposed units in the City of Fontana on adjoining parcels. This proposal involves both a tentative tract map and conditional use permit. Hazardous or toxic materials transported in association with construction may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. With implementation of Best Management Practices (BMPs) and compliance with all applicable federal, state and local regulations including all Certified Unified Program Agency (CUPA) regulations, potential impacts to

the public or the environment from the routine transport, use, or disposal of hazardous materials during construction are considered to be less than significant.

The operational activities of the proposed development involve the routine transport or use of hazardous materials, but only the types of products typically used in the construction and on-going maintenance of residential properties, including landscaping. No significant adverse impacts or anticipated and no mitigation measures are required.

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

**Less Than Significant Impact**

As stated in response (a) above, hazardous or toxic materials transported in association with construction of the proposed Project may include items such as oils, paints, and fuels. All materials required during construction would be kept in compliance with State and local regulations. Operational activities would continue to include standard maintenance (i.e., landscape upkeep, exterior painting and similar activities) involving the use of commercially available products (e.g., pesticides, herbicides, gas, oil, paint, etc.) the use of which would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accidental release of hazardous materials into the environment. With implementation of Best Management Practices (BMPs) and compliance with all applicable regulations, potential impacts from the use of hazardous materials is considered less than significant and no mitigation measures are required.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**No Impact**

The closest school to the Project site is Almond Elementary School, approximately 660 feet or 0.125 miles east of the Project site. No hazardous materials beyond that typically used in the construction and operation of residential development would be emitted as a result of the proposed Project. Therefore, no impacts associated with emission of hazardous or acutely hazardous materials, substances, or waste within 0.25-mile of a school are anticipated. No impacts or anticipated and no mitigation measures are required.

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

**No Impact**

The subject property is not on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 by the California Department of Toxic Substances Control's EnviroStor data management system, based upon an on-line review of the Web Site September 29, 2021. The closest identified site involves a voluntary cleanup site located approximately 0.7 miles to the southeast, as part of an existing reclamation facility. EnviroStor tracks cleanup, permitting, enforcement and investigation efforts at hazardous waste facilities and sites with known or suspected contamination issues. No hazardous

materials sites are located within or near the vicinity of the Project Site. Therefore, no impacts are identified or are anticipated, and no mitigation measures are required.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*  
**Less Than Significant Impact**

The subject property is located approximately 5.75 miles from the Ontario International Airport. As shown on the San Bernardino Countywide Policy Plan Map, HZ-9 Airport Safety & Planning Areas, the Project site is approximately two miles from the boundary of the Airport Safety Review Area. As such, the Project Site is not located within close proximity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- f) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*  
**No Impact**

The closest designated evacuation route to the subject property is Foothill Boulevard, based upon a review of the Countywide Plan PP-2 Evacuation Routes. Banana Avenue also provides adjacent accessible routes away from the property. Therefore, operations and construction of the proposed Project would not interfere with the use of these routes during an evacuation. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the subject property does not contain any emergency facilities. Project operations at the site would not interfere with an adopted emergency response or evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

- g) *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*  
**Less Than Significant Impact**

The Project site is located within a very urbanized area. As identified by San Bernardino Countywide Policy Plan, HZ-5 Fire Hazards Severity Zones, the subject property and surrounding area is not located within a designated Very High Fire hazard. Pockets of High and Moderate Zones exist in the general area, with the closest one approximately 0.9 miles to the west. All proposed buildings would be required to comply with the current Uniform Fire Code requirements and all applicable statutes, codes, ordinances, and standards of the San Bernardino County Fire Department.

Due to the location of the proposed use, it would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>X. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**

**San Bernardino Countywide Plan, 2020; Project WQMP; Submitted Project Materials;**

- a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

**Less Than Significant Impact**

The proposed Project would disturb more than one-acre and therefore would be subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading, excavating, or any other activity that causes the disturbance of one-acre or more. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into storm water systems, and to develop and implement a SWPPP.

The purpose of a SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of storm water associated with construction activities; and 2) identify, construct and implement storm water pollution control measures to reduce pollutants in storm water discharges from the construction site during and after construction.

A revised preliminary Water Quality Management Plan (WQMP) prepared by Azar Engineering, has been reviewed and approved by the Land Development Divisions and is summarized below. The Project proponent is responsible for the implementation of the provisions of the WQMP and will ensure that the plan is amended as appropriate to reflect up-to-date conditions of the site consistent with the County's Municipal Storm Water Management Program and the intent of the NPDES Permit for San Bernardino County and the incorporated cities of San Bernardino County within the Santa Ana Region.

Implementation of the proposed Project would dramatically increase the impervious surface of property, due to its current undisturbed condition. Utilizing information contained in the WQMP, the proposed Project has one (1) Drainage Area with stormwater runoff collected and conveyed through a CDS Separator before directing it to an underground/detention system via catch basins located within the proposed drive aisles and area drain system within the landscaped areas. The underground infiltration/detention system will be open bottomed to promote infiltration and groundwater recharging. The underground detention/infiltration system constructed using Brentwood System modules with a debris shield. Pretreatment will be provided by catch basin inserts located within the main drive aisle. During larger storm events and when the infiltration/detention system has reached capacity, stormwater will bypass to a proposed underground storm drain system and convey offsite via parkway drains to the public right-of-way of Banana Avenue. Post-development drainage from the adjoining two subdivisions to the north, TTM 20382 and 20397, will be conveyed to this subdivision within the unincorporated area, TTM 20016.

