



PUBLIC REVIEW DRAFT

ENVIRONMENTAL IMPACT REPORT

FOR THE

DOWNTOWN CORE PROJECT

(SCH: 2022110624)

MAY 2023

Prepared for:

City of Fontana
Planning Department
8353 Sierra Avenue
Fontana, CA 92335

Prepared by:

De Novo Planning Group
180 East Main Street, Suite 108
Tustin, CA 92780

D e N o v o P l a n n i n g G r o u p

A Land Use Planning, Design, and Environmental Firm



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8353 Sierra Avenue
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arico@fontana.org
909-350-6558

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- Appendix C – Air Quality, Energy and Greenhouse Gas Emissions Modeling Data
- Appendix D – Noise Study
- Appendix E – Transportation Analysis
- Appendix F – Tribal Consultation/Correspondence



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1.0 EXECUTIVE SUMMARY

1.1 PROJECT LOCATION

Located in southern San Bernardino County approximately 50 miles east of the City of Los Angeles, Fontana is a rapidly growing urban community encompassing 52 square miles, including the City's Sphere of Influence (SOI). Fontana is in a valley and is adjacent to three major transportation corridors, including Interstates 10 and 15 and State Route 210. Surrounding communities are the cities of Rancho Cucamonga and Ontario to the west, the city of Rialto and the unincorporated community of Bloomington to the east, the city of Jurupa Valley to the south, and the San Gabriel Mountains and San Bernardino National Forest to the north. [Figure 3-1, *Regional Vicinity Map*](#), shows the location of Fontana in relation to the region. The proposed Project Area encompasses approximately 478 acres bounded by Foothill Boulevard on the north, Randall Avenue on the south, Juniper Avenue on the west, and Mango Avenue on the east, as shown in [Figure 3-2, *Downtown Core Project Area*](#).

1.2 PROJECT BACKGROUND

The City of Fontana adopted the "Fontana Forward" 2015-2035 General Plan update in 2018. As part of that update, the City Council approved Chapter 14, Downtown Area Plan. The goal of Chapter 14, Downtown Area Plan is to create a vibrant, walkable, mixed-use area with high quality housing and retail options. The FBC (Municipal Code Chapter 30, Article III) was created and adopted in 2019 as part of the Zoning and Development Code to implement Chapter 14, Downtown Area Plan. The City is seeking to improve the FBC in the Project Area with straightforward development guidelines, a stronger residential presence, more support for mixed-uses, a streamlined development process, and development incentives exclusive to the Project Area.

To realize their vision of making Downtown Fontana a lively mixed-used destination, the City has also identified the opportunity to reduce constraints associated with the development of housing in the Project Area as a primary opportunity to initiate redevelopment of Downtown Fontana. To help provide additional housing opportunities within the Project Area, the City applied for and was awarded a Senate Bill 2 (SB 2) Planning Grant in 2020. The scope of work for the SB 2 grant is focused on the Project Area with the primary goals to:

- Identify opportunity areas for housing density increases.
- Streamline review and approval for housing.
- Identify and eliminate constraints to building housing.
- Create clear and concise development and design standards.

The Downtown Fontana Development Guide (one of the deliverables associated with the SB 2 Planning Grant) is being developed to provide recommended changes to the FBC, objective development standards, expedited review guidelines, and development impact fee incentives. The recommended changes to the FBC and their implementation, described further below, is the subject of this EIR.



1.3 PROJECT OBJECTIVES

Pursuant to CEQA Guidelines Section 15124(b), the EIR project description must include a statement of objectives sought by the proposed Project. The statement of objectives should include the underlying purpose of the Project and may discuss the Project benefits. The City has identified that the primary purpose of the proposed Project is to increase the number of high-quality housing development approvals in the Project Area and allowing for commercial uses to create a dynamic Downtown. Additionally, the City has identified the following Project objectives:

- Provide for new residential development opportunities in order to meet the goals of the SB 2 Planning Grant.
- Establish FBC districts that encourage housing and supporting commercial development.
- Create and apply a new land use category for the Project Area to provide consistency and allow for development at the densities and intensities needed to implement the FBC districts.
- Enhance the pedestrian experience and promote walkability, by ultimately closing a quarter-mile portion of Sierra Avenue to vehicular traffic.
- Provide objective development standards that would facilitate permitting of housing projects.
- Create a Downtown Fontana Development Guide to serve as a "how-to" guide for the development community so that the City can realize its vision for the Downtown.
- Implement the following goals, policies, and/or actions from the General Plan:
 - Support regulations that promote creation of compact and walkable urban village-style design in new developments (Chapter 4: Community and Neighborhoods).
 - Support revitalization of the central area of the city with an integrated approach, including mixed-use development, infill housing, infrastructure improvements, interconnections and placemaking programs that create great public amenities (Chapter 4: Community and Neighborhoods).
 - Continue to ensure excellent management of non-single-family housing (Chapter 4: Community and Neighborhoods).
 - Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy (Chapter 9: Community, Mobility and Circulation).
 - Encourage a mix of uses in the downtown core, appealing to a wide range of customer types, with a focus on families (Chapter 14: Downtown Area Plan).
 - Encourage mixed-use development within the Downtown and along major corridors (Chapter 14: Downtown Area Plan).
 - Encourage new "in-town" housing types targeted to young people and young families to help attract and retain the next generation of Fontanans (Chapter 14: Downtown Area Plan).



- Ensure that future street improvements to Foothill and Arrow Boulevards and Sierra Avenue improve the appearance and pedestrian environment while accommodating traffic flows (Chapter 14: Downtown Area Plan).
- Locate multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation (Chapter 15: Land Use, Zoning, and Urban Design).
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses (Chapter 15: Land Use, Zoning, and Urban Design).
- Promote revitalization and redevelopment of downtown and older neighborhoods in the central area of the city (Chapter 15: Land Use, Zoning, and Urban Design).
- Transform downtown into a vibrant local and regional destination (Chapter 15: Land Use, Zoning, and Urban Design).
- Promote a land use pattern that provides connections among land uses and a mixture of land uses (Chapter 15: Land Use, Zoning, and Urban Design).
- Support high-quality development in design standards and in land use decisions (Chapter 15: Land Use, Zoning, and Urban Design).

1.4 PROJECT CHARACTERISTICS

The City is proposing to create a new focused area in the Downtown Core (Project Area) by creating and implementing a new General Plan land use category and six new FBC districts specific to the Project Area. The Project would involve amending General Plan Chapter 9, Community Mobility and Circulation, including Exhibit 9.2, Hierarchy of Streets in Fontana, Chapter 14, Downtown Area Plan, and Chapter 15, Land Use, Zoning, and Urban Design, including establishing a new General Plan land use category, amending the General Plan Land Use Map to apply the new land use category, and amending the Zoning and Development Code, including the Zoning District Map, as described below. The proposed Project, would in part, provide increased residential development opportunities, consistent with the goals of the SB 2 Planning Grant received by the City.

1.4.1 GENERAL PLAN TEXT AND MAP AMENDMENTS

Chapter 9: Community Mobility and Circulation

The Project proposes to modify the existing circulation within the Project Area specific to Nuevo Avenue, Wheeler Avenue, and Sierra Avenue; refer to the Project Area Circulation and Parking discussion below. General Plan Chapter 9, Exhibit 9.2 would be amended to modify the roadway functional class for Nuevo Avenue and Wheeler Avenue to downtown corridor, and to remove the roadway functional class for Sierra Avenue between Arrow Boulevard and Orange Way; related text modifications would also occur for consistency.

Chapter 14: Downtown Area Plan

Modifications to text and graphics would occur within Chapter 14 to be consistent with the proposed modifications to Chapter 9 and 15.



Chapter 15: Land Use, Zoning, and Urban Design

The Project proposes to amend General Plan Chapter 15, Exhibit 15.10 to include the addition of a new WMXU-3: Walkable Mixed-Use Downtown Core (0.2-2.0 Commercial FAR, 2.1-70 du/ac) land use category. Text modifications would also occur within other areas of Chapter 15 as needed to incorporate the WMXU-3 land use category.

General Plan Land Use Map

The General Plan Land Use Map would be amended to apply the WMXU-3: Walkable Mixed-Use Downtown Core (0.2-2.0 Commercial FAR, 2.1-70 du/ac) land use category within the Project Area, as shown on [Figure 3-7, Proposed Land Use Categories](#).

1.4.2 ZONING AND DEVELOPMENT CODE AMENDMENTS

Zoning and Development Code Chapter 30, Article III, Form-Based Code, would be amended to incorporate six new FBC districts, described below, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District. Article IV, Zoning Districts, Section 30-405, Section 30-406, and Table No. 30-408 would also be amended to incorporate the Downtown Core and associated land use districts. The Fontana Zoning District Map would be amended to incorporate the Downtown Core.

The Project proposes the following six new FBC districts as shown on [Figure 3-8, Proposed FBC Districts](#):

Civic Core. The Civic Core district would involve a mix of existing and new public uses, including the existing City Hall, Library, and Park spaces. Building heights would be a maximum of 70 feet.

Gateway Core. The Gateway Core district would develop strong gateways along Sierra Avenue and serve as a primary gateway to Downtown Fontana from the north and south. This area would contain a mix of existing and new buildings and would support Downtown commercial uses by encouraging the development of residential units near transit and along major corridors. Building heights would be a maximum of 70 feet with a 55-foot maximum adjacent to street corners, and a 35-foot maximum adjacent to Sierra Avenue. First floor commercial uses would be allowed anywhere in the district, and density bonuses would be provided as an incentive for including optional commercial uses.

Multi-Family Core. The Multi-Family Core district would strengthen the opportunity for higher density multi-family development within the Downtown Core. It would support Downtown commercial uses by encouraging the development of residential units within walking distance. Building heights would be a maximum of 55 feet. Density bonuses would be provided as an incentive for lot assemblages of at least one acre.

Mixed-Use Core. The Mixed-Use Core district would involve a mix of existing and new commercial and residential uses. Buildings built along major corridors would be built to the sidewalk to reinforce the street as a pedestrian-friendly area. Building heights would be a maximum of 55 feet. First floor commercial uses would be allowed anywhere in the district and required on Nuevo Avenue between Orange Avenue and Arrow Boulevard, on Wheeler Avenue between Orange Avenue and Arrow Boulevard, and Arrow



Boulevard between Juniper Avenue and Wheeler Avenue. Density bonuses would be provided as an incentive for including optional commercial uses.

Neighborhood Core. The Neighborhood Core district would be largely composed of single-family homes and would allow the development of extra units. This area would provide a transition between the Downtown and the surrounding neighborhoods. Building heights would be a maximum of 40 feet. Density bonuses would be provided as an incentive for lot assemblages of at least one acre.

Sierra Core. The Sierra Core district would reinforce Sierra Avenue between Arrow Boulevard and Orange Way as the core of Downtown Fontana. This area would be enhanced with a pedestrian promenade and public plazas, and provide a variety of entertainment, retail, service, and residential uses within existing and new buildings. Building heights would be a maximum of 70 feet, with a 55-foot maximum adjacent to street corners, and a 35-foot maximum adjacent to Sierra Avenue. First floor commercial uses would be required.

PROJECT AREA CIRCULATION AND PARKING

The Project Area planned circulation would provide a more “walkable” environment, designed to incorporate traffic calming measures to reduce traffic speeds, enhance pedestrian safety, and promote walkability of the area, specifically along Sierra Avenue. Traffic-calming methods could include corner bump-outs, parallel parking areas, sidewalk expansion, bike lanes and enhanced intersection paving areas.

To enhance the pedestrian experience and promote walkability, the Project proposes to ultimately close a quarter-mile portion of Sierra Avenue to vehicular traffic. This would occur in two phases. Phase I (interim condition) would reduce the number of travel lanes on Sierra Avenue from two lanes in each direction to one lane in each direction, convert Wheeler Avenue to a one-way northbound street, and convert Nuevo Avenue to a one-way southbound street. Phase II (the ultimate condition) would close Sierra Avenue between Arrow Boulevard and Orange Way to vehicular traffic, diverting traffic to parallel streets.

The Project Area would include parking opportunities through incorporation of various design solutions, including on-street parking, public surface lots, on-site commercial and residential parking opportunities, parking structures, and tuck under parking.

1.4.4 DEVELOPMENT STANDARDS AND DESIGN AND ARCHITECTURAL REGULATIONS

The Downtown Fontana Development Guide summarizes development standards and design and architectural regulations for all new development projects within the Project Area. Individual development projects would be required to comply with the new FBC district development standards as they define the minimum or baseline standards for urban design. The design guidelines further define the desired character and image of development in the Project Area. Development standards, and the design and architectural regulations, address a variety of development regulations including, but not limited to, building facades, roofs, signs, mechanical equipment, landscaping, lighting, plazas, pedestrian walkways and courtyards, and parking.



1.4.5 DEVELOPMENT POTENTIAL

The proposed General Plan, General Plan Land Use Map, Zoning District Map, and Zoning and Development Code amendments would apply the new General Plan WMXU-3 land use category and new Zoning and Development Code FBC districts to the Project Area. Table 1-1, Proposed Project Development Potential, identifies the maximum development potential that could occur within the Project Area under the proposed FBC districts.

**Table 1-1
Proposed Project Development Potential**

FBC District	Acreage	Maximum Development Potential		Existing Development Anticipated to Remain		Net New Development Potential	
		Residential (du)	Commercial (s.f.)	Residential (du)	Commercial (s.f.)	Residential (du)	Commercial (s.f.)
Gateway Core	106.4	4,331	1,537,799	276	125,091	4,055	1,412,708
Multi-Family Core	84.7	3,438	0	0	0	3,438	0
Mixed-Use Core	44	2,203	1,905,262	0	0	2,203	1,905,262
Neighborhood Core	73.3	461	0	0	0	461	0
Sierra Core	13.6	871	373,802	108	0	763	373,802
Civic Core	41.9	0	500,538	0	199,442	0	301,096
Total	363.9	11,304	4,317,401	384	324,533	10,920	3,992,868

As shown in Table 1-1, based on the maximum development potential and existing (on-the-ground) development anticipated to remain, implementation of the Downtown Core Project would allow for the following new development:

- New development of approximately 10,920 dwelling units (8,900 units over existing conditions)
- New development of approximately 3,992,868 square feet of non-residential uses (2,685,404 square feet over existing conditions)

1.5 ENVIRONMENTAL IMPACTS

The City determined that a Program EIR should be prepared pursuant to the California Environmental Quality Act Guidelines (CEQA Guidelines). The environmental issues identified by the City for assessment in the Program EIR are:



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

Section 5.0, *Environmental Analysis*, of this EIR provides a description of potential environmental impacts of the Downtown Core Project. After implementation of identified mitigation measures, most of the potentially significant impacts associated with the proposed Downtown Core Project would be reduced to a less than significant level. However, the impacts listed below could not be feasibly mitigated and would result in a significant and unavoidable impact with implementation of the Downtown Core Project.

Air Quality

- The Project could result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- The Project could result in ROG, NO_x, CO, PM₁₀, and PM_{2.5} operational emissions that would be significant and unavoidable.
- Implementation of the proposed Project as a whole would result in a significant and unavoidable impact concerning Local Significance Thresholds (LSTs) during operational activities.
- Project implementation would result in a cumulatively considerable contribution to significant cumulative air quality impacts during operational activities.

Greenhouse Gas Emissions

- Project implementation would generate greenhouse gas emissions that would not satisfy the Greenhouse Gas reduction targets established by federal and State law and may have a significant effect on the environment.
- Project implementation would contribute to global climate change through a cumulatively considerable contribution of greenhouse gases. The Project would result in a cumulatively considerable and significant adverse GHG emissions impact.

Noise

- Project implementation would result in substantial permanent increases in existing transportation noise levels at sensitive receptors.
- Project traffic noise on existing noise-sensitive uses along identified roadway segments within the Project Area would result in a significant unavoidable cumulative impact.



1.6 SUMMARY OF PROJECT ALTERNATIVES

Section 15126.6 of the CEQA Guidelines requires the identification and evaluation of a range of reasonable alternatives designed to feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. In addition, CEQA requires a comparative evaluation of the merits of the alternatives.

Pursuant to Section 15126.6(f)(1) of the CEQA Guidelines, factors that may be taken into account when addressing the feasibility of alternatives include site suitability, economic viability, availability of infrastructure, general plan consistency, other plan or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). Although these factors do not present a strict limit on the scope of reasonable alternatives to be considered, they help establish the context in which “the rule of reason” is measured against when determining an appropriate range of alternatives sufficient to establish and foster meaningful public participation and informed decision-making.

This EIR includes two alternatives as discussed below.

- Alternative 1 – No Project/Existing General Plan Alternative
- Alternative 2 – Reduced Growth Alternative

Alternative 1: No Project/Existing General Plan

As required by CEQA Guidelines Section 15126.6(e), under Alternative 1, the City would not implement the Downtown Core Project. The Fontana General Plan and Zoning and Development Code would continue to be implemented. No changes to the General Plan or Zoning and Development Code, including General Plan text and Land Use Map amendments, or amendments to the Zoning and Development Code and Zoning District Map, would occur. This Alternative assumes that ultimate development of the Fontana General Plan would occur and increased residential development opportunities in the Downtown Core Project Area in order to meet the goals of the SB 2 Planning Grant and accommodate a portion of the City’s Low-, Very-Low-, and Above-Moderate-income RHNA allocation as identified in the Fontana 2021-2029 Housing Element would not occur.

Alternative 2: Reduced Growth

Alternative 2 would implement the Downtown Core Project, but at residential densities and nonresidential intensities lower than those reflected in the proposed Downtown Core Project. For comparison, it is assumed that this Alternative would result in a 59 percent decrease in the number of multifamily units, resulting in a 56 percent decrease in the Project Area’s population by 2040, and a 56 percent decrease in the number of employees by 2040 when compared to the proposed Project; refer to Table 7-1, Growth Potential By Alternative (2040). This Alternative was developed to reduce the severity of potential impacts related to air quality, greenhouse gas emissions and noise, as overall development of residential and commercial uses within the Downtown Core would be less than what could under the proposed Project.



1.7 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

In accordance with the CEQA Guidelines, this EIR focuses on the Project's significant effects on the environment. The CEQA Guidelines defines a significant effect as a substantial adverse change in the physical conditions, which exist in the area affected by the proposed project. A less than significant effect is one in which there is no long or short-term significant adverse change in environmental conditions. Some impacts are reduced to a less than significant level with the implementation of Fontana General Plan policies and actions, mitigation measures, and/or compliance with regulations.

The environmental impacts of the proposed Project, the impact level of significance prior to mitigation, the proposed mitigation measures to mitigate an impact, and the impact level of significance after mitigation are summarized in Table 1-2, *Summary of Environmental Impacts and Mitigation Measures*.



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**Table 1-2
Summary of Environmental Impacts and Mitigation Measures**

Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
5.1 Aesthetics			
Would the project have a substantial adverse effect on a scenic vista?	Less Than Significant Impact	No mitigation is required.	--
In an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less Than Significant Impact	No mitigation is required.	--
Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less Than Significant Impact	No mitigation is required.	--
Would future development associated with implementation of the Downtown Core Project result in cumulatively considerable aesthetic and light/glare impacts?	Less Than Significant Impact	No mitigation is required.	--
5.2 Air Quality			
Would the project conflict with or obstruct implementation of the applicable air quality plan?	Potentially Significant Impact	AQ-1: In the event that any off-site utility and/or infrastructure improvements are required as a direct result of future projects, construction of such off-site utility and infrastructure improvements shall not occur concurrently with the demolition, site preparation, and grading phases of project construction. This requirement shall be clearly noted on all applicable	Significant Unavoidable Impact



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>grading and/or building plans. (General Plan EIR MM-AQ-8)</p> <p>AQ-2: All construction equipment shall be maintained in good operation condition so as to reduce emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturer’s specification. Maintenance records shall be available at the construction site for City of Fontana verification. The following additional measures, as determined applicable by the City Engineer, shall be included as conditions of the Grading Permit issuance:</p> <ul style="list-style-type: none"> • Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. • Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. • Reroute construction trucks away from congested streets or sensitive receptor areas. • Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>resolution of issues related to PM10 generation.</p> <ul style="list-style-type: none"> • Improve traffic flow by signal synchronization and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications. • Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NOX and PM emissions requirements. • During project construction, the construction plans and specifications shall state that off-road diesel construction equipment rated at 150 horsepower (hp) or greater, complies with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 4 off-road emissions standards or equivalent and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>The Lead Agency shall conduct an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts. (General Plan EIR MM-AQ-9, updated)</p> <p>AQ-3: Prior to the issuance of any grading permits, all Applicants shall submit construction plans to the City of Fontana denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the projects. Contractors shall also conform to any construction measures imposed by the SCAQMD as well as City Planning Staff. (General Plan EIR MM-AQ-10)</p> <p>AQ-4: All asphalt shall meet or exceed performance standards noted in SCAQMD Rule 1108. (General Plan EIR MM-AQ-13)</p> <p>AQ-5: Prior to the issuance of grading permits or approval of grading plans for future development projects within the project area, future developments shall include a dust</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>control plan as part of the construction contract standard specifications. The dust control plan shall include measures to meet the requirements of SCAQMD Rules 402 and 403. Such measures may include, but are not limited to:</p> <ul style="list-style-type: none"> • Phase and schedule activities to avoid high-ozone days and first-stage smog alerts. • Discontinue operation during second-stage smog alerts. • All haul trucks shall be covered prior to leaving the site to prevent dust from impacting the surrounding areas. • Comply with AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas. • Moisten soil each day prior to commencing grading to depth of soil cut. • Water exposed surfaces at least twice a day under calm conditions, and as often as needed on windy days or during very dry weather in order to maintain a surface crust and minimize the release of visible emissions from the construction site. • Treat any area that will be exposed for extended periods 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>with a soil conditioner to stabilize soil or temporarily plant with vegetation.</p> <ul style="list-style-type: none"> • Wash mud-covered tires and undercarriages of trucks leaving construction sites. • Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites. • Securely cover all loads of fill coming to the site with a tight-fitting tarp. • Cease grading during periods when winds exceed 25 miles per hour. • Provide for permanent sealing of all graded areas, as applicable, at the earliest practicable time after soil disturbance. • Use low-sulfur diesel fuel in all equipment. • Use electric equipment whenever practicable. • Shut off engines when not in use. (General Plan EIR MM-AQ-14) <p>AQ-6: Future individual projects within the Project Area shall be</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>required to comply with South Coast Air Quality Management District Rule 1113 – Architectural Coatings. No person shall apply or solicit the application of any architectural coating within the SCAQMD with VOC content in excess of the values specified in a table incorporated in the Rule. A list of manufacturers of low/no-VOC paints is provided at the following SCAQMD website: http://www.aqmd.gov/docs/default-source/planning/architectural-coatings/reporting-and-support-documents/rule-314-manufacturers.pdf?sfvrsn=4. All paints will be applied using either high volume low-pressure spray equipment or by hand application.</p> <p>AQ-7: Plans, specifications and contract documents shall require that a sign must be posted on-site stating that construction workers shall not allow diesel engines to idle in excess of five minutes.</p> <p>AQ-8: Future individual projects within the Project Area shall be required to use electric or alternative fueled construction equipment where technically feasible and/or commercially available, where the electric or alternatively fueled</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>equipment can perform adequately when compared to gasoline or diesel fueled equipment.</p> <p>AQ-9: To reduce energy demand associated with potable water conveyance, future projects shall implement the following, as applicable:</p> <ul style="list-style-type: none"> • Landscaping palette emphasizing drought tolerant plants. • Use of water-efficient irrigation techniques. • U.S. Environmental Protection Agency (EPA) Certified WaterSense equivalent faucets, high-efficiency toilets, and water conserving shower heads. (General Plan EIR MM-AQ-2) <p>AQ-10: Future projects shall comply with applicable provisions of state law, including the California Green Standards Code (Part 11 of Title 24 of the California Code of Regulations. (General Plan EIR MM-AQ-3)</p> <p>AQ-11: The applicant/developer shall encourage its tenants to use alternative-fueled vehicles such as compressed natural gas vehicles, electric vehicles, or other alternative fuels by providing publicly available information from the Southern California Air Quality Management</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>District (SCAQMD), California Air Resources Board (CARB), and U.S. Environmental Protection Agency (EPA) on alternative fuel technologies. (General Plan EIR MM-AQ-4)</p> <p>AQ-12: To promote alternative fuels and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants and businesses with information related to the Southern California Air Quality Management District’s (SCAQMD) Carl Moyer Program or other state programs that restrict operations to “clean” trucks, such as 2007 or newer model year or 2010 complaint heavy-duty vehicles, and information about the health effects of diesel particulates, the benefits of reduced idling time, California Air Resources Board regulations, and the importance of not parking in residential areas. If trucks older than 2007 model year would be used at the project site, the developer/successor-in-interest shall encourage tenants, through contract specifications, to apply in good-faith funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 18, VIP [On-Road Heavy Duty</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>Voucher Incentive Program], HVIP [Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project], and SOON [Surplus Off-Road Opt-In for NOX] funding programs, as identified on SCAQMD’s website (http://www.aqmd.gov). Tenants would be required to use those funds, if awarded. (General Plan EIR MM-AQ-5)</p> <p>AQ-13: The applicant/developer shall encourage its tenants to use water-based or low volatile organic compound (VOC) cleaning products by providing publicly available information from the Southern California Air Quality Management District (SCAQMD), California Air Resources Board (CARB), and U.S. Environmental Protection Agency (EPA) on such cleaning products. (General Plan EIR MM-AQ-6)</p> <p>AQ-14: All on-site forklifts shall be non-diesel and shall be powered by electricity, compressed natural gas, or propane if technically feasible. (General Plan EIR MM-AQ-7)</p> <p>AQ-15: All residential and commercial structures shall be required to incorporate high efficiency/low polluting heating, air conditioning,</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>appliances, and water heaters. (General Plan EIR MM-AQ-20)</p> <p>AQ-16: All residential and commercial structures shall be required to incorporate thermal pane windows and weather-stripping. (General Plan EIR MM-AQ-21)</p> <p>AQ-17: All residential and commercial structures shall be required to incorporate light colored roofing materials. (General Plan EIR MM-AQ-22, updated)</p> <p>AQ-18: The minimum number of automobile electric vehicle (EV) charging stations required by the California Code of Regulations (CCR) Title 24 shall be provided. As agreed by the Applicant and Lead Agency, final designs of Project Area buildings shall include electrical infrastructure sufficiently sized to accommodate the potential installation of additional auto EV charging stations.</p> <p>AQ-19: Future individual projects within the Project Area shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property.</p> <p>AQ-20: Future individual projects within the Project Area shall be required to comply with South Coast Air Quality Management District Rule 1301 – General. This rule is intended to provide that pre-construction review requirements to ensure that new or relocated facilities do not interfere with progress in attainment of the NAAQS, while future economic growth within the South Coast Air Quality Management District is not unnecessarily restricted. The specific air quality goal is to achieve no net increases from new or modified permitted sources of nonattainment air contaminants or their precursors. Rule 1301 also limits emission increases of ammonia, and Ozone Depleting Compounds (ODCs) from new, modified or relocated facilities by requiring the use of Best Available Control Technology (BACT).</p> <p>AQ-21: Building operators will require (by contract specifications) that equipment, including heavy-duty</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>equipment, motor vehicles, and portable equipment, be turned off when not in use for more than 5 minutes. Truck idling shall not exceed 5 minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than 5 minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes. Nighttime (after 10:00 PM) truck idling would not be permitted.</p> <p>AQ-22: Future individual projects within the Project Area shall be required to maximize the planting of drought resistant trees in landscaping and parking lots and when/if recycled water becomes available in the future, landscaping shall be supported by this alternative source of water supply.</p> <p>AQ-23: Where individual projects within the Project Area require permits from SCAQMD to operate specific types of equipment and processes, the developers/operators shall be required to obtain such permits prior to operation of the specific equipment and processes requiring the permit.</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
Would the project result in cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under the applicable federal or state ambient air quality standard?	Potentially Significant Impact	Refer to Mitigation Measures AQ-1 through AQ-23, above	Significant Unavoidable Impact
Would the project expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant Impact	Refer to Mitigation Measures AQ-1 through AQ-23, above	Significant Unavoidable Impact
Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less Than Significant Impact	No mitigation is required	--
Would future development associated with implementation of the Downtown Core Project result in cumulatively considerable impacts related to air quality?	Potentially Significant Impact	Refer to Mitigation Measures AQ-1 through AQ-23, above	Significant Unavoidable Impact
5.3 Biological Resources			
Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Potentially Significant Impact	BIO-1: 1. Prior to initial grading or clearing of areas of suitable habitat within the Project Area (e.g., a vacant site with a landscape of grassland or low-growing, arid scrub vegetation or agricultural use or vegetation), a qualified biologist shall conduct a pre-construction survey, in accordance with the CDFG Staff Report on Burrowing	Less Than Significant Impact with Mitigation Incorporated



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>Owl Mitigation, to determine the presence or absence of burrowing owl within the proposed area of impact.</p> <ol style="list-style-type: none"> 2. Results of surveys, including mitigation recommendations (i.e., a Burrowing Owl Mitigation and Monitoring Report) shall be incorporated into the project-level CEQA compliance documentation. 3. Construction grading/clearing of areas of suitable habitat should occur between September 1 and January 31 to avoid impacts to breeding owls. If occupied burrows are discovered, they shall not be removed during nesting season (February 1 through August 31), unless a qualified biologist can determine that either the owls have not laid eggs or are incubating eggs, or that any young from the burrows are able to forage independently. If initial grading is scheduled to occur during nesting season, the following measures shall be implemented. 4. If removal of occupied burrows is necessary, passive relocation outside of nesting season shall be implemented under the supervision of the qualified 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>biologist. This shall include covering/excavation of burrows and installation of one-way doors as necessary. One-way doors will allow owls inside the burrow to exit but not allow them to re-enter. The biologist shall wait a minimum of one week before the burrow may be excavated to allow the owls time to leave the area. (General Plan EIR MM-BIO-1)</p> <p>BIO-2: To avoid impacts to nesting birds and to comply with the MBTA, clearing of vegetation and removal of trees should occur between non-nesting (or non-breeding) season for birds (generally, September 1 to January 31). If this avoidance schedule is not feasible, the alternative is to carry out such activities under the supervision of a qualified biologist. This shall entail the following:</p> <ol style="list-style-type: none"> 1. A qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiating ground disturbance activities. The survey will consist of full coverage of the proposed disturbance limits and up to a 500-foot buffer area, determined by the biologist and 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>taking into account the species nesting in the area and the habitat present.</p> <ol style="list-style-type: none"> 2. If no active nests are found, no additional measures are required. 3. If “occupied” nests are found, their locations shall be mapped, species documented, and, to the degree feasible, the status of the nest (e.g., incubation of eggs, feeding of young, near fledging) recorded. The biologist shall establish a no-disturbance buffer around each active nest. The buffer area will be determined by the biologist based on the species present, surrounding habitat, and type of construction activities proposed in the area. 4. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the construction supervisor that activities may resume. (General Plan EIR MM-BIO-2) 	
<p>Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?</p>	<p>Less Than Significant Impact</p>	<p>No mitigation is required</p>	<p>--</p>



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to biological resources?	Less Than Significant Impact	No mitigation is required	--
5.4 Cultural Resources			
Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	Potentially Significant Impact	<p>CUL-1: A qualified archaeologist shall perform the following tasks, prior to construction activities within project boundaries:</p> <ul style="list-style-type: none"> • Subsequent to a preliminary City review, if evidence suggests the potential for historic resources, a field survey for historical resources within portions of the project site not previously surveyed for cultural resources shall be conducted. • Subsequent to a preliminary City review, if evidence suggests the potential for historic resources, the San Bernardino County Archives shall be contacted for information on historical property records. • Subsequent to a preliminary City review, if evidence suggests the potential for sacred land resources, the Native American Heritage Commission shall be contacted for information regarding sacred lands. 	Less Than Significant Impact with Mitigation Incorporated



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<ul style="list-style-type: none"> • All historical resources within the project site, including archaeological and historic resources older than 50 years, shall be inventoried using appropriate State record forms and guidelines followed according to the California Office of Historic Preservation’s handbook “Instructions for Recording Historical Resources.” The archaeologist shall then submit two (2) copies of the completed forms to the San Bernardino County Archaeological Information Center for the assignment of trinomials. • The significance and integrity of all historical resources within the project site shall be evaluated, using criteria established in the CEQA Guidelines for important archaeological resources and/or 36 CFR 60.4 for eligibility for listing on the National Register of Historic Places. • Mitigation measures shall be proposed and conditions of approval (if a local government action) recommended to eliminate adverse project effects on significant, 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>important, and unique historical resources, following appropriate CEQA and/or National Historic Preservation Act's Section 106 guidelines.</p> <ul style="list-style-type: none"> • If there is evidence that a historical resource exists or could exist, a technical resources management report shall be prepared, documenting the inventory, evaluation, and proposed mitigation of resources within the project site, following guidelines for Archaeological Resource Management Reports prepared by the California Office of Historic Preservation, Preservation Planning Bulletin 4(a), December 1989. One copy of the completed report, with original illustrations, shall be submitted to the San Bernardino County Archaeological Information Center for permanent archiving. • If human remains or funerary objects are encountered on the project site, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the San Bernardino County Coroner's Office shall be contacted pursuant to Health 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>and Safety Code Sections 7050.5 to 7055 and PRC Section 5097.98. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Native American Heritage Commission shall be contacted within 24 hours.</p> <ul style="list-style-type: none"> All resources and data collected within the project site shall be permanently curated at an appropriate repository within the County. (General Plan EIR MM-CUL-1, updated) 	
<p>Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?</p>	<p>Potentially Significant Impact</p>	<p>CUL-2: If any prehistoric archaeological resources are encountered before or during grading, the developer shall retain a qualified archaeologist to monitor construction activities and to take appropriate measures to protect or preserve them for study. In the event Native American cultural resources are discovered, the archaeologist, in consultation with the applicant and City of Fontana Planning Department, shall implement Mitigation Measure TCR-1. With the assistance of the</p>	<p>Less Than Significant Impact with Mitigation Incorporated</p>



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>archaeologist, the City of Fontana shall:</p> <ul style="list-style-type: none"> • Enact interim measures to protect undesignated sites from demolition or significant modification without an opportunity for the City to establish its archaeological value. • Consider establishing provisions to require incorporation of archaeological sites within new developments, using their special qualities at a theme or focal point. • Pursue educating the public about the area's archaeological heritage. • Propose mitigation measures and recommend conditions of approval (if a local government action) to eliminate adverse project effects on significant, important, and unique prehistoric resources, following appropriate CEQA guidelines. • Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area. Submit one copy of the completed report, with original illustrations, to the San Bernardino County 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		Archaeological Information Center for permanent archiving. (General Plan EIR MM-CUL-2)	
Would the project disturb any human remains, including those interred outside of formal cemeteries?	Less Than Significant Impact	No mitigation is required	--
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to cultural resources?	Less Than Significant Impact	No mitigation is required	--
5.5 Energy			
Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less Than Significant Impact	No mitigation is required	--
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to energy?	Less Than Significant Impact	No mitigation is required	--
5.6 Geology & Soils			
Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, or seismic-	Less Than Significant Impact	No mitigation is required	--