Based upon the amount of water traversing the site, along with the amount of impervious surface, drawdown rate based upon soil conditions, and runoff coefficient, the computed design capture volume of the proposed drainage system is 45,453 cubic feet, which will be achieved using the a proposed drainage vault system under the southerly parking area. The estimated required capture rate noted in the WQMP is 43,711 cubic feet. As such, the proposed Project would not generate additional drainage flows during peak periods for downstream properties. Based upon the amount

of volume capture of runoff and the design of the infiltration system to ensure pollutants do not discharge downstream, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- b) *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

**Less Than Significant Impact**

The Project site is directly served by the Fontana Water Company (FWC), which is part of the San Gabriel Valley Water Company. FWC has the following existing water supplies:

- Surface water diverted from Lytle Creek, treated at the Summit Plant.
- Untreated SWP surface water purchased from the Inland Empire Utilities Agency (IEUA) and San Bernardino Valley Municipal Water District (SBVMWD), treated at the Summit Plant.
- Recycled water purchased from IEUA.
- Groundwater pumped from FWC-owned and operated wells from the underlying Chino Basin, Rialto-Colton/No Man's Land Basins, and Lytle Basin.

As noted in **Section XIX Utilities and Service Systems**, FWC plans to expand the capacity of the Summit Plant to increase the imported supply purchased and treated in an effort to reliably meet current and future water demands. "FWC's drought risk was specifically assessed between 2021 and 2025, assuming that the next five years are dry years. In each case, water supplies comfortably meet water demands. This remains true whether the drought occurs in 2021, 2045, or any year between." (*San Gabriel Valley Water Company, Fontana Water Company Division, Final 2020 Water Management Plan*, p. ES-3)

The additional structures and site improvements would increase the Project site's water demand. However, the proposed land use is consistent with the County's Policy Plan Medium Density (5 to 20 units per acre) and substantially less than the City of Fontana General Plan Land Use Map Walkable Mixed Use Corridor and Downtown (24-39 units per acre), and therefore would not result in a substantial adverse effect on groundwater supplies. The proposed Project design is intended to retain stormwater flows during peak periods at a rate that exceeds the projected runoff rate from the property in its current condition. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i) *Result in substantial erosion or siltation on- or off-site;*  
**Less Than Significant Impact**

The Preliminary Drainage Study and Preliminary Water Quality Management Plans were approved on December 13, 2021. The Drainage Study indicated stormwater flows through the site will be reduced from 26.47 cubic feet per second (cfs) to 23.55 cfs. As noted in the WQMP and based upon the site topography, the site drains to the south. This general drainage pattern will not be altered with implementation of the proposed Project. Site runoff will be conveyed by surface flow to a drainage inlet system that feeds an underground pipe retention/infiltration/vault system at the southerly end of the site under the proposed parking area. The site is relatively flat and borders portions of two streets. Full retention of the amount of stormwater runoff is proposed with the site design infiltration system. The computed capture rate noted in the WQMP is 43,711 Cubic Feet and the total retention volume from the low impact development (LID) infiltration best management practices (BMPs) is greater at 45,453 cubic feet. As such, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite;*  
**Less Than Significant Impact**

As noted in subsection ai) above, the design volume of the proposed infiltration basin system is greater than the computed capture rate, based upon identified design standards for the area. As such, the proposed Project would not increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of runoff; or*  
**Less Than Significant Impact**

As stated in the WQMP, the proposed infiltration basin is anticipated to achieve a complete on-site retention of the site's computed capture rate. As such, with adherence to the respective WQMP design criteria, the proposed Project would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- iv) *Impede or redirect flood flows?*  
**Less Than Significant Impact**

The subject property is within an identified flood hazard area. The San Bernardino Countywide Policy Plan Map HZ-4 Flood Hazards, displays the subject property as not within a 100 (Zone A) or 500 year (Zone X) flood plain. However, this area represents a gap in the mapping, which is clarified using the County's arcgis system that identifies the area as Zone X, FEMA Map No. 06071C8651H. FEMA FIRM Map Number 06071C8651H Panel 8651 of 9400, revised 08/28/2008, displays the subject site in Zone X (Other Flood Areas) described as areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less



than 1 square mile; and areas protected by levees from 1% annual chance flood. As noted in other portions of this document, the projected runoff volume for the Project site based upon the proposed design features and site characteristics will be captured by the proposed infiltration basin at the southerly end of the property. Therefore, with adherence to the WQMP, the proposed Project is not anticipated to impede or redirect flood flows. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- d) *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*  
**No Impact**

Tsunamis are large waves generated in open bodies of water by fault displacement due to major ground movement. Due to the Project Site's distance from the Pacific Ocean, tsunamis are not potential hazards in the vicinity of the Project Site. Therefore, the risk of release of pollutants of by flood, seiche, or tsunami is considered low. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*  
**Less Than Significant Impact**

The WQMP prepared and which has received preliminary approval as part of this proposal complies with the requirements of the San Bernardino County and the NPDES Areawide Stormwater Program. The proposed Project would adhere to each PWQMP's BMPs, regional and local water quality control and/or sustainable groundwater management plans. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>		<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XI. LAND USE AND PLANNING – Would the project:</b>					
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:**

**San Bernardino Countywide Plan, 2020; Submitted Project Materials**

a), b) *Physically divide an established community?*

*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?*

**No Impact**

The Project site is located just south of Foothill Boulevard, a major east/west thoroughfare in the City of Fontana. Most of the surrounding properties in the area are developed with residential uses. The proposed private internal roadway system will link to subdivisions in the City of Fontana and ultimately provide a through connection from Foothill Boulevard to Banana Avenue. As such, the property will be a residential use within a predominately residential area and be a self-contained development, similar to other condominium developments. As such, development of the subject property would not divide an established community.

The City of Fontana Draft EIR contains the following documentation with respect to critical habitat:

“Within City boundaries, USFWS-designated Critical Habitat occurs for SBKR and coastal California gnatcatcher. SBKR Critical Habitat is present in the foothills of the San Gabriel Mountains in the northern portion of the City, and coastal California gnatcatcher Critical Habitat is present in the Jurupa Hills in the southern portion of the City. Other Critical Habitat in the vicinity of the Planning Area includes that for mountain yellow-legged frog (*Rana muscosa*) in Day Canyon Wash and its tributaries in the San Gabriel Mountains approximately 3 miles to the west-northwest of the City and for southwestern willow flycatcher (*Empidonax traillii extimus*) and Santa Ana sucker (*Catostomus santaanae*) along the Santa Ana River approximately two miles to the east-southeast of the City.” (p.5.3-36)

As such, the Project site is not within an area identified for mitigating environmental effects nor is it part of a Critical Habitat area.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XII. MINERAL RESOURCES – Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:** (Check  if project is located within the Mineral Resource Zone Overlay):

**San Bernardino Countywide Plan, 2020; California Department of Conservation, Mineral Land Classification**

- a) *Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?*  
**Less Than Significant Impact**

According to the California Department of Conservation, Mineral Land Classification map, the Project site occurs in the Southwestern San Bernardino Valley region, specifically in OFR (Open File Report) 1994-0008. As shown on an exhibit in the report, the Project site and surrounding area are located within Mineral Resource Zone 3 (MRZ-3). This zone identifies areas of known or inferred mineral deposits that may qualify as mineral resources. The subject property is of limited size and adjacent to a mobile home park and detached single family subdivisions within a highly urbanized area. This location and surrounding uses are not compatible with mineral resource extraction. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- b) *Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*  
**Less Than Significant Impact**

The Project site occurs in an area designated as Mineral Resource Zone 3 (MRZ-3). The State *Guidelines for Classification of and Designation of Mineral Lands* generally defines MRZ-3 as either:

- MRZ-3a: Areas containing known mineral deposits that may qualify as mineral resources.
- MRZ-3b: Areas containing inferred mineral deposits that may qualify as mineral resources.

The County Policy Plan and City of Fontana General Plan designate the property for residential use. Approval of the Tentative Tract Map and Conditional Use Permit would authorize the use of the property for a multiple family condominium development. The Project site is not located within a planning area designated for mining. Therefore, the proposed Project would not result in the loss of availability of a locally important mineral resource recovery site, since the area is not intended for that type of use. No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIII. NOISE – Would the project result in:</b>				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**SUBSTANTIATION:** (Check if the project is located in the Noise Hazard Overlay District  or is subject to severe noise levels according to the General Plan Noise Element ):

**San Bernardino Countywide Plan, 2020; Submitted Project Materials**

Noise can be measured in the form of a decibel (dB), which is a unit for describing the amplitude of sound. The predominant rating scales for noise in the State of California are the Equivalent Continuous Sound Level ( $L_{eq}$ ), and the Community Noise Equivalent Level (CNEL), which are both based on the A-weighted decibel (dBA). The  $L_{eq}$  is the average of the sound level energy for a one-hour period and employs an A-weighted decibel correction that corresponds to the optimal frequency response of the human ear. The CNEL is based upon 24 one-hour  $L_{eq}$  measurements.

The background ambient noise levels in the Project study area are dominated by the transportation-related noise associated with the adjacent surface streets and background residential land use from nearby properties.

Sensitive receivers are generally defined as locations where people reside or where the presence of unwanted sound could otherwise adversely affect the use of the land. Noise sensitive residential receiver locations in proximity to the Project site include single family tract housing to the south and east, a mobile home park to the west, and a single family residence to the north. The Project site is approximately 600 feet south of Foothill Boulevard, a major east/west transportation corridor.

Policy Plan Figure HZ-7 Existing Noise Contours displays the unincorporated portion of the property as 60 dBA. This level of noise is consistent with the County's Development Code requirements of 60 dBA for residential exterior noise levels. Policy Plan Figure HZ-8 Future Noise Contours does not note a change in the projected noise levels for that area. That portion of the property within the City of Fontana would be subject to greater noise levels and would be the responsibility of the City to address potential design features to maintain noise levels within acceptable levels.

It is not expected that the amount of noise generated by vehicle trips from this residential land use would cause notable noise levels that would be unusual for a residential area.

- b) *Generation of excessive groundborne vibration or groundborne noise levels?*  
**Less Than Significant Impact**

County Development Code Section 83.01.090, Vibration, establishes standards for acceptable vibration levels: temporary construction, maintenance, repair, or demolition activities between 7 a.m. and 7 p.m. are exempt from this vibration limit, except on Sundays and federal holidays, when construction is prohibited. Potential impacts due to noise would be short-term and temporary during construction. Vehicle use during Project operation are also exempt from the County vibration standards. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?*  
**No Impact**

The Project Site is located approximately 2.2 miles northeast of the Ontario International Airport Safety Review Area, as displayed on San Bernardino Countywide Plan HZ-9

Airport Safety and Planning Areas. The Project Site is not located within the vicinity of a private or public airstrip. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIV. POPULATION AND HOUSING – Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION:***  
***San Bernardino Countywide Plan 2020; Submitted Project Materials***

a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**No Impact**

The proposed Project site is designated for residential development in both the County of San Bernardino Land Use Element of the Countywide Plan and the City of Fontana General Plan. The Project site is adjacent to and will obtain access to existing paved roadways when ultimately developed. As such, it would not induce unplanned population growth in the area due to the existing Plans adopted by both the County and City. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**No Impact**

The Project site is has several residences on the property. One is boarded up and unoccupied. The other residence has occupants. Once the site is developed the current residents will have the opportunity to utilize the 112-unit multiple family development or those portions of the adjoining development that represent the extension of the Project in the City of Fontana. As such, implementation of the proposed Project would not displace a substantial number of people or housing, although the proposal would provide significant opportunity for any displaced residents. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**Therefore, no impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XV. PUBLIC SERVICES</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION:***  
***San Bernardino Countywide Plan 2020; Submitted Project Materials***

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

*Fire Protection?*

**Less Than Significant Impact**

The Project site is located approximately 400 feet south of San Bernardino County Fire Station No. 73, located at the intersection of Foothill Boulevard and Banana Avenue. Response times in the range of five to eight minutes are considered maximum in the

case of structural fires. A longer response time will result in the loss of most of the structural value. Fire station organization, physical/environmental conditions, distance, grade and road conditions affect response times.