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
related ground failure, including liquefaction?			
Would the project result in substantial soil erosion or the loss of topsoil?	Less Than Significant Impact	No mitigation is required	--
Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less Than Significant Impact	No mitigation is required	--
Would the project be located on expansive soil, as defined in Tables 18-1-D of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less Than Significant Impact	No mitigation is required	--
Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Potentially Significant Impact	GEO-1: If excavation activities would occur at a depth of greater than five feet on any site mapped as middle to late Pleistocene older alluvium at the surface, a qualified paleontologist shall conduct a pre-construction field survey. The paleontologist shall submit a report of findings that provides specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate to the City of Fontana Community Development Department. (General Plan EIR MM-CUL-4, updated)	Less Than Significant Impact with Mitigation Incorporated



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>GEO-2: Should mitigation monitoring of paleontological resources be recommended for a specific project within the Project Area, the program shall include, but not be limited to, the following measures:</p> <ul style="list-style-type: none"> • Assign a paleontological monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full-time during the interval of earth-disturbing activities. • Should fossils be found within an area being cleared or graded, earth-disturbing activities shall be diverted elsewhere until the monitor has completed salvage. If construction personnel make the discovery, the grading contractor shall immediately divert construction and notify the monitor of the find. • All recovered fossils shall be prepared, identified, and curated for documentation in the summary report and transferred to an appropriate depository (i.e., San Bernardino County Museum). • A summary report shall be submitted to City of Fontana. Collected specimens shall be transferred with copy of report 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		to San Bernardino County Museum. (General Plan EIR MM-CUL-5)	
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to geologic resources?	Less Than Significant Impact	No mitigation is required	--
5.7 Greenhouse Gas Emissions			
Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Potentially Significant Impact	GHG-1: Prior to the issuance of building permits, future development projects shall demonstrate compliance with the SCAQMD threshold for greenhouse gas emissions in place at the time of individual project development, or if exceeding the applicable threshold, demonstrate the incorporation of project design features that achieve compliance with the SCAQMD threshold for greenhouse emissions in place at the time of individual project development to the maximum extent feasible. With regard to expansions/modifications of existing facilities, this mitigation measure shall be applied to the resulting incremental net increase in enclosed floor area. Future projects that exceed the SCAQMD threshold for greenhouse gas emissions in place at the time of individual project development shall include measures	Significant Unavoidable Impact



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>to reduce emissions, that may include, but not be limited to, the following list of potential design features (which includes measures for reducing GHG emissions related to Transportation and Motor Vehicles).</p> <p><i>Energy Efficiency</i></p> <ul style="list-style-type: none"> • Design buildings to be energy efficient and exceed Title 24 requirements by at least 5 percent. • Install efficient lighting and lighting control systems. Site and design buildings to take advantage of daylight. • Use trees, landscaping and sun screens on west and south exterior building walls to reduce energy use. • Install light colored “cool” roofs and cool pavements. • Provide information on energy management services for large energy users. • Install energy efficient heating and cooling systems (e.g., minimum of Energy Star rated equipment). • Implement design features to increase the efficiency of the building envelope (i.e., the 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>barrier between conditioned and unconditioned spaces).</p> <ul style="list-style-type: none"> • Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting. • Limit the hours of operation of outdoor lighting. <p><i>Renewable Energy</i></p> <ul style="list-style-type: none"> • Install solar panels on carports and over parking areas. • Use combined heat and power in appropriate applications. <p><i>Water Conservation and Efficiency</i></p> <ul style="list-style-type: none"> • Create water-efficient landscapes with a preference for a xeriscape landscape palette. • Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls. • Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products). • Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff. 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<ul style="list-style-type: none"> • Restrict the use of water for cleaning outdoor surfaces and vehicles. • Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment (retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site). • Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project. • Provide education about water conservation and available programs and incentives. <p><i>Solid Waste Measures</i></p> <ul style="list-style-type: none"> • Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and carboard). • Provide interior and exterior storage areas for recyclables 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>and green waste and adequate recycling containers located in public areas.</p> <ul style="list-style-type: none"> • Provide education and publicity about reducing waste and available recycling services. <p><i>Transportation and Motor Vehicles</i></p> <ul style="list-style-type: none"> • Limit idling time for commercial vehicles, including delivery and construction vehicles. • Promote ride sharing programs (e.g., by designating certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides). • Creating local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems. • Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations). 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<ul style="list-style-type: none"> • Promote “least polluting” ways to connect people and goods to their destinations. • Incorporate bicycle lanes and routes into street systems, new subdivisions, and large developments. • Incorporate bicycle-friendly intersections into street design. • For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking). • Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points. (General Plan EIR MM-GHG-1, updated <p>GHG-2: All future individual projects with the Project Area shall be required to construct future buildings to be solar or other clean energy technology compatible, and clean energy ready. Further, for individual structures proposed within the Project Area that are greater than 50,000 square feet, the developer</p>	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>shall ensure that the structure provides solar photovoltaic panel system(s) within 2 years of commencing operations where feasible.</p> <p>GHG-3: Prior to issuance of building permits, future individual project developers with more than 10 employees or more than 10 company vehicles shall submit a GHG Emissions Reduction Plan (ERP) to the City of Fontana for review and approval. The objective of the plan shall be to reduce GHG emissions by a minimum of 10 percent. The GHG ERP shall consider and identify GHG emission reductions from the following emission source categories as part of the ERP:</p> <ul style="list-style-type: none"> • Energy source reduction from measure GHG-1 • Implementation of Ride Sharing Program (Mobile Source) • Provision of electric vehicle charging stations (Level 2 or Level 3, Mobile Source) • Maintenance of an onsite bicycle sharing program (Mobile Source) • Establishment and support of a mass transit use program (including adjusting hours of operations to complement local 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		mass transit operations, Mobile Source) <ul style="list-style-type: none"> • Provision of secure bicycle parking facilities (Mobile Source) • Acquisition of a minimum of one company electric vehicle or low NOx emission CNG vehicle, including truck(s) (Mobile source) • Install low demand water consumption systems, internally and outdoors (Water Usage source) • Implement a solid waste management system that achieves greater than 50 percent recycling (Waste Management Source) • Utilize construction equipment that can reduce GHG and NOx emissions a minimum of 5 percent (Construction Emissions Source). 	
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to greenhouse gas emissions?	Potentially Significant Impact	Refer to Mitigation Measures GHG-1, GHG-2, and GHG-3, above	Significant Unavoidable Impact



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
5.8 Hazards & Hazardous Materials			
Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Potentially Significant Impact	<p>HAZ-1: The City shall require that new proposed facilities involved in the production, use, storage, transport or disposal of hazardous materials be located a safe distance from land uses that may be adversely impacted by such activities. Conversely, new sensitive facilities, such as child-care centers and senior centers, shall not to be located near existing sites that use, store, or generate hazardous materials. (General Plan EIR MM-HAZ-1, updated)</p> <p>HAZ-2: The City shall require all businesses that handle hazardous materials above the reportable quantity to submit an inventory of the hazardous materials that they manage to the San Bernardino County Fire Department - Hazardous Materials Division in coordination with the Fontana Fire Protection District. (General Plan EIR MM-HAZ-3)</p>	Less Than Significant with Mitigation Incorporated
Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Potentially Significant Impact	Refer to Mitigation Measures HAZ-1 and HAZ-2, above.	Less Than Significant with Mitigation Incorporated



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Potentially Significant Impact	Refer to Mitigation Measures HAZ-1 and HAZ-2, above.	Less Than Significant with Mitigation Incorporated
Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less Than Significant Impact	No mitigation is required.	--
Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less Than Significant Impact	No mitigation is required.	--
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to hazardous materials?	Less Than Significant Impact	No mitigation is required.	--
5.9 Hydrology & Water Quality			
Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less Than Significant Impact	No mitigation is required.	--
Would the project substantially decrease groundwater supplies or interfere substantially with	Less Than Significant Impact	No mitigation is required.	--



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
groundwater recharge such that the project may impede sustainable groundwater management of the basin?			
<p>Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <ul style="list-style-type: none"> • result in substantial erosion or siltation on- or off-site; • substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; or • create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. 	Less Than Significant Impact	No mitigation is required.	--
Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less Than Significant Impact	No mitigation is required.	--
Would future development associated with the Downtown Core Project result in cumulatively	Less Than Significant Impact	No mitigation is required.	--



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
considerable impacts related to hydrology and water quality?			
5.10 Land Use & Planning			
Would the project physically divide an established community?	Less Than Significant Impact	No mitigation is required.	--
Would the project conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less Than Significant Impact	No mitigation is required.	--
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to land use and population?	Less Than Significant Impact	No mitigation is required.	--
5.11 Noise			
Would the project result in the 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?	Potentially Significant Impact	NOI-1: Prior to issuance of a grading permit, a developer shall contract for a site-specific noise study for a parcel within 200 feet of a sensitive use as identified within Goal 8 of the 2015-2035 General Plan. The noise study shall be performed by an acoustic consultant experienced in such studies and the consultant's qualifications and methodology to be used in the study must be presented to City staff for consideration. The site-specific acoustic study shall specifically identify potential noise impacts upon any proposed sensitive uses, as well as potential project	Significant Unavoidable Impact



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>impacts upon off-site sensitive uses due to construction, stationary and mobile noise sources. Mitigation shall be required if noise levels exceed 65 dBA, as identified in Goal 8 of the 2015-2035 General Plan. (General Plan EIR MM-NOI-1, updated)</p> <p>NOI-2: To reduce impacts related to heavy construction equipment moving and operating on site during project construction, grading, demolition, and paving prior to issuance of grading permits, the applicant shall ensure that the following procedures are followed:</p> <ul style="list-style-type: none"> • Construction equipment, fixed or mobile, shall be properly outfitted and maintained with feasible noise-reduction devices to minimize construction generated noise. • Laydown and construction vehicle staging areas shall be located away from noise sensitive land uses if feasible. • Stationary noise sources such as generators shall be located away from noise sensitive land uses, if feasible. • Construction hours, allowable workdays, and the phone number of the job 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent 24 hours a day to report noise and other nuisance-related issues, if necessary. The point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust after hours, on weekends, and on holidays. In the event that the City of Fontana receives a pattern of noise complaints, appropriate corrective actions shall be implemented, such as on-site noise monitoring during construction activities, and a report of the action shall be provided to the reporting party. (General Plan EIR MM-NOI-2)	
Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?	Potentially Significant Impact	Refer to Mitigation Measures NOI-1 and NOI-2, above.	Less Than Significant Impact With Mitigation Incorporated
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to noise?	Potentially Significant Impact	Refer to Mitigation Measures NOI-1 and NOI-2, above.	Significant Unavoidable Impact



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
5.12 Population & Housing			
Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less Than Significant Impact	No mitigation is required.	--
Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less Than Significant Impact	No mitigation is required.	--
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to population and housing?	Less Than Significant Impact	No mitigation is required.	--
5.13 Public Services & Recreation			
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	No mitigation is required.	--



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
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: police protection?	Less Than Significant Impact	No mitigation is required.	--
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: schools?	Less Than Significant Impact	No mitigation is required.	--
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	Less Than Significant Impact	No mitigation is required.	--



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
ratios, response times or other performance objectives for any of the public services: libraries and other facilities?			
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: parks?	Less Than Significant Impact	No mitigation is required.	--
Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less Than Significant Impact	No mitigation is required.	--
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to public services and recreational facilities?	Less Than Significant Impact	No mitigation is required.	--



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
5.14 Transportation			
Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?	Less Than Significant Impact	No mitigation is required.	--
Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Less Than Significant Impact	No mitigation is required.	--
Would the project substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less Than Significant Impact	No mitigation is required.	--
Would the project result in inadequate emergency access?	Less Than Significant Impact	No mitigation is required.	--
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to transportation?	Less Than Significant Impact	No mitigation is required.	--
5.15 Tribal Cultural Resources			
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is	Potentially Significant Impact	In addition to TCR-1, refer to Cultural Resources Mitigation Measures CUL-1 and CUL-2, above. TCR-1: Site-specific development projects shall implement the following:	Less Than Significant Impact



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
<p>geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <ul style="list-style-type: none"> • Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or • A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. 		<ul style="list-style-type: none"> • In the event Native American cultural resources are discovered during construction for future development, 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 site outside of the buffered area may continue during this assessment period; • The archaeologist, in coordination with the applicant and City of Fontana Planning Department, shall contact the Yuhaaviatam of San Manuel National Cultural Resources Department (YSMN), as well as any other Native American tribal entity (as determined by a qualified archaeologist meeting Secretary of Interior standards) of any pre-contact and/or historic-era cultural resources discovered during project implementation. The Tribe(s) shall 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 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		<p>deemed significant, as defined by CEQA, a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN and any other Tribe determined to have cultural affiliation to the area, and all subsequent finds shall be subject to this Plan. A copy of the Plan shall be provided to the City of Fontana Planning Department. The Plan shall identify how Tribal Cultural Resources will be recovered and retained. This Plan shall allow for a monitor to be present that represents YSMN and/or other Tribe(s) determined to have cultural affiliation for the remainder of project activities associated with ground disturbance, should YSMN or another Tribe(s) elect to place a monitor on-site;</p> <ul style="list-style-type: none"> Any and all archaeological/cultural documents created as part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and City of Fontana Planning Department for dissemination to YSMN and other Tribe(s) determined to 	



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
		have cultural affiliation. (General Plan EIR MM-CUL-3, updated)	
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to tribal cultural resources?	Less Than Significant Impact	No mitigation is required.	--
5.16 Utilities & Service Systems			
Would the project require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects; or have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less Than Significant Impact	No mitigation is required.	--
Would the project require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects; or 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	No mitigation is required.	--



Environmental Impact	Level of Significance Without Mitigation	Mitigation Measures	Resulting Level of Significance
Would the Project require or result in the relocation or construction of new or expanded stormwater facilities, the construction or relocation of which could cause significant environmental effects?	Less Than Significant Impact	No mitigation is required.	--
Would the Project require or result in the relocation or construction of new or expanded electrical, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less Than Significant Impact	No mitigation is required.	--
Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less Than Significant Impact	No mitigation is required.	--
Would future development associated with the Downtown Core Project result in cumulatively considerable impacts related to utilities and service systems?	Less Than Significant Impact	No mitigation is required.	--



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2.0 INTRODUCTION AND PURPOSE

The California Environmental Quality Act (CEQA) specifies that before a public agency decides to approve a project that could have one or more adverse effects on the physical environment, the agency must inform itself about the Project’s potential environmental impacts, give the public an opportunity to comment on the environmental issues, and take feasible measures to avoid or reduce potential harm to the physical environment. The State CEQA Guidelines are located within the California Code of Regulations (CCR), Title 14, Division 6, Chapter 3, Sections 15000-15387, while the CEQA Statute is codified as Public Resources Code Sections 21000-21189.70.10.

2.1 PURPOSE OF THE EIR

The purpose of this Environmental Impact Report (EIR) is to review the existing conditions, analyze potential environmental impacts, and identify feasible mitigation measures to avoid or lessen the Project’s potentially significant effects. This EIR addresses the Project’s environmental effects, in accordance with CEQA Guidelines Section 15161, Project EIR. As referenced in the CEQA Guidelines Section 15121(a), as an information document, the EIR will:

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

The mitigation measures that are identified may be adopted as “Conditions of Approval” to minimize the significance of impacts resulting from the Project. In addition, this EIR is the primary reference document in the formulation and implementation of a mitigation monitoring program for the Project. The City of Fontana (which is the lead agency and has the principal responsibility of processing and approving the Project) and other public (i.e., responsible and trustee) agencies that may use this EIR in the decision-making or permit issuance process will consider the information in this EIR, along with other information that may be presented during the CEQA process.

Environmental impacts are not always able to be mitigated to a level considered less than significant; in those cases, impacts are considered significant unavoidable impacts. In accordance with CEQA Guidelines Section 15093(b), when the lead agency approves a project that will result in significant effects that cannot be avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and any other information in the public record for the project. CEQA Guidelines Section 15093 requires a “statement of overriding considerations” to be adopted where the agency specifies the findings and public benefits for the project that outweigh the significant impacts.

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



2.2 COMPLIANCE WITH CEQA

PUBLIC REVIEW OF THE DRAFT EIR

In accordance with CEQA Guidelines Sections 15087 and 15105, this Draft EIR is circulated for a 45-day public review period. The public is invited to comment in writing on the information contained in this document. Persons and agencies commenting are encouraged to provide information that they believe is missing from the Draft EIR within the purview of CEQA and the CEQA Guidelines. All comment letters received will be responded to in writing, and the comment letters, together with the responses to those comments, will be included in the Final EIR.

Comment letters should be sent to:

City of Fontana
Planning Department
8353 Sierra Avenue
Fontana CA, 92335
Attention: Alejandro Rico, Associate Planner
Email: arico@fontana.org

FINAL EIR

The Final EIR will consist of the Draft EIR, revisions to the Draft EIR (if any), and responses to all written comments addressing environmental concerns raised in the comments of responsible and trustee agencies, the public, and any other reviewing parties. After the Final EIR is completed, and at least ten days prior to the certification hearing, a copy of the response to comments made by public agencies on the Draft EIR will be provided to the commenting agencies and parties.

2.3 EIR SCOPING PROCESS

NOTICE OF PREPARATION

In compliance with Section 15082 of the CEQA Guidelines, the City of Fontana provided opportunities for various agencies and the public to participate in the environmental review process. During preparation of the Draft EIR, efforts were made to contact various Federal, State, regional, and local government agencies, and other interested parties to solicit comments on the scope of review in this document. This included the distribution of a Notice of Preparation (NOP) (State Clearinghouse Number 2022110624) to various agencies and interested parties. The purpose of the NOP was to formally announce the preparation of a Draft EIR for the proposed Project and, that, as the Lead Agency, the City was soliciting input regarding the scope and content of the environmental information to be included in the EIR. The NOP provided preliminary information regarding the anticipated range of impacts to be analyzed within the EIR. In addition, notice of an EIR Scoping Meeting for the Project was included in the NOP.

Pursuant to CEQA Guidelines Section 15082, the City of Fontana circulated the NOP directly to public agencies (including the State Clearinghouse Office of Planning and Research and County Clerk), organizations, and interested parties. An electronic copy of the NOP was also made available on the City's website. The NOP and Initial Study were made available on November 30, 2022, with the 30-day public review period concluding on January 6, 2023.



An EIR Scoping Meeting was held virtually on Wednesday, December 14, 2022 at 5:00 pm via Zoom. Information regarding the scoping meeting was included in the NOP, as described above. The intent of the meeting was to share information regarding the proposed Project and the environmental review process and to receive comments regarding the scope and content of the environmental analysis to be addressed in the EIR. A summary of the proposed Project and the CEQA process was presented at the meeting. After the presentation, attendees were provided the opportunity to provide comments on the scope and content of the EIR.

The NOP is provided as Appendix A, *Notice of Preparation*, and the NOP comment letters are provided as Appendix B, *Notice of Preparation Comment Letters*.

A summary of the primary environmental issue areas identified in response to the NOP, and where in the Draft EIR the issues are addressed, are as follows:

- Transportation/traffic (refer to Section 5.14, *Transportation*).
- Bicyclists and bicycle facilities (refer to Section 5.14, *Transportation*).
- Tribal cultural resources (refer to Section 5.15, *Tribal Cultural Resources*).

2.4 FORMAT OF THE EIR

The Draft EIR is organized into the following sections:

Section 1.0, *Executive Summary*, provides summaries of the Project description, environmental impacts, and mitigation measures.

Section 2.0, *Introduction and Purpose*, provides CEQA compliance information and the organization of the EIR.

Section 3.0, *Project Description*, provides a detailed Project description indicating Project location and setting, Project characteristics, objectives, phasing, and associated discretionary actions required.

Section 4.0, *Basis of Cumulative Analysis*, describes the approach and methodology for the cumulative analysis.

Section 5.0, *Environmental Analysis*, contains a detailed environmental analysis of the existing conditions, potential Project impacts, recommended mitigation measures, and possible unavoidable adverse impacts for the following environmental topic areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality



- Land Use and Planning
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

Section 6.0, *Other CEQA Considerations*, discusses the potential long-term implications of the proposed action and irreversible changes on the environment that would be caused by the proposed Project, should it be implemented. The Project’s growth-inducing impacts, including the potential for economic or population growth are also discussed.

Section 7.0, *Alternatives to the Proposed Project*, describes a reasonable range of alternatives to the Project or its location that could avoid or substantially lessen the Project’s significant impacts and still feasibly attain the Project’s basic objectives.

Section 8.0, *Effects Found Not To Be Significant*, provides an explanation of potential impacts that have been determined not to be significant and are therefore not discussed in detail in the EIR.

Section 9.0, *Report Preparers*, identifies all individuals involved in preparing the EIR.

Appendices, contains the Project’s technical documentation.

2.5 INCORPORATION BY REFERENCE

Pertinent documents relating to this EIR have been cited in accordance with CEQA Guidelines Section 15150, which encourages incorporation by reference as a means of reducing redundancy and the length of environmental reports. The following documents are incorporated by reference into this EIR. Information contained within these documents has been utilized for each section of this EIR. Copies of these documents are available for review at the City’s website at www.fontana.org. A brief synopsis of the scope and content of these documents are provided below.

- *Fontana Forward General Plan Update 2015-2035, adopted November 13, 2018*. The Fontana Forward General Plan update was adopted in 2018 to guide future development and provide a strategic framework for decision making based both on the community’s vision and goals and on the State’s goals for California’s long-term development. City officials use the General Plan as the basis for decision-making and to guide the development of new policies, ordinances, programs, initiatives and capital expenditures. The General Plan informs and is implemented by the City’s various ordinances, specific plans, programs, and ongoing activities. The General Plan is comprised of 16 chapters or “elements” that include a summary of existing conditions and current trends, the planning process, and goals, policies and actions for different topic areas that will affect the physical and economic development of the City. The General Plan is comprised of the following mandatory and optional Chapters (i.e., Elements):
 - Vision and Principles
 - Trends for Fontana’s Future



- Engaging the Fontana Community
 - Community and Neighborhoods
 - Housing
 - Building a Healthier Fontana
 - Conservation, Open Space, Parks and Trails
 - Public and Community Services
 - Community Mobility and Circulation
 - Infrastructure and Green Systems
 - Noise and Safety
 - Sustainability and Resilience
 - Economy, Education and Workforce Development
 - Downtown Area Plan
 - Land Use, Zoning, and Urban Design
 - Stewardship and Implementation
- *Fontana Forward General Plan Update 2015-2035: Final Environmental Impact Report (State Clearinghouse #2016021099) (General Plan FEIR)*. The General Plan FEIR provides a program-level assessment of the general environmental impacts resulting from the development of land uses and implementation of policies established within the General Plan as part of the CEQA process. Potential development capacity was projected for buildout of the General Plan. This buildout scenario is analyzed throughout the EIR. More specifically, the expected buildout of land uses by 2035 pursuant to the General Plan could result in an increase of 23,492 households and an additional 40,599 employees over existing conditions. The focus for growth in the General Plan Update is the Downtown Core of the City and “Livable Corridors” as described in General Plan Chapter 14. The General Plan FEIR concluded that potential impacts associated with the General Plan would be less than significant or less than significant with the implementation of mitigation for all environmental topical areas.
 - *City of Fontana Municipal Code (Municipal Code)*. The Municipal Code is a collection of Municipal Ordinances or laws, that are adopted by the City Council and enacted and enforced by municipalities. It is the method the City uses to implement control of land uses in accordance with the General Plan goals and policies. The *Zoning and Development Code (Zoning Code or Development Code)* is contained in Chapter 30 of the Municipal Code, and carries out the policies of the General Plan by classifying and regulating the uses of land and structures within the City. The Development Code is adopted to protect and to promote health, safety, and general welfare of the residents and visitors of the City.



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3.0 PROJECT DESCRIPTION

3.1 PROJECT LOCATION

Located in southern San Bernardino County approximately 50 miles east of the City of Los Angeles, Fontana is a rapidly growing urban community encompassing 52 square miles, including the City's Sphere of Influence (SOI). Fontana is in a valley and is adjacent to three major transportation corridors, including Interstates 10 and 15 and State Route 210. Surrounding communities are the cities of Rancho Cucamonga and Ontario to the west, the city of Rialto and the unincorporated community of Bloomington to the east, the city of Jurupa Valley to the south, and the San Gabriel Mountains and San Bernardino National Forest to the north. [Figure 3-1, *Regional Vicinity Map*](#), shows the location of Fontana in relation to the region. The proposed Project Area encompasses approximately 478 acres bounded by Foothill Boulevard on the north, Randall Avenue on the south, Juniper Avenue on the west, and Mango Avenue on the east, as shown in [Figure 3-2, *Downtown Core Project Area*](#).

3.2 ENVIRONMENTAL SETTING

The Downtown Core Project (Project) proposes amendments to the Fontana Forward General Plan (General Plan) Chapter 9, Community Mobility and Circulation, Chapter 14, Downtown Area Plan, and Chapter 15, Land Use, Zoning, and Urban Design, including establishing a new land use category and text and figure modifications, a General Plan Land Use Map amendment to apply the new land use category, and amendments to the Zoning and Development Code and an amendment to the Zoning District Map to establish and implement new Form Based Code (FBC) districts within the Project Area, as described in detail in Section 3.4, Project Characteristics.

3.2.1 GENERAL PLAN

The Fontana General Plan is comprised of 16 chapters or "elements" that include a summary of existing conditions and current trends, the planning process, and goals, policies and actions for different topic areas that will affect the physical and economic development of the City.

General Plan Chapter 9, Community Mobility and Circulation, is focused on connecting neighborhoods and city destinations by expanding transportation choice in Fontana. The element supports continuing programs to improve travel by cars and trucks, and provides guidance on expanding the options for transit and "active transportation" (pedestrian and bicycle mobility) for Fontana. The element identifies the roadway functional classification or Hierarchy of Streets (General Plan Exhibit 9.2) established for the City. The Hierarchy of Streets within the Project Area are shown in [Figure 3-3, *Hierarchy of Streets*](#).

General Plan Chapter 14, Downtown Area Plan, focuses on the approximately one square mile area around the historic Downtown, centered on the intersection of Sierra Avenue and Arrow Boulevard. The intent of the Downtown Area Plan is to provide a comprehensive vision for the Downtown Area, organized into specific goals, strategies, and actions to direct and coordinate the implementation of that vision over time. As shown in [Figure 3-4, *Downtown Area Plan*](#), a majority of the Project Area is located within the boundary of the Downtown Area Plan.



General Plan Chapter 15, Land Use, Zoning, and Urban Design, sets forth the policy framework for the physical development of Fontana. It is the guide for decision makers on the pattern, distribution, density, and intensity of land uses that, over time, will help the city achieve the Fontana vision for the future. The land use map provides the foundation for zoning and determines the distribution of land uses in the City. The General Plan Land Use categories for properties within the Project Area are shown in [Figure 3-5, Existing General Plan Land Use Categories](#).

3.2.2 ZONING AND DEVELOPMENT CODE

Fontana Municipal Code Chapter 30, Zoning and Development Code, establishes official land use zoning regulations and design guidelines. The zoning districts and regulations are consistent with the goals and policies of the General Plan.

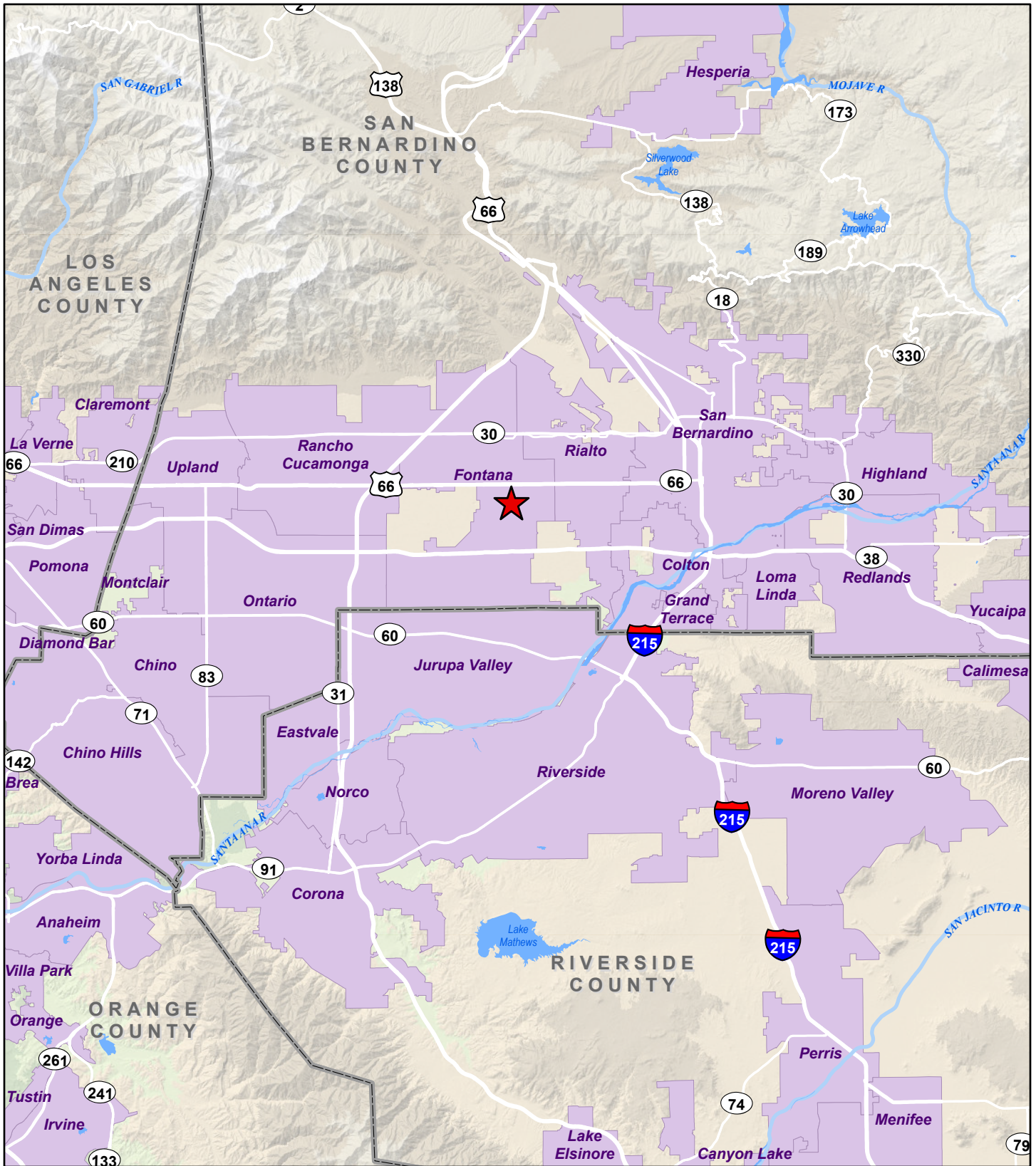
Chapter 30, Article III, Form-Based Code, establishes the requirements for all property, including structures, land uses and physical improvements within the boundaries of the Form-Based Code (FBC) area, including that all property subject to the FBC comply with the relevant requirements of the applicable district. Division 4, Development Standards by Zoning District, establishes the specific development standards for the 11 zoning districts. As shown in [Figure 3-6, Existing FBC Zoning Districts](#), the Project Area is located within the FBC area and specifically within the Retail, Civic, Station Area, Downtown Gateway, Transitional, Multi-Family, Neighborhood, and Sierra Gateway districts.

3.2.3 EXISTING ON-SITE DEVELOPMENT




The Project Area contains a mix of existing on-site development, as shown in [Table 3-1, Summary of Existing On-Site Development](#). As indicated in [Table 3-1](#), the Project Area is currently developed with approximately 1.3 million square feet of non-residential uses and 2,020 dwelling units.