Due to the close proximity of the station, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

*Police Protection?*

**Less Than Significant Impact**

Personnel organization, distance, grade and road conditions as well as other physical factors influence response times by law enforcement. The unincorporated portions of San Bernardino County within the Fontana area are served by the San Bernardino's County Sheriff Department (SBCSD). The County operates a Station at 17780 Arrow Route, approximately 4.6 miles from the project site. Response times to the area are depended upon the type of calls for service. The SBCSD reviews staffing needs on a yearly basis and adjusts service levels as needed to maintain an adequate level of public protection. Demand for service at the site is not expected to be significant nor unusual. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

*Schools?*

**No Impact**

The Project site is within the Fontana Unified School District boundaries. School districts are permitted to require payment of developer fees, along with the issuing of bonds, to pay for expansion of schools to meet the construction of classrooms for students. The collection of these funds would provide adequate compensation under the law to meet the potential impact of development upon the school district. The Fontana District has adopted developer impact fees of 4.08/sq. ft. Therefore, the collection of applicable development impact fees, consist with the requirements of State law, would address any potential impacts related to school facilities and no mitigation measures are required.

*Parks?*

**No Impact**

The proposed Project would allow for the development of a 112-unit multiple family condominium development. The County development standards require the establishment of private open space for individual dwellings and common areas for joint use. The purpose of the design is to provide easily accessible open space and recreational areas for residents. The County of San Bernardino provides a number of regional recreational facilities totaling 8,515 acres.

The Countywide Plan Draft EIR notes the "population of the incorporated and unincorporated areas is forecasted to reach 2,744,578 in 2040. The amount of regional parkland in the county is 8,515 acres, which is sufficient for the parkland needs of about 3.4 million people if based on the 2007 General Plan standard of 2.5 acres per 1,000 residents. Upon adoption of the proposed Countywide Plan [which has occurred], the standard for regional parkland would be replaced by an emphasis on maintaining and



improving existing facilities and the coordination with other jurisdictions to provide regional park land (Policy NR-3.6, Regional park land). Accordingly, no new and/or expanded facilities would need to be developed due to Countywide Plan buildout, and no additional impacts would occur.” (p. 5.15-13)

Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

*Other Public Facilities?*

**No Impact**

The proposed Project would result in an increased residential population and an increase in the work force as the Project due to the new multiple family condominium units. However, the other types of public facilities affected, such as municipal/county offices or water and sewer facilities, would not be significant to the extent existing facilities would be overburdened or the potential impact would not be mitigated through either a standard construction or fee payment process. Therefore, implementation of the proposed Project would not adversely affect other public facilities or require the construction of new or modified facilities. No impacts are identified or anticipated, and no mitigation measure is required.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVI. RECREATION</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>SUBSTANTIATION:</b>				
<b>San Bernardino Countywide Plan 2020; Glen Helen Specific Plan; Submitted Project Materials</b>				

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?*

**No Impact**

Demands for recreational facilities are generated by the populations in the facilities' service areas. The County's total 49,680 projected growth in population in unincorporated areas, as referenced in the previous section, would increase the use of existing regional park and recreational facilities. Regional parks, however, are also used and funded by those in incorporated jurisdictions. According to the Countywide Draft EIR, Recreation Section, the unincorporated growth represents a two percent increase of potential users on existing regional park facilities, with an average annual growth rate of 0.10 percent over the planning horizon of 24 years. This incremental level of growth would not lead to substantial physical deterioration of existing park and recreational facilities.

The Draft EIR also noted "The population of the incorporated and unincorporated areas is forecasted to reach 2,744,578 in 2040. The amount of regional parkland in the county is 8,515 acres, which is sufficient for the parkland needs of about 3.4 million people if based on the 2007 General Plan standard of 2.5 acres per 1,000 residents. In the updated Countywide Policy Plan, the standard for regional parkland would be replaced by an emphasis on maintaining and improving existing facilities and the coordination with other jurisdictions to provide regional park land (Policy NR-3.6, Regional park land). Accordingly, no new and/or expanded facilities would need to be developed due to Countywide Policy Plan buildout, and no additional impacts would occur." (p. 5.15-14) Therefore, no significant impacts are identified or anticipated and no mitigation measures are required.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

**No Impact**

The proposed Project includes private open space for each proposed condominium unit and common open space areas with small gathering areas with benches, pathways, a tot lot, outdoor exercise area, and a community structure. Section 84.16.070 of the County Development Code requires developments with greater than 100 dwelling units to provide a minimum of 10 points based upon the type of recreational facilities provided on the property. The application has provided a tot lot that includes multiple play structures with climbing nets and a tire swing, an outdoor exercise area with equipment, a community structure (in lieu of a community room), and passive recreation areas with walking paths throughout the site. These features exceed the 10 point requirement and would reduce the need to utilize recreational outside the Project site.

Implementation of policies listed in the Countywide Goals and Policies of the Recreation Element in the Countywide Policy Plan would ensure impacts to parks are less than significant and no mitigation measures are required. The proposed Project is not anticipated to require construction or expansion of additional recreational facilities.

Therefore, no adverse impacts are identified or anticipated, and no mitigation measures are required.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XVII. TRANSPORTATION – Would the project:</b>				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**SUBSTANTIATION:**  
***San Bernardino Countywide Plan; Trip Generation Assessment; Project Application Materials***

a,b) *Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?*  
**Less Than Significant Impact**

A *Trip Generation Vehicle Miles Traveled (VMT) Analysis*, dated October 3, 2021, was prepared for the Project by TJW Engineering, Inc. The report is available for review at the County of San Bernardino Land Use Services Department and is summarized herein. The propose of the assessment was to determine whether additional traffic analysis was necessary for the proposed Project based on the County’s Transportation Impact Study Guidelines. The trip generation rates used for the analysis were based upon information collected by the Institute of Transportation Engineers (ITE), as provided in their Trip Generation Manual (10<sup>th</sup> Edition, 2017). The analysis projected a

total of 74 total AM peak hour trips and 93 PM peak hour trips, with 1,120 total daily trips.

The traffic study also referenced use of the County of San Bernardino Transportation Impact Study Guidelines (July 2019), which provides guidelines for CEQA analysis including screening criteria and requirements for VMT assessment of land use projects. The VMT guidelines provide several screening criteria for projects including Transit Priority Area (TPA) Screening, Low VMT Area Screening, and Project Type Screening. The County's Traffic Impact Analysis Guidelines indicates projects located within a Transit Priority Area (TPA) may be presumed to have a less than significant impact to VMT. Based on the San Bernardino County Transportation Authority VMT Screening Tool, the Project is within a half-mile area of Foothill Boulevard (a transit priority area). Therefore, the project is screened out from VMT analysis and presumed to have a less than significant impact to VMT. Therefore, no adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*  
**No Impact**

The Project site is relatively flat and adjoins several streets with good line of sight visibility. The Project does not include a geometric design feature or incompatible use that would substantially increase hazards. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Result in inadequate emergency access?*  
**Less Than Significant Impact**

As required by the County, the Project would provide three driveways with a minimum width of 26 feet to allow for emergency access. The proposed Project would be subject to any conditions required by the San Bernardino County Fire Department to maintain adequate emergency access. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
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**XVIII. TRIBAL CULTURAL RESOURCES**

- a) Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- |     |  |                                     |                          |                                     |                          |
|-----|--|-------------------------------------|--------------------------|-------------------------------------|--------------------------|
| i)  | 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  | <input type="checkbox"/>            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) | A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

**SUBSTANTIATION:**

***San Bernardino Countywide Plan, 2020; Cultural Historical Resources Information System (CHRIS), South Central Coastal Information Center, California State University, Fullerton; Submitted Project Materials***

- a) *i) 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;*

**Less Than Significant Impact**

Based upon the response received from the South Central Coastal Information Center (SCCIC) no significant resources were identified for the property and an area within one-quarter mile. The response from SCCIC included a review of materials from the California Points of Historical Interest (SPHI), the California Historical Landmarks (SHL), the California Register of Historical Resources (CAL REG), the National Register of Historic Places (NRHP), and the California State Built Environment Resources Directory (BERD) listings.

No significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- b) *ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

**Less Than Significant Impact with Mitigation Incorporated**

On July 9, 2021, the County of San Bernardino distributed notification pursuant to AB52 to the following six tribes: Gabrieleno Band of Mission Indians - Kizh Nation, San Gabriel Band of Mission Indians, Soboba Band of Luiseño Indians, Morongo Band of Mission Indians, Twenty-Nine Palms Band of Mission Indians, and San Manuel Band of Mission Indians. The only comments received were from the San Manuel Band of Mission Indians on July 16, 2021. The Tribe indicated that “The 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.” The following measures were requested for incorporation into the document:

***TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-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 resources 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.***

***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.***

Possible significant adverse impacts have been identified or anticipated and implementation of Mitigation Measures TCR-1 and TCR-2 are required as a condition of project approval to reduce these impacts to a level below significant.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

***SUBSTANTIATION:***

***San Bernardino Valley Municipal District Urban Water Management Plan 2015; Submitted Project Materials; Glen Helen Specific Plan***

- a) *Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*  
**Less Than Significant Impact**

Water

The Fontana Water Company would provide water service to the Project site and operates various pumping, transmission, and treatment facilities to provide water service to its customers. Both local surface water from Lytle Creek and imported State Water Project (SWP) water is treated at FWC's Summit Surface Water Treatment Plant (Summit Plant). Local groundwater is pumped from various wells and disinfected, and in some locations is treated at on-site treatment facilities to remove perchlorate or Volatile Organic Compounds (VOCs). FWC operates a network of water pipelines, reservoirs, and pumping facilities to deliver this treated drinking water to its customers.

The Project will connect to an existing water line operated by the Fontana Water Company in compliance with their existing requirements.

### Wastewater Treatment

The proposed Project will connect to the City of Fontana sewer line and utilize treatment facilities operated by the Inland Empire Utilities Authority (IEUA).

### Storm Drainage

The site design will reflect the existing drainage patterns of the Project site. The Project will maximize roof drainage to landscaped areas and downspouts will discharge onto paved surface and routed to underground infiltration system. All on site water will be collected and treated in underground infiltration system.

### Electric Power

The Project will connect to the existing Southern California Edison electrical distribution facilities available near the project site.

### Natural Gas

The Project will connect to the existing Southern California Gas natural gas distribution facilities near the Project site.

### **Conclusions**

The installation of the above-described facilities as proposed by the Project would result in physical impacts to the surface and subsurface of the project site. These impacts are considered to be part of the project's construction phase and are evaluated throughout this Initial Study/Mitigated Negative Declaration. In instances where significant impacts have been identified, Mitigation Measures have been required to reduce impacts to less-than-significant levels. Accordingly, additional measures beyond those identified throughout this Initial Study/Mitigated Negative Declaration would not be required.

- b) *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**

The Project site will be provided water by the Fontana Water Company (FWC). FWC is a division of the San Gabriel Valley Water Company and is a retail water supplier for the City of Fontana, and portions of the City of Rialto, City of Rancho Cucamonga, and adjacent unincorporated areas of San Bernardino County. FWC operates within the service area of the Inland Empire Utilities Agency (IEUA) and the San Bernardino Valley Municipal Water District (SBVMWD) wholesale water agencies. FWC purchases imported water supplies from IEUA and SBVMWD, both wholesale water agencies.