**Table 3-1
Summary of Existing On-Site Development**

Land Use	Development		
	Dwelling Units	Building Square Feet	Land Area (acres)
Single-Family Residential ¹	896		
Multi-Family Residential ²	1,124		
Commercial ³		642,458	
Office		293,579	
Industrial ⁴		46,894	
Public Facilities ⁵		324,533	
Public Parks			2.08
Public Right of Way			114.00
Vacant (Land)			12.07
Grand Total	2,020	1,307,464	
Source: CoStar Group, Esri, Google Earth, ParcelQuest, San Bernardino County Assessor Notes: 1. Includes attached and detached single-family homes 2. Includes apartments, condos, and retirement homes 3. Includes retail properties as designated by CoStar Group 4. Industrial uses as designated by CoStar Group based on type of building 5. Includes civic centers and educational and government facilities			



Legend

-  Project Location
-  County Boundary
-  Incorporated Area

DOWNTOWN CORE PROJECT

Figure 3-1. Regional Vicinity Map

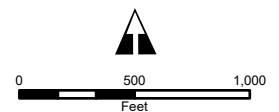
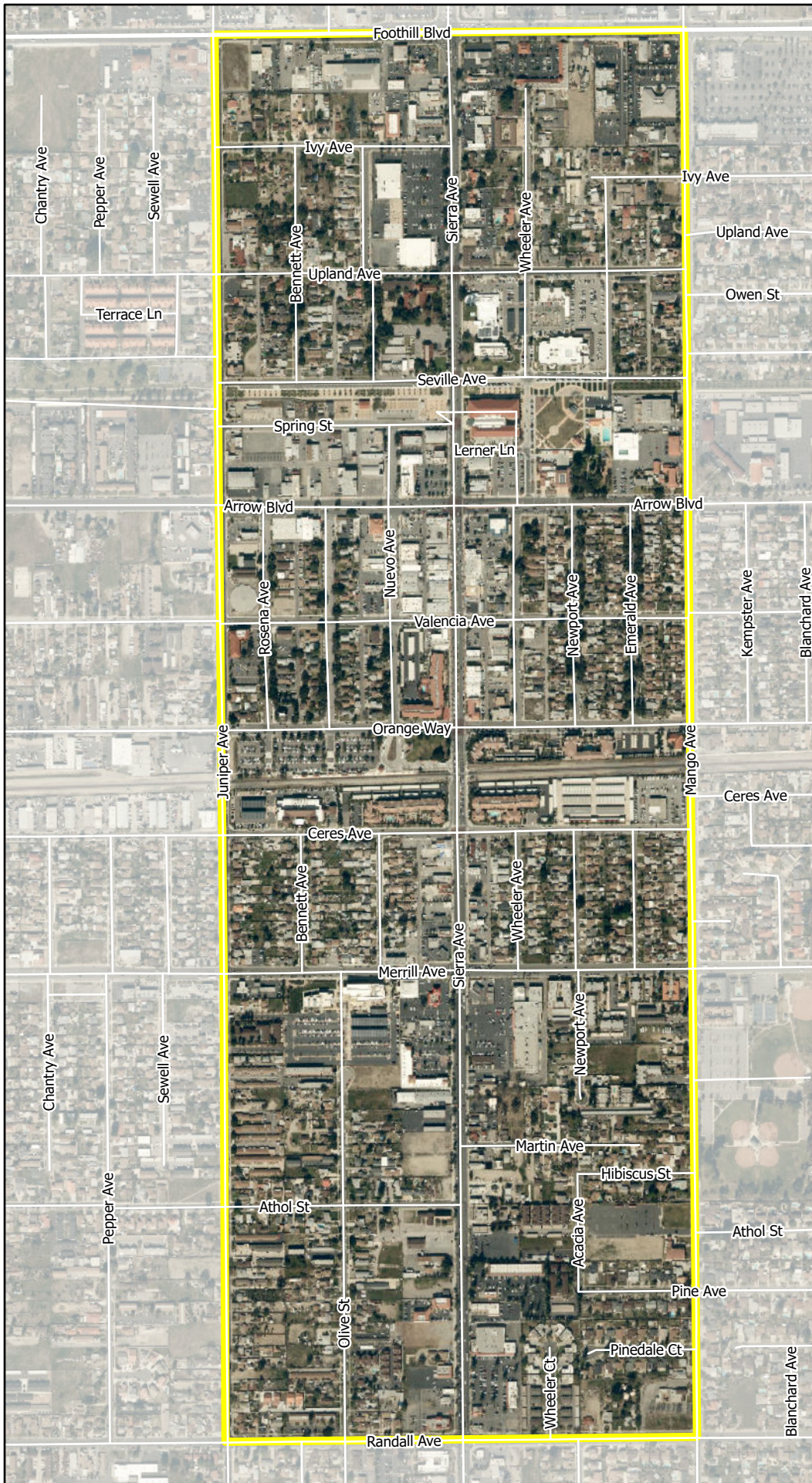


DOWNTOWN CORE PROJECT

Figure 3-2.
Downtown Core Project Area

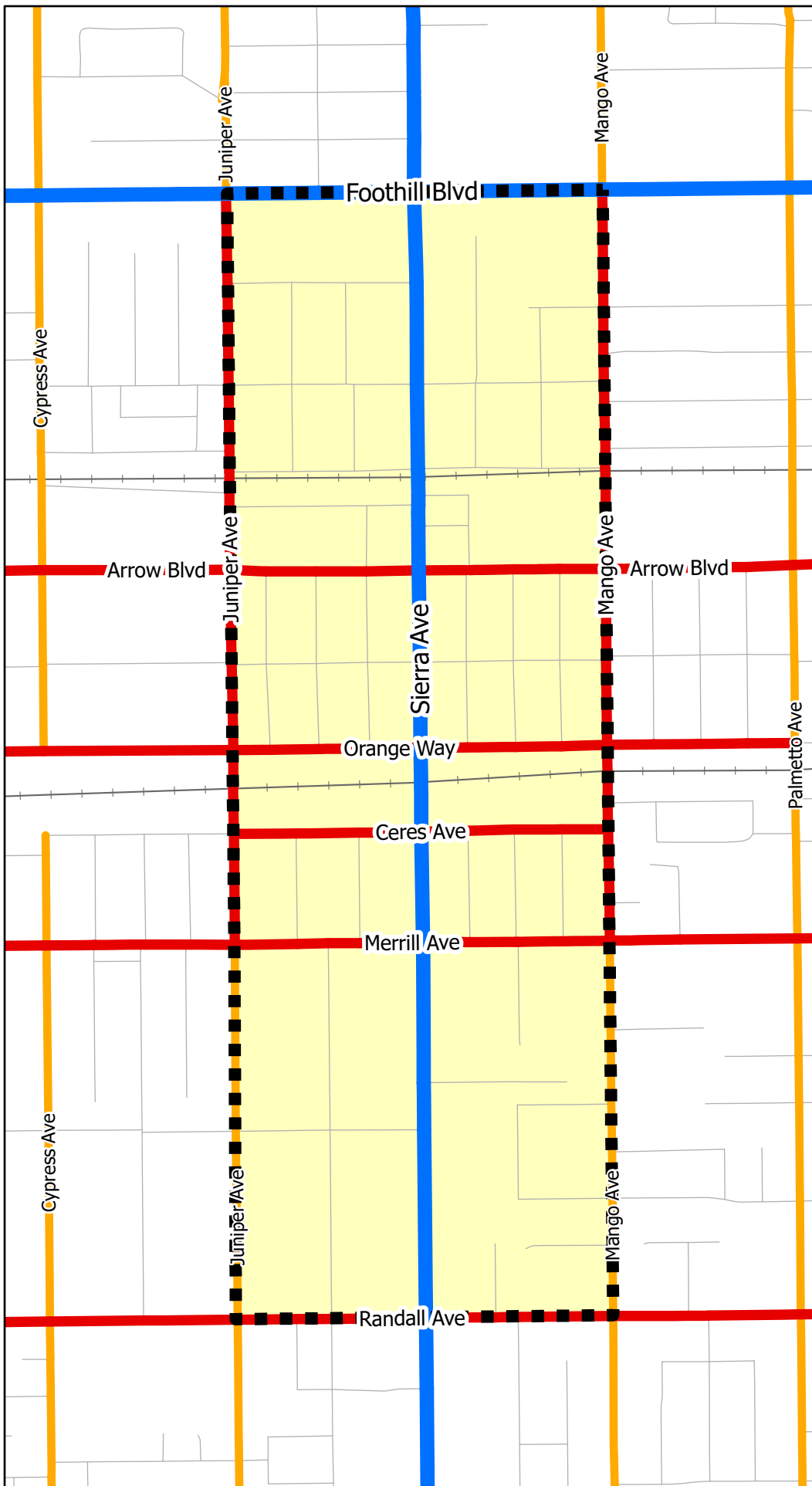
Legend

 Project Area









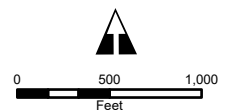
DOWNTOWN CORE PROJECT

Figure 3-3.
Hierarchy of Streets



Legend



-  Project Area
-  Major Highway up to 6 Lanes and up to 132' Cross Sections
-  Primary Highway up to 4 Lanes and up to 104' Cross Sections
-  Collector Street up to 2 Lanes and up to 80' Cross Sections
-  Other Roads
-  Railroad

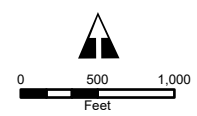
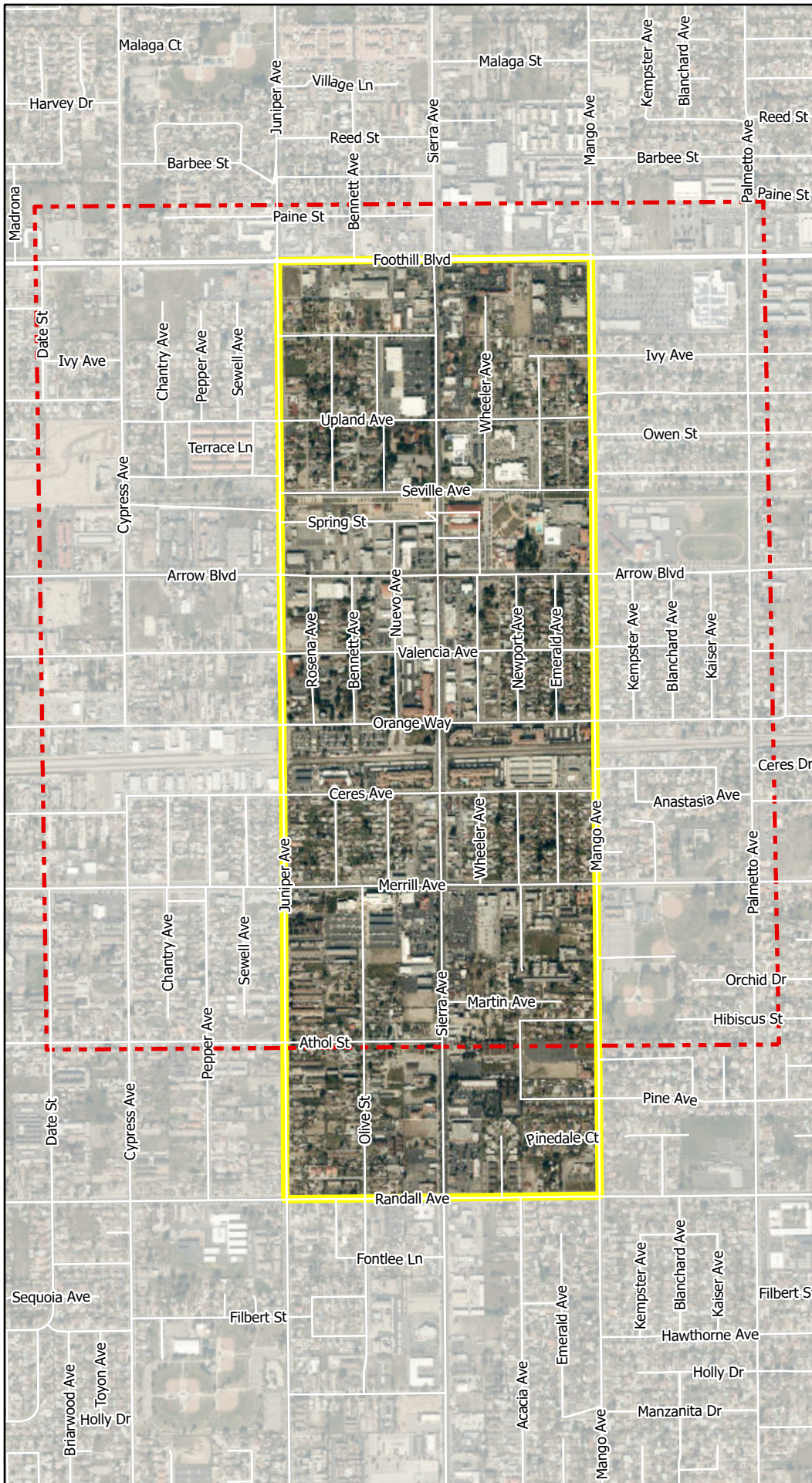


DOWNTOWN CORE PROJECT

**Figure 3-4.
Downtown Area Plan**

Legend

-  Project Area
-  Downtown Area Plan Boundary









Sources: ArcGIS Online World Imagery map service; USGS National Map Roads. Map date: November 14, 2022.

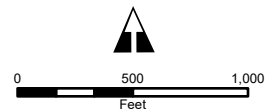
DOWNTOWN CORE PROJECT

Figure 3-5.
General Plan
Land Use Categories



Legend

-  Project Area
-  P-PF
-  P-R
-  R-MFH
-  WMXU-1
-  R-SF



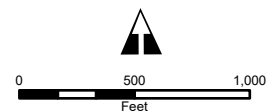
DOWNTOWN CORE PROJECT

Figure 3-6.
FBC Zoning Districts



Legend

-  Project Area
-  Retail
-  Civic
-  Station Area
-  Downtown Gateway
-  Transitional
-  Multi-Family
-  Neighborhood
-  Sierra Gateway





3.3 PROJECT BACKGROUND

The City of Fontana adopted the "Fontana Forward" 2015-2035 General Plan update in 2018. As part of that update, the City Council approved a Downtown Area Plan (General Plan Chapter 14). The goal of the Downtown Area Plan is to create a vibrant, walkable, mixed-use area with high quality housing and retail options. The FBC (Municipal Code Chapter 30, Article III) was created and adopted in 2019 as part of the Zoning and Development Code to implement the Downtown Area Plan. The City is seeking to improve the FBC in the Project Area with straightforward development guidelines, a stronger residential presence, more support for mixed-uses, a streamlined development process, and development incentives exclusive to the Project Area.

To realize their vision of making Downtown Fontana a lively mixed-used destination, the City has also identified the opportunity to reduce constraints associated with the development of housing in the Project Area as a primary opportunity to initiate redevelopment of Downtown Fontana. To help provide additional housing opportunities within the Project Area, the City applied for and was awarded a Senate Bill 2 (SB 2) Planning Grant in 2020. The scope of work for the SB 2 grant is focused on the Project Area with the primary goals to:

- Identify opportunity areas for housing density increases.
- Streamline review and approval for housing.
- Identify and eliminate constraints to building housing.
- Create clear and concise development and design standards.

The Downtown Fontana Development Guide (one of the deliverables associated with the SB 2 Planning Grant) is being developed to provide recommended changes to the FBC, objective development standards, expedited review guidelines, and development impact fee incentives. The recommended changes to the FBC and their implementation, described further below, is the subject of this EIR.

3.4 PROJECT CHARACTERISTICS

The City is proposing to create a new focused area in the Downtown Core (Project Area) by creating and implementing a new General Plan land use category and six new FBC districts specific to the Project Area. The Project would involve amending General Plan Chapter 9, Community Mobility and Circulation, including Exhibit 9.2, Hierarchy of Streets in Fontana, Chapter 14, Downtown Area Plan, and Chapter 15, Land Use, Zoning, and Urban Design, including establishing a new General Plan land use category, amending the General Plan Land Use Map to apply the new land use category, and amending the Zoning and Development Code, including the Zoning District Map, as described below. The proposed Project, would in part, provide increased residential development opportunities, consistent with the goals of the SB 2 Planning Grant received by the City.

3.4.1 GENERAL PLAN TEXT AND MAP AMENDMENTS

Chapter 9: Community Mobility and Circulation

The Project proposes to modify the existing circulation within the Project Area specific to Nuevo Avenue, Wheeler Avenue, and Sierra Avenue; refer to the Project Area Circulation and Parking discussion below.



General Plan Chapter 9, Exhibit 9.2 would be amended to modify the roadway functional class for Nuevo Avenue and Wheeler Avenue to downtown corridor, and to remove the roadway functional class for Sierra Avenue between Arrow Boulevard and Orange Way; related text modifications would also occur for consistency.

Chapter 14: Downtown Area Plan

Modifications to text and graphics would occur within Chapter 14 to be consistent with the proposed modifications to Chapter 9 and 15.

Chapter 15: Land Use, Zoning, and Urban Design

The Project proposes to amend General Plan Chapter 15, Exhibit 15.10 to include the addition of a new WMXU-3: Walkable Mixed-Use Downtown Core (0.2-2.0 Commercial FAR, 2.1-70 du/ac) land use category. Text modifications would also occur within other areas of Chapter 15 as needed to incorporate the WMXU-3 land use category.

General Plan Land Use Map

The General Plan Land Use Map would be amended to apply the WMXU-3: Walkable Mixed-Use Downtown Core (0.2-2.0 Commercial FAR, 2.1-70 du/ac) land use category within the Project Area, as shown on [Figure 3-7, Proposed Land Use Categories](#).

3.4.2 ZONING AND DEVELOPMENT CODE AMENDMENTS

Zoning and Development Code Chapter 30, Article III, Form-Based Code, would be amended to incorporate six new FBC districts, described below, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District. Article IV, Zoning Districts, Section 30-405, Section 30-406, and Table No. 30-408 would also be amended to incorporate the Downtown Core and associated land use districts. The Fontana Zoning District Map would be amended to incorporate the Downtown Core.

The Project proposes the following six new FBC districts as shown on [Figure 3-8, Proposed FBC Districts](#):

Civic Core. The Civic Core district would involve a mix of existing and new public uses, including the existing City Hall, Library, and Park spaces. Building heights would be a maximum of 70 feet.

Gateway Core. The Gateway Core district would develop strong gateways along Sierra Avenue and serve as a primary gateway to Downtown Fontana from the north and south. This area would contain a mix of existing and new buildings and would support Downtown commercial uses by encouraging the development of residential units near transit and along major corridors. Building heights would be a maximum of 70 feet with a 55-foot maximum adjacent to street corners, and a 35-foot maximum mid-block adjacent to Sierra Avenue. First floor commercial uses would be allowed anywhere in the district, and density bonuses would be provided as an incentive for including optional commercial uses.

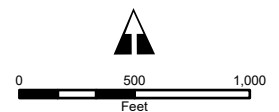
DOWNTOWN CORE PROJECT

Figure 3-7.
Proposed
Land Use Categories



Legend

-  Project Area
-  P-R
-  R-MFH
-  WMXU-3
-  P-PF



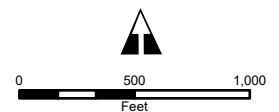
DOWNTOWN CORE PROJECT

**Figure 3-8.
Proposed FBC Districts**



Legend

-  Project Area
-  Civic
-  Gateway Core
-  Mixed-Use Core
-  Multi-Family Core
-  Neighborhood Core
-  Sierra Core



Sources: City of Fontana; San Bernardino County; USGS National Map Roads. Map date: November 15, 2022.



Multi-Family Core. The Multi-Family Core district would strengthen the opportunity for higher density multi-family development within the Downtown Core. It would support Downtown commercial uses by encouraging the development of residential units within walking distance. Building heights would be a maximum of 55 feet. Density bonuses would be provided as an incentive for lot assemblages of at least one acre.

Mixed-Use Core. The Mixed-Use Core district would involve a mix of existing and new commercial and residential uses. Buildings built along major corridors would be built to the sidewalk to reinforce the street as a pedestrian-friendly area. Building heights would be a maximum of 55 feet. First floor commercial uses would be allowed anywhere in the district and required on Nuevo Avenue between Orange Avenue and Arrow Boulevard, on Wheeler Avenue between Orange Avenue and Arrow Boulevard, and Arrow Boulevard between Juniper Avenue and Wheeler Avenue. Density bonuses would be provided as an incentive for including optional commercial uses.

Neighborhood Core. The Neighborhood Core district would be largely composed of single-family homes and would allow the development of extra units. This area would provide a transition between the Downtown and the surrounding neighborhoods. Building heights would be a maximum of 40 feet. Density bonuses would be provided as an incentive for lot assemblages of at least one acre.

Sierra Core. The Sierra Core district would reinforce Sierra Avenue between Arrow Boulevard and Orange Way as the core of Downtown Fontana. This area would be enhanced with a pedestrian promenade and public plazas, and provide a variety of entertainment, retail, service, and residential uses within existing and new buildings. Building heights would be a maximum of 70 feet, with a 55-foot maximum adjacent to street corners, and a 35-foot maximum adjacent to Sierra Avenue. First floor commercial uses would be required.

3.4.3 PROJECT AREA CIRCULATION AND PARKING

The Project Area planned circulation would provide a more “walkable” environment, designed to incorporate traffic calming measures to reduce traffic speeds, enhance pedestrian safety, and promote walkability of the area, specifically along Sierra Avenue. Traffic-calming methods could include corner bump-outs, parallel parking areas, sidewalk expansion, bike lanes and enhanced intersection paving areas.

To enhance the pedestrian experience and promote walkability, the Project proposes to ultimately close a quarter-mile portion of Sierra Avenue to vehicular traffic. This would occur in two phases. Phase I (interim condition) would reduce the number of travel lanes on Sierra Avenue from two lanes in each direction to one lane in each direction, convert Wheeler Avenue to a one-way northbound street, and convert Nuevo Avenue to a one-way southbound street. Phase II (the ultimate condition) would close Sierra Avenue between Arrow Boulevard and Orange Way to vehicular traffic, diverting traffic to parallel streets.

The Project Area would include parking opportunities through incorporation of various design solutions, including on-street parking, public surface lots, on-site commercial and residential parking opportunities, parking structures, and tuck under parking.



3.4.4 DEVELOPMENT STANDARDS AND DESIGN AND ARCHITECTURAL REGULATIONS

The Downtown Fontana Development Guide summarizes development standards and design and architectural regulations for all new development projects within the Project Area. Individual development projects would be required to comply with the new FBC district development standards as they define the minimum or baseline standards for urban design. The design guidelines further define the desired character and image of development in the Project Area. Development standards, and the design and architectural regulations, address a variety of development regulations including, but not limited to, building facades, roofs, signs, mechanical equipment, landscaping, lighting, plazas, pedestrian walkways and courtyards, and parking.

3.4.5 DEVELOPMENT POTENTIAL

The proposed General Plan, General Plan Land Use Map, Zoning District Map, and Zoning and Development Code amendments would apply the new General Plan WMXU-3 land use category and new Zoning and Development Code FBC districts to the Project Area. Table 3-2, Proposed Project Development Potential, identifies the maximum development potential that could occur within the Project Area under the proposed FBC districts.

**Table 3-2
Proposed Project Development Potential**

FBC District	Acreage	Maximum Development Potential		Existing Development Anticipated to Remain		Net New Development Potential	
		Residential (du)	Commercial (s.f.)	Residential (du)	Commercial (s.f.)	Residential (du)	Commercial (s.f.)
Gateway Core	106.4	4,331	1,537,799	276	125,091	4,055	1,412,708
Multi-Family Core	84.7	3,438	0	0	0	3,438	0
Mixed-Use Core	44	2,203	1,905,262	0	0	2,203	1,905,262
Neighborhood Core	73.3	461	0	0	0	461	0
Sierra Core	13.6	871	373,802	108	0	763	373,802
Civic Core	41.9	0	500,538	0	199,442	0	301,096
Total	363.9	11,304	4,317,401	384	324,533	10,920	3,992,868

As shown in Table 3-2, based on the maximum development potential and existing (on-the-ground) development anticipated to remain, implementation of the Downtown Core Project would allow for the following new development:

- New development of approximately 10,920 dwelling units (8,900 units over existing conditions)
- New development of approximately 3,992,868 square feet of non-residential uses (2,685,404 square feet over existing conditions)



3.5 APPROACH TO THE ANALYSIS

As site-specific development proposals are not currently proposed, a programmatic analysis of the potential environmental impacts associated with development consistent with implementation of the proposed Project has been prepared in this EIR. Although the proposed Project does not involve site-specific development, the intent is to promote additional residential development and supportive commercial uses and amenities. The assumptions used in this EIR consider the highest residential development and commercial potential that could be built and the complete closure of Sierra Avenue to vehicular traffic between Arrow Boulevard and Orange Way; therefore, impacts of less intense development and reduced travel lanes on Sierra Avenue are within the scope of the analysis. It is anticipated that the proposed Downtown Core Project would occur over several years based upon market conditions. For analysis purposes, a buildout year of 2040 is utilized.

3.6 STATEMENT OF PROJECT OBJECTIVES

Pursuant to CEQA Guidelines Section 15124(b), the EIR project description must include a statement of objectives sought by the proposed Project. The statement of objectives should include the underlying purpose of the Project and may discuss the Project benefits. The City has identified that the primary purpose of the proposed Project is to increase the number of high-quality housing development approvals in the Project Area and allowing for commercial uses to create a dynamic Downtown. Additionally, the City has identified the following Project objectives:

- Provide for new residential development opportunities in order to meet the goals of the SB 2 Planning Grant.
- Establish FBC districts that encourage housing and supporting commercial development.
- Create and apply a new land use category for the Project Area to provide consistency and allow for development at the densities and intensities needed to implement the FBC districts.
- Enhance the pedestrian experience and promote walkability, by ultimately closing a quarter-mile portion of Sierra Avenue to vehicular traffic.
- Provide objective development standards that would facilitate permitting of housing projects.
- Create a Downtown Fontana Development Guide to serve as a "how-to" guide for the development community so that the City can realize its vision for the Downtown.
- Implement the following goals, policies, and/or actions from the General Plan:
 - Support regulations that promote creation of compact and walkable urban village-style design in new developments (Chapter 4: Community and Neighborhoods).
 - Support revitalization of the central area of the city with an integrated approach, including mixed-use development, infill housing, infrastructure improvements, interconnections and placemaking programs that create great public amenities (Chapter 4: Community and Neighborhoods).
 - Continue to ensure excellent management of non-single-family housing (Chapter 4: Community and Neighborhoods).



- Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy (Chapter 9: Community, Mobility and Circulation).
- Encourage a mix of uses in the downtown core, appealing to a wide range of customer types, with a focus on families (Chapter 14: Downtown Area Plan).
- Encourage mixed-use development within the Downtown and along major corridors (Chapter 14: Downtown Area Plan).
- Encourage new “in-town” housing types targeted to young people and young families to help attract and retain the next generation of Fontanans (Chapter 14: Downtown Area Plan).
- Ensure that future street improvements to Foothill and Arrow Boulevards and Sierra Avenue improve the appearance and pedestrian environment while accommodating traffic flows (Chapter 14: Downtown Area Plan).
- Locate multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation (Chapter 15: Land Use, Zoning, and Urban Design).
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses (Chapter 15: Land Use, Zoning, and Urban Design).
- Promote revitalization and redevelopment of downtown and older neighborhoods in the central area of the city (Chapter 15: Land Use, Zoning, and Urban Design).
- Transform downtown into a vibrant local and regional destination (Chapter 15: Land Use, Zoning, and Urban Design).
- Promote a land use pattern that provides connections among land uses and a mixture of land uses (Chapter 15: Land Use, Zoning, and Urban Design).
- Support high-quality development in design standards and in land use decisions (Chapter 15: Land Use, Zoning, and Urban Design).

3.7 REQUIRED AGENCY APPROVALS AND USE OF THE EIR

3.7.1 AGENCY APPROVALS

The City of Fontana, as the Lead Agency for future development and improvements within the Project Area, has discretionary authority over the proposed Project that includes, but is not limited to, the following:

General Plan Amendment. Recommendation by the City Planning Commission and approval by the City Council to revise Exhibit 9.2, Hierarchy of Streets, to reflect new roadway classifications for Sierra, Nuevo, and Wheeler and add related text to Chapter 9, Community Mobility and Circulation Element; create and incorporate the WMXU-3 land use category into Chapter 15, Land Use, Zoning, and Urban Design Element and associated text, table, and exhibit revisions and change the land use categories of specific parcels within the Project Area; and to make additional text and graphic amendments to Chapter 14, Downtown Area Plan and throughout the General Plan for consistency.



Zoning Code Amendment. Recommendation by the City Planning Commission and approval by the City Council to amend Zoning and Development Code Chapter 30, Article III, Form-Based Code, to incorporate six new FBC districts and updated development standards; and amend Article IV, Zoning Districts, Table No. 30-408 to add the new Walkable Mixed-Use Downtown Core land use category.

The following approvals would be considered as subsequent actions associated with future development and improvements are proposed within the Project Area:

Design Review/Administrative Site Plan Review. Individual site plans within the Project Area would be subject to review of plans and approval by the City.

Conditional Use Permits/Minor Use Permit. Development of certain uses within the Project Area require approval of a conditional use permit by the City Planning Commission and Minor Use Permit approved by the Director of Planning.

Tentative Parcel or Tract Maps. Individual tentative parcel or tract maps and master plans may also be processed at a future time for smaller parcels with particular development characteristics or needs within the Project Area.

Grading Permits. Future grading for development within the Project Area would be subject to the review of grading plans and issuance of grading permits by the City.

Building Permits. Future construction of structures within the Project Area would be subject to the review of architectural plans and approval of building permits by the City.

3.7.2 SUBSEQUENT USES OF THE EIR

This EIR provides a review of environmental effects associated with implementation of the proposed General Plan and Zoning Code amendments. When considering approval of subsequent development within the Project Area, the City of Fontana would utilize this EIR as the basis for determining potential environmental effects and the appropriate level of environmental review, if any, of subsequent discretionary activity, in accordance with Section 15168(c) of the CEQA Guidelines.



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4.0 BASIS OF CUMULATIVE ANALYSIS

4.1 INTRODUCTION

This section analyzes potential impacts resulting from reasonably foreseeable growth, including the Downtown Core Project.

CEQA Guidelines Section 15355 defines cumulative impacts as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts...” The following elements are necessary in an adequate discussion of cumulative impacts, as noted in Sections 15130(b) through 15130(e) of the CEQA Guidelines:

(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 for the effects attributable to the project alone. The discussion should be guided by standards of practicality and reasonableness, and should focus on the cumulative impact to which the identified other projects contribute rather than the attributes of other projects which do not contribute to the cumulative impact. The following elements are necessary to an adequate discussion of significant cumulative impacts:

(1) Either:

(A) A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency; or,

(B) A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projections may be supplemented with additional information such as a regional modeling program. Any such document shall be referenced and made available to the public at a location specified by the lead agency.

(2) When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.

(3) Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.

(4) A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available; and



- (5) *A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.*
- (c) *With some projects, the only feasible mitigation for cumulative impacts may involve the adoption of ordinances or regulations rather than the imposition of conditions on a project-by-project basis.*
- (d) *Previously approved land use documents such as general plans, specific plans, and regional transportation plans may be used in cumulative impact analysis. A pertinent discussion of cumulative impacts contained in one or more previously certified EIRs may be incorporated by reference pursuant to the provisions for tiering and program EIRs. No further cumulative impacts analysis is required when a project is consistent with a general, specific, master or comparable programmatic plan where the lead agency determines that the regional or areawide cumulative impacts of the proposed project have already been adequately addressed, as defined in section 15152(f), in a certified EIR for that plan.*
- (e) *If a cumulative impact was adequately addressed in a prior EIR for a community plan, zoning action, or general plan, and the project is consistent with that plan or action, then an EIR for such a project should not further analyze that cumulative impact, as provided in Section 15183(j).*

4.2 CUMULATIVE ANALYSIS IN THIS EIR

Cumulative impacts may be discussed in terms of impacts resulting from the proposed Project, in combination with impacts anticipated for future development (including approved and planned development within the Project Area and surrounding affected area), and impacts associated with growth within the greater region. The geographic area for each impact varies, depending on the nature of the impact, whether it is regional, such as air quality or greenhouse gas emissions, or local, such as noise or aesthetics.

Quantification can pose a challenge for cumulative impacts, as it requires speculative estimates of impacts including, but not limited to the following: the geographic diversity of impacts (impacts of future development may affect different areas); variations in time of impacts; and data for buildout projections may change following subsequent approvals. However, every attempt has been made herein to make sound qualitative judgments of the combined effects of, and relationship between, land uses and potential environmental impacts.

This EIR assesses the overall environmental effects of the Downtown Core Project at a program level of detail. This EIR evaluates the overall (cumulative) effects of development in accordance with implementation of the proposed General Plan WMXU-3 land use category and new Zoning and Development Code FBC districts to the Project Area. The environmental analyses in [Sections 5.1](#) through [5.16](#) of this EIR consider Project impacts in combination with regional impacts, where applicable, that could be expected as other cities within San Bernardino County approach 2040.

In compliance with CEQA Guidelines Section 15130(1)(b), this section of the EIR describes the environmental effects of the Project in combination with the effects of growth in the City and region, as forecasted in the Fontana Forward General Plan and Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy, adopted by SCAG's Regional Council on September 3, 2020. It is important to note that the SCAG projections, which are compiled using



a number of sources including adopted plans, historical trends, and interviews with local jurisdictions, tend to be more accurate on a regional level than on a local or city level. It is likely that through a combination of market changes, catalytic projects, updated land use direction in the City, and other factors, Fontana could capture either more or less of expected regional growth than forecasted by SCAG.

Table 4-1, San Bernardino County Growth Projections, summarizes household, population, and employment growth forecasts for the County. While the Project considers growth patterns for the year 2040, SCAG forecasts growth for the year 2045. Despite the slightly different end dates, using SCAG’s 2045 growth projections is helpful because it demonstrates the overall direction of growth the region is moving towards. As shown in Table 4-1, SCAG forecasts San Bernardino County’s population will grow to 2,815,000 persons by 2045, an increase of approximately 28.6 percent over the existing 2022 population estimate of 2,187,665 persons. The number of total housing units in the San Bernardino County region is projected to increase from approximately 740,654 units in 2022 to 960,483 units in 2045. Employment numbers are forecasted to increase from approximately 775,176 jobs in 2017 to 1,064,000 jobs in 2045 within the County. Section 5.12, Population and Housing, further elaborates on projected growth assumptions within the Project Area as well as within the region.

**Table 4-1
San Bernardino County Growth Projections**

Description	Population	Total Housing Units	Jobs (Employment)
Existing Conditions	2,187,665 ¹	740,654 ¹	775,176 ²
SCAG 2045 Forecasts	2,815,000 ³	960,483 ^{1,3}	1,064,000 ³
2045 SCAG: Existing Conditions Difference	627,335	219,829	288,824
2045 SCAG: Existing Conditions % Difference	28.6%	29.7%	37.3%
Source:			
1. Department of Finance, <i>E-5 Population and Housing Estimates for Cities, Counties, and the State</i> , 2022, May 2022.			
2. Southern California Council of Governments, <i>Local Profiles Report 2019: Profile of the City of Fontana</i> , May 2019.			
3. Southern California Council of Governments, <i>Demographics and Growth Forecast Technical Report</i> , adopted September 3, 2020. Total housing units based on 2045 occupied housing units of 875,000 and a vacancy rate of 8.9%.			

Table 4-2, City of Fontana Growth Projections, summarizes household, population, and employment growth forecasts for the City. As shown in Table 4-2, SCAG forecasts the City of Fontana’s population will grow to 286,700 persons by 2045, an increase of approximately 34.7 percent over the existing 2022 population estimate of 212,809 persons. The number of total housing units in the City is projected to increase from approximately 57,483 units in 2022 to 79,795 units in 2045. Employment numbers are forecasted to increase from approximately 55,448 jobs in 2017 to 75,100 jobs in 2045 within the City.



**Table 4-2
City of Fontana Growth Projections**

Description	Population	Housing Units	Jobs (Employment)
Existing Conditions	212,809 ¹	57,483 ¹	55,448 ²
SCAG 2045 Forecasts	286,700 ³	79,795 ^{1,3}	75,100 ³
2045 SCAG: Existing Conditions Difference	73,891	22,312	19,652
2045 SCAG: Existing Conditions % Difference	34.7%	38.8%	35.4%
Source: 1. Department of Finance, <i>E-5 Population and Housing Estimates for Cities, Counties, and the State, 2022</i> , May 2022. 2. Southern California Council of Governments, <i>Local Profiles Report 2019: Profile of the City of Fontana</i> , May 2019. 3. Southern California Council of Governments, <i>Demographics and Growth Forecast Technical Report</i> , adopted September 3, 2020. Total housing units based on 2045 occupied housing units of 77,800 and a vacancy rate of 2.5%.			

As indicated in [Section 3.0, Project Description](#), the proposed Downtown Core Project would facilitate the addition of 8,900 housing units and 2,685,404 square feet of non-residential uses over existing conditions through 2040. This new growth may increase the City’s population by approximately 33,731 residents (based on the 2022 California Department of Finance estimated household size of 3.79 persons per household) and provide approximately 6,852 additional employment opportunities.



5.0 ENVIRONMENTAL ANALYSIS

The City of Fontana (City) determined that an Environmental Impact Report (EIR) would be required for the Project. A Notice of Preparation (NOP) was prepared and circulated for the proposed Project on November 30, 2022; refer to [Appendix A, *Notice of Preparation*](#). Agency and public input received during the NOP comment period and the EIR Scoping Meeting were used to inform the scope of the evaluation for the EIR.