Projected future water demands have been estimated based on the anticipated growth, as defined by population projections for FWC's service area. FWC assumes per capita water use will remain substantially lower than the historical baseline (1999-2008) water use, but will increase slightly from current recorded usage due to recovery from the 2012-2016 drought conservation efforts. Based on these factors, water demands in the FWC water service area are expected to increase approximately 42 percent (from 2020



levels) by 2045, which represents a more than 10 percent decrease in the 2040 projected water demand from FWC's 2015 UWMP.

FWC has the following existing water supplies:

- Surface water diverted from Lytle Creek, treated at the Summit Plant.
- Untreated SWP surface water purchased from the Inland Empire Utilities Agency (IEUA) and San Bernardino Valley Municipal Water District (SBVMWD), treated at the Summit Plant.
- Recycled water purchased from IEUA.
- Groundwater pumped from FWC-owned and operated wells from the underlying Chino Basin, Rialto-Colton/No Man's Land Basins, and Lytle Basin. Three of the basins are adjudicated, which includes the Chino Basin, Rialto-Colton Basin, and the Lytle Basin, and one un-adjudicated basin known as the No Man's Land Basin.

To reliably meet current and future water demands, FWC plans to expand the capacity of the Summit Plant to increase the imported supply purchased and treated. "FWC's drought risk was specifically assessed between 2021 and 2025, assuming that the next five years are dry years. In each case, water supplies comfortably meet water demands. This remains true whether the drought occurs in 2021, 2045, or any year between." (*San Gabriel Valley Water Company, Fontana Water Company Division, Final 2020 Water Management Plan*, p. ES-3)

#### *Chino Basin*

The Chino Basin is the main source of water for FWC and is an adjudicated basin. According to the DWR [Department of Water Resources] Bulletin 118 (California's Groundwater), DWR has not identified the Chino Basin as one of the basins being in "*critical condition of overdraft*."

#### *Rialto-Colton Basin*

FWC pumps groundwater from seven active wells in the Rialto-Colton Basin, which is an adjudicated basin. DWR has also not identified the Rialto-Colton Basin as one of the basins being in "*critical condition of overdraft*."

#### *Lytle Basin*

FWC pumps groundwater from ten active wells in the Lytle Basin. The Lytle Basin is an adjudicated basin and DWR has also not identified the Lytle Basin as one of the basins being in "*critical condition of overdraft*."

#### *No Man's Land Basin*

The Water Company's previous UWMP identified the No Man's Land Basin and the Rialto-Colton Basin as separate groundwater basins with separate production rights. On February 3, 2021, the FUWC, West Valley Water District, City of Rialto, and City of Colton entered into the Rialto Basin Groundwater Council (RBGC) Framework Agreement, for the purpose of groundwater management and coordination in the Rialto

Basin. However, the Rialto Basin Groundwater Council (RBGC) Framework Agreement incorporates the FWC production right from No Man's Land Basin into the Rialto Basin groundwater production limitations.

FWC pumps groundwater from three active wells in the No Man's Land Basin. The No Man's Land Basin is not an adjudicated basin. DWR has also not identified the No Man's Land Basin as one of the basins being in "*critical condition of overdraft*." Average groundwater production of approximately 4,000 AFY from the No Man's Land Basin is estimated to be available for pumping and diversion by FWC during normal, single dry and multiple dry years in the next twenty years.

The adopted groundwater management plans for the adjudicated Chino Basin, Rialto-Colton Basin, and Lytle Creek Region are contained within the Chino Basin Judgment, Rialto-Colton Basin Court Decree, and McKinley Decree, respectively. FWC has the legal right to pump groundwater from these basins. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?*

**Less Than Significant Impact**

As noted previously in subsection a) above, the Inland Empire Utilities Agency (IEUA) would serve the proposed Project for wastewater treatment. The City of Fontana would operate the wastewater collection lines in the street. According to a sewer availability letter from the City, dated August 17, 2017, an existing public sewer main is located approximately 200 feet from the property. One of two treatment plants could service the property. The IEUA Web Site, accessed on January 18, 2022, states that "Regional Water Recycling Plant No. 1 (RP-1) is located in the city of Ontario and has been in operation since 1948. The plant has undergone several expansions to increase the design hydraulic domestic sewage (wastewater) treatment capacity to 44 million gallons per day. The plant serves areas of Chino, Fontana, Montclair, Ontario, Rancho Cucamonga, Upland, and solids removed from RP-4, located in Rancho Cucamonga. The plant treats an average influent wastewater flow of approximately 28 million gallons per day." "Regional Water Recycling Plant No. 4 (RP-4) is located in the city of Rancho Cucamonga and has been in operation since 1997. The plant has undergone an expansion to increase the design hydraulic domestic sewage (wastewater) treatment capacity to 14 million gallons per day. The plant serves areas of Fontana, Rancho Cucamonga and San Bernardino County. The plant treats the liquid portion of an average influent wastewater flow of approximately 10 million gallons per day." As such, adequate capacity exists to provide for the proposed Project and no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

**Less Than Significant Impact.**

### *Construction Waste*

Waste generated during the construction phase of the Project would primarily consist of discarded materials from the construction of streets, common areas, infrastructure installation, and other project-related construction activities. The California Green Building Standards Code (CALGreen), requires all newly constructed buildings to prepare a Waste Management Plan and divert construction waste through recycling and source reduction methods. The County of San Bernardino, Department of Public Works, Solid Waste Management Division reviews and approves all new construction projects required to submit a Waste Management Plan. Mandatory compliance with CALGreen solid waste requirements will ensure that construction waste impacts are less than significant.

### *Operational Waste*

Waste generated during the operation of the Project is estimated to be 10.58 metric tons per year, although this can be reduced with mitigation to 2.645 metric tons (utilizing the requirements of AB 341 that requires jurisdictions to divert 75 percent of their waste from landfills), based on the California Emissions Estimator Model (CalEEMod) which is a statewide land use emissions computer model which can be used to estimate solid waste generation rates for various types of land uses for analysis in CEQA documents.

Solid waste generated in the Fontana area is generally transported to the Mid-Valley Landfill. According to the Cal Recycle Facility/Site Summary Details website accessed on January 17, 2022 the Mid-Valley Landfill has a maximum capacity of 101,300,000 CY and a remaining capacity of 61,219,377, with a ceased operation date of 4/1/2045. As such, the Project will not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

- e) *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

#### **Less Than Significant Impact**

The County of San Bernardino Solid Waste Management Division reviews and approves all new construction projects that require a Construction and Demolition Solid Waste Management Plan (waste management plan). A project's waste management plan consists of two parts which are incorporated into the Conditions of Approval (COA's) by the County of San Bernardino Solid Waste Management Division. As part of the plan, proposed projects are required to estimate the amount of tonnage to be disposed and diverted during construction. Disposal/diversion receipts or certifications are required as a part of that summary.

The mandatory requirement to prepare a Construction and Demolition Solid Waste Management Plan would ensure that impacts related to construction waste would be less than significant. The proposed Project would comply with all federal, State, and local statutes and regulations related to solid waste. Solid waste produced during the construction phase or operational phase of the proposed Project would be disposed of in accordance with all applicable statutes and regulations. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XX. WILDFIRE:</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

***SUBSTANTIATION:***

***County of San Bernardino Countywide Plan 2020; Submitted Project Materials***

- a) *Substantially impair an adopted emergency response plan or emergency evacuation plan?*  
**No Impact**

The routes nearest to the Project site that are paved and suitable in the event of an evacuation are Banana Avenue, which provides direct access to the subdivision in the unincorporated portion of the County, and Foothill Boulevard, which is related to the Project through the adjoining subdivisions proposed by the applicant in the City of Fontana. The closest designated evacuation route is Foothill Boulevard, approximately 600 feet north of the Unincorporated portion of the property, as displayed on the San Bernardino Countywide Plan Map PP-2 Evacuation Routes. Therefore, operations and construction of the Proposed Project would not interfere with the use of this route during an evacuation.

During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the County. Furthermore, the Project Site does not contain any emergency facilities, although County Fire Station No. 73 is located just north of the property at the southeast corner of Banana Avenue and Foothill Boulevard. Continued operations at the Project site would not interfere with an adopted emergency response or evacuation plan. No impacts are identified or anticipated, and no mitigation measures are required.

- b) *Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from wildfire or the uncontrolled spread of a wildfire?*

**Less Than Significant Impact**

The Project site is relatively flat and located within an urbanized area with commercial and residential uses. Fire safety areas are prone to wildfires and require additional development standards. However, the Project site and its vicinity are located more than a mile from an identified from a high fire hazard area, as displayed on the San Bernardino Countywide Plan Map HZ-5 Fire Hazard Severity Zone. Any very high fire hazard areas are located significantly further away.

The Project site would be developed as a multiple family residential condominium project. The property would be substantially improved with residential structures, landscaping, and paving. Although wildfire hazards exist within the broader urban area, the immediate area has a significant level of urban development and minimal vegetation, except for annual grasses on some properties. As such, the risk to persons or property is minimal. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water resources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

**No Impact**

The Project site would be improved as a multiple family residential condominium development, with associated improvements, such as paving and landscaping. The proposed Project does not include the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. Therefore, no impacts are identified, and no mitigation measures are required.

- d) *Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

**No Impact**

The Project site and its immediate vicinity are relatively flat, therefore post-fire slope instability related to flooding or landslides is not anticipated to affect the subject property. The implementation of associated storm water BMPs will ensure that the proposed Project appropriately conveys storm water runoff without affecting upstream

or downstream drainage characteristics. As a result, the proposed Project would not expose people or uses to significant risks, such as downslope flooding or landslides. The Project site is within FEMA designated Zone X (shaded and unshaded) and the lowest floors to the elevated one foot above the highest adjacent ground as required by FEMA regulations. No significant impacts are identified or anticipated, and no mitigation measures are required.

**Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.**

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less than Significant with Mitigation Incorporated</i>	<i>Less than Significant</i>	<i>No Impact</i>
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE:</b>				

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a) <i>Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or</i>   |                          |                          |                                     |                          |

*endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

**Less Than Significant Impact**

A *Biological Due Diligence Investigation*, prepared by ELMT Consulting, June 9, 2021, evaluated both portions of the Project area in the unincorporated area of the County and the City of Fontana. The Project biologist undertook a site visit on June 3, 2021, and found no native plant communities or natural communities of special concern. The report noted the “project site consisted of vacant, undeveloped land that has been subject to a variety of anthropogenic disturbances and existing development.” It also noted the “majority of the site supports disturbed areas that are composed primarily of non-native early successional/ruderal plant species.” (p.2) In addition the report noted the property provides minimal foraging and cover habitat for species adapted to a high degree of anthropogenic disturbance.

No active bird nests displaying nesting behavior were observed by the Project biologist even though the site visit was conducting during nesting season. Nesting bird species with potential to occur within the project are protected by California Fish and Game Code Sections 3503, 3503.5, 3511, and 3513, and by the Migratory Bird Treaty Act (16 USC 703–711). These laws regulate the take, possession, or destruction of the nest or eggs of any migratory bird or bird of prey. The biological report recommended a pre-construction survey for nesting birds prior to any vegetation removal or ground disturbing activities, if construction occurs between February 1 and August 31. A mitigation measure has been recommended to reduce this potential impact to less than significant.