This EIR focuses on the potentially significant and significant effects of the Project and documents the reasons for concluding that other effects will be less than significant. The following subsections of the EIR contains a detailed environmental analysis of the existing conditions, Project impacts (including direct and indirect, short-term, long-term, and cumulative impacts), recommended mitigation measures and unavoidable significant impacts for the following environmental issue areas:

5.1 Aesthetics	5.9 Hydrology and Water Quality
5.2 Air Quality	5.10 Land Use and Planning
5.3 Biological Resources	5.11 Noise
5.4 Cultural Resources	5.12 Population and Housing
5.5 Energy	5.13 Public Services and Recreation
5.6 Geology and Soils	5.14 Transportation
5.7 Greenhouse Gas Emissions	5.15 Tribal Cultural Resources
5.8 Hazards and Hazardous Materials	5.16 Utilities and Service Systems

Each potentially significant environmental issue area is addressed in a separate section of the EIR and is organized into the following subsections:

- “Environmental Setting” describes the physical conditions that exist at the present time (typically the time of the NOP) and that may influence or affect the issue under investigation.
- “Regulatory Setting” discusses the laws, ordinances, regulations, and standards that apply to the Project.
- “Significance Criteria and Thresholds” provides the thresholds that are the basis of conclusions of significance, which are primarily the criteria in Appendix G of the CEQA Guidelines (14 California Code of Regulations Sections 15000 – 15387).

Primary sources used in identifying the criteria include the CEQA Guidelines; local, State, Federal, or other standards applicable to an impact category; and officially established significance thresholds. “... An ironclad definition of significant effect is not always possible because the significance of any activity may vary with the setting” (CEQA Guidelines Section 15064[b]). Principally, “... a substantial, or potentially substantial, adverse change in any of the physical conditions within an area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic and aesthetic significance” constitutes a significant impact (CEQA Guidelines Section 15382). The standards used to evaluate the significance of impacts are



sometimes qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

- “Impacts and Mitigation Measures” describes potential environmental changes to the existing physical conditions that may occur if the proposed Project is implemented. Evidence, based on factual and scientific data, is presented to show the cause and effect relationship between the proposed Project and the potential changes in the environment. The exact magnitude, duration, extent, frequency, range or other parameters of a potential impact are ascertained, to the extent possible, to determine whether impacts may be significant; all the potential direct and reasonably foreseeable indirect effects are considered.

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

- “Cumulative Impacts” describes potential environmental changes to the existing physical conditions that may occur as a result of the proposed Project together with all other reasonably foreseeable, planned, and approved future projects producing related or cumulative impacts.
- “Significant Unavoidable Impacts” describes impacts that would be significant and cannot be feasibly mitigated to less than significant, and thus would be unavoidable. To approve a project with unavoidable significant impacts, the lead agency must adopt a Statement of Overriding Considerations. In adopting such a statement, the lead agency is required to balance the benefits of a project against its unavoidable environmental impacts in determining whether to approve the project. If the benefits of a project are found to outweigh the unavoidable adverse environmental effects, the adverse effects may be considered “acceptable” (CEQA Guidelines Section 15093[a]).
- “References” identifies the sources used in and throughout the subsection.

CEQA provides that an EIR shall focus on the significant effects on the environment and discuss potential environmental effects with emphasis in proportion to their severity and probability of occurrence. During preparation of this EIR, the City conducted an analysis of the proposed Project’s effect on specific environmental topic areas, included as part of the Environmental Checklist form presented in CEQA Guidelines Appendix G. During this evaluation, certain impacts of the Project were found to have no impact or have a less than significant impact due to the inability of a project of this scope to create such impacts or the absence of Project characteristics producing effects of this type. These effects are not required to be included in the EIR’s primary environmental analysis sections ([Section 5.1](#) through [5.16](#)). In accordance with CEQA Guidelines Section 15128, [Section 8.0, *Effects Found Not To Be Significant*](#), provides a brief description of potential impacts found to have no impact or a less than significant impact.



5.1 AESTHETICS

5.1.1 PURPOSE

This section identifies the existing aesthetic and light/glare conditions within the Project Area and provides an analysis of potential impacts associated with Project implementation. Potential impacts are identified and mitigation measures to address potentially significant impacts are recommended, as necessary.

CONCEPTS AND TERMINOLOGY

When viewing the same landscape, people may have different responses to that landscape and any proposed visual changes, based upon their values, familiarity, concern, or expectations for that landscape and its scenic quality. Since each person's attachment to and value for a particular landscape is unique, visual changes to that landscape inherently affect viewers differently. However, generalizations can be made about viewer sensitivity to scenic quality and visual changes. The visual sensitivity of a landscape is affected by the viewing distances at which it is seen, such as close-up or far away. The visual sensitivity of a landscape is also affected by the travel speed at which a person is viewing the landscape (high speeds on a highway, low speeds on a hiking trail, or stationary at a residence).

The same feature of a project can be perceived differently by people depending on the distance between the observer and the viewed object. When a viewer is closer to a viewed object in the landscape, more detail can be seen, and there is greater potential influence of the object on visual quality because of its form or scale (relative size of the object in relation to the viewer). When the same object is viewed at background distances, details may be imperceptible but overall forms of terrain and vegetation are evident, and the horizon and skyline are dominant. In the middle-ground, some detail is evident (e.g., the foreground), and landscape elements are seen in context with landforms and vegetation patterns (e.g., the background).

The following terms and concepts are used in this EIR section:

- **Scenic vista.** An area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. This includes any such areas designated by a federal, State, or local agency.
- **Scenic highway.** Any stretch of public roadway that is designated as a scenic corridor by a federal, State, or local agency.
- **Visual character** typically consists of the landforms, vegetation, water features, and cultural modifications that impart an overall visual impression of an area's landscape. Scenic areas typically include open space, landscaped corridors, and viewsheds. Visual character is influenced by many different landscape attributes including color contrasts, landform prominence, repetition of geometric forms, and uniqueness of textures among other characteristics.
- **Light and Glare.** Lighting effects are associated with the use of artificial light during the evening and nighttime hours. There are two primary sources of light: light emanating from building interiors passing through windows and light from exterior sources (i.e., street lighting, building illumination, security lighting, parking lot lighting, landscape lighting, and signage). Light



introduction can be a nuisance. Uses such as residences and hotels are considered light sensitive, since occupants have expectations of privacy during evening hours and may be subject to disturbance by bright light sources. Light spill is typically defined as the presence of unwanted light on properties adjacent to the property being illuminated. With respect to lighting, the degree of illumination may vary widely depending on the amount of light generated, height of the light source, presence of barriers or obstructions, type of light source, and weather conditions.

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

5.1.2 ENVIRONMENTAL SETTING

The City of Fontana is located on a desert valley floor between the San Gabriel Mountains to the north and the Jurupa Hills to the south. Panoramic scenic view corridors towards the mountains and views of the City from the mountains dominate the City's visual landscape character. Elevations range from approximately 1,700 feet above mean sea level in the northern portion of the valley and 1,000 feet in the southern portion. Surrounding communities are the cities of Rancho Cucamonga and Ontario to the west, the city of Rialto and the unincorporated community of Bloomington to the east, and the city of Jurupa Valley to the south.

The Project Area is located within the center of the City, bounded by Foothill Boulevard on the north, Randall Avenue on the south, Juniper Avenue on the west, and Mango Avenue on the east. Elevations within the Project Area range from approximately 1,300 feet above mean sea level in the north and 1,200 in the south.

SCENIC VISTAS

Scenic views within the Project Area include long-range views of the San Gabriel Mountains to the north and the Jurupa Hills to the south. Views of these scenic resources (as identified by the General Plan) are intermittent from within the Project Area due to existing development within the Project Area and surrounding area. Long-range views are primarily provided along the north-south corridors and at the northern- and southern-most Project boundaries.

SCENIC HIGHWAYS

There are no Eligible or Designated State Scenic Highways within the Project Area (Caltrans, 2022). The nearest officially designated State Scenic Highway is State Route 2, located approximately 22 miles northwest of the Project Area. The nearest Eligible State Route Scenic Highway is State Route 330, located approximately 14 miles northeast of the Project Area.



The San Bernardino County Natural Resources Element designates several roadways as County Scenic Routes (San Bernardino County, 2020). These are not officially Designated County Scenic Highways according to the State of California Department of Transportation. There are no County Scenic Routes within the Project Area. The nearest County Scenic Route is Lytle Creek Canyon Drive, approximately six miles north of the Project Area.

VISUAL CHARACTER

The Project Area is primarily urbanized with a mix of lower density residential, commercial, office, industrial, and public facilities. Sierra Avenue between Arrow Boulevard and Orange Way serves as the City's historic commercial core, developed primarily with one- and two-story commercial uses. The gateways into the Project Area – Sierra Avenue at Foothill Boulevard and the southern portion of Sierra Avenue – are comprised of vacant and underutilized commercial properties. North of the Sierra Avenue retail core is the Civic Area, which includes City Hall, Fontana Police Department, Lewis Library & Technology Center, and San Bernardino County Fire Station. South of the Sierra Avenue retail core is the Metrolink Station. Residential neighborhoods adjacent to the Retail Core are characterized by single-family homes with interconnected blocks and coordinated streetscapes. Neighborhoods surrounding the gateways are more fragmented with larger parcels of former farmland. Park and open space resources include Miller Park, within the Civic Area, Santa Fe Park, adjacent to the Metrolink Station, and a portion of the Pacific Electric Trail (PET), an east-west multi-use regional trail, located south of Seville Avenue.

LIGHT/GLARE

Urban land uses in the Project Area are the main source of daytime and nighttime light and glare. These uses are primarily comprised of lower density single- and multi-family residences, civic, commercial, and office structures, parks, and roadways. Lighting associated with these uses include interior light emanating from structures, exterior decorative and landscape lighting, and security lighting within parking lots, park/open space areas, and around buildings and walkways. Street lights and traffic signals also contribute to lighting within the area. The majority of structures within the Project Area do not exhibit highly reflective materials (i.e., taller buildings with extensive glazing). Buildings containing reflective materials are minimal and are low-rise and partially obstructed with trees and other vegetation. Therefore, potential glare effects are minimal under existing conditions.

5.1.3 REGULATORY SETTING

STATE

California Scenic Highways and Historic Parkways Program

The California Scenic Highways and Historic Parkways Program was created in 1963 to preserve and protect highway corridors located in areas of outstanding natural beauty from changes that would diminish the aesthetic value of the adjacent lands. Caltrans maintains its State Scenic Highways and Historic Parkways Program, through which segments of the State highway system are designated as being of particular scenic value or interest. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. Interstates, State highways, byways, and parkways are eligible for designation or for recognition as eligible for designation. The



Program is governed by the regulations found in the California Streets and Highways Code, Section 260 et seq.

California Streets and Highway Code Section 261 requires local government agencies to take the following actions to protect the scenic appearance of the scenic corridor:

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

California Streets and Highway Code Section 263 allows the California State Legislature the authority to identify highways as eligible for designation as a scenic highway. The government with jurisdiction over land abutting a highway considered to be scenic is required to adopt a “scenic corridor protection program” that restricts development, outdoor advertising, and earthmoving activities along the affected segment or corridor (“Corridor Protection Program”). Caltrans must also indicate that the highway segment meets established criteria for the roadway or segment to be designated as scenic.

[California Building Standards Code](#)

Title 24 of the California Building Standards Code serves as the basis for the design and construction of buildings in California. In addition to safety, sustainability, new technology and reliability, the California Building Standards Code addresses light pollution and glare hazards through the establishment of maximum allowable backlight, up light, and glare (BUG) ratings.

LOCAL

[City of Fontana General Plan](#)

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts to aesthetics and light/glare. Chapter 4, Community and Neighborhoods Element contains the following goals and policies potentially relevant to the proposed Project:

[Chapter 4 - Community and Neighborhoods](#)

- **Goal 5:** New housing developments promote walkable neighborhoods with mixed-use amenities and connections to city destinations.
 - **Policy:** Support regulations that promote creation of compact and walkable urban village-style design in new developments.
- **Goal 6:** The safe, attractive, and lively central area of the city has new infill development and public improvements.
 - **Policy:** Support revitalization of the central area of the city with an integrated approach, including mixed-use development, infill housing, infrastructure improvements, interconnections and placemaking programs that create great public amenities.



City of Fontana Municipal Code

Chapter 30 of the City of Fontana Municipal Code, also known as the City of Fontana Zoning and Development Code (Development Code), provides specific development standards that influence the City's scenic views, visual character, and restrict lighting. The Development Code implements the Fontana General Plan goals and policies by classifying and regulating the specific uses of land and structures within the City. Article II, *Administrative Procedures*, contains the processes and procedures used by the City for the governing of the zoning ordinance. Article II, Division 10, *Administrative Site Plan Major, Minor, Amendment, and Modification*, outlines the administrative site plan process. The reviewing body reviews the location, design, site plan configuration and the effect of the proposed development on adjacent properties by comparing the project plans to established development standards, and consistency with design guidelines/standards, the General Plan, or any other applicable specific plan. Article II, Division 11, *Design Review, Amendment, and Modification*, outlines the design review process for applicable projects. The reviewing body considers the following criteria: the project's consistency with the Fontana General Plan, Development Code, and any applicable specific plan; the project's consistency with criteria contained in the Development Code, resulting in an appropriate, safe and desirable development promoting the public health, safety, and welfare of the community; that the project's design and appearance is aesthetically and architecturally pleasing resulting in a safe, well-designed facility while enhancing the character of the surrounding neighborhood; and that the project's site improvements are appropriate and will result in a safe, well-designed facility. Development Code Article III, *Form-Based Code*, establishes development standards within the City's FBC zoning districts that include, but are not limited to:

- Minimum/maximum lot size;
- Minimum/maximum building height;
- Building setbacks;
- Parking and garage/carport design and placement;
- Landscaping and screening requirements;
- Design and architectural regulations; and
- Lighting requirements.

5.1.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to aesthetics and light/glare. A project would result in a significant impact related to aesthetics and light/glare if it would:

- Have a substantial adverse effect on a scenic vista (refer to Impact Statement 5.1-1);
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway (refer to Section 8.0, *Effects Found Not To Be Significant*);
- In an urbanized area, conflict with applicable zoning and other regulations governing scenic quality (refer to Impact Statement 5.1-2);



- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area (refer to Impact Statement 5.1-3).

Pursuant to SB 743 (Public Resources Code Section 21099(d)), “aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment.”

PRC Section 21099 defines a “transit priority area” as an area within 0.5 mile of a major transit stop that is “existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan.”

PRC Section 21064.3 defines “major transit stop” as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

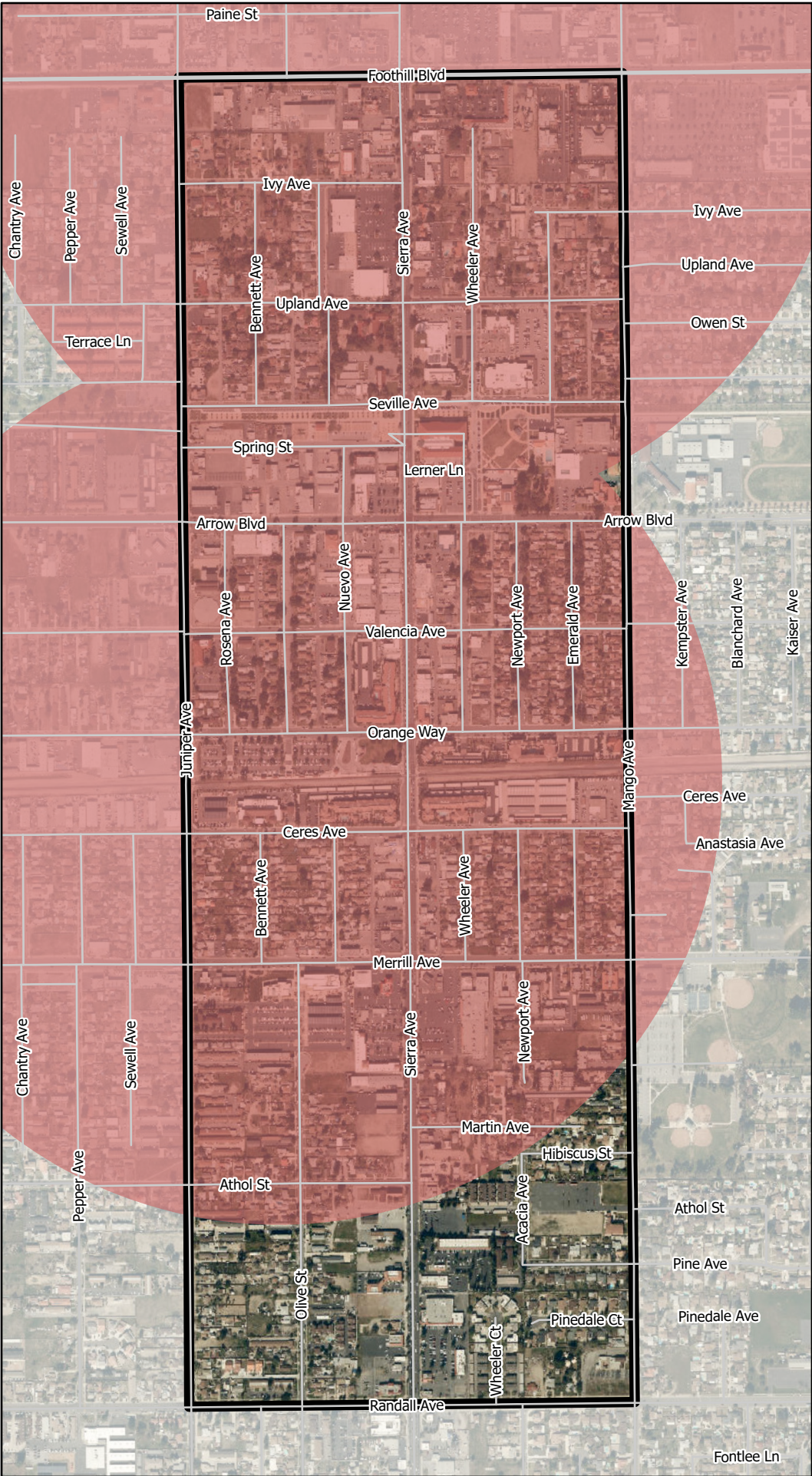
PRC Section 21099 defines an infill site as a lot located within an “urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.”

The Fontana Metrolink Station is located within the Project Area and most of the Project Area is located within a SCAG-designated Transit Priority Area (TPA); refer to [Figure 5.1-1, Project Area and Transit Priority Areas](#). Therefore, individual development projects under the proposed Downtown Core Project within the portions of the Project Area that are within a TPA are exempt from aesthetic impacts under CEQA. For purposes of this EIR, the following analysis is provided to assess potential impacts to aesthetics from future development within the Project Area that are located inside and outside of the TPA.



Based on these standards and significance thresholds and criteria, the Project’s effects have been categorized as either “no impact,” a “less than significant impact,” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a “significant unavoidable impact.”

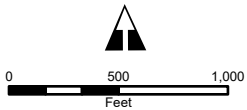
**FONTANA
DOWNTOWN CORE PROJECT**

**Figure 5.1-1.
Project Area and
Transit Priority Areas**



Legend

-  Project Area
-  Transit Priority Area



Sources: ArcGIS Online World Imagery map service; USGS National Map Roads; SCAG 2045 Transit Priority Areas. Map date: January 13, 2023.



5.1.5 IMPACTS AND MITIGATION MEASURES

Impact 5.1-1: Would the project have a substantial adverse effect on a scenic vista?

Impact Analysis: The Project Area contains a mix of urban development primarily consisting of one- and two-story buildings. Scenic views within the Project Area include views of the San Gabriel Mountains to the north and the Jurupa Hills to the south, which are intermittently visible from the Project Area due to intervening development within the Project Area and surrounding area. Major north-south trending streets, including Sierra Avenue, Juniper Avenue, and Mango Avenue, generally function as view corridors to the San Gabriel Mountains and Jurupa Hills. However, the Project Area does not extend into the San Gabriel Mountains or Jurupa Hills and would not result in direct changes to these scenic resources.

The Downtown Core Project would create and implement a new General Plan land use category and six new FBC districts specific to the Project Area. The FBC districts would provide for a mix of residential, commercial, and civic uses that support increased activity and interaction within the Project Area through interconnected neighborhoods, an enhanced pedestrian environment, and a variety of housing options with access to retail, services, and public transportation.

Implementation of the Downtown Core Project would result in new development and intensification of existing urban uses that may interfere with existing scenic views of the San Gabriel Mountains and Jurupa Hills. Zoning and Development Code Chapter 30, Article III, Form-Based Code, would be amended to incorporate the six new FBC districts, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District. Within the Project Area, maximum building heights would range from 40 feet in the Neighborhood Core, 55 feet in the Multi-Family Core and Mixed-Use Core, and 70 feet within the Civic Core, Gateway Core, and Sierra Core. However, a 35-foot maximum height would be maintained adjacent to Sierra Avenue and a 55-foot maximum height would be maintained adjacent to street corners within the Gateway Core and Sierra Core. The Gateway Core and Sierra Core comprise the areas wherein views of the San Gabriel Mountains and Jurupa Hills are primarily provided. Height limitations along Sierra Avenue and at the street corners will assist in maintaining these long-range views from the Project Area. Thus, the Project would not have a substantial adverse effect on a scenic vista and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.1-2: In an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Impact Analysis: Public Resources Code Section 21071 defines an “Urbanized area” as:

- (a) An incorporated city that meets either of the following criteria:
 - (1) Has a population of at least 100,000 persons.
 - (2) Has a population of less than 100,000 persons if the population of that city and not more than two contiguous incorporated cities combined equals at least 100,000 persons.



According to the California Department of Finance, the City of Fontana has a current (2022) population of 212,809; thus, the City qualifies as being within an “Urbanized Area”. Therefore, a significant impact would occur if a future development project associated with implementation of the Downtown Core Project conflicts with applicable zoning and other regulations governing scenic quality.

The Downtown Core Project would support and guide future infill development and redevelopment within the Project Area by encouraging a mix of new residential development at varying densities that provide for a mix of housing opportunities within the Project Area. The Project would also support and provide for new non-residential development to support existing and future residential uses.

General Plan

The Project Area is currently designated P-PF (Public Facilities), P-R (Recreational Facilities), R-MFH (Multi-Family High 39.1-50 du/ac), WMXU-1 (Walkable Mixed Use Corridor & Downtown 0.2-2 FAR, 3-39 du/ac), and R-SF (Single Family Residential 2.1-5 du/ac); refer to [Figure 3-5](#). The Project proposes a General Plan Amendment to introduce the WMXU-3: Walkable Mixed-Use Downtown Core land use category, which supports a density of 2.1-70 dwelling units per acre (du/ac) and 0.2-2.0 commercial FAR, and to apply the new land use category to a majority of the Project Area; refer to [Figure 3-7](#). The new WMXU-3 land use designation would encourage residential development within the Project Area by providing opportunities for higher density residential development to meet the goals of the SB 2 Planning Grant and to implement the General Plan goals, policies, and actions that include, but are not limited to, encouraging a mix of uses in the downtown core, appealing to a wide range of customer types, with a focus on families; encouraging mixed-use development within the Downtown and along major corridors; encouraging new “in-town” housing types targeted to young people and young families to help attract and retain the next generation of Fontanans; locating multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation; promoting interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses; promoting revitalization and redevelopment of downtown and older neighborhoods in the central area of the city; and transforming downtown into a vibrant local and regional destination.

The proposed Project would facilitate General Plan goals, policies, and actions related to infill development, providing mixed and supportive land uses, revitalizing the Downtown Area, supporting increased activity, increasing connectivity and providing improved amenities and design that encourages walking, bicycling, transit, and other opportunities that reduce motor vehicle trips. Future development associated with implementation of the Downtown Core Project would be guided by the FBC district development standards and the Downtown Fontana Development Guide, described further below, which define the desired character and image of development in the Project Area. As demonstrated throughout this Draft EIR, the proposed Project would be consistent with the City’s General Plan goals and policies.

Development Code

Fontana Municipal Code Chapter 30, Zoning and Development Code, establishes official land use zoning regulations and design guidelines. The zoning districts and regulations are consistent with the goals and policies of the General Plan.

Chapter 30, Article III, Form-Based Code, establishes the requirements for all property, including structures, land uses and physical improvements within the boundaries of the Form-Based Code (FBC)



area, including that all property subject to the FBC comply with the relevant requirements of the applicable district. Division 4, Development Standards by Zoning District, establishes the specific development standards for the 11 zoning districts. As shown in [Figure 3-6, FBC Zoning Districts](#), the Project Area is located within the FBC area and specifically within the Retail, Civic, Station Area, Downtown Gateway, Transitional, Multi-Family, Neighborhood, and Sierra Gateway districts.

The Project proposes to amend Zoning and Development Code Chapter 30, Article III, Form-Based Code, to incorporate six new FBC districts, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District. A detailed description of each FBC District is provided in [Section 3.0, Project Description](#). Article IV, Zoning Districts, Section 30-405, Section 30-406, and Table No. 30-408 would also be amended to incorporate the Downtown Core and associated land use districts. The Fontana Zoning District Map would be amended to incorporate the Downtown Core; refer to [Figure 3-8](#). The Downtown Fontana Development Guide summarizes development standards and design and architectural regulations for all new development projects within the Project Area.

As discussed in Section 3.0, Project Description, the Downtown Core Project provides for buildout of the Project Area with up to 11,304 dwelling units and 4.3 million square feet of nonresidential development. Individual development projects would be required to comply with the new FBC district development standards as they define the minimum or baseline standards for urban design. The design guidelines further define the desired character and image of development in the Project Area. Development standards, and the design and architectural regulations, address a variety of development regulations including, but not limited to, building facades, roofs, signs, mechanical equipment, landscaping, lighting, plazas, pedestrian walkways and courtyards, and parking.

The Fontana Development Code provides for project-specific design review of future development proposals within the City, including the Project Area, which would ensure that development is consistent with the General Plan goals, policies, and actions; the FBC district development standards; and the Downtown Fontana Development Guide regulations. Overall, the Downtown Core Project would not conflict with applicable zoning and other regulations governing scenic quality. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.1-3: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Impact Analysis: Future development accommodated through implementation of the Downtown Core Project could introduce new sources of light or glare with the potential to adversely affect day or nighttime views. Light and glare impacts could result from new light sources such as street lighting, interior and exterior building lighting (including for safety purposes), vehicle headlights, illuminated signage, traffic signals, and new glare sources such as reflective building materials, roofing materials, and windows. These new sources of light and glare would be most visible from development along adjacent roadways, and to



receptors such as residents and traveling motorists. Light pollution can also interfere with nocturnal wildlife, particularly night-hunting or foraging animals, such as owls, rodents, and others, or lead to skyglow, which interferes with the operation of astronomical observatories.

All lighting installed in future development projects as a result of Project implementation would be subject to conformance with the Fontana General Plan and applicable Development Code requirements. Pursuant to Article II of the Development Code, all future land use and development review applications would undergo site plan and architectural review by the decision-making authority on a project-by-project basis prior to approval. Applicable projects would also undergo CEQA review. If necessary, mitigation would be recommended to reduce potential impacts to a less than significant level. Therefore, implementation of the Project would not result in adverse light and glare impacts. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.1.6 CUMULATIVE IMPACTS

Impact Analysis: As described above, the Project Area contains a mix of existing on-site development. The Downtown Core Project would support additional infill development beyond existing conditions and could increase residential densities and non-residential land use intensities throughout the Project Area. This new development may result in changes to the skyline throughout the Project Area, which may obstruct or interfere with views of surrounding visual features, including the San Gabriel Mountains to the north and the Jurupa Hills to the south. Scenic views within the Project Area include views of the San Gabriel Mountains to the north and the Jurupa Hills to the south, which are intermittently visible from the Project Area due to intervening development within the Project Area and surrounding area. Major north-south trending streets, including Sierra Avenue, Juniper Avenue, and Mango Avenue, generally function as view corridors to the San Gabriel Mountains and Jurupa Hills. As previously discussed, although a maximum building height of 70 feet would be allowed within the Civic Core, Gateway Core, and Sierra Core, a 35-foot maximum height would be maintained adjacent to Sierra Avenue and a 55-foot maximum height would be maintained adjacent to street corners within the Gateway Core and Sierra Core. The Gateway Core and Sierra Core comprise the areas wherein views of the San Gabriel Mountains and Jurupa Hills are primarily provided. Height limitations along Sierra Avenue and at the street corners will assist in maintaining these long-range views from the Project Area.

Regional growth has and will continue to result in a cumulative aesthetic effect by converting undeveloped land into developed and occupied areas, intensifying existing development, and increasing overall levels of nighttime lighting. In general, the Project would accommodate an increase in building density and intensity, and height which could increase the number and distribution of dwelling units and other buildings, as well as supporting infrastructure. This is considered a potentially significant cumulative impact. Subsequent projects implemented within the Project Area would be required to be consistent with the General Plan and adopted regulations pertaining to aesthetics and lighting in the City. With implementation of the adopted policies and regulations described above, the proposed Project would not considerably contribute to permanent changes in visual character, such as obstruction of scenic views, conversion of existing visual character, and increased lighting resulting in a substantial degradation.



Compliance with the General Plan policies, goals, and actions, as well as the Fontana Development Code, would reduce the cumulative effect of the Project on visual character to a less-than-significant level. Therefore, the Project's incremental contribution to aesthetic impacts would be less than cumulatively considerable.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.1.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with aesthetics would occur with the proposed Project.

5.1.8 REFERENCES

California Department of Transportation (Caltrans), *California State Scenic Highway System Map*, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>, accessed November 11, 2022.

San Bernardino County, *Countywide Plan: County Policy Plan*, October 2020.



5.2 AIR QUALITY

5.2.1 PURPOSE

The purpose of this section is to describe the existing air quality characteristics and to identify the emissions generated by the construction and operation of the proposed Project and address their potential impacts to air quality, including toxic air contaminants. The analysis also addresses the potential for the Project to conflict with or obstruct implementation of the applicable Air Quality Management Plan. This section is primarily based upon the air quality emissions analysis and modeling prepared by De Novo Planning Group, and included as Appendix C, Air Quality, Energy and Greenhouse Gas Emissions Modeling Data.

5.2.2 ENVIRONMENTAL SETTING

REGIONAL TOPOGRAPHY

The California Air Resources Board (CARB) divides the State of California (State) into 15 air basins that share similar meteorological and topographical features. The City is located within the South Coast Air Basin (Basin), a 6,600-square mile area bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Basin includes the non-desert portions of San Bernardino, Los Angeles, and Riverside Counties, as well as all of Orange County, in addition to the San Geronio Pass area of Riverside County.

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

LOCAL CLIMATE AND METEOROLOGY

Dominant airflows provide the driving mechanism for transport and dispersion of air pollution. The mountains surrounding the region form natural horizontal barriers to the dispersion of air contaminants. Air pollution created in the coastal areas and around the Los Angeles area is transported inland until it reaches the mountains where the combination of mountains and inversion layers generally prevent further dispersion. This poor ventilation results in a gradual degradation of air quality from the coastal areas to inland areas. Air stagnation may occur during the early evening and early morning periods of transition between day and nighttime flows. The region also experiences periods of hot, dry winds from the desert, known as Santa Ana winds. If the Santa Ana winds are strong, they can surpass the sea breeze, which blows from the ocean to the land, and carry the suspended dust and pollutants out to the ocean. If the winds are weak, they are opposed by the sea breeze and cause stagnation, resulting in high pollution events.

The temperature and precipitation levels for the City of Fontana (Kaiser), the closest station with data, are in Table 5.2-1, Meteorological Summary. Table 5.2-1 shows that July is typically the warmest month and January is typically the coolest month. Rainfall in the Project Area varies considerably in both time and



space. Almost all the annual rainfall comes from the fringes of mid-latitude storms from late November to early April, with summers being almost completely dry.

**Table 5.2-1
Meteorological Summary**

Month	Temperature (°F)		Average Precipitation (inches)
	Average High	Average Low	
January	66.8	44.0	3.65
February	69.4	45.0	2.85
March	70.1	46.3	2.80
April	74.5	48.4	1.13
May	79.9	52.6	0.26
June	86.7	56.6	0.04
July	95.0	62.2	0.01
August	94.4	62.9	0.11
September	91.3	61.3	0.34
October	83.0	55.4	0.34
November	73.6	48.5	1.72
December	73.6	44.4	2.07
<i>Annual Average</i>	<i>79.4</i>	<i>52.3</i>	<i>15.32</i>

Source: Western Regional Climate Center, *Period of Record Monthly Climate Summary*, <https://wrcc.dri.edu/cgi-bin/cliMAIN.pl?ca3120>, accessed on November 11, 2022.

CRITERIA AIR POLLUTANTS

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by state and federal laws. These regulated air pollutants are known as “criteria air pollutants” and are categorized into primary and secondary pollutants.

Primary air pollutants are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO_x), sulfur dioxide (SO₂), coarse particulate matter (PM₁₀), fine particulate matter (PM_{2.5}), and lead are primary air pollutants. Of these, CO, NO_x, SO₂, PM₁₀, and PM_{2.5} are criteria pollutants. ROG and NO_x are criteria pollutant precursors and form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant O₃ is formed by a chemical reaction between ROG and NO_x in the presence of sunlight. O₃ and nitrogen dioxide (NO₂) are the principal secondary pollutants.

Carbon Monoxide (CO). CO is an odorless, colorless toxic gas that is emitted by mobile and stationary sources as a result of incomplete combustion of hydrocarbons or other carbon-based fuels. In cities, automobile exhaust can cause as much as 95 percent of all CO emissions. CO replaces oxygen in the body’s red blood cells. Individuals with a deficient blood supply to the heart, patients with diseases involving heart and blood vessels, fetuses (unborn babies), and patients with chronic hypoxemia (oxygen deficiency)



as seen in high altitudes are most susceptible to the adverse effects of CO exposure. People with heart disease are also more susceptible to developing chest pains when exposed to low levels of carbon monoxide.

Ozone (O₃). O₃ occurs in two layers of the atmosphere. The layer surrounding the earth's surface is the troposphere. The troposphere extends approximately 10 miles above ground level, where it meets the second layer, the stratosphere. The stratospheric (the "good" O₃ layer) extends upward from about 10 to 30 miles and protects life on earth from the sun's harmful ultraviolet rays. "Bad" O₃ is a photochemical pollutant, and needs volatile organic compounds (VOCs), NO_x, and sunlight to form; therefore, VOCs and NO_x are O₃ precursors. To reduce O₃ concentrations, it is necessary to control the emissions of these O₃ precursors. Significant O₃ formation generally requires an adequate amount of precursors in the atmosphere and a period of several hours in a stable atmosphere with strong sunlight. High O₃ concentrations can form over large regions when emissions from motor vehicles and stationary sources are carried hundreds of miles from their origins.

While O₃ in the upper atmosphere (stratosphere) protects the earth from harmful ultraviolet radiation, high concentrations of ground-level O₃ (in the troposphere) can adversely affect the human respiratory system and other tissues. O₃ is a strong irritant that can constrict the airways, forcing the respiratory system to work hard to deliver oxygen. Individuals exercising outdoors, children, and people with pre-existing lung disease such as asthma and chronic pulmonary lung disease are considered to be the most susceptible to the health effects of O₃. Short-term exposure (lasting for a few hours) to O₃ at elevated levels can result in aggravated respiratory diseases such as emphysema, bronchitis and asthma, shortness of breath, increased susceptibility to infections, inflammation of the lung tissue, increased fatigue, as well as chest pain, dry throat, headache, and nausea.

Nitrogen Dioxide (NO₂). NO_x are a family of highly reactive gases that are a primary precursor to the formation of ground-level O₃ and react in the atmosphere to form acid rain. NO₂ (often used interchangeably with NO_x) is a reddish-brown gas that can cause breathing difficulties at elevated levels. Peak readings of NO₂ occur in areas that have a high concentration of combustion sources (e.g., motor vehicle engines, power plants, refineries, and other industrial operations). NO₂ can irritate and damage the lungs and lower resistance to respiratory infections such as influenza. The health effects of short-term exposure are still unclear. However, continued or frequent exposure to NO₂ concentrations that are typically much higher than those normally found in the ambient air may increase acute respiratory illnesses in children and increase the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO₂ may aggravate eyes and mucus membranes and cause pulmonary dysfunction.

Coarse Particulate Matter (PM₁₀). PM₁₀ refers to suspended particulate matter, which is smaller than 10 microns or ten one-millionths of a meter. PM₁₀ arises from sources such as road dust, diesel soot, combustion products, construction operations, and dust storms. PM₁₀ scatters light and significantly reduces visibility. In addition, these particulates penetrate into lungs and can potentially damage the respiratory tract. On June 19, 2003, CARB adopted amendments to the Statewide 24-hour particulate matter standards based upon requirements set forth in the Children's Environmental Health Protection Act (Senate Bill 25).

Fine Particulate Matter (PM_{2.5}). Due to recent increased concerns over health impacts related to fine particulate matter (particulate matter 2.5 microns in diameter or less), both State and federal PM_{2.5}



standards have been created. Particulate matter impacts primarily affect infants, children, the elderly, and those with pre-existing cardiopulmonary disease. In 1997, the U.S. Environmental Protection Agency (EPA) announced new PM_{2.5} standards. Industry groups challenged the new standard in court and the implementation of the standard was blocked. However, upon appeal by the EPA, the United States Supreme Court reversed this decision and upheld the EPA's new standards.

On January 5, 2005, the EPA published a Final Rule in the Federal Register that designates the Basin as a nonattainment area for Federal PM_{2.5} standards. On June 20, 2002, CARB adopted amendments for statewide annual ambient particulate matter air quality standards. These standards were revised/established due to increasing concerns by CARB that previous standards were inadequate, as almost everyone in California is exposed to levels at or above the current State standards during some parts of the year, and the statewide potential for significant health impacts associated with particulate matter exposure was determined to be large and wide-ranging. On July 8, 2016, EPA made a finding that the South Coast has attained the 1997 24-hour and annual PM_{2.5} standards based on 2011-2013 data. However, the Basin remains in nonattainment as the EPA has not determined that California has met the Federal Clean Air Act requirements for redesignating the Basin nonattainment area to attainment.

Sulfur Dioxide (SO₂). SO₂ is a colorless, irritating gas with a rotten egg smell; it is formed primarily by the combustion of sulfur-containing fossil fuels. Sulfur dioxide is often used interchangeably with SO_x. Exposure of a few minutes to low levels of SO₂ can result in airway constriction in some asthmatics.

Volatile Organic Compounds (VOC). VOCs are hydrocarbon compounds (any compound containing various combinations of hydrogen and carbon atoms) that exist in the ambient air. VOCs contribute to the formation of smog through atmospheric photochemical reactions and/or may be toxic. Compounds of carbon (also known as organic compounds) have different levels of reactivity; that is, they do not react at the same speed or do not form O₃ to the same extent when exposed to photochemical processes. VOCs often have an odor, and some examples include gasoline, alcohol, and the solvents used in paints. Exceptions to the VOC designation include carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate. VOCs are a criteria pollutant since they are a precursor to O₃, which is a criteria pollutant. The terms VOC and reactive organic gases (ROG), discussed below, are often used interchangeably.

Reactive Organic Gases (ROG). Similar to VOCs, ROGs are also precursors in forming O₃ and consist of compounds containing methane, ethane, propane, butane, and longer chain hydrocarbons, which are typically the result of some type of combustion/decomposition process. Smog is formed when ROG and nitrogen oxides react in the presence of sunlight. ROGs are a criteria pollutant since they are a precursor to O₃, which is a criteria pollutant.

TOXIC AIR CONTAMINANTS

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



Hazardous air pollutant (HAP) is a term used in the Federal Clean Air Act (FCAA) and includes a variety of pollutants generated or emitted by industrial production activities. Identified as TACs under the California Clean Air Act (CCAA), ten pollutants have been singled out through ambient air quality data as being the most substantial health risks in California. Direct exposure to these pollutants has been shown to cause cancer, birth defects, brain and nervous system damage, and respiratory disorders.

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

Toxic contaminants often result from fugitive emissions during fuel storage and transfer activities, and from leaking valves and pipes. For example, the electronics industry, including semiconductor manufacturing, uses highly toxic chlorinated solvents in semiconductor production processes. Automobile exhaust also contains toxic air pollutants such as benzene and 1,3-butadiene.

Diesel Particulate Matter

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

Diesel exhaust and many individual substances contained in it (e.g., arsenic, benzene, formaldehyde, and nickel) have the potential to contribute to mutations in cells that can lead to cancer. Long-term exposure to diesel exhaust particles poses the highest cancer risk of any TAC evaluated by OEHHA. CARB estimates that about 70 percent of the cancer risk that the average Californian faces from breathing toxic air pollutants stems from diesel exhaust particles.

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



Exposure to diesel exhaust can also have immediate health effects. Diesel exhaust can irritate the eyes, nose, throat, and lungs, and can cause coughing, headaches, lightheadedness, and nausea. In studies with human volunteers, diesel exhaust particles made people with allergies more susceptible to the materials to which they are allergic, such as dust and pollen. Exposure to diesel exhaust also causes inflammation in the lungs, which may aggravate chronic respiratory symptoms and increase the frequency or intensity of asthma attacks.

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

AMBIENT AIR QUALITY

Attainment Status

The EPA and CARB designate air basins where ambient air quality standards are exceeded as "nonattainment" areas. If standards are met, the area is designated as an "attainment" area. If there is inadequate or inconclusive data to make a definitive attainment designation, they are considered "unclassified." National nonattainment areas are further designated as marginal, moderate, serious, severe, or extreme as a function of deviation from standards. Each standard has a different definition, or 'form' of what constitutes attainment, based on specific air quality statistics. For example, the federal 8-hour CO standard is not to be exceeded more than once per year; therefore, an area is in attainment of the CO standard if no more than one 8-hour ambient air monitoring values exceeds the threshold per year. In contrast, the federal annual PM_{2.5} standard is met if the three-year average of the annual average PM_{2.5} concentration is less than or equal to the standard. Table 5.2-2, South Coast Air Basin Attainment Status, lists the attainment status for the criteria pollutants in the basin.



**Table 5.2-2
South Coast Air Basin Attainment Status**

Pollutant	Standard ¹	Averaging Time	Designation ²	Attainment Deadline Date ³
1-Hour Ozone	NAAQS	1979 1-Hour (0.12 ppm)	Nonattainment (Extreme)	2/6/2023 (not attained) ⁴
	CAAQS	1-Hour (0.09 ppm)	Nonattainment	N/A
8-Hour Ozone ⁵	NAAQS	1997 8-Hour (0.08 ppm)	Nonattainment (Extreme)	6/15/2024
	NAAQS	2008 8-Hour (0.075 ppm)	Nonattainment (Extreme)	7/20/2032
	NAAQS	2015 8-Hour (0.070 ppm)	Nonattainment (Extreme)	8/3/2038
	CAAQS	8-Hour (0.070 ppm)	Nonattainment	Beyond 2032
CO	NAAQS	1-Hour (35 ppm)	Attainment (Maintenance)	6/11/2007 (attained)
	CAAQS	8-Hour (9 ppm)	Attainment	6/11/2007 (attained)
NO ₂ ⁶	NAAQS	1-Hour (0.1 ppm)	Unclassifiable/Attainment	N/A (attained)
	NAAQS	Annual (0.053 ppm)	Attainment (Maintenance)	9/22/1998 (attained)
	CAAQS	1-hour (0.18 ppm) Annual (0.030 ppm)	Attainment	--
SO ₂ ⁷	NAAQS	1-Hour (75 ppb)	Designations Pending (expect Uncl./Attainment)	N/A (attained)
	NAAQS	24-Hour (0.14 ppm) Annual (0.03 ppm)	Unclassifiable/Attainment	3/19/1979 (attained)
PM ₁₀	NAAQS	1987 24-Hour (150 µg/m ³)	Attainment (Maintenance) ⁸	7/26/2013 (attained)
	CAAQS	24-Hour (50 µg/m ³) Annual (20 µg/m ³)	Nonattainment	N/A
PM _{2.5} ⁹	NAAQS	2006 24-Hour (35 µg/m ³)	Nonattainment (Serious)	12/31/2019
	NAAQS	1997 Annual (15.0 µg/m ³)	Attainment	8/24/2016
	NAAQS	2021 Annual (12.0 µg/m ³)	Nonattainment (Serious)	12/31/2025
	CAAQS	Annual (12.0 µg/m ³)	Nonattainment	N/A
Lead	NAAQS	3-Months Rolling (0.15 µg/m ³)	Nonattainment (Partial) ¹⁰	12/31/2015



**Table 5.2-3 (continued)
South Coast Air Basin Attainment Status**

Pollutant	Standard¹	Averaging Time	Designation²	Attainment Deadline Date³
Hydrogen Sulfide (H ₂ S)	CAAQS	1-Hour (0.03 ppm/42 µg/m ³)	Attainment	--
Sulfates	CAAQS	24-Hour (25 µg/m ³)	Attainment	--
Vinyl Chloride	CAAQS	24-Hour (0.01 ppm/26 µg/m ³)	Attainment	--

Source: South Coast Air Quality Management District, *National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) Attainment Status for South Coast Air Basin*, September 2018.

Notes:

¹ NAAQS = National Ambient Air Quality Standards, CAAQS = California Ambient Air Quality Standards

² U.S. EPA often only declares Nonattainment areas; everywhere else is listed as Unclassifiable/Attainment or Unclassifiable.

³ A design value below the NAAQS for data through the full year or smog season prior to the attainment date is typically required for attainment demonstration.

⁴ 1-hour O₃ standard (0.12 ppm) was revoked, effective June 15, 2005 ; however, the Basin has not attained this standard based on 2008-2010 data and is still subject to anti-backsliding requirements.

⁵ 1997 8-hour O₃ standard (0.08 ppm) was reduced (0.075 ppm), effective May 27, 2008; the revoked 1997 O₃ standard is still subject to anti-backsliding requirements.

⁶ New NO₂ 1-hour standard, effective August 2, 2010; attainment designations January 20, 2012; annual NO₂ standard retained.

⁷ The 1971 annual and 24-hour SO₂ standards were revoked, effective August 23, 2010; however, these 1971 standards will remain in effect until one year after U.S. EPA promulgates area designations for the 2010 SO₂ 1-hour standard. Area designations are still pending, with Basin expected to be designated Unclassifiable /Attainment.

⁸ Annual PM₁₀ standard was revoked, effective December 18, 2006; 24-hour PM₁₀ NAAQS deadline was 12/31/2006; SCAQMD request for attainment redesignation and PM₁₀ maintenance plan was approved by U.S. EPA on June 26, 2013, effective July 26, 2013.

⁹ Attainment deadline for the 2006 24-Hour PM_{2.5} NAAQS (designation effective December 14, 2009) is December 31, 2019 (end of the 10th calendar year after effective date of designations for Serious nonattainment areas). Annual PM_{2.5} standard was revised on January 15, 2013, effective March 18, 2013, from 15 to 12 µg/m³. Designations effective April 15, 2015, so Serious area attainment deadline is December 31, 2025.

¹⁰ Partial Nonattainment designation – Los Angeles County portion of Basin only for near-source monitors. Expect redesignation to attainment based on current monitoring data.

San Bernardino County Monitoring

The SCAQMD is divided into 38 air-monitoring areas with a designated ambient air monitoring station representative of each area. The City of Fontana is in the Central San Bernardino Valley 1 (Area 34). The nearest air monitoring station is the Fontana Station, located at 14360 Arrow Highway, approximately three miles west of the Project Area. Table 5.2-3, Local Air Quality Levels, presents the monitored pollutant levels within the vicinity.

The monitoring data presented in Table 5.2-3 shows that ozone and particulate matter (PM₁₀) are the air pollutants of primary concern in the Project Area, which are detailed below.



Ozone

During the 2019 to 2021 monitoring period, the State 1-hour concentration standard for ozone has been exceeded between 41 and 56 days each year at the Fontana Station. The federal and State 8-hour ozone standard has been exceeded between 67 and 89 days each year over the past three years at the Fontana Station.

Ozone is a secondary pollutant as it is not directly emitted. Ozone is the result of chemical reactions between other pollutants, most importantly hydrocarbons and NO_2 , which occur only in the presence of bright sunlight. Pollutants emitted from upwind cities react during transport downwind to produce the oxidant concentrations experienced in the area. Many areas of the SCAQMD contribute to the ozone levels experienced at the monitoring station, with the more significant areas being those directly upwind.

Carbon Monoxide

CO is another important pollutant that is due mainly to motor vehicles. The Central San Bernardino Valley did not record an exceedance of the State or federal 1-hour or 8-hour CO standards for the last three years.

Nitrogen Dioxide

The Fontana Station did not record an exceedance of the State or federal NO_2 standards for the last three years.

Sulfur Dioxide

The Central San Bernardino Valley did not record an exceedance of the State SO_2 standards for the last three years.



**Table 5.2-3
Local Area Air Quality Levels**

Pollutant (Standard) ¹	Year		
	2019	2020	2021
Ozone:			
Maximum 1-Hour Concentration (ppm)	0.124	0.151	0.125
Days > CAAQS (0.09 ppm)	41	56	44
Maximum 8-Hour Concentration (ppm)	0.109	0.111	0.103
Days > NAAQS (0.07 ppm)	67	89	81
Days > CAAQS (0.07 ppm)	67	89	83
Carbon Monoxide:			
Maximum 1-Hour Concentration (ppm)	2.7	1.7	1.9
Days > NAAQS (20 ppm)	0	0	0
Maximum 8-Hour Concentration (ppm)	1.0	1.2	1.4
Days > NAAQS (9 ppm)	0	0	0
Nitrogen Dioxide:			
Maximum 1-Hour Concentration (ppm)	0.076	0.066	0.067
Days > NAAQS (0.25 ppm)	0	0	0
Sulfur Dioxide:			
Maximum 1-Hour Concentration (ppm)	0.002	0.003	0.005
Days > CAAQS (0.25 ppm)	0	0	0
Inhalable Particulates (PM₁₀):			
Maximum 24-Hour Concentration (ug/m ³)	88.0	61.0	73.0
Days > NAAQS (150 ug/m ³)	0	0	0
Days > CAAQS (50 ug/m ³)	12 (20%)	6 (15%)	4 (8%)
Annual Average (ug/m ³)	34.8	35.8	32.1
Annual > NAAQS (50 ug/m ³)	No	No	No
Annual > CAAQS (20 ug/m ³)	Yes	Yes	Yes
Ultra-Fine Particulates (PM_{2.5}):			
Maximum 24-Hour Concentration (ug/m ³)	46.5	46.1	55.1
Days > NAAQS (35 ug/m ³)	2 (1.8%)	1 (1%)	2 (2%)
Annual Average (ug/m ³)	10.84	11.95	12.07
Annual > NAAQS (15 ug/m ³)	No	No	No
Annual > CAAQS (12 ug/m ³)	No	No	Yes
Source: South Coast Air Quality Management District, <i>Historical Air Quality Data by Year</i> , https://www.aqmd.gov/home/air-quality/historical-air-quality-data/historical-data-by-year , accessed January 3, 2023.			
Notes:			
¹ CAAQS = California Ambient Air Quality Standard; NAAQS = National Ambient Air Quality Standard; ppm = parts per million			



Particulate Matter

During the 2019 to 2021 monitoring period, the State 24-hour concentration standard for PM₁₀ was exceeded for 12 days (20 percent of sampled days) in 2019, six days (15 percent of sampled days) in 2020, and four days (eight percent of sampled days) in 2020 at the Fontana Station. Over the same time period, the federal 24-hour and annual standards for PM₁₀ have not been exceeded at the Fontana Station.

During the 2019 to 2021 monitoring period, the federal 24-hour standard for PM_{2.5} was exceeded for two days (1.8 percent of sampled days) in 2019, one day (one percent of sampled days) in 2020, and two days (two percent of sampled days) in 2021 at the Fontana Station.

According to the EPA, some people are much more sensitive than others to breathing fine particles (PM₁₀ and PM_{2.5}). People with influenza, chronic respiratory and cardiovascular diseases, and the elderly may suffer worsening illness and premature death due to breathing these fine particles. People with bronchitis can expect aggravated symptoms from breathing in fine particles. Children may experience decline in lung function due to breathing in PM₁₀ and PM_{2.5}. Other groups considered sensitive are smokers and people who cannot breathe well through their noses. Exercising athletes are also considered sensitive, because many breathe through their mouths during exercise.

5.2.3 REGULATORY SETTING

FEDERAL

Clean Air Act

The Federal Clean Air Act (FCAA) was first signed into law in 1970. In 1977, and again in 1990, the law was substantially amended. The FCAA is the foundation for a national air pollution control effort, and it is composed of the following basic elements: NAAQS for criteria air pollutants, hazardous air pollutant standards, state attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

The EPA is responsible for administering the FCAA. The FCAA requires the EPA to set NAAQS for several problem air pollutants based on human health and welfare criteria. Two types of NAAQS were established: primary standards, which protect public health (with an adequate margin of safety, including for sensitive populations such as children, the elderly, and individuals suffering from respiratory diseases), and secondary standards, which protect the public welfare from non-health-related adverse effects such as visibility reduction.

NAAQS standards define clean air and represent the maximum amount of pollution that can be present in outdoor air without any harmful effects on people and the environment. Existing violations of the ozone and PM_{2.5} ambient air quality standards indicate that certain individuals exposed to these pollutants may experience certain health effects, including increased incidence of cardiovascular and respiratory ailments.

NAAQS standards have been designed to accurately reflect the latest scientific knowledge and are reviewed every five years by a Clean Air Scientific Advisory Committee (CASAC), consisting of seven members appointed by the EPA administrator. Reviewing NAAQS is a lengthy undertaking and includes



the following major phases: Planning, Integrated Science Assessment (ISA), Risk/Exposure Assessment (REA), Policy Assessment (PA), and Rulemaking. The process starts with a comprehensive review of the relevant scientific literature. The literature is summarized and conclusions are presented in the ISA. Based on the ISA, EPA staff perform a risk and exposure assessment, which is summarized in the REA document. The third document, the PA, integrates the findings and conclusions of the ISA and REA into a policy context, and provides lines of reasoning that could be used to support retention or revision of the existing NAAQS, as well as several alternative standards that could be supported by the review findings. Each of these three documents is released for public comment and public peer review by CASAC. Members of CASAC are appointed by the EPA Administrator for their expertise in one or more of the subject areas covered in the ISA. The committee's role is to peer review the NAAQS documents, ensure that they reflect the thinking of the scientific community, and advise the Administrator on the technical and scientific aspects of standard setting. Each document goes through two to three drafts before CASAC deems it to be final.

Although there is some variability among the health effects of the NAAQS pollutants, each has been linked to multiple adverse health effects including, among others, premature death, hospitalizations, and emergency department visits for exacerbated chronic disease, and increased symptoms such as coughing and wheezing. NAAQS standards were last revised for each of the six criteria pollutants as listed below, with detail on what aspects of NAAQS changed during the most recent update:

- Ozone: On October 1, 2015, the EPA lowered the national eight-hour standard from 0.075 ppm to 0.070 ppm, providing for a more stringent standard consistent with the current California state standard.
- CO: In 2011, the primary standards were retained from the original 1971 level, without revision. The secondary standards were revoked in 1985.
- NO₂: The national NO₂ standard was most recently revised in 2010 following an exhaustive review of new literature pointed to evidence for adverse effects in asthmatics at lower NO₂ concentrations than the existing national standard.
- SO₂: On June 2, 2010, a new 1-hour SO₂ standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb.
- PM: the national annual average PM_{2.5} standard was most recently revised in 2012 following an exhaustive review of new literature pointed to evidence for increased risk of premature mortality at lower PM_{2.5} concentrations than the existing standard.
- Lead: The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. In 2016, the primary and secondary standards were retained.

The law recognizes the importance for each state to locally carry out the requirements of the FCAA, as special consideration of local industries, geography, housing patterns, etc. are needed to have full comprehension of the local pollution control problems. As a result, the EPA requires each state to develop a State Implementation Plan (SIP) that explains how each state will implement the FCAA within their jurisdiction. A SIP is a collection of rules and regulations that a particular state will implement to control



air quality within their jurisdiction. The CARB is the state agency that is responsible for preparing and implementing the California SIP.

[Transportation Conformity](#)

Transportation conformity requirements were added to the FCAA in the 1990 amendments, and the EPA adopted implementing regulations in 1997. See Section 176 of the FCAA (42 U.S.C. Section 7506) and 40 CFR Part 93, Subpart A. Transportation conformity serves much the same purpose as general conformity: it ensures that transportation plans, transportation improvement programs, and projects that are developed, funded, or approved by the United States Department of Transportation or that are recipients of funds under the Federal Transit Act or from the Federal Highway Administration (FHWA), conform to the SIP as approved or promulgated by EPA.

Currently, transportation conformity applies in nonattainment areas and maintenance areas (maintenance areas are those areas that were in nonattainment that have been redesignated to attainment, under the FCCA). Under transportation conformity, a determination of conformity with the applicable SIP must be made by the agency responsible for the project, such as the Metropolitan Planning Organization, the Council of Governments, or a federal agency. The agency making the determination is also responsible for all the requirements relating to public participation. Generally, a project will be considered in conformance if it is in the transportation improvement plan and the transportation improvement plan is incorporated in the SIP. If an action is covered under transportation conformity, it does not need to be separately evaluated under general conformity.

[Transportation Control Measures](#)

One particular aspect of the SIP development process is the consideration of potential control measures as a part of making progress towards clean air goals. While most SIP control measures are aimed at reducing emissions from stationary sources, some are typically also created to address mobile or transportation sources. These are known as transportation control measures (TCMs). TCM strategies are designed to reduce vehicle miles traveled and trips, or vehicle idling and associated air pollution. These goals are achieved by developing attractive and convenient alternatives to single-occupant vehicle use. Examples of TCMs include ridesharing programs, transportation infrastructure improvements such as adding bicycle and carpool lanes, and expansion of public transit.

STATE

[California Clean Air Act](#)

The California Clean Air Act (CCAA) was first signed into law in 1988. The CCAA provides a comprehensive framework for air quality planning and regulation, and spells out, in statute, the state's air quality goals, planning and regulatory strategies, and performance. CARB is the agency responsible for administering the CCAA. CARB established ambient air quality standards pursuant to the California Health and Safety Code (CH&SC) [Section 39606(b)], which are similar to the federal standards.

[California Air Quality Standards](#)

Although NAAQS are determined by the EPA, states have the ability to set standards that are more stringent than the federal standards. As such, California established more stringent ambient air quality standards. Federal and State ambient air quality standards have been established for ozone, carbon



monoxide, nitrogen dioxide, sulfur dioxide, suspended particulates (PM₁₀), and lead. In addition, California has created standards for pollutants that are not covered by federal standards. Although there is some variability among the health effects of the CAAQS pollutants, each has been linked to multiple adverse health effects including, among others, premature death, hospitalizations, and emergency department visits for exacerbated chronic disease, and increased symptoms such as coughing and wheezing. The existing State and federal primary standards for major pollutants are shown in [Table 5.2-2](#).

Air quality standard setting in California commences with a critical review of all relevant peer reviewed scientific literature. The Office of Environmental Health Hazard Assessment (OEHHA) uses the review of health literature to develop a recommendation for the standard. The recommendation can be for no change, or can recommend a new standard. The review, including the OEHHA recommendation, is summarized in a document called the draft Initial Statement of Reasons (ISOR), which is released for comment by the public, and also for public peer review by the Air Quality Advisory Committee (AQAC). AQAC members are appointed by the President of the University of California for their expertise in the range of subjects covered in the ISOR, including health, exposure, air quality monitoring, atmospheric chemistry and physics, and effects on plants, trees, materials, and ecosystems. The Committee provides written comments on the draft ISOR. CARB staff next revises the ISOR based on comments from AQAC and the public. The revised ISOR is then released for a 45-day public comment period prior to consideration by the Board at a regularly scheduled Board hearing.

In June of 2002, CARB adopted revisions to the PM₁₀ standard and established a new PM_{2.5} annual standard. The new standards became effective in June 2003. Subsequently, staff reviewed the published scientific literature on ground-level ozone and nitrogen dioxide and CARB adopted revisions to the standards for these two pollutants. Revised standards for ozone and nitrogen dioxide went into effect on May 17, 2006 and March 20, 2008, respectively. These revisions reflect the most recent changes to the CAAQS.

[CARB Mobile-Source Regulation](#)

The State of California is responsible for controlling emissions from the operation of motor vehicles in the state. Rather than mandating the use of specific technology or the reliance on a specific fuel, CARB's motor vehicle standards specify the allowable grams of pollution per mile driven. In other words, the regulations focus on the reductions needed rather than on the manner in which they are achieved. Towards this end, CARB has adopted regulations which required auto manufacturers to phase in less polluting vehicles.

[CARB Air Quality and Land Use Handbook](#)

CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* addresses the importance of considering health risk issues when siting sensitive land uses, including residential development, in the vicinity of intensive air pollutant emission sources including freeways or high-traffic roads, distribution centers, ports, petroleum refineries, chrome plating operations, dry cleaners, and gasoline dispensing facilities. The CARB Handbook draws upon studies evaluating the health effects of traffic traveling on major interstate highways in metropolitan California centers within Los Angeles (Interstate [I] 405 and I-710), the San Francisco Bay, and San Diego areas. The recommendations identified by CARB, including siting residential uses a minimum distance of 500 feet from freeways or other high-traffic roadways, are consistent with those adopted by the State of California for location of new schools. Specifically, the CARB



Handbook recommends, “Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day.”

Tanner Air Toxics Act

California regulates TACs primarily through the Tanner Air Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588). The Tanner Act sets forth a formal procedure for CARB to designate substances as TACs. This includes research, public participation, and scientific peer review before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and has adopted EPA’s list of HAPs as TACs. Most recently, diesel PM was added to the CARB list of TACs. Once a TAC is identified, CARB then adopts an Airborne Toxics Control Measure (ATCM) for sources that emit that particular TAC. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure below that threshold. If there is no safe threshold, the measure must incorporate Best Available Control Technology (BACT) to minimize emissions.

AB 2588 requires that existing facilities that emit toxic substances above a specified level prepare a toxic-emission inventory, prepare a risk assessment if emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction measures. CARB has adopted diesel exhaust control measures and more stringent emission standards for various on-road mobile sources of emissions, including transit buses and off-road diesel equipment (e.g., tractors, generators). In February 2000, CARB adopted a new public-transit bus-fleet rule and emission standards for new urban buses. These rules and standards provide for (1) more stringent emission standards for some new urban bus engines, beginning with 2002 model year engines; (2) zero-emission bus demonstration and purchase requirements applicable to transit agencies; and (3) reporting requirements under which transit agencies must demonstrate compliance with the urban transit bus fleet rule. Other recent milestones include the low-sulfur diesel-fuel requirement, and tighter emission standards for heavy-duty diesel trucks (2007) and off-road diesel equipment (2011) nationwide.

LOCAL

South Coast Air Quality Management District (SCAQMD)

The SCAQMD shares responsibility with CARB for ensuring that all state and federal ambient air quality standards are achieved and maintained over an area of approximately 10,743 square miles. This area includes all of Orange County and Los Angeles County except for the Antelope Valley, the non-desert portion of western San Bernardino County, and the western and Coachella Valley portions of Riverside County.

The SCAQMD reviews projects to ensure that they do not (1) cause or contribute to any new violation of any air quality standard; (2) increase the frequency or severity of any existing violation of any air quality standard; or (3) delay the timely attainment of any air quality standard or any required interim emission reductions or other milestones of any federal attainment plan.

The SCAQMD is responsible for controlling emissions primarily from stationary sources. The SCAQMD maintains air quality monitoring stations throughout SCAB. In coordination with the Southern California Association of Governments (SCAG), SCAQMD is also responsible for developing, updating, and implementing the Air Quality Management Plan (AQMP) for SCAB. An AQMP is a plan prepared and



implemented by an air pollution district for a county or region designated as nonattainment of the national and/or California ambient air quality standards.

In 2003, an AQMP was prepared by SCAQMD to bring SCAB, as well as portions of the Salton Sea Air Basin under the SCAQMD jurisdiction, into compliance with the 1-hour ozone and PM₁₀ national standards. The 2003 AQMP also replaced the 1997 attainment demonstration for the federal CO standard and provided a basis for a maintenance plan for CO for the future. It also updated the maintenance plan for the federal NO₂ standard, which SCAB has met since 1992.

A subsequent AQMP for the Basin was adopted by the SCAQMD on June 1, 2007. The goal of the 2007 AQMP was to lead SCAB into compliance with the national 8-hour ozone and PM_{2.5} standards. The 2007 AQMP outlined a detailed strategy for meeting the national health-based standards for PM_{2.5} by 2015 and 8-hour ozone by 2024 while accounting for and accommodating future expected growth. The 2007 AQMP incorporated significant new emissions inventories, ambient measurements, scientific data, control strategies, and air quality modeling. Most of the reductions were to be from mobile sources, which are currently responsible for about 75 percent of all smog and particulate-forming emissions.

SCAQMD approved the 2012 AQMP on December 7, 2012. The 2012 AQMP incorporated the latest scientific and technological information and planning assumptions, including the 2012–2035 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and updated emission inventory methodologies for various source categories. The 2012 AQMP outlines a comprehensive control strategy that meets the requirement for expeditious progress toward attainment with the 24-hour PM_{2.5} federal ambient air quality standard with all feasible control measures and demonstrates attainment of the standard by 2014. The 2012 AQMP also updates the 8-hour ozone control plan with new emission reduction commitments from a set of new control measures that implement the 2007 AQMP's Section 182 (e)(5) commitments. The goal of the Final 2012 AQMP is to lead the Basin into compliance with the national 8-hour ozone and PM_{2.5} standards.

SCAQMD approved the Final 2016 AQMP on March 3, 2017. The 2016 AQMP includes transportation control measures developed by SCAG from the 2016–2040 RTP/SCS, as well as the integrated strategies and measures needed to meet the NAAQS. The 2016 AQMP demonstrates attainment of the 1-hour and 8-hour ozone NAAQS as well as the latest 24-hour and annual PM_{2.5} standards.

SCAQMD approved the Final 2022 AQMP on December 2, 2022. The Final 2022 AQMP builds upon measures already in place from previous AQMPs to reduce air pollution and meet the federal ozone standard established by the U.S. EPA in 2015. It includes a variety of additional actions and strategies such as regulation, accelerated deployment of available cleaner technologies (e.g., zero emission emissions technologies, when cost-effective and feasible, and low NO_x technologies in other applications), best management practices, co-benefits from existing programs (e.g., climate and energy efficiency), incentives, and other Clean Air Act measures to achieve the 2015 8-hour ozone standard.

SCAQMD has also prepared the 2010 Clean Communities Plan (Formerly the Air Toxics Control Plan), the Air Quality Monitoring Network Plan, the Vision for Air: A Framework for Air Quality and Climate Plan.

The SCAQMD is responsible for limiting the amount of emissions that can be generated throughout the basin by various stationary, area, and mobile sources. Specific rules and regulations have been adopted by the SCAQMD Governing Board that (1) limit the emissions that can be generated by various uses and



activities; and (2) identify specific pollution reduction measures, which must be implemented in association with various uses and activities. These rules regulate the emissions of not only the federal and state criteria pollutants, but also TACs and acutely hazardous materials. The rules are also subject to ongoing refinement by the SCAQMD.

Among the SCAQMD rules that may be applicable to future development projects within the City are Rule 401 (Visible Emissions), Rule 402 (Nuisance), Rule 403 (Fugitive Dust), Rule 1113 (Architectural Coatings), Rule 1138 (Control of Emissions from Restaurant Operations), Rule 1146.2 (Emissions of Oxides of Nitrogen from Large Water Heaters and Small Boilers and Process Heaters), and Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). Rule 401 restricts the emissions of air contaminants that significantly reduce air opacity. Rule 402 restricts discharges that cause nuisance to the public. Rule 403 requires the use of stringent best available control measures (BACMs) to minimize PM₁₀ emissions during grading and construction activities. Rule 1113 requires reductions in the VOC content of coatings. Rule 1138 specifies PM and VOC emissions and odor control requirements for some kinds of commercial cooking operations. Rule 1146.2 restricts the NO_x emissions from natural gas-fired water heaters, boilers, and process heaters as defined by this rule. Compliance with SCAQMD Rule 1403 requires the owner or operator of any demolition or renovation activity to have an asbestos survey performed prior to demolition and to provide notification to the SCAQMD prior to commencing demolition activities.

SCAQMD's CEQA guidelines are voluntary initiatives recommended for consideration by local planning agencies. The CEQA *Air Quality Handbook* (Handbook) published by SCAQMD provides local governments with guidance for analyzing and mitigating project-specific air quality impacts. SCAQMD is currently updating some of the information and methods in the Handbook, such as the screening tables for determining the air quality significance of a project and the on-road mobile source emission factors. While this process is underway, the SCAQMD recommends using other approved models to calculate emissions from land use projects, such as CalEEMod.

The SCAQMD's *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning* considers impacts on air quality sensitive receptors from TAC-emitting facilities. The SCAQMD's siting distance recommendations are the same as those provided by the CARB (e.g., a 500-foot siting distance for air quality sensitive receptors proposed in proximity to freeways and high-traffic roads, and the same siting criteria for distribution centers and dry-cleaning facilities).

[Southern California Association of Governments \(SCAG\) Regional Transportation Plan/Sustainable Communities Strategy \(RTP/SCS\)](#)

SCAG is the metropolitan planning organization (MPO) for the region in which the City is located. In 2020, SCAG adopted Connect SoCal, the 2020-2045 RTP/SCS, which is an update to the previous 2016 RTP/SCS.

The 2020 RTP/SCS considers the role of transportation in the broader context of economic, environmental, and quality-of-life goals for the future, identifying regional transportation strategies to address mobility needs. The 2020 RTP/SCS describes how the region can attain the GHG emission-reduction targets set by CARB by achieving a 19 percent reduction by 2035 compared to the 2005 level. Although the focus of the 2020 RTP/SCS is on GHG emission-reduction, compliance with and implementation of 2020 RTP/SCS policies and strategies would also have co-benefits of reducing per capita criteria air pollutant and TAC emissions associated with reduced per capita vehicle miles traveled



(VMT). Improved air quality with implementation of the 2020 RTP/SCS policies would decrease reactive organic gases (ROG) (similar to VOCs), CO, NO_x, and PM_{2.5}.

SCAG's 2020 RTP/SCS builds on the land use policies that were incorporated into the 2016 RTP/SCS, and provides specific strategies for successful implementation. These strategies include implementing the Sustainable Communities Program (SCP) – Housing and Sustainable Development (HSD) which will both accelerate housing production as well as enable implementation of the Sustainable Communities Strategy of Connect SoCal; encouraging use of active transportation, or human powered transportation such as bicycles, tricycles, wheelchairs, electric wheelchairs/scooters, skates, and skateboards; and supporting alternative fueled vehicles. The 2020 RTP/SCS overall land use pattern reinforces the trend of focusing new housing and employment in infill areas well served by transit.

In addition, the 2020 RTP/SCS includes goals and strategies to promote active transportation and improve transportation demand management (TDM). The 2020 RTP/SCS strategies support local planning and projects that serve short trips, increase access to transit, expand understanding and consideration of public health in the development of local plans and projects, and support improvements in sidewalk quality, local bike networks, and neighborhood mobility areas. The 2020 RTP/SCS proposes to better align active transportation investments with land use and transportation strategies, increase competitiveness of local agencies for federal and state funding, and to expand the potential for all people to use active transportation.

[City of Fontana General Plan](#)

The Fontana General Plan includes goals, policies, and actions to reduce potential air quality impacts. Chapter 4, Community and Neighborhoods, Chapter 6, Building a Healthier Fontana, and Chapter 9, Community Mobility and Circulation, contain the following goal and policies potentially relevant to the proposed Project:

[Chapter 4 – Community and Neighborhoods](#)

- **Goal 5:** New housing developments provide walkable neighborhoods with mixed-use amenities and connections to citywide destinations.
 - **Policy:** Support regulations that promote creation of compact and walkable urban village-style design in new developments.
- **Goal 6:** The safe, attractive, and lively central area of the city has new infill development and infrastructure and public improvements.
 - **Policy:** Support revitalization of the central area of the city with an integrated approach including mixed-use development, infill housing, infrastructure improvements, interconnections, and placemaking programs.

[Chapter 6 – Building a Healthier Fontana](#)

- **Goal 1:** The average lifespan in Fontana is consistently within the top ten of all southern California cities.
 - **Policy:** Support local and regional initiatives to improve air quality in order to reduce asthma while actively discouraging development that may exacerbate asthma rates.



Chapter 9 – Community Mobility and Circulation

- **Goal 1:** The City of Fontana has a comprehensive and balanced transportation system with safety and multimodal accessibility the top priority of citywide transportation planning, as well as accommodating freight movement.
 - **Policy:** Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2014-2040 Regional Transportation Plan and Sustainable Communities Strategy.
- **Goal 3:** Local transit within the City of Fontana is a viable choice for residents, easily accessible and serving destinations throughout the city.
 - **Policy:** Maximize the accessibility, safety, convenience, and appeal of transit service and transit stops.
 - **Policy:** Promote concentrated development patterns in coordination with transit planning to maximize service efficiency and ridership.
- **Goal 5:** Fontana’s commercial and mixed-use areas include a multifunctional street network that ensures a safe, comfortable, and efficient movement of people, goods, and services to support a high quality of life and economic vitality.
 - **Policy:** Provide a transportation network that is compatible with the needs of commerce and those who live, work and shop in mixed-use areas.
 - **Policy:** Encourage mixed use and commercial developments that support walking, bicycling, and public transit use while balancing the needs of motorized traffic to serve such developments.
- **Goal 7:** The city of Fontana participates in shaping regional transportation policies to reduce traffic congestion and greenhouse gas emissions.
 - **Policy:** Lead and participate in initiatives to manage regional traffic.
 - **Policy:** Coordinate with regional agencies and Caltrans to participate in regional efforts to maintain transportation infrastructure in Fontana.
 - **Policy:** Participate in the efforts of the Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reductions.
 - **Policy:** Participate in the efforts by Caltrans to reduce congestion and improve traffic flow on area freeways.

City of Fontana Municipal Code

Fontana Municipal Code Chapter 24, *Solid Waste and Recycling*, includes provisions on solid waste management, including waste storage and collection. Chapter 30 contains the City’s Zoning and Development Code. Chapter 30, Article III, *Form-Based Code*, includes development standards for FBC districts, including placement and/or requirements for trash and refuse receptacles.



5.2.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to air quality. A project would result in a significant impact related to air quality if it would:

- Conflict with or obstruct implementation of the applicable air quality plan (refer to Impact Statement 5.2-1);
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (refer to Impact Statement 5.2-2);
- Expose sensitive receptors to substantial pollutant concentrations (refer to Impact Statement 5.2-3); and/or
- Result in other emissions such as those leading to odors adversely affecting a substantial number of people (refer to Impact Statement 5.2-4).

Based on these standards and significance thresholds and criteria, the Project’s effects have been categorized as either “no impact,” a “less than significant impact,” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a “significant unavoidable impact.”

MASS EMISSIONS THRESHOLDS

The SCAQMD significance criteria may be relied upon to make the above determinations. According to the SCAQMD, an air quality impact is considered significant if a proposed project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during project construction and operations, as shown in Table 5.2-4, South Coast Air Quality Management District Emissions Thresholds.

**Table 5.2-4
South Coast Air Quality Management District Emissions Thresholds**

Criteria Air Pollutants and Precursors (Regional)	Construction-Related	Operational-Related
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)
Reactive Organic Gases (ROG)	75	55
Carbon Monoxide (CO)	550	550
Nitrogen Oxides (NO _x)	100	55
Sulfur Oxides (SO _x)	150	150
Coarse Particulates (PM ₁₀)	150	150
Fine Particulates (PM _{2.5})	55	55

Source: South Coast Air Quality Management District, *CEQA Air Quality Handbook*, 1993 (PM_{2.5} threshold adopted June 1, 2007).



LOCALIZED CARBON MONOXIDE

In addition to the daily thresholds listed above, the proposed Project would be subject to the ambient air quality standards. These are addressed through an analysis of localized Carbon Monoxide (CO) impacts. The California 1-hour and 8-hour CO standards are:

- 1-hour = 20 parts per million (ppm)
- 8-hour = 9 ppm

The significance of localized impacts depends on whether ambient CO levels near a project site exceed State and federal CO standards. The South Coast Air Basin (SCAB) has been designated as attainment under the 1-hour and 8-hour standards.

LOCALIZED SIGNIFICANCE THRESHOLDS

In addition to the CO hotspot analysis, the SCAQMD developed Local Significance Thresholds (“LSTs”) for emissions of Nitrogen Oxide (NOx), CO, Coarse Particulate Matter (PM₁₀), and Fine Particulate Matter (PM_{2.5}) generated at new development sites (off-site mobile source emissions are not included in the LST analysis). LSTs represent the maximum emissions that can be generated at a project site without expecting to cause or substantially contribute to an exceedance of the most stringent national or state ambient air quality standards. LSTs are based on the ambient concentrations of that pollutant within the project source receptor area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. LST analysis for construction is applicable for all projects that disturb 5.0 acres or less on a single day. The appropriate SRA for the LSTs is the Central San Bernardino Valley area (SRA 34), since SRA 34 includes the Project Area. LSTs apply to CO, NO₂, PM₁₀, and PM_{2.5}. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5.0 acres. Table 5.2-5, Local Significance Thresholds (Construction/Operations), shows the LSTs for a 1.0-acre, 2.0-acre, and 5.0-acre project site in SRA 34 with sensitive receptors located within 25 meters of the Project Area.

**Table 5.2-5
Local Significance Thresholds (Construction/Operations)**

Project Size	Nitrogen Oxide (NOx) – lbs/day	Carbon Monoxide (CO) – lbs/day	Coarse Particulates (PM ₁₀) – lbs/day	Fine Particulates (PM _{2.5}) – lbs/day
1.0 acres	118/118	667/667	4/1	3/1
2.0 acres	148/148	972/972	7/2	4/1
5.0 acres	270/270	1,746/1,746	14/4	8/2

Source: South Coast Air Quality Management District, *Localized Significance Threshold Methodology – Appendix C*, revised October 21, 2009.

CO HOTSPOTS

Areas of vehicle congestion have the potential to create pockets of CO called hotspots. These pockets have the potential to exceed the state one-hour standard of 20 ppm or the eight-hour standard of 9 ppm. Because CO is produced in greatest quantities from vehicle combustion and does not readily disperse into the atmosphere, adherence to ambient air quality standards is typically demonstrated through an analysis of localized CO concentrations. Hotspots are typically produced at intersections, where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. With the turnover



of older vehicles and introduction of cleaner fuels as well as implementation of control technology on industrial facilities, CO concentrations in the South Coast Air Basin and the state have steadily declined. The analysis of CO hotspots compares the volume of traffic that has the potential to generate a CO hotspot and the volume of traffic with implementation of the proposed Project.

5.2.5 METHODOLOGY

The City is proposing to create a new focused area in the Downtown Core (Project Area) by creating and implementing a new General Plan land use category and six new Form-Based Code (FBC) districts specific to the Project Area. The proposed Project would involve amending General Plan Chapter 9, Community Mobility and Circulation, including Exhibit 9.2, Hierarchy of Streets in Fontana, Chapter 14, Downtown Area Plan, and Chapter 15, Land Use, Zoning, and Urban Design, including establishing a new General Plan land use category, amending the General Plan Land Use Map to apply the new land use category, and amending the Zoning and Development Code, including the Zoning District Map. The proposed Project, would in part, provide increased residential development opportunities, consistent with the goals of the SB 2 Planning Grant received by the City.

Although development of the site is not currently proposed, for purposes of this analysis, development of the net new development (i.e. development over existing conditions) is considered as part of the proposed Project. This analysis focuses on the nature and magnitude of the change in the air quality environment due to potential development associated with implementation of the proposed Project, based on the maximum development assumptions that are outlined in [Section 3.0, Project Description](#).

Air pollutant emissions associated with the proposed Project would result from construction equipment usage and from construction-related traffic. Additionally, emissions would be generated from operations of the future land uses that would be developed, and from traffic volumes generated by these new uses. The net increase in emissions generated by these activities and other secondary sources have been quantitatively estimated and compared to the applicable thresholds of significance recommended by SCAQMD.

[AQMP Consistency](#)

SCAQMD's CEQA Handbook suggests an evaluation of the following two criteria to determine whether a project involving a legislative land use action (such as the proposed General Plan land use and zoning designation changes) would be consistent or in conflict with the AQMP:

1. The Project would not generate population and employment growth that would be inconsistent with SCAG's growth forecasts.
2. The Project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

Consistency Criterion No. 1 refers to the SCAG's growth forecast and associated assumptions included in the AQMP. The future air quality levels projected in the AQMP are based on SCAG's growth projections, which are based, in part, on the general plans of cities and counties located within the SCAG region, and, in part, on SCAG's three Land Development Categories. Therefore, if the level of housing or employment



related to the proposed Project are consistent with the applicable assumptions used in the development of the AQMP, the Project would not jeopardize attainment of the air quality levels identified in the AQMP.

Consistency Criterion No. 2 refers to the California Ambient Air Quality Standards. An impact would occur if the long-term emissions associated with the proposed Project would exceed SCAQMD's regional significance thresholds for operation-phase emissions.

Construction

Short-term construction-generated emissions of criteria air pollutants and ozone precursors from implementation of the Project were assessed in accordance with methods recommended by SCAQMD. The Project's regional emissions were modeled using the California Emissions Estimator Model (CalEEMod), as recommended by SCAQMD. CalEEMod was used to determine whether short-term construction-related emissions of criteria air pollutants associated with the proposed Project would exceed applicable regional thresholds and where mitigation would be required. Modeling was based on Project-specific data and predicted short-term construction-generated emissions associated with the proposed Project were compared with applicable SCAQMD regional thresholds for determination of significance.

In addition, to determine whether or not construction activities associated with implementation of the Project would create significant adverse localized air quality impacts on nearby sensitive receptors, the worst-case daily emissions contribution from the proposed Project was compared to SCAQMD's LSTs that are based on the pounds of emissions per day that can be generated by a project without causing or contributing to adverse localized air quality impacts. The daily total on-site combustion, mobile, and fugitive dust emissions associated with construction was combined and evaluated against SCAQMD's LSTs for a 5-acre site. The use of the 5-acre threshold provides a conservative evaluation because it estimates the area undergoing construction activities that could impact a nearby sensitive receptor, which is not anticipated to be greater than 5-acres, in a given day, for an individual sensitive receptor.

Operations

Long-term (i.e., operational) regional emissions of criteria air pollutants and precursors, including mobile- and area-source emissions from future development associated with implementation of the proposed Project, were also quantified using the CalEEMod (v. 2020.4.0) computer model. Area-source emissions were modeled according to the size and type of the land uses proposed. Mass mobile-source emissions were modeled based on the increase in daily vehicle trips that would result from the proposed Project. Predicted long-term operational emissions were compared with applicable SCAQMD thresholds for determination of significance.

Trips and Trip Length

To determine emissions from passenger car vehicles, daily trips and average trip lengths were determined based on the traffic data provided by the traffic consultant, Kittelson & Associates; refer to [Appendix E](#).



5.2.6 IMPACTS AND MITIGATION MEASURES

Impact 5.2-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?

Impact Analysis: The following analysis addresses the Downtown Core Project's consistency with applicable plans and policies that govern air quality. In particular, the analysis addresses consistency with the SCAQMD's AQMP, which is an air quality plan that includes strategies for achieving attainment of applicable ozone, PM₁₀, and PM_{2.5} standards.

As discussed above, SCAQMD has adopted a series of AQMPs to lead the Air Basin into compliance with several criteria air pollutant standards and other federal requirements, while taking into account construction and operational emissions associated with population and economic growth projections provided by SCAG's 2020 RTP/SCS. The SCAQMD recommends that, when determining whether a project is consistent with the relevant AQMPs, the lead agency should assess whether the project would directly obstruct implementation of the plans by impeding SCAQMD's efforts to achieve attainment with respect to any criteria air pollutant for which it is currently not in attainment of the NAAQS and CAAQS (e.g., ozone, PM₁₀, and PM_{2.5}) and whether it is consistent with the demographic and economic assumptions (typically land use related, such as employment and population/residential units) upon which the plan is based. The SCAQMD guidance indicates that projects whose growth is included in the projections used in the formulation of the AQMP are considered to be consistent with the plan and would not interfere with its attainment.

The SCAQMD thresholds for construction and operational emissions are designed for the analysis of individual projects and not for long-term planning documents, such as the Downtown Core Project, which would be implemented over time. Emissions are dependent on the exact size, nature, and location of an individual land use type, combined with reductions in localized impacts from the removal of existing land use types, as applicable (i.e., conversion of light industrial uses). Emissions associated with the operation of individual projects, could exceed project-specific thresholds established by SCAQMD.

CEQA requires that general plans be evaluated for consistency with the AQMP. Because the AQMP strategy is based on projections from local general plans, only new or amended general plan elements, specific plans, or individual projects under the general plan need to undergo a consistency review. Projects considered consistent with the local general plan are consistent with the air quality-related regional plan. Indicators of consistency include:

- **Control Strategies:** Whether implementation of a project would increase the frequency or severity of existing air quality violations; would cause or contribute to new violations; or would delay the timely attainment of AAQS or interim emissions reductions within the AQMP.
- **Growth Projections:** Whether implementation of the project would exceed growth assumptions within the AQMP, which in part, bases its strategy on growth forecasts from local general plans.



CONSTRUCTION

Control Strategies

The Air Basin is designated nonattainment for ozone and PM_{2.5} under the CAAQS and NAAQS, and nonattainment for PM₁₀ under the CAAQS. The proposed Project would support higher-density residential and mixed-use development within the Project Area. The emissions of criteria pollutants associated with future development accommodated through implementation of the proposed Project could exceed the SCAQMD thresholds for criteria pollutants. Future development of individual projects under the Downtown Core Project would be required to comply with CARB's requirements to minimize short-term emissions from on-road and off-road diesel equipment, including the ATCM to limit heavy-duty diesel motor vehicle idling to no more than five minutes at any given time, and with SCAQMD's regulations such as Rule 403 for controlling fugitive dust and Rule 1113 for controlling VOC emissions from architectural coatings. Furthermore, as applicable to the type of growth, individual projects under the proposed Downtown Core Project would comply with fleet rules to reduce on-road truck emissions (i.e., 13 CCR, Section 2025 [CARB Truck and Bus regulation]). Compliance with these measures and requirements would be consistent with and meet or exceed the AQMP requirements for control strategies intended to reduce emissions from construction equipment and activities. Therefore, the construction anticipated by the Project would be consistent with the AQMP under the first indicator.

Growth Projections

Future development associated with implementation of the Downtown Core Project would result in an increase in short-term employment compared to existing conditions. Future development accommodated by the Downtown Core Project would involve construction, but Project implementation would not necessarily create new construction jobs, since construction-related jobs generated by future development would likely be filled by employees within the construction industry within the City and greater San Bernardino County region. Construction industry jobs generally have no regular place of business, as construction workers commute to job sites throughout a given region, which may change several times a year. Moreover, these jobs would be temporary in nature. Therefore, the construction jobs generated by future development accommodated by the Downtown Core Project would not conflict with the long-term employment or population projections upon which the AQMPs are based.

OPERATION

Control Strategies

Future development associated with implementation of the Downtown Core Project would be required to comply with CARB motor vehicle standards, SCAQMD regulations for stationary sources and architectural coatings, Title 24 energy efficiency standards, and, to the extent applicable, the 2020 RTP/SCS.

As discussed above, the 2022 AQMP includes land use and transportation strategies from the 2020 RTP/SCS that are intended to reduce VMT and resulting regional mobile source emissions. The applicable land use strategies include: planning for growth around livable corridors; providing more options for short trips/neighborhood mobility areas; supporting zero emission vehicles and expanding vehicle charging stations; and supporting local sustainability planning. The applicable transportation strategies include: managing through the Transportation Demand Management (TDM) Program and the Transportation



System Management (TSM) Plan including advanced ramp metering, and expansion and integration of the traffic synchronization network; promoting active transportation. The majority of the transportation strategies are to be implemented by cities, counties, and other regional agencies such as SCAG and SCAQMD, although some can be furthered by individual development projects.

The Downtown Core Project would implement land use and transportation strategies related to reducing vehicle trips for Fontana residents and employees by creating and implementing the new WMXU-3: Walkable Mixed-Use Downtown Core land use category and six new FBC districts within the Project Area, which would support higher-density residential and mixed-use development within the Project Area. The City of Fontana is served primarily by Omnitrans and Metrolink. Omnitrans provides bus service in the San Bernardino Valley. It connects Fontana with several nearby cities (including Rancho Cucamonga, Upland, Chino, Redlands, and San Bernardino). Omnitrans also provides paratransit service. Metrolink provides rail passenger service between San Bernardino and the Los Angeles metropolitan region. The Fontana Metrolink station is located within the Project Area and accessible through Sierra Avenue and Orange Way. The availability of public transportation and the focus on increasing density relative to the existing public transportation, enables Project implementation to potentially reduce vehicle trips, VMT, and associated transportation-related emissions per capita, compared to existing conditions. Therefore, the Downtown Core Project would result in a less than significant impact associated with air quality. The proposed Project would be consistent with the AQMP under the first indicator.

Growth Projections

The emissions inventory for SCAB is formed, in part, by existing city and county general plans. The AQMP is based on population, employment and VMT forecasts by SCAG. A project might be in conflict with the AQMP if the development is greater than that anticipated in the local general plan and SCAG's growth projections. As discussed in Section 5.12, Population and Housing, Project implementation could yield a net change over existing conditions of an additional 8,900 dwelling units and 2,685,404 square feet of non-residential uses. This new growth may increase the City's population by approximately 33,731 residents (based on the 2022 California Department of Finance estimated household size of 3.79 persons per household). Implementation of the proposed Project would also provide additional employment opportunities for approximately 6,852 employees. The General Plan EIR anticipates the General Plan to accommodate 70,560 households, a population of 315,852, and total employment of 99,129 throughout the planning horizon. More specifically, the focus for growth in the General Plan is in the Downtown Core and "Livable Corridors" as described in General Plan Chapter 14 - Downtown Area Plan. Thus, growth within the Downtown Core Project has been anticipated by the General Plan. The City currently has 57,483 dwelling units, 212,809 residents, and 55,448 jobs. Therefore, the forecasted 8,900 new dwelling units, 33,731 new residents, and 6,852 new employees associated with Project implementation is within the buildout projections anticipated by the General Plan. The proposed Project is intended to implement the goals and policies of the General Plan and accommodate the City's fair share of statewide housing needs, which are allocated by SCAG, based on regional numbers provided by the HCD on a regular basis (every five to eight years). As described above, the City of Fontana 2021-2029 Housing Element was adopted February 8, 2022 and accommodates the City's share of the regional housing need for the 2021-2029 RHNA period of 17,519 units. The City's 2021-2029 Housing Element identifies the existing Project Area, as accommodating a portion of City's Low-, Very-Low-, and Above-Moderate-income RHNA allocation.



The population and employment growth anticipated as a result of Project implementation is within the City's growth projections of the Fontana Forward General Plan and SCAG's RHNA allocation.

Although future development in the Project Area that is consistent with the Downtown Core Project would increase total vehicle trips and VMT, which would result in emissions of ozone precursors and particulate matter, overall, the VMT per service population with the proposed Project would be four percent lower than 2040 Without Project Conditions. Further, individual projects within the Project Area would be reviewed pursuant to CEQA, and would be required to demonstrate compliance with the AQMP. Individual projects would also be required to demonstrate compliance with SCAQMD rules and regulations governing air quality.

The City of Fontana continues to coordinate with SCAQMD and SCAG to ensure Citywide growth projections, land use planning efforts, and local development patterns are accounted for in the regional planning and air quality planning processes. Additionally, the Downtown Core Project would implement land use and transportation strategies related to reducing vehicle trips for Fontana residents and employees, including creating six new FBC districts within the Project Area to support higher-density residential and mixed-use development within the Project Area, which would minimize potential impacts to air quality in support of the AQMP and 2020 Connect SoCal. Therefore, the Downtown Core Project would not conflict with or obstruct the implementation of the applicable air quality plan and impacts would be less than significant.

CONCLUSION

While the proposed Project is anticipated to comply with the control strategies and be consistent with the growth projections contained within the 2022 AQMP, the proposed Project would exceed SCAQMD's regional significance thresholds for operation-phase emissions (as provided in greater detail under Impact AQ-2, below). Therefore, the proposed Project could result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

Mitigation Measures: Refer to Mitigation Measures AQ-1 through AQ-23, below. No additional mitigation measures are feasible.

Level of Significance: Significant and Unavoidable Impact.

Impact 5.2-2: Would the project result in a cumulative considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Impact Analysis:

CONSTRUCTION EMISSIONS

Construction activities associated with the proposed Project would result in emissions of CO, VOCs, NOx, SOx, PM₁₀, and PM_{2.5}. Pollutant emissions associated with construction would be generated from the following construction activities: (1) demolition, grading, and excavation; (2) construction workers traveling to and from the Project Area; (3) delivery and hauling of construction supplies to, and debris from, the Project Area; (4) fuel combustion by onsite construction equipment; (5) building construction;



application of architectural coatings; and paving. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants.

Construction emissions are short-term and temporary. The maximum daily construction emissions for the proposed Project were estimated using CalEEMod; and the modeling includes compliance with SCAQMD Rule 403 (Fugitive Dust Rule), which would reduce air contaminants during construction. Construction was assumed to occur starting in year 2023 and ending in year 2040. Since specific development projects are not currently proposed, default parameters were used for construction activities except for the building and architectural phases, which were adjusted for the buildout year of 2040. CalEEMod defaults were used for the type and duration of off-road construction equipment, which are determined by the model based on the overall size and land uses associated with the Project. Refer to [Appendix C, Air Quality, Energy and Greenhouse Gas Emissions Modeling Data](#), for additional information regarding the construction assumptions used in this analysis. [Table 5.2-6, Unmitigated Construction-Related Emissions \(Maximum Pounds Per Day\)](#) provides the unmitigated maximum daily emissions of each of the criteria air pollutants from construction.

**Table 5.2-6
Unmitigated Construction-Related Emissions (Maximum Pounds Per Day)**

Construction Year	Reactive Organic Gases (ROG)	Nitrogen Oxides (NO _x)	Carbon Monoxide (CO)	Sulfur Oxides (SO _x)	Coarse Particulates (PM ₁₀)	Fine Particulates (PM _{2.5})
Various	57.2	106.5	380.6	1.2	114.5	34.0
SCAQMD Threshold	75	100	550	150	150	55
Exceed Threshold?	No	Yes	No	No	No	No

Source: CalEEMod version 2020.4.0

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

As shown in [Table 5.2-6](#), emissions resulting from construction would exceed criteria pollutant thresholds for NO_x. The Fontana General Plan includes goals, policies, and actions to reduce air quality emissions. In addition, future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measures MM-AQ-8 and MM-AQ-9, which have been updated to meet current SCAQMD standards, and MM-AQ-10, MM-AQ-13, and MM-AQ-14 (incorporated herein as Mitigation Measures AQ-1 through AQ-5), which would require best practices for reducing air quality emissions during construction. The update to Mitigation Measure MM-AQ-9 (incorporated herein as Mitigation Measure AQ-2) requires all construction equipment greater than 150 horsepower (>150 HP) to be CARB certified tier 4 or higher. Additionally, Mitigation Measures AQ-6 through AQ-8 require additional measures to reduce potential construction air quality emissions, including compliance with SCAQMD’s Rule 1113. With implementation of Mitigation Measures AQ-1 through AQ-8, emissions of NO_x from construction activities would be reduced to below the SCAQMD significance thresholds in all three



scenarios, and impacts would be less than significant, as shown in Table 5.2-7, Mitigated Construction-Related Emissions (Maximum Pounds Per Day).

**Table 5.2-7
Mitigated Construction-Related Emissions (Maximum Pounds Per Day)**

Construction Year	Reactive Organic Gases (ROG)	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Sulfur Oxides (SOx)	Coarse Particulates (PM ₁₀)	Fine Particulates (PM _{2.5})
Various	55.4	89.8	384.7	1.2	113.6	33.2
SCAQMD Threshold	75	100	550	150	150	55
Exceed Threshold?	No	No	No	No	No	No

Source: CalEEMod version 2020.4.0

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

OPERATIONAL EMISSIONS

The Project’s operational emissions would be associated with motor vehicle use and area sources. Area sources include natural gas for space and water heating, gasoline-powered landscaping and maintenance equipment, consumer products (such as household-type cleaners). Mobile sources emissions are generated from vehicle operations associated with Project operations. Typically, area sources are small sources that contribute very minor emissions individually, but when combined may generate substantial amounts of pollutants. Area specific defaults in CalEEMod were used to calculate area source emissions.

CalEEMod was also used to calculate pollutants emissions from vehicular trips generated from future development associated with implementation of the proposed Project. CalEEMod estimated emissions from Project operations are summarized in Table 5.2-8, Operational-Related Emissions (Maximum Pounds Per Day). Note that emissions rates differ from summer to winter because weather factors are dependent on the season and these factors affect pollutant mixing, dispersion, ozone formation, and other factors.

As shown in Table 5.2-8, emission calculations generated from CalEEMod demonstrate that Project operations would exceed the numerical thresholds of significance established by the SCAQMD for emissions of all ROG, NOx, CO, PM₁₀, and PM_{2.5}.



**Table 5.2-8
Operational-Related Emissions (Maximum Pounds Per Day)**

Source	Reactive Organic Gases (ROG)	Nitrogen Oxides (NOx)	Carbon Monoxide (CO)	Sulfur Oxides (SOx)	Coarse Particulates (PM ₁₀)	Fine Particulates (PM _{2.5})
Summer Emissions						
Area Source	280.0	8.5	731.3	<0.1	4.1	4.1
Energy	4.1	35.3	15.7	0.2	2.8	2.8
Mobile	148.9	138.5	1,105.6	2.3	300.1	80.8
Total	432.8	182.2	1,852.6	2.5	307.0	87.8
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold?	Yes	Yes	Yes	No	Yes	Yes
Winter Emissions						
Area Source	279.8	8.4	731.3	0	4.1	4.1
Energy	4.1	35.3	15.7	0.2	2.8	2.8
Mobile	122.0	148.0	1,050.4	2.1	300.1	80.8
Total	405.9	191.8	1,797.4	2.4	307.0	87.8
SCAQMD Threshold	55	55	550	150	150	55
Exceeds Threshold?	Yes	Yes	Yes	No	Yes	Yes
Source: CalEEMod Version 2020.4.0; refer to Appendix C for model outputs.						

It is important to note that the majority of ROG emissions are derived from consumer products. For analytical purposes, consumer products include cleaning supplies, aerosols, and other consumer products. As such, future project applicants cannot meaningfully control the use of consumer products by future building users via mitigation. On this basis, it is concluded that Project operational-source ROG emissions cannot be definitively reduced below applicable SCAQMD thresholds.

Additionally, it should be noted that the majority of the Project’s NO_x, CO, SO_x, PM₁₀, and PM_{2.5} emissions are derived from vehicle usage. Since neither project applicants nor the City have regulatory authority to control tailpipe emissions, only limited, feasible mitigation measures exist that would reduce these emissions. The Fontana General Plan includes goals, policies, and actions to reduce air quality emissions. In addition, future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measures MM-AQ-2 through MM-AQ-7, as well as MM-AQ-20 through MM-AQ-22 (incorporated herein as Mitigation Measures AQ-9 through AQ-17) in order to reduce potential air quality emissions from operations.

Although the Project would implement the mitigation measures listed below (Mitigation Measures AQ-9 through AQ-23), it should be noted that these reductions cannot be quantified in CalEEMod. Moreover, no additional feasible mitigation measures have been identified that would further reduce these emissions to levels that are less than significant. As noted, the majority of emissions would be generated from the mobile activities by vehicles that cannot be completely mitigated at the project level. The Lead



Agency cannot substantively or materially affect reductions in Project mobile-source emissions beyond the regulatory requirements and mitigation measures identified herein.

With compliance with existing rules and implementation of the mitigation measures, emissions would continue to exceed regional thresholds of significance established by the SCAQMD for emissions of ROG, NO_x, CO, PM₁₀, and PM_{2.5}. Therefore, the proposed Project could result in ROG, NO_x, CO, PM₁₀, and PM_{2.5} emissions that would be significant and unavoidable.

CUMULATIVE SHORT-TERM EMISSIONS

SCAB is designated nonattainment for O₃, PM₁₀, and PM_{2.5} for State standards and nonattainment for O₃ and PM_{2.5} for federal standards. As discussed above, the Project's mitigated construction-related emissions by themselves would not exceed the SCAQMD significance thresholds for criteria pollutants.

Since these thresholds indicate whether individual Project emissions have the potential to affect cumulative regional air quality, it can be expected that the Project-related construction emissions would not be cumulatively considerable. The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal Clean Air Act mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout the SCAB, which would include related cumulative projects. As concluded above, the Project's construction-related impacts would be less than significant. Compliance with SCAQMD rules and regulations would further minimize the proposed Project's construction-related emissions. Therefore, Project-related construction emissions, in combination with those from other projects in the area, would not substantially deteriorate the local air quality. The Project's construction-related emissions would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

CUMULATIVE LONG-TERM IMPACTS

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

As shown in [Table 5.2-8](#), the Project's operational emissions would exceed SCAQMD thresholds for ROG, NO_x, CO, PM₁₀, and PM_{2.5}. As a result, the Project's operational emissions would result in a cumulatively considerable contribution to significant cumulative air quality impacts. While adherence to SCAQMD rules and regulations and compliance with identified Mitigation Measures would alleviate potential impacts related to cumulative conditions on a project-by-project basis, since the Project would exceed SCAQMD thresholds, this is considered a significant and unavoidable impact. Project operations could contribute a cumulatively considerable net increase of any nonattainment criteria pollutant.



Mitigation Measures:

AQ-1: In the event that any off-site utility and/or infrastructure improvements are required as a direct result of future projects, construction of such off-site utility and infrastructure improvements shall not occur concurrently with the demolition, site preparation, and grading phases of project construction. This requirement shall be clearly noted on all applicable grading and/or building plans. (General Plan EIR MM-AQ-8)

AQ-2: All construction equipment shall be maintained in good operation condition so as to reduce emissions. The construction contractor shall ensure that all construction equipment is being properly serviced and maintained as per the manufacturer's specification. Maintenance records shall be available at the construction site for City of Fontana verification. The following additional measures, as determined applicable by the City Engineer, shall be included as conditions of the Grading Permit issuance:

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- Reroute construction trucks away from congested streets or sensitive receptor areas.
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM₁₀ generation.
- Improve traffic flow by signal synchronization and ensure that all vehicles and equipment will be properly tuned and maintained according to manufacturers' specifications.
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export). If the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NO_x and PM emissions requirements.
- During project construction, *the construction plans and specifications shall state that off-road diesel construction equipment rated at 150 horsepower (hp) or greater, complies with Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 4 off-road emissions standards or equivalent and shall ensure that all construction equipment is tuned and maintained in accordance with the manufacturer's specifications. The Lead Agency shall conduct an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.* (General Plan EIR MM-AQ-9, updated)

AQ-3: Prior to the issuance of any grading permits, all Applicants shall submit construction plans to the City of Fontana denoting the proposed schedule and projected equipment use. Construction contractors shall provide evidence that low emission mobile construction equipment will be utilized, or that their use was investigated and found to be infeasible for the projects. Contractors shall also conform to any construction measures imposed by the SCAQMD as well as City Planning Staff. (General Plan EIR MM-AQ-10)



AQ-4: All asphalt shall meet or exceed performance standards noted in SCAQMD Rule 1108. (General Plan EIR MM-AQ-13)

AQ-5: Prior to the issuance of grading permits or approval of grading plans for future development projects within the project area, future developments shall include a dust control plan as part of the construction contract standard specifications. The dust control plan shall include measures to meet the requirements of SCAQMD Rules 402 and 403. Such measures may include, but are not limited to:

- Phase and schedule activities to avoid high-ozone days and first-stage smog alerts.
- Discontinue operation during second-stage smog alerts.
- All haul trucks shall be covered prior to leaving the site to prevent dust from impacting the surrounding areas.
- Comply with AQMD Rule 403, particularly to minimize fugitive dust and noise to surrounding areas.
- Moisten soil each day prior to commencing grading to depth of soil cut.
- Water exposed surfaces at least twice a day under calm conditions, and as often as needed on windy days or during very dry weather in order to maintain a surface crust and minimize the release of visible emissions from the construction site.
- Treat any area that will be exposed for extended periods with a soil conditioner to stabilize soil or temporarily plant with vegetation.
- Wash mud-covered tires and undercarriages of trucks leaving construction sites.
- Provide for street sweeping, as needed, on adjacent roadways to remove dirt dropped by construction vehicles or mud, which would otherwise be carried off by trucks departing project sites.
- Securely cover all loads of fill coming to the site with a tight-fitting tarp.
- Cease grading during periods when winds exceed 25 miles per hour.
- Provide for permanent sealing of all graded areas, as applicable, at the earliest practicable time after soil disturbance.
- Use low-sulfur diesel fuel in all equipment.
- Use electric equipment whenever practicable.
- Shut off engines when not in use. (General Plan EIR MM-AQ-14)

AQ-6: Future individual projects within the Project Area shall be required to comply with South Coast Air Quality Management District Rule 1113 – Architectural Coatings. No person shall apply or solicit the application of any architectural coating within the SCAQMD with VOC content in excess of the values specified in a table incorporated in the Rule. A list of manufacturers of low/no-VOC paints is provided at the following SCAQMD website: <http://www.aqmd.gov/docs/default-source/planning/architectural-coatings/reporting-and-support-documents/rule-314-manufacturers.pdf?sfvrsn=4>. All paints will be applied using either high volume low-pressure spray equipment or by hand application.

AQ-7: Plans, specifications and contract documents shall require that a sign must be posted on-site stating that construction workers shall not allow diesel engines to idle in excess of five minutes.



- AQ-8: Future individual projects within the Project Area shall be required to use electric or alternative fueled construction equipment where technically feasible and/or commercially available, where the electric or alternatively fueled equipment can perform adequately when compared to gasoline or diesel fueled equipment.
- AQ-9: To reduce energy demand associated with potable water conveyance, future projects shall implement the following, as applicable:
- Landscaping palette emphasizing drought tolerant plants.
 - Use of water-efficient irrigation techniques.
 - U.S. Environmental Protection Agency (EPA) Certified WaterSense equivalent faucets, high-efficiency toilets, and water conserving shower heads. (General Plan EIR MM-AQ-2)
- AQ-10: Future projects shall comply with applicable provisions of state law, including the California Green Standards Code (Part 11 of Title 24 of the California Code of Regulations. (General Plan EIR MM-AQ-3)
- AQ-11: The applicant/developer shall encourage its tenants to use alternative-fueled vehicles such as compressed natural gas vehicles, electric vehicles, or other alternative fuels by providing publicly available information from the Southern California Air Quality Management District (SCAQMD), California Air Resources Board (CARB), and U.S. Environmental Protection Agency (EPA) on alternative fuel technologies. (General Plan EIR MM-AQ-4)
- AQ-12: To promote alternative fuels and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants and businesses with information related to the Southern California Air Quality Management District’s (SCAQMD) Carl Moyer Program or other state programs that restrict operations to “clean” trucks, such as 2007 or newer model year or 2010 complaint heavy-duty vehicles, and information about the health effects of diesel particulates, the benefits of reduced idling time, California Air Resources Board regulations, and the importance of not parking in residential areas. If trucks older than 2007 model year would be used at the project site, the developer/successor-in-interest shall encourage tenants, through contract specifications, to apply in good-faith funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 18, VIP [On-Road Heavy Duty Voucher Incentive Program], HVIP [Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project], and SOON [Surplus Off-Road Opt-In for NO_x] funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants would be required to use those funds, if awarded. (General Plan EIR MM-AQ-5)
- AQ-13: The applicant/developer shall encourage its tenants to use water-based or low volatile organic compound (VOC) cleaning products by providing publicly available information from the Southern California Air Quality Management District (SCAQMD), California Air Resources Board (CARB), and U.S. Environmental Protection Agency (EPA) on such cleaning products. (General Plan EIR MM-AQ-6)
- AQ-14: All on-site forklifts shall be non-diesel and shall be powered by electricity, compressed natural gas, or propane if technically feasible. (General Plan EIR MM-AQ-7)



- AQ-15: All residential and commercial structures shall be required to incorporate high efficiency/low polluting heating, air conditioning, appliances, and water heaters. (General Plan EIR MM-AQ-20)
- AQ-16: All residential and commercial structures shall be required to incorporate thermal pane windows and weather-stripping. (General Plan EIR MM-AQ-21)
- AQ-17: All residential and commercial and structures shall be required to incorporate light colored roofing materials. (General Plan EIR MM-AQ-22, updated)
- AQ-18: The minimum number of automobile electric vehicle (EV) charging stations required by the California Code of Regulations (CCR) Title 24 shall be provided. As agreed by the Applicant and Lead Agency, final designs of Project Area buildings shall include electrical infrastructure sufficiently sized to accommodate the potential installation of additional auto EV charging stations.
- AQ-19: Future individual projects within the Project Area shall not discharge from any source whatsoever such quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or that endanger the comfort, repose, health, or safety of any such persons or the public, or that cause, or have a natural tendency to cause, injury or damage to business or property.
- AQ-20: Future individual projects within the Project Area shall be required to comply with South Coast Air Quality Management District Rule 1301 – General. This rule is intended to provide that pre-construction review requirements to ensure that new or relocated facilities do not interfere with progress in attainment of the NAAQS, while future economic growth within the South Coast Air Quality Management District is not unnecessarily restricted. The specific air quality goal is to achieve no net increases from new or modified permitted sources of nonattainment air contaminants or their precursors. Rule 1301 also limits emission increases of ammonia, and Ozone Depleting Compounds (ODCs) from new, modified or relocated facilities by requiring the use of Best Available Control Technology (BACT).
- AQ-21: Building operators will require (by contract specifications) that equipment, including heavy-duty equipment, motor vehicles, and portable equipment, be turned off when not in use for more than 5 minutes. Truck idling shall not exceed 5 minutes in time. All facilities will post signs requiring that trucks shall not be left idling for more than 5 minutes pursuant to Title 13 of the California Code of Regulations, Section 2485, which limits idle times to not more than five minutes. Nighttime (after 10:00 PM) truck idling would not be permitted.
- AQ-22: Future individual projects within the Project Area shall be required to maximize the planting of drought resistant trees in landscaping and parking lots and when/if recycled water becomes available in the future, landscaping shall be supported by this alternative source of water supply.
- AQ-23: Where individual projects within the Project Area require permits from SCAQMD to operate specific types of equipment and processes, the developers/operators shall be required to obtain such permits prior to operation of the specific equipment and processes requiring the permit.

Level of Significance: Significant and Unavoidable Impact.



Impact 5.2-3: Would the project expose sensitive receptors to substantial pollutant concentrations?

Impact Analysis:

LOCALIZED CONSTRUCTION SIGNIFICANCE ANALYSIS

The nearest sensitive receptors to the Project Area are the residences and other sensitive receptors located within and adjacent to the Project Area. To identify impacts to sensitive receptors, the SCAQMD recommends addressing LSTs for construction. LSTs were developed in response to SCAQMD Governing Boards' Environmental Justice Enhancement Initiative (I-4). The SCAQMD provided the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2008]) for guidance. The LST methodology assists lead agencies in analyzing localized impacts associated with Project-specific emissions.

The daily construction emissions generated onsite by future development associated with implementation of the proposed Project are evaluated against SCAQMD's LSTs or a 5-acre site as a conservative screening analysis to determine whether the emissions would cause or contribute to adverse localized air quality impacts. The appropriate SRA for the LSTs is the Central San Bernardino Valley area (SRA 34), since SRA 34 includes the Project Area. LSTs apply to CO, NO₂, PM₁₀, and PM_{2.5}. The SCAQMD produced look-up tables for projects that disturb areas less than or equal to 5.0 acres.

The SCAQMD's methodology states that "off-site mobile emissions from the Project should not be included in the emissions compared to LSTs." Therefore, for purposes of the construction LST analysis, only emissions included in the CalEEMod "on-site" emissions outputs were considered. LST thresholds are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. Therefore, as recommended by the SCAQMD, LSTs for receptors located at 25 meters were utilized in this analysis for receptors closer than 25 meters. Table 5.2-9, *Localized Significance of Construction Emissions (Maximum Pounds per Day)*, presents the results of localized emissions during proposed Project construction.



**Table 5.2-9
Localized Significance of Construction Emissions (Maximum Pounds per Day)¹**

Construction Activity	Nitrogen Oxides (NO _x)	Carbon Monoxide (CO)	Coarse Particulates (PM ₁₀)	Fine Particulates (PM _{2.5})
Demolition	4.3	23.1	0.2	0.2
Building Construction	11.3	16.9	0.6	0.5
Architectural Coating	1.3	1.8	0.1	0.1
Site Preparation	6.7	20.4	7.5	4.0
Grading	5.6	32.8	3.6	1.5
Paving	8.6	14.6	0.4	0.4
SCAQMD Localized Screening Thresholds (5 acres at 25 meters)	270	1,746	14	8
Exceed SCAQMD Threshold?	No	No	No	No
Source: CalEEMod Version 2020.4.0; refer to Appendix C for model outputs. Notes: 1. Emissions reflect on-site construction emissions only, per SCAQMD guidance.				

As shown in [Table 5.2-9](#), the emissions of these pollutants on the peak day of construction for each pollutant¹ would not result in significant concentrations of pollutants at nearby sensitive receptors. Therefore, the proposed Project would result in a less than significant impact concerning LSTs during construction activities.

LOCALIZED OPERATIONAL SIGNIFICANCE ANALYSIS

The on-site operational emissions are compared to the LST thresholds in [Table 5.2-10, Localized Significance of Operational Emissions \(Maximum Pounds per Day\)](#). [Table 5.2-10](#) shows that the maximum daily emissions of these pollutants during operations of future developments associated with implementation of the proposed Project could exceed the localized significance thresholds for operation emissions for PM₁₀ and PM_{2.5}. The cause of these emissions are emissions from landscaping equipment. It should be noted that the CalEEMod model defaults were utilized for landscaping equipment and number of days of landscaping. However, the amount of landscaping within the Project Area is likely to be much lower than the default assumptions made by CalEEMod, since the assumptions are made based on the land use types selected for the model, and the Project Area is denser, and would therefore contain less area to be landscaped than typical land uses utilized within the modeling software (i.e. CalEEMod). Nevertheless, for the sake of a conservative analysis, the default landscaping equipment and timing assumptions were utilized in the CalEEMod modeling for this analysis.

The proposed Project would implement all feasible mitigation with implementation of Mitigation Measures AQ-9 through AQ-23. However, even with implementation of these mitigation measures, the

¹ Note: Peak day of emissions for each pollutant is calculated by CalEEMod, for each year of Project construction, during both 'summer' and 'winter' months. The maximum value provided by CalEEMod for each pollutant (during all years, and both 'summer' and 'winter' months) represents the peak day of emissions for each pollutant.



proposed Project could result in significant concentrations of pollutants at nearby sensitive receptors, based on the CalEEMod modeling results. It should be noted that individual projects that would be developed in the Project Area would be reviewed pursuant to CEQA; individual projects could demonstrate localized operational emissions that are below the applicable thresholds. Nevertheless, implementation of the proposed Project as a whole is assumed to result in a significant and unavoidable impact concerning LSTs during operational activities.

Table 5.2-10
Localized Significance of Operational Emissions (Maximum Pounds per Day)

Emission Sources	Nitrogen Oxides (NO _x)	Carbon Monoxide (CO)	Coarse Particulates (PM ₁₀)	Fine Particulates (PM _{2.5})
On-Site Emissions (Area Sources)	8.4	731.3	4.1	4.1
SCAQMD Localized Screening Threshold (5 acres at 25 meters)	270	1,746	4	2
Exceed SCAQMD Threshold?	No	No	Yes	Yes
Source: CalEEMod version 2020.4.0; refer to Appendix C for model outputs.				

The Project would not involve the use, storage, or processing of carcinogenic or non-carcinogenic toxic air contaminants, and no significant toxic airborne emissions would result from operation of the proposed Project. Construction activities are subject to the regulations and laws relating to toxic air pollutants at the regional, State, and federal level that would protect sensitive receptors from substantial concentrations of these emissions. Therefore, impacts associated with the release of toxic air contaminants would be less than significant.

CRITERIA POLLUTANT HEALTH IMPACTS

In December 2018, in the case of *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, California Supreme Court held that an EIR's air quality analysis must meaningfully connect the identified air quality impacts to the human health consequences of those impacts, or meaningfully explain why that analysis cannot be provided. As noted in the Brief of Amicus Curiae by the SCAQMD in the Friant Ranch case (April 6, 2015, Appendix 10.1), SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes.

The SCAQMD discusses that it may be infeasible to quantify health risks caused by projects similar to the proposed Project, due to many factors. It is necessary to have data regarding the sources and types of air toxic contaminants, location of emission points, velocity of emissions, the meteorology and topography of the area, and the location of receptors (worker and residence). The Brief states that it may not be feasible to perform a health risk assessment for airborne toxics that will be emitted by a generic industrial building that was built on "speculation" (i.e., without knowing the future tenant(s)). Even where a health risk assessment can be prepared, however, the resulting maximum health risk value is only a calculation of risk--it does not necessarily mean anyone will contract cancer as a result of the Project. The Brief also cites the author of the CARB methodology, which reported that a PM_{2.5} methodology is not suited for



small projects and may yield unreliable results. Similarly, SCAQMD staff does not currently know of a way to accurately quantify O₃-related health impacts caused by NO_x or VOC emissions from relatively small projects, due to photochemistry and regional model limitations. The Brief concludes, with respect to the Friant Ranch EIR, that although it may have been technically possible to plug the data into a methodology, the results would not have been reliable or meaningful.

It should also be noted that NO_x and VOCs are “precursor” pollutants, which makes analysis of potential health impacts even more difficult. NO_x and VOCs are precursors to ozone, which is formed in the atmosphere from the chemical reaction of NO_x and VOCs in the presence of sunlight. As explained by the SCAQMD in its amicus curiae brief for the Friant Ranch case, it takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources.” Given this, “...it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels over an entire region.” Therefore, SCAQMD opined that while it “may be feasible” for large, regional projects with very high emissions of NO_x and VOCs to conduct an accurate health impact analysis, “SCAQMD staff does not currently know of a way to accurately quantify ozone-related health impacts caused by NO_x or VOC (similar to ROG) emissions from relatively small projects.”

On the other hand, for extremely large regional projects (unlike the proposed Project), the SCAQMD states that it has been able to correlate potential health outcomes for very large emissions sources – as part of their rulemaking activity, specifically 6,620 lbs./day of NO_x and 89,180 lbs./day of VOC were expected to result in approximately 20 premature deaths per year and 89,947 school absences due to O₃.

The proposed Project does not generate anywhere near 6,620 lbs/day of NO_x or 89,190 lbs/day of VOC emissions. Rather, as shown in [Table 5.2-8](#), maximum daily NO_x emissions would be 191.8 lbs/day, and maximum daily VOC (similar to ROG) emissions would be 432.8 lbs/day.

Therefore, the emissions are not sufficiently high enough to use a regional modeling program to correlate health effects on a basin-wide level. Notwithstanding, this evaluation does evaluate full buildout of the proposed Project throughout the entire Plan Area through buildout year 2040, including evaluation of localized impacts to air quality for emissions of CO, NO_x, PM₁₀, and PM_{2.5} by comparing the on-site emissions to the SCAQMD’s applicable LST thresholds. As described previously, the proposed Project could exceed SCAQMD’s LST thresholds for operation for PM₁₀ and PM_{2.5}. However, it should be noted that individual projects to be developed within the Project Area may be shown to have impacts that would be below the LST thresholds for operational impacts.

CARBON MONOXIDE HOTSPOTS

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



Accordingly, with the steadily decreasing CO emissions from vehicles, even very busy intersections do not result in exceedances of the CO standard. The 2022 AQMP is the most recent version that addresses CO concentrations. As part of the SCAQMD CO Hotspot Analysis, the Wilshire Boulevard/Veteran Avenue intersection, one of the most congested intersections in Southern California with approximately 100,000 average daily traffic (ADT), was modeled for CO concentrations. This modeling effort identified a CO concentration high of 4.6 ppm, which is well below the 35-ppm Federal standard. The proposed Project would not produce the volume of traffic required to generate a CO hot spot in the context of SCAQMD's CO Hotspot Analysis. As the CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection even as it accommodates 100,000 ADT, it can be reasonably inferred that CO hotspots would not be experienced at any Project area intersections, since no intersection in the vicinity of the Project would come close to 100,000 ADT, even with the addition of the net new ADT attributable to the proposed Project. Therefore, impacts would be less than significant.

CONSTRUCTION-RELATED DIESEL PARTICULATE MATTER

Project construction would generate diesel particulate matter (DPM) emissions from the use of off-road diesel equipment required. The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to toxic air contaminants (TAC) emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment would dissipate rapidly. Current models and methodologies for conducting health risk assessments are associated with longer-term exposure periods of 9, 30, and 70 years, which do not correlate well with the temporary and highly variable nature of construction activities. The closest sensitive receptor to the Project Area is located within the Project Area.

California Office of Environmental Health Hazard Assessment has not identified short-term health effects from diesel particulate matter (DPM). Construction is temporary and would be transient throughout the Project Area and individual development sites (i.e., move from location to location) and would not generate emissions in a fixed location for extended periods of time. Construction activities would be subject to and would comply with California regulations limiting the idling of heavy-duty construction equipment to no more than five minutes to further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. Moreover, Mitigation Measures AQ-2, AQ-5, AQ-7 and AQ-8 would require that Project plans and specifications shall include signs at loading dock facilities that include: 1) instructions for truck drivers to shut off engines when not in use; 2) instructions for trucks drivers to restrict idling to no more than 5 minutes once the vehicle is stopped, the transmission is set to "neutral" or "park", and the parking brake is engaged pursuant to Title 13 of the California Code of Regulations, Section 2485; and 3) telephone numbers of the building facilities manager and CARB to report violations. Signs shall be installed prior to receipt of an occupancy permit. For these reasons, DPM generated by Project construction activities, in and of itself, would not expose sensitive receptors to substantial amounts of air toxins and the proposed Project would result in a less than significant impact.



Mitigation Measures: Refer to Mitigation Measure AQ-1 through AQ-23. No additional mitigation measures are feasible.

Level of Significance: Significant and Unavoidable Impact.

Impact 5.2-4: Would the project result in other emissions such as those leading to odors adversely affecting a substantial number of people?

Impact Analysis: Potential sources that may emit odors during construction activities include the use of architectural coatings and solvents. SCAQMD Rule 1113 (Architectural Coatings) limits the amount of VOCs from architectural coatings and solvents. According to the SCAQMD's *CEQA Air Quality Handbook*, construction equipment is not a typical source of odors. Odors from the combustion of diesel fuel would be minimized by complying with the CARB ATCM that limits diesel-fueled commercial vehicle idling to five minutes at any given location, which was adopted in 2004. Future development accommodated through implementation of the Downtown Core Project would also comply with SCAQMD Rule 402 (Nuisance), which prohibits the emissions of nuisance air contaminants or odorous compounds. Through adherence with mandatory compliance with SCAQMD Rules and State measures, construction activities and materials would not create objectionable odors. Construction of future development would not be expected to generate nuisance odors at nearby air quality sensitive receptors. Therefore, impacts with respect to odors would be less than significant.

According to the SCAQMD's *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Downtown Core Project create and implement the new WMXU-3: Walkable Mixed-Use Downtown Core land use category and six new FBC districts within the Project Area, which would support higher-density residential and commercial development within the Project Area. Potential operational airborne odors could be created commercial uses developed within the Project Area. However, compliance with the City's Municipal Code and SCAQMD's Rule 402 (Nuisance), which prohibits the emissions of nuisance air contaminants or odorous compounds would reduce potential impacts. The other potential source of odors would be new waste receptacles within the Project Area. The receptacles would be stored in areas and in containers, as required by the City and be emptied on a regular basis, before potentially substantial odors have developed. Consequently, implementation of the Downtown Core Project would not create operational-related objectionable odors affecting a substantial number of people within the City. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.2.7 CUMULATIVE IMPACTS

Impact Analysis: Construction of the growth associated with implementation of the Downtown Core Project has the potential to temporarily emit criteria air pollutant emissions through the use of heavy-duty construction equipment, and through vehicle trips generated by workers and haul trucks. In addition, fugitive dust emissions would result from demolition and various soil-handling activities. Mobile source emissions, primarily NO_x and PM emissions (i.e., PM₁₀ and PM_{2.5}), would result from the use of diesel-



powered on- and off-road vehicles and equipment. Construction emissions can vary substantially from day-to-day, depending on the level of activity and the specific type of construction activity. As shown in [Table 5.2-7](#), mitigated construction-related daily emissions would not exceed the SCAQMD significance thresholds.

Operation of the future development accommodated by the proposed Project would generate criteria air pollutant emissions from project-generated vehicle trips traveling within the City, energy sources such as natural gas combustion, and area sources such as landscaping equipment and consumer products usage.

CUMULATIVE SHORT-TERM EMISSIONS

SCAB is designated nonattainment for O₃, PM₁₀, and PM_{2.5} for State standards and nonattainment for O₃ and PM_{2.5} for Federal standards. As discussed above, the Project's mitigated construction-related emissions by themselves would not exceed the SCAQMD significance thresholds for criteria pollutants.

Since these thresholds indicate whether individual Project emissions have the potential to affect cumulative regional air quality, it can be expected that the Project-related construction emissions would not be cumulatively considerable. The SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to the federal Clean Air Act mandates. The analysis assumed fugitive dust controls would be utilized during construction, including frequent water applications. SCAQMD rules, mandates, and compliance with adopted AQMP emissions control measures would also be imposed on construction projects throughout the SCAB, which would include related cumulative projects. As concluded above, the Project's construction-related impacts would be less than significant. Compliance with SCAQMD rules and regulations would further minimize the proposed Project's construction-related emissions. Therefore, Project-related construction emissions, in combination with those from other projects in the area, would not substantially deteriorate the local air quality. The Project's construction-related emissions would not result in a cumulatively considerable contribution to significant cumulative air quality impacts.

CUMULATIVE LONG-TERM IMPACTS

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

As shown in [Table 5.2-8](#), the Project's operational emissions would exceed SCAQMD thresholds for ROG, NO_x, CO, PM₁₀, and PM_{2.5}. As a result, the Project's operational emissions would result in a cumulatively considerable contribution to significant cumulative air quality impacts. While adherence to SCAQMD rules and regulations would alleviate potential impacts related to cumulative conditions on a project-by-project basis, since the Project would exceed SCAQMD thresholds, this is considered a significant and unavoidable impact. Based on these impacts, the Downtown Core Project would contribute to a cumulative impact



with regard to air quality in the region and within the air basin (i.e. the South Coast Air Basin) as a whole. Therefore, this impact is considered a cumulatively considerable and significant and unavoidable impact.

Mitigation Measures: Refer to Mitigation Measures AQ-1 through AQ-23. No additional mitigation measures are feasible.

Level of Significance: Significant and Unavoidable Impact.

5.2.8 SIGNIFICANT UNAVOIDABLE IMPACTS

The Project would result in a significant unavoidable impact for the following areas:

- The Project could result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- The Project could result in ROG, NO_x, CO, PM₁₀, and PM_{2.5} operational emissions that would be significant and unavoidable.
- Implementation of the proposed Project as a whole would result in a significant and unavoidable impact concerning Local Significance Thresholds (LSTs) during operational activities.
- Project implementation would result in a cumulatively considerable contribution to significant cumulative air quality impacts during operational activities.

All other air quality impacts associated with implementation of the Project would be less than significant.

If the City of Fontana approves the Downtown Core Project, the City will be required to make findings in accordance with CEQA Guidelines Section 15091 and prepare a Statement of Overriding Considerations for consideration by the City's decision makers in accordance with CEQA Guidelines Section 15093.

5.2.9 REFERENCES

Ahrens, Donald C., *Meteorology Today: An Introduction to Weather, Climate, & the Environment*, 2006.

California Air Resources Board, *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, October 2000,
<https://www.arb.ca.gov/diesel/documents/rrpFinal.pdf>

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<https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook#https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2>

South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology*, June 2003, Revised July 2008. <https://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf?sfvrsn=2>

South Coast Air Quality Management District, *Localized Significance Thresholds Methodology – Appendix C*, Revised October 21, 2009.



South Coast Air Quality Management District, *Final 2022 Air Quality Management Plan*, December 2022.



5.3 BIOLOGICAL RESOURCES

5.3.1 PURPOSE

This section describes biological resources within the Project Area and provides an analysis of potential impacts associated with implementation of the Project.

KEY TERMS

The following key terms are used throughout this section to describe biological resources and the framework that regulates them:

Hydric Soils: One of the three wetland identification parameters, according to the Federal definition of a wetland, hydric soils have characteristics that indicate they were developed in conditions where soil oxygen is limited by the presence of saturated soil for long periods during the growing season. There are approximately 2,000 named soils in the United States that may occur in wetlands.

Hydrophytic Vegetation: Plant types that typically occur in wetland areas. Nearly 5,000 plant types in the United States may occur in wetlands. Plants are listed in regional publications of the U.S. Fish and Wildlife Service (USFWS) and include such species as cattails, bulrushes, cordgrass, sphagnum moss, bald cypress, willows, mangroves, sedges, rushes, arrowheads, and water plantains.

Sensitive Natural Community: A sensitive natural community is a biological community that is regionally rare, provides important habitat opportunities for wildlife, is structurally complex, or is in other ways of special concern to local, State, or Federal agencies. The California Environmental Quality Act (CEQA) identifies the elimination or substantial degradation of such communities as a significant impact. The California Department of Fish and Wildlife (CDFW) tracks sensitive natural communities in the California Natural Diversity Database (CNDDB).

Special-Status Species: Special-status species are those plants and animals that, because of their recognized rarity or vulnerability to various causes of habitat loss or population decline, are recognized by federal, State, or other agencies. Some of these species receive specific protection that is defined by federal or State endangered species legislation. Others have been designated as "sensitive" on the basis of adopted policies and expertise of State resource agencies or organizations with acknowledged expertise, or policies adopted by local governmental agencies such as counties, cities, and special districts to meet local conservation objectives. These species are referred to collectively as "special status species" in this report, following a convention that has developed in practice but has no official sanction. For the purposes of this assessment, the term "special status" includes those species that are:

- Federally listed or proposed for listing under the Federal Endangered Species Act (50 CFR 17.11-17.12);
- Candidates for listing under the Federal Endangered Species Act (61 FR 7596-7613);
- State listed or proposed for listing under the California Endangered Species Act (14 CCR 670.5);
- Species listed by the USFWS or the CDFW as a species of concern (USFWS), rare (CDFW), or of special concern (CDFW);



- Fully protected animals, as defined by the State of California (California Fish and Game Code Section 3511, 4700, and 5050);
- Species that meet the definition of threatened, endangered, or rare under CEQA (CEQA Guidelines Section 15380);
- Plants listed as rare or endangered under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.); and
- Plants listed by the California Native Plant Society (CNPS) as rare, threatened, or endangered (List 1A and List 2 status plants in Skinner and Pavlik 1994).

Waters of the U.S.: The Federal government defines waters of the U.S. as "lakes, rivers, streams, intermittent drainages, mudflats, sandflats, wetlands, sloughs, and wet meadows" [33 C.F.R. §328.3(a)]. Waters of the U.S. exhibit a defined bed and bank and ordinary high-water mark (OHWM). The OHWM is defined by the U.S. Army Corps of Engineers (USACE) as "that line on shore established by the fluctuations of water and indicated by physical character of the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas" [33 C.F.R. §328.3(e)].

Wetlands: Wetlands are ecologically complex habitats that support a variety of both plant and animal life. The Federal government defines wetlands as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" [33 C.F.R. §328.3(b)]. Wetlands require wetland hydrology, hydric soils, and hydrophytic vegetation. Examples of wetlands include freshwater marsh, seasonal wetlands, and vernal pool complexes that have a hydrologic link to waters of the U.S.

5.3.2 ENVIRONMENTAL SETTING

The City of Fontana is located on a desert valley floor between the San Gabriel Mountains to the north and the Jurupa Hills to the south. As discussed in the General Plan EIR, the City of Fontana is generally highly urbanized, and the majority of the City's biological resources occur at its outskirts, in areas free from large-scale development (City of Fontana, 2018). Within the City, these areas include the foothills of the San Gabriel Mountains to the north and the Jurupa Hills to the south.

The Project Area is an urbanized area bounded by Foothill Boulevard on the north, Randall Avenue on the south, Juniper Avenue on the west, and Mango Avenue on the east. The Project Area consists primarily of developed and/or disturbed land that has been developed, paved, or landscaped, and existing vegetation consists of primarily ornamental and/or nonnative plant species. No major regional wildlife migration corridors are known to exist within the Project Area. No native riparian habitat, blue-line streams, or sensitive natural communities are located in the Project Area.

SPECIAL-STATUS SPECIES

As previously described, special-status species are those plants and animals that, because of their recognized rarity or vulnerability to various causes of habitat loss or population decline, are recognized by federal, State, or other agencies. As part of this DEIR, a background search was conducted to determine documented occurrences of special-status species within a one-mile radius of the Project Area. The



background search included documented occurrences in the California Natural Diversity Database (CNDDDB), the California Native Plant Survey (CNPS) Inventory of Rare and Endangered Plants, and the USFWS endangered and threatened species lists. The search revealed documented occurrences of three special-status plants and animals within a one-mile radius of the Project Area, as shown in Table 5.3-1, Special-Status Plants and Animals – One-Mile Search.

**Table 5.3-1
Special-Status Plants and Animals – One-Mile Search**

Scientific Name	Common Name	Federal Status	State Status	CDFW Status*
Mammals				
Lasiurus xanthinus	western yellow bat	None	None	SSC
Reptiles				
Anniella stebbinsi	Southern California legless lizard	None	None	SSC
Invertebrates				
Rhaphiomidas terminatus abdominalis	Delhi Sands flower-loving fly	Endangered	None	--
Notes: One-mile radius of Project Area. *CDFW Status Key: SSC – CDFW Species of Special Concern Source: CDFW CNDDDB, 2022.				

According to the General Plan EIR, areas with non-native grassland are disturbed or graded areas that have revegetated with opportunistic weedy species. These species include wild oat (*Avena barbata*), brome (*Bromus* spp.), and Mediterranean grass (*Schismus barbatus*), as well as some native wildflowers including popcornflower (*Cryptantha* spp.) and fiddleneck (*Amsinckia* spp.). In developed areas, landscaping or a variety of annual grasses and weedy forbs have replaced native species. The non-native annual grass species found within the City include a variety of bromes: downy brome (*Bromus tectorum*), Australian chess (*B. arenarius*), riggut brome (*B. diandrus*), and others. Bermuda grass (*Cynodon dactylon*) and Johnson grass (*Sorghum halepense*) also occur in the area. Forbs common to the area include Saharan mustard (*Brassica tournefortii*), red-stemmed filaree (*Erodium cicutarium*), annual bur ragweed (*Ambrosia acanthicarpa*), and southern suncups (*Camissonia bistorta*). In more disturbed areas, grasslands may be almost entirely overgrown with Russian thistle (*Salsola tragus*) and/or mustard. This habitat is particularly valuable to raptors and other avian species, including northern harriers (*Circus cyaneus*), Burrowing Owl (BUOW), horned larks (*Eremophila alpestris*), red-tailed hawks (*Buteo jamaicensis*), ferruginous hawks (*Buteo regalis*), and loggerhead shrikes (*Lanius ludovicianus*). Within City boundaries, non-native grasslands are found in vacant lots throughout the City as well as in many larger, open fields north of Baseline Avenue.

Although primarily developed, the Project Area includes vacant lots, including lots identified by the General Plan EIR as non-native grasslands and disturbed. These lots are non-contiguous, infill lots surrounded by urbanized development. As they currently remain undeveloped, there is the potential for revegetation with weedy species to occur, as described above. The Project Area does not contain any areas identified within the General Plan EIR as having critical habitat for federally listed species or having biological constraints to future development associated with suitable habitat for San Bernardino Kangaroo Rat (SBKR), Delhi Sands Flower-Loving Fly (DSF), Coastal California Gnatcatcher (CAGN) and BUOW;



designated critical habitat; areas with known CNDDDB and/or eBird records for SBKR, DSF, CAGN, or BUOW; or areas mapped as Delhi fine sand and soils.

5.3.3 REGULATORY SETTING

FEDERAL

Federal Endangered Species Act

Federally listed threatened and endangered species and their habitats are protected under provisions of the Federal Endangered Species Act (FESA) of 1973. FESA Section 9 prohibits “take” of threatened or endangered species. “Take” under the FESA is defined as to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any of the specifically enumerated conduct.” The presence of any Federally threatened or endangered species that are in a project area generally imposes severe constraints on development, particularly if development would result in “take” of the species or its habitat. Under the regulations of the FESA, the USFWS may authorize “take” when it is incidental to, but not the purpose of, an otherwise lawful act.

“Harm” has been defined by the regulations of the USFWS to include types of “significant habitat modification or degradation.” The U.S. Supreme Court, in *Babbitt v. Sweet Home*, 515 U.S. 687, ruled that “harm” may include habitat modification “...where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.” Activities that may result in “take” of individuals are regulated by USFWS.

Under the FESA, “Critical Habitat” is also designated at the time of listing or within one year of listing. “Critical Habitat” refers to habitat or a specific geographic area that contains the elements and features that are essential for the survival and recovery of the species. In the event a project may result in take or in adverse effects to a species’ designated Critical Habitat, the project proponent may be required to provide mitigation. If the project has a federal nexus (i.e., occurs on federal land, is issued federal permits, or receives any other federal oversight or funding), the proponent would be required to enter into Section 7 informal and/or formal consultations with the USFWS to obtain, if possible, a biological opinion allowing for incidental take of the species in question. If the project is on private land or would not require any federal permits, the proponent would be required to prepare a habitat management plan to address the impacts.

The FESA defines as “endangered” any plant or animal species that is in danger of extinction throughout all or a significant portion of its range. A “threatened” species is a species that is likely to become endangered in the foreseeable future. A “proposed” species is one that has been officially proposed by USFWS for addition to the federal threatened and endangered species list.

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

USFWS also uses the label “species of concern,” an informal term that refers to species which might be in need of concentrated conservation actions. As the species of concern designated by USFWS do not receive



formal legal protection, the use of the term does not necessarily ensure that the species would be proposed for listing as a threatened or endangered species.

[Migratory Bird Treaty Act](#)

The Migratory Bird Treaty Act (MBTA) (16 United States Government Code [USC] 703) makes it unlawful to pursue, capture, kill, or possess or attempt to do the same to any migratory bird or part, nest, or egg of any such bird listed in wildlife protection treaties between the United States, Great Britain, Mexico, Japan, and the countries of the former Soviet Union, and authorizes the U.S. Secretary of the Interior to protect and regulate the taking of migratory birds. It establishes seasons and bag limits for hunted species and protects migratory birds, their occupied nests, and their eggs (16 USC 703; 50 CFR 10, 21).

[Bald and Golden Eagle Preservation Act](#)

The Bald and Golden Eagle Protection Act provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and the golden eagle (*Aquila chrysaetos*) by prohibiting, except under certain specified conditions, the taking, possession, and commerce of such birds (16 U.S. Government Code Section 668(a)). “Take” under the Act includes actions which significantly disturb eagles (50 CFR Section 22.3). 1972 amendments increased penalties for violating provisions of the Act and strengthened other enforcement measures. A 1978 amendment authorized the Secretary of the Interior to permit the taking of golden eagle nests that interfere with resource development or recovery operations, and recent amendments authorize USFWS to issue permits for incidental and practically unavoidable take of eagles.

[Section 404 of the Clean Water Act](#)

Clean Water Act (CWA) Section 404 requires that a permit be obtained from the United States Army Corps of Engineers (Corps) prior to the discharge of dredged or fill materials into any “waters of the United States or wetlands.” Waters of the United States are broadly defined in the Corps regulations (33 CFR 328) to include navigable waterways, their tributaries, lakes, ponds, and wetlands. Wetlands are defined as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that normally do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas” (United States Environmental Protection Agency [EPA] 2021). Wetlands that are not specifically exempt from Section 404 regulations (such as drainage channels excavated on dry land) are considered to be “jurisdictional wetlands.” In *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, the Court acted to limit the regulatory jurisdiction of the Corps under CWA Section 404 as it applies to adjacent waters (2001). Specifically, the Court ruled that waters that are non-navigable, isolated, and intrastate are not subject to the Corps jurisdiction (Guzy and Anderson 2001). The Corps is required to consult with the USFWS, EPA, and State Regional Water Quality Control Board (RWQCB), among other agencies, in carrying out its discretionary authority under Section 404.

The Corps grants two types of permits, individual and nationwide. Project-specific individual permits are required for certain activities that may have a potential for more than a minimal impact and necessitate a detailed application. The most common type of permit is a nationwide permit. Nationwide permits authorize activities on a nationwide basis unless specifically limited and are designed to regulate with little delay or paperwork certain activities having minimal impacts. Nationwide permits typically take two to three months to obtain whereas individual permits can take a year or more. To qualify for a nationwide



permit, specific criteria must be met. If the criteria restrictions are met, permittees may proceed with certain activities without notifying the Corps. Some nationwide permits require a pre-construction notification before activities can begin.

[Section 401 of the Clean Water Act](#)

Applicants for a federal license or permit for activities which may discharge to waters of the U.S. must seek Water Quality Certification from the State or Indian tribe with jurisdiction. Such Certification is based on a finding that the discharge would meet water quality standards and other applicable requirements. In California, RWQCBs issue or deny Certification for discharges within their geographical jurisdiction. Water Quality Certification must be based on a finding that the proposed discharge would comply with water quality standards, which are defined as numeric and narrative objectives in each RWQCB's Basin Plan. Where applicable, the State Water Resources Control Board (SWRCB) has this responsibility for projects affecting waters within the jurisdiction of multiple RWQCBs. The RWQCB's jurisdiction extends to all waters of the State and to all waters of the U.S., including wetlands.

CWA Section 401 requires that "any applicant for a Federal permit for activities that involve a discharge to waters of the State, shall provide the Federal permitting agency a certification from the State in which the discharge is proposed that states that the discharge would comply with the applicable provisions under the federal Clean Water Act." Therefore, before the Corps would issue a Section 404 permit, applicants must apply for and receive a Section 401 water quality certification from the RWQCB.

STATE

[California Endangered Species Act \(California Fish and Game Code Section 2050 et seq.\)](#)

State-listed threatened and endangered species are protected under provisions of the California Endangered Species Act (CESA). Activities that may result in "take" of individuals (defined in CESA as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") are regulated by the CDFW. Habitat degradation or modification is not included in the definition of "take" under CESA. Nonetheless, CDFW has interpreted "take" to include the destruction of nesting, denning, or foraging habitat necessary to maintain a viable breeding population of protected species.

The State of California considers an endangered species as one whose prospects of survival and reproduction are in immediate jeopardy. A threatened species is considered as one present in such small numbers throughout its range that it is likely to become an endangered species in the near future in the absence of special protection or management. A rare species is one that is considered present in such small numbers throughout its range that it may become endangered if its present environment worsens. State threatened and endangered species are fully protected against take, as defined above.

The CDFW has also produced a Species of Special Concern list to serve as a species watch list. Species on this list are either of limited distribution or their habitats have been reduced substantially, such that a threat to their populations may be imminent. Species of special concern may receive special attention during environmental review, but they do not have formal statutory protection.

[California Environmental Quality Act](#)

CEQA Guidelines Section 15380 independently defines "endangered" and "rare" species separately from the definitions in the CESA. Under CEQA, "endangered" species of plants or animals are defined as those



whose survival and reproduction in the wild are in immediate jeopardy, while “rare” species are defined as those who are in such low numbers that they could become endangered if their environment worsens.

[Lake and Streambed Alteration Program \(California Fish and Game Code Sections 1600 through 1616\)](#)

California Fish and Game Code Sections 1600 through 1616 establish a fee-based process to ensure that projects conducted in and around lakes, rivers, or streams do not adversely impact fish and wildlife resources, or, when adverse impacts cannot be avoided, ensures that adequate mitigation and/or compensation is provided.

Fish and Game Code Section 1602 requires any person, State, or local governmental agency or public utility to notify the CDFW before beginning any activity that would do one or more of the following:

- Substantially obstruct or divert the natural flow of a river, stream, or lake;
- Substantially change or use any material from the bed, channel, or bank of a river, stream, or lake; or
- Deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake.

Fish and Game Code Section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the State. CDFW’s regulatory authority extends to include riparian habitat (including wetlands) supported by a river, stream, or lake regardless of the presence or absence of hydric soils and saturated soil conditions. Generally, the CDFW takes jurisdiction to the top of bank of the stream or to the outer limit of the adjacent riparian vegetation (outer drip line), whichever is greater. Notification is generally required for any project that would take place in or in the vicinity of a river, stream, lake, or their tributaries. This includes rivers or streams that flow at least periodically or permanently through a bed or channel with banks that support fish or other aquatic life and watercourses having a surface or subsurface flow that support or have supported riparian vegetation.

[Native Plant Protection Act \(Fish and Game Code Sections 1900 through 1913\)](#)

Fish and Game Code Sections 1900 through 1913 were developed to preserve, protect, and enhance Rare and Endangered plants in the State of California. The act requires all State agencies to use their authority to carry out programs to conserve Endangered and Rare native plants. Provisions of the Native Plant Protection Act prohibit the taking of listed plants from the wild and require notification of the CDFW at least ten days in advance of any change in land use which would adversely impact listed plants. This allows the CDFW to salvage listed plant species that would otherwise be destroyed.

[California Fish and Game Code Sections 3503, 3503.5, 3511, 3513, 4700, 5050, and 5515](#)

The CDFW administers the Fish and Game Code. There are particular sections of the Fish and Game Code that are applicable to natural resource management. For example, Section 3503 of the Code makes it unlawful to destroy the nests or eggs of any birds that are protected under the MBTA. Furthermore, any birds in the orders Falconiformes or Strigiformes (Birds of Prey, such as hawks, eagles, and owls) are protected under Fish and Game Code Section 3503.5, which makes it unlawful to take, possess, or destroy their nest or eggs. A consultation with CDFW would be required prior to the removal of any bird of prey nest that may occur on a project site. Fish and Game Code Sections 3511, 4700, 5050, and 5515 list fully protected bird, mammal, reptile and amphibian, and fish species, respectively. The CDFW is unable to



authorize the issuance of permits or licenses to take these species. Examples of species that are State fully protected include golden eagle and white-tailed kite (*Elanus leucurus*). Fish and Game Code Section 3513 makes it unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

California Native Plant Society Rare or Endangered Plant Species

Vascular plants listed as rare or endangered by the CNPS, but which have no designated status under State and federal endangered species legislation are defined as follows:

- California Rare Plant Rank
 - 1A. Plants Presumed Extirpated in California and either Rare or Extinct Elsewhere
 - 1B. Plants Rare, Threatened, or Endangered in California and Elsewhere
 - 2A. Plants Presumed Extirpated in California, But More Common Elsewhere
 - 2B. Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
 3. Plants about Which More Information is Needed - A Review List
 4. Plants of Limited Distribution - A Watch List
- Threat Ranks
 1. Seriously threatened in California (over 80% of occurrences threatened/high degree and immediacy of threat)
 2. Moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat)
 3. Not very threatened in California (<20% of occurrences threatened/low degree and immediacy of threat or no current threats known)

LOCAL

City of Fontana General Plan

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts to biological resources. Chapter 7, Conservation, Open Space, Parks and Trails Element contains the following goals and policies potentially relevant to the proposed Project:

Chapter 7 – Conservation, Open Space, Parks and Trails Element

- **Goal 1:** Fontana continues to preserve sensitive natural open space in the foothills of the San Gabriel Mountains and Jurupa Hills.
 - **Policy:** Consider permanent protection for sensitive foothill lands through potential partnerships with conservation organizations or acquisition and deed restrictions.
- **Goal 2:** Large city parks and open spaces include plantings and natural areas attractive to birds and other wildlife.
 - **Policy:** Inform the public about the natural ecological character of Fontana.



- **Policy:** Use public open space to support wildlife habitat where appropriate.
- **Goal 3:** Fontana has a healthy, drought-resistant urban forest.
 - **Policy:** Support tree conservation and planting that enhances shade and drought resistance.
 - **Policy:** Expand Fontana’s tree canopy.

City of Fontana Municipal Code

Fontana Municipal Code Chapter 28, Article III, *Preservation of Heritage, Significant and Specimen Trees*, includes regulations for the preservation and protection of heritage, significant, and/or specimen trees within the City, located on both private and public property. The Municipal Code defines a “heritage tree” as a tree of historical value because of its association with a place, building, natural feature or event of local, regional or national historical significance as identified by city council resolution; or a tree representative of a significant period of the City’s growth or development (windrow tree, European Olive tree); or a protected or endangered species as specified by federal or State statute; or a tree deemed historically or culturally significant by the City Manager or his or her designee because of size, condition, location or aesthetic qualities. The Municipal Code defines a “significant tree” as the species of Southern California black walnut, Coast live oak, Deodora cedar, California sycamore, or London plane trees. The Municipal Code defines a “specimen tree” as a mature tree (that is not a heritage or significant tree) that is an excellent example of its species in structure and aesthetics and warrants preservation, relocation, or replacement as specified by Municipal Code Sections 28-66, 28-67, and 28-68. A tree removal permit is required for the removal of any heritage, significant or specimen tree. In the event that a removal permit is issued, such trees removed must be replaced.

5.3.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to biological resources. A project would result in a significant impact related to biological resources if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service (refer to Impact Statement 5.3-1);
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service (refer to Section 8.0, *Effects Found Not To Be Significant*);
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means (refer to Section 8.0, *Effects Found Not To Be Significant*);
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites (refer to Section 8.0, *Effects Found Not To Be Significant*);



- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (refer to Impact Statement 5.3-2); and/or
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan (refer to Section 8.0, *Effects Found Not To Be Significant*).

CEQA Guidelines Section 15065(a), Mandatory Findings of Significance, states that a project may have a significant effect on the environment if it would 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, reduce the number or restrict the range of an endangered, rare or threatened species ..."

An evaluation of whether an impact on biological resources would be substantial must consider both the resource itself and how that resource fits into a regional and/or local context. Substantial impacts would be those that would substantially diminish or result in the loss of, an important biological resource or those that would obviously conflict with local, State, or federal resource conservation plans, goals, or regulations. Impacts are sometimes locally adverse but not significant because, although they would result in an adverse alteration of existing conditions, they would not substantially diminish or result in the permanent loss of an important resource on a population- or region-wide basis.

CEQA Guidelines Section 15380, Endangered, Rare or Threatened Species, states that a lead agency can consider a non-listed species to be Rare, Threatened, or Endangered for the purposes of CEQA if the species can be shown to meet the criteria in the definition of Rare, Threatened, or Endangered. For the purposes of this discussion, the current scientific knowledge on the population size and distribution for each special-status species was considered according to the definitions for Rare, Threatened, and Endangered listed in CEQA Guidelines Section 15380.

Based on these standards and significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a "significant unavoidable impact."

5.3.5 IMPACTS AND MITIGATION MEASURES

Impact 5.3-1: Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Impact Analysis: The Project Area is located within an urbanized area and currently developed with residential and non-residential uses. The Project Area consists primarily of developed and/or disturbed land that has been developed, paved, or landscaped, and existing vegetation consists of primarily ornamental and/or nonnative plant species. The General Plan EIR does not identify any sensitive natural communities located on or adjacent to the Project Area. As shown in Table 5.3-1, there have been documented occurrences of three special-status species within the general vicinity of the Project Area,



including the western yellow bat, Southern California legless lizard, and Delhi Sands flower-loving fly. The Project Area does not contain any areas identified within the General Plan EIR as having critical habitat for federally listed species or having biological constraints to future development associated with suitable habitat for San Bernardino Kangaroo Rat (SBKR), Delhi Sands Flower-Loving Fly (DSF), Coastal California Gnatcatcher (CAGN) and BUOW; designated critical habitat; areas with known CNDDDB and/or eBird records for SBKR, DSF, CAGN, or BUOW; or areas mapped as Delhi fine sand and soils.

Although primarily developed, there are a limited number of non-contiguous undeveloped parcels within the Project Area consisting of disturbed and/or graded areas that have the opportunity to be revegetated with opportunistic weedy species including non-native annual grasses and weedy forbs (City of Fontana, 2018). As previously discussed, in more disturbed areas, grasslands may be almost entirely overgrown with Russian thistle (*Salsola tragus*) and/or mustard. This habitat is particularly valuable to raptors and other avian species, including northern harriers (*Circus cyaneus*), BUOW horned larks (*Eremophila alpestris*), red-tailed hawks (*Buteo jamaicensis*), ferruginous hawks (*Buteo regalis*), and loggerhead shrikes (*Lanius ludovicianus*).

Although the Project Area is not within an area identified as having critical habitat or areas known to contain BUOW, the General Plan EIR identifies BUOW as a species of concern that is known to occur within the City of Fontana boundaries and could theoretically inhabit undeveloped land within the City, including the Project Area. BUOW is known to nest in existing burrows, culverts, or other appropriately-sized holes on disturbed, vacant, or agricultural lands. Further there is the potential that ornamental vegetation within the Project Area could provide potential nesting sites for birds that are protected under Sections 3503, 3503.5, and 3513 of the California Fish and Game Code and under the Migratory Bird Treaty Act. Thus, there is potential for construction activities to negatively affect breeding or reproduction of protected nesting birds within the Project Area.

The Downtown Core Project does not include any specific development proposals and would not result in significant direct impacts to existing biological resources. However, subsequent development and redevelopment activities associated with implementation of the proposed Project could occur on undeveloped sites that have been revegetated or result in the removal of ornamental vegetation, potentially resulting in direct impacts to BUOW or nesting birds. Future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measures MM-BIO-1 and MM-BIO-2 (incorporated herein as Mitigation Measures BIO-1 and BIO-2). Specifically, Mitigation Measure BIO-1 requires that for sites containing suitable habitat, a qualified biologist conduct a pre-construction survey prior to ground disturbing or vegetation disturbing activities to determine the presence or absence of burrowing owl within the proposed area of impact and appropriate actions if occupied burrows are discovered. Mitigation Measure BIO-2 provides that clearing of vegetation and removal of trees should occur during the non-nesting (or non-breeding) season for nesting birds to ensure their protection, if feasible. If not feasible, Mitigation Measure BIO-2 provides the alternative of carrying out such activities under the supervision of a qualified biologist. Compliance with Mitigation Measures BIO-1 and BIO-2, the MBTA, and the California Fish and Game Code, would ensure that protected birds are not adversely affected during construction activities accommodated as part of the Downtown Core Project and impacts would be reduced to less than significant.



Mitigation Measures:

BIO-1:

1. Prior to initial grading or clearing of areas of suitable habitat within the Project Area (e.g., a vacant site with a landscape of grassland or low-growing, arid scrub vegetation or agricultural use or vegetation), a qualified biologist shall conduct a pre-construction survey, in accordance with the CDFG Staff Report on Burrowing Owl Mitigation, to determine the presence or absence of burrowing owl within the proposed area of impact.
2. Results of surveys, including mitigation recommendations (i.e., a Burrowing Owl Mitigation and Monitoring Report) shall be incorporated into the project-level CEQA compliance documentation.
3. Construction grading/clearing of areas of suitable habitat should occur between September 1 and January 31 to avoid impacts to breeding owls. If occupied burrows are discovered, they shall not be removed during nesting season (February 1 through August 31), unless a qualified biologist can determine that either the owls have not laid eggs or are incubating eggs, or that any young from the burrows are able to forage independently. If initial grading is scheduled to occur during nesting season, the following measures shall be implemented.
4. If removal of occupied burrows is necessary, passive relocation outside of nesting season shall be implemented under the supervision of the qualified biologist. This shall include covering/excavation of burrows and installation of one-way doors as necessary. One-way doors will allow owls inside the burrow to exit but not allow them to re-enter. The biologist shall wait a minimum of one week before the burrow may be excavated to allow the owls time to leave the area. (General Plan EIR MM-BIO-1)

BIO-2: To avoid impacts to nesting birds and to comply with the MBTA, clearing of vegetation and removal of trees should occur between non-nesting (or non-breeding) season for birds (generally, September 1 to January 31). If this avoidance schedule is not feasible, the alternative is to carry out such activities under the supervision of a qualified biologist. This shall entail the following:

1. A qualified biologist shall conduct a pre-construction nesting bird survey no more than 14 days prior to initiating ground disturbance activities. The survey will consist of full coverage of the proposed disturbance limits and up to a 500-foot buffer area, determined by the biologist and taking into account the species nesting in the area and the habitat present.
2. If no active nests are found, no additional measures are required.
3. If “occupied” nests are found, their locations shall be mapped, species documented, and, to the degree feasible, the status of the nest (e.g., incubation of eggs, feeding of young, near fledging) recorded. The biologist shall establish a no-disturbance buffer around each active nest. The buffer area will be determined by the biologist based on the species present, surrounding habitat, and type of construction activities proposed in the area.



4. No construction or ground disturbance activities shall be conducted within the buffer until the biologist has determined the nest is no longer active and has informed the construction supervisor that activities may resume. (General Plan EIR MM-BIO-2)

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

Impact 5.3-2: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Impact Analysis: Future development accommodated under the Downtown Core Project would be subject to all applicable federal, State, regional, and local policies and regulations related to the protection of biological resources, as outlined above in Section 5.3.3, *Regulatory Setting*. Fontana Municipal Code Chapter 28, Article III includes regulations for the preservation and protection of heritage, significant, and/or specimen trees within the City, located on both private and public property. The Municipal Code outlines the definition of a “heritage tree,” “significant tree,” and “specimen tree.” A tree removal permit is required for the removal of any heritage, significant or specimen tree. In the event that a removal permit is issued, such trees removed must be replaced. In addition, the Fontana General Plan includes goals, policies, and actions to protect and conserve biological resources.

The Downtown Core Project would not modify the City’s Municipal Code or General Plan goals, policies, and actions specific to the protection of biological resources. Site-specific development is not currently proposed; however, future development projects associated with implementation of the Downtown Core Project would be assessed for consistency with local policies and ordinances, including the Municipal Code and General Plan goals, policies, and actions, as appropriate. Proposed removal of any trees within the Project Area would be reviewed in accordance with Municipal Code Chapter 28, Article III and would be required to comply with the requirements for removal. Thus, the Project would not conflict with any local policies or ordinances protecting biological resources and impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.3.6 CUMULATIVE IMPACTS

Impact Analysis: Biological resources are a limited resource and their cumulative loss is considered significant. The Project Area is located within an urbanized area and currently developed with residential and non-residential uses. No natural open space areas containing significant biological resources exist within the Project Area. The Project Area does not function as a migratory wildlife corridor; and is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. The Downtown Core Project does not change land use designations from open space to development; rather Project implementation would allow for the intensification of land uses in areas already developed or considered for development. Subsequent projects associated with implementation of the Downtown Core Project would be required to be consistent with federal, State, and local regulations, including the General Plan and General Plan EIR mitigation measures, designed to protect biological resources. In compliance with Mitigation Measures BIO-1 and BIO-2, proposed development or redevelopment within the Project Area would be reviewed to



determine the potential for site-specific development to impact biological resources and if present, would be required to implement measures to mitigate potential impacts. Thus, the Project's impacts would not be cumulatively considerable and cumulative impacts to biological resources would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.3.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with biological resources would occur with the proposed Project.

5.3.8 REFERENCES

California Department of Fish and Wildlife (CDFW), *California Natural Diversity Database (CNDDDB)*, December 1, 2022.

City of Fontana, *Fontana Forward: General Plan Update 2015-2035 Draft Environmental Impact Report*, June 2018.

United States Fish and Wildlife Service (USFWS), National Wetlands Inventory, <https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>, accessed December 2, 2022.



5.4 CULTURAL RESOURCES

5.4.1 PURPOSE

The purpose of this section is to evaluate the Project’s potential to impact cultural (including historic and archaeological resources) resources within the Project Area. This section is based primarily on the Fontana Forward: General Plan Update 2015-2035 Draft Environmental Impact Report (State Clearinghouse No. 016021099) (City of Fontana, 2018).

5.4.2 ENVIRONMENTAL SETTING

PREHISTORIC OVERVIEW

The earliest period of human occupation in southern California is referred to by various terms, including Clovis, Paleoindian, and Early Systems Period. This is a time believed to have commenced about 12,000 years ago Before Present (BP), lasting until about 10,000 years BP. While some scholars have campaigned for the idea of a Pre-Projectile Point Tradition predating this time, it is not considered here, as there are no documented sites of this age near the City. The following cultural periods reflect human adaptations that occurred among prehistoric societies in inland California. While these are broad generalizations, there appear to be similarities among various populations in southern California, particularly in the inland areas.

Prehistoric chronological sequences for the area can be represented by the Encinitas Tradition. Tradition is defined by Warren as, “a generic unit comprising historically related phases.” These phases can be characterized based on patterns seen in artifact types with more precise data coming from obsidian hydration tests and radiocarbon assays. The Encinitas Tradition is characterized by an abundance of grinding implements (manos and metates), rough core and flaked stone and bone tools, and shell ornaments but few projectile points and hunting implements. Subsistence focused more heavily on collecting rather than hunting with faunal remains, varying by site, including marine mammals, fish, shell fish, and land animals. The Encinitas Tradition has four regional patterns. The pattern applicable for the City is Greven Knoll, recognized in the inland Los Angeles, Orange, San Bernardino, and Riverside County areas. Below are descriptions of the three patterns of the Encinitas Tradition applicable to the City based on Sutton and Gardener.

Greven Knoll I

The Greven Knoll I Pattern of the Encinitas Tradition (9,400 to 4,000 BP) is characterized by manos and metates, large dart points and core tools but no mortars and pestles. Flexed inhumations with occasional cremations were preferred methods of internment. It has been noted that there have been no documented shellfish sustenance remains and hunting was important to the people’s subsistence. It is believed that this period was influenced by Pinto Groups from the Mojave Desert. The Yukaipa’t site in San Bernardino County is an example of this pattern. This site, excavated in 1947 and 1948, included a large quantity of manos and matates, large dart points (such as Pinto points which stylistically date from 7,000-4,000 BP) and stone and shell beads. Several other Greven Knoll I site types have been documented in San Bernardino, including at least one near the City of Fontana. Obsidian artifacts from Greven Knoll I



sites have been sourced to the Coso Volcanic Fields located more than 150-miles north. The earliest known evidence of the use of ceramic vessels was found at a Greven Knoll I site in Riverside County.

Greven Knoll II

The Greven Knoll II Pattern of the Encinitas Tradition (4,000 to 3,000 BP) was similar to Greven Knoll I but with a marked difference in the ratio of ground stone tools to flaked stone tools. In Greven knoll II ground stone tools (e.g. manos, metataes) increased while dart points, such as Elko-style points (4,000 – 1,500 BP), and bone tools decreased. No new hunting technology, such as the bow-and-arrow, was introduced during this period. At around the middle of the Greven Knoll II pattern a significant change appears in coastal areas. Populations expanded, new artifact types were developed, subsistence patterns changed, and sedentism increased. These changes seem to coincide with the influx of Takic language groups into the area. However, the inland Greven knoll II populations seemed to not be affected by this influx and instead became more isolated from the coastal groups and developed new subsistence strategies of their own.

Greven Knoll III

The Greven Knolls III Pattern of the Encinitas Tradition (3,000 to 1,000 BP) continued to place a high importance on hunting and gathering. The most significant difference between Greven Knolls II and Greven Knolls III is the emergence of the scrapper plane, an important artifact for yucca processing. Obsidian was still being either traded or procured from the Coso Volcanic fields but a few specimens from one of the Crowder Canyon Greven Knoll III sites were sourced to Obsidian Buttes, over 100-miles southeast of the Planning Area. Although radiocarbon dates are rare, projectile point typology was useful with Elko and Gypsum dart points (4,000 – 1,500 BP) as well as Rose Spring and Cottonwood arrow points (1,500 to 800 BP) being found in Greven Knoll III artifact assemblages. Greven Knoll III contain more scrapper planes, ornaments, and bone artifacts than Greven Knoll II. Greven Knoll III continued until about 1,000 BP at which time it may have been replaced by Takic influences that were moving inland from the coast.

ETHNOHISTORIC OVERVIEW

During the Ethnohistoric period two groups claimed this area as their use area. These were the Gabrielino and the Serrano. Both of these groups trace their ancestry through artifacts, oral history, and cultural traditions to the San Bernardino County areas. The Gabrielino territory lies mainly to the west and the Serrano to the east from the City but the boundary is broad and undefined, allowing for interaction and trade between the groups. Both groups practiced a hunting-gathering subsistence strategy and both were decimated by disease and forceful eviction as more settlers discovered the rich valleys of historic San Bernardino County.

Gabrielino

The group that inhabited much of southern California from the Pacific Coast near present day Los Angeles, including three of the Channel Islands and, into the current San Bernardino County area were historically referred to by association with the San Gabriel Mission. The name was spelled Gabrieliño or Gabrieleño and although there is little evidence that they used a general name to define their cultural groups they most likely identified by the community or area they were from. Today various groups prefer the designation of Tongva or Kizh, rather than Gabrielino. This section will use the name Tongva for this group.



The Tongva territory encompassed a vast area that covered an area of more than 2,500 square miles. At European contact, the tribe consisted of more than 5,000 people living in various settlements throughout the region. The Tongva are considered to have been one of the wealthiest tribes and they appear to have greatly influenced tribes they traded with.

The Tongva practiced a hunting and gathering economy at the time of Spanish contact (as early as the 1542 Cabrillo expedition for coastal groups), with plant foods playing a significant part of the Tongva diet. Seeds were parched then ground and cooked as mush in various combinations according to availability and personal preferences. Plant foods would be eaten raw or cooked and would also be dried for storage. Bulbs, roots, and tubers were dug in the spring and summer and usually eaten fresh. Various teas were made from flowers, fruits, stems, and roots for medicinal cures as well as beverages. The principal game animals were deer, rabbit, jackrabbit, woodrat, mice, ground squirrels, antelope, quail, dove, ducks, and other birds. Predators were largely avoided as food, as were tree squirrels and most reptiles. Houses were domed, circular structures that were thatched with tule or similar materials. The coastal Tongva groups are renowned for their workmanship of steatite and these artifacts were highly prized. Common everyday steatite items were often decorated with inlaid shell or carvings reflecting the intricately developed skill of the creator.

Serrano

The Serrano, like the Tongva, occupied large areas of land that included the City. Their territory was as diverse as the Tongva and included the San Gabriel and San Jacinto Mountains and the Mojave and Colorado Desert. Historically, they have been referred to as Desert Serrano and Mountain Serrano. The name Serrano, given the group by the Spanish, means “mountain dwellers”. Serrano who lived at Yuhaviat, near present day Big Bear Lake, were called the Yuhaviatam, People of the Pines.

The Serrano practiced a hunting and gathering economy with an expansive variety of subsistence choices ranging from the valleys and desert to the mountains. Plant food would have included honey mesquite, acorn, pinyon, yucca, berries, and chia seeds. The cultural area of the Serrano would have allowed deer, pronghorn, and bighorn sheep as well as small game such as rabbits, birds, and aquatic life from the Mojave and Santa Ana Rivers. The desert and mountain Serrano would share resources to supplement their local supplies. The Serrano used willow and yucca fiber to build dome-shaped homes, called a Kiic, that measured 12-14-feet across. Yucca fiber, along with deergrass, and juncus were used to weave magnificent baskets durable enough to hold water and hot stones and to boil water.

The Serrano, called kuko'mkar or qaqa'yvit by the Tongva, were able to avoid many of the disrupting influences of Spanish settlers and the California Mission system until 1819 when an asistencia, a mission outpost, was built in the what is now known as Redlands. After this time and until the secularization in 1834, many Serrano were forcibly removed from their homelands to missions. In 1866, militia forces killed many Serrano men, women, and children in a 32-day campaign. A Yuhaviatam tribal leader named Santos Manuel safely led the remaining Yuhaaviatam from their mountain homelands to valley floor. The San Manuel Reservation, and associated San Manuel Band of Mission Indians, are named in honor of this heroic leader.



HISTORIC OVERVIEW

The arrival of non-native people into the area now known as San Bernardino County occurred in 1772 when Pedro Fages traversed the area with a group of soldiers exploring the new lands under Spanish control. Fages was followed by Juan Bautista de Anza and then Francisco Garces later in the 1770s. These early travelers made little direct impact on the Native inhabitants during their travels and until the nineteenth century the land was quiet. However, by the early 1800s change came quickly with the impacts from disease and attempts to missionize the Native inhabitants.

In 1842, the Rancho de San Bernardino land grant was awarded to the Lugo family by Governor Alvarado. This grant, which included some 127,700 acres of land, comprised the best part of San Bernardino Valley, land that included the City of Fontana. Nine years later, in 1851, the Lugos' sons sold parts of their land grant to Mormon colonists, who began cultivating crops and developing an irrigation system using waters from Lytle Creek. Although the bulk of the Mormon settlers did not stay long, a few did stay behind to continue the crops. By the 1850s, man-made features noted by United States (U.S.) land surveyors in the area were several winding roads, including a "San Bernardino Road," also identified as "Los Angeles and San Bernardino Road," traversing just to the south of present-day Baseline Road, and an "Old San Bernardino Road" running along the foot of the Jurupa Mountains. The Old San Bernardino Road was possibly a trading route that had been utilized by the local Tribes prior to historic times, while the San Bernardino Road appears to have been a wagon road initiated by Mormon settlers for the transportation of freight.

In 1874, a family of French immigrants, the Sainsevain brothers, moved their wine business into the San Bernardino area with vineyards that extended from the Los Angeles foothills to the northern part of the City. Other businesses representing agriculture and orchards began showing up on surveyors' maps during the 1870s and 1880s, mainly around the north end of the City. By 1887, the Rosena townsite, in what is today downtown Fontana, was sub-divided by the Semi-Tropic Land and Water Company and, along with the community of Grapeland at the foot of the San Gabriel Mountains and the Declezville quarry at the foot of the Jurupa Mountain, Rosena became a center of rural development. The area around transportation corridors such as Baseline Road and the Santa Fe Railway attracted the bulk of residential development by the end of the 19th century.

As California began a period of rapid growth in the early 20th century, so did Rosena, and with the arrival of Azariel Blanchard (A.B.) Miller in 1905, the area began a period of substantial growth. In 1913, Rosena and Grapeland were reorganized as the City of Fontana. Miller founded Fontana Farms, Fontana Union Water Company, Fontana Power Company, B. B. Company, and Miller Livestock Company. Miller began selling lots as the Fontana Land Company. With Miller creating the opportunities, the city began an expansion that continued well into the beginning of the 1940s.

In 1952, Fontana incorporated as a city and continued to grow with the influx of workers to the steel plant. Kaiser Steel was established in Fontana in 1942 by Henry J Kaiser to supply steel for his seven shipyards. Opening a few days after Christmas, the dedication for the first complete steel mill west of the Rockies was a "patriotic extravaganza." Kaiser Steel was considered the twelfth largest producer of steel in the U.S. by 1953. The possibilities for employment at the mill and supporting businesses in the city had a profound influence on the growth of Fontana as well as other surrounding communities. As industry



became more important, agriculture began to decline and urbanization to begin, predominantly in the south-central portion of Fontana. The mill closed in the 1980s.

Henry Kaiser borrowed an idea developed in the isolated desert town of Desert Center for a health care system that transformed insurance services in California. In the 1940s, when Kaiser acquired ore rights at Eagle Mountain Mine he worked with Dr. Sidney Garfield, the surgeon at a small 12-bed hospital near Desert Center, to bring his health care system to his new mill. Garfield developed a “prepayment” system with an insurance company to ensure that workers at the nearby Eagle Mountain mine and on the Colorado River Aqueduct would be able to receive medical care and doctors would be ensured payment for services in this isolated locale. In 1945, the Permanente Health Plan officially opened to the public in the City of Fontana. The growth of Kaiser Permanente facilities on Sierra Avenue, north of I-10, has developed into a large commercial strip that continues to provide economic opportunities to this section of the City and the larger Fontana region.

CULTURAL RESOURCES

Over 80 previously recorded prehistoric and historic-era archaeological sites have been identified in the City. Prehistoric sensitivity in Fontana is mostly concentrated in the southern and northern portions of the City. A cluster of prehistoric sites was previously identified in the southern portion of the City and has been interpreted by archaeologists to be the remains of an important Native American village with associated campsites and habitation sites. The majority of the prehistoric sites within the City represent evidence of Native American food-processing activity, such as bedrock milling features, which are common to the area. All of the prehistoric sites previously identified are clustered along the foothills of the San Gabriel Mountains and the Jurupa Hills. The lack of prehistoric sites within the City of Fontana urban center is likely due to obliteration by development. However, remnants of prehistoric sites may still be present below the surface, having been displaced underground during development.

Historic-era archaeological sites in the City consist mainly of historic residences but also include an irrigation system, transportation systems (such as Route 66), and