The *Biological Due Diligence Investigation* noted the subject area was highly disturbed and research through the South Central Coastal Information Center on potential historical or archaeological resources did not identify the site as historically or archaeologically significant. Historical aerial photography noted the area was farmed, but within the last 60 years transition away from that activity. Information in the City of Fontana General Plan Draft Environmental Impact Report noted historical sites within the City, such as the downtown, and other features, such as the Kaiser Mill, but nothing within the Project area. The San Manuel Band of Mission Indians requested mitigation measures in the event any inadvertent finds were uncovered. However, the Tribe indicated in their e-mail response to the County that “SMBMI does not have any concerns with the project’s implementation.” As such, the Project would not adversely affect important examples of the major periods of California history or prehistory.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

**Less Than Significant Impact**

Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant,



developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), generally state:

- (a) Cumulative impacts shall be discussed when the project's incremental effect is cumulatively considerable.
- (b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

As concluded in the *Trip Generation and VMT Screening Analysis*, the proposed Project is anticipated to generate 93 daily trips, which is below the County threshold levels for analysis and, as such, would not be cumulatively considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. Similarly, the pollutant emissions from the proposed Project are below SCAQMD thresholds and therefore, the proposed Project would be in compliance SCAQMD's AQMP. In addition, greenhouse gas emissions from the Proposed Project are below County thresholds based upon the County screening tables and a separate Greenhouse Gas analysis utilizing the CalEEMod program with standard measures recognized by the South Coast Air Quality Management District. Therefore, air quality and greenhouse gas impacts would not be cumulatively considerable.

Impacts associated with the proposed Project would not be considered individually or cumulatively adverse or considerable. Impacts identified in this Initial Study have been found to be less than significant impact based upon the completion of individual studies for biological resources, air quality and greenhouse gases, and trip generation and prior evaluations for historical and cultural resources. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

- c) *Does the project have environmental effects, which would cause substantial adverse effects on human beings, either directly or indirectly?*

**Less Than Significant Impact**

The Project site is not located in an area that is susceptible to geologic hazards, with the exception of ground shaking during a geological event. The California Building Code and applicable fire codes would ensure appropriate construction techniques were utilized to adequately protect future occupants.

Therefore, implementation of the proposed Project would not have environmental effects that would cause substantial adverse effects on human beings. At a minimum, the Project will be required to meet the conditions of approval for the project to be implemented, including recommended mitigation measures that would be incorporated as conditions of approval. It is anticipated that all such conditions of approval will further ensure that no potential for adverse impacts will be introduced by construction activities, and current or future land uses authorized by the Project approval. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

### **MITIGATION MEASURES/CONDITIONS OF APPROVAL**

Any mitigation measures, which are not “self-monitoring”, shall have a Mitigation Monitoring and Reporting Program prepared and adopted at time of project approval. Condition compliance will be verified by existing procedures. (CCRF)

#### **Biological Measure**

***BIO-1: Construction activities, including vegetation removal, will be conducted outside the general bird nesting season (February 1 through August 31) to avoid impacts to nesting birds. If construction activities cannot be conducted outside the bird nesting season, a pre-construction nesting bird survey by a qualified biologist is required no more than three days prior to any construction activities. Should nesting birds be found on-site, an exclusionary buffer will be established by the qualified biologist. The buffer will be clearly marked in the field by construction personnel under guidance of the qualified biologist. No construction activities will be allowed within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active. A copy of the biologist's report shall be filed with the County Planning Division upon completion.***

#### **Cultural Measures**

***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.***

***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.***

***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.***

#### **Tribal Cultural Measures**

***TCR-1: The San Manuel Band of Mission Indians Cultural Resources Department (SMBMI) shall be contacted, as detailed in CR-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 resources 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.**

**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.**

### **GENERAL REFERENCES**

California Department of Conservation, California Important Farmland Finder.  
<https://maps.conservation.ca.gov/agriculture/#webmaps>

California Department of Conservation, Mineral Land Classification map, Open File Report 1994-0008.

California Department of Resources Recycling and Recovery (CalRecycle), Solid Waste Facilities, <https://www.calrecycle.ca.gov/>

California Department of Toxic Substances Control, EnviroStor Database.  
<https://www.envirostor.dtsc.ca.gov/public/>

California Energy Commission, California Energy Consumption Database. Accessed January 29, 2020 from <https://ecdms.energy.ca.gov/Default.aspx>

County of San Bernardino. Development Code.  
<http://cms.sbcounty.gov/lus/Planning/DevelopmentCode.aspx>

County of San Bernardino. Countywide Plan, 2020. <http://countywideplan.com/>

County of San Bernardino. Fire Stations. <https://sbcfire.org/firestations/>

San Gabriel Valley Water Company, Fontana Water Company Division, Final 2020 Water Management Plan. [FWC-2020-UWMP-June-2021-Final.pdf \(fontanawater.com\)](https://fontanawater.com/FWC-2020-UWMP-June-2021-Final.pdf)

California Department of Conservation, Mineral Land Classification map, Open File Report 1994-0008

### **PROJECT-SPECIFIC REFERENCES**

*Biological Due Diligence Investigation, ELMT, June 9, 2021 Assessment, LSA, July 2021.*

Custom Soil Resource Report for San Bernardino County Southwestern Part, California, August 15, 2021.

*Preliminary Water Quality Management Plan for Serena Village, Azar Engineering; December 13, 2021.*

*Serena Village Air Quality and Greenhouse Gas Impact Study, MD Acoustics, May 5, 2021.*

*Tract 20016 (TRSTY-2021-00023) Trip Generation Vehicle Miles Traveled (VMT) Analysis, County of San Bernardino, TJW Engineering, Inc., October 13, 2021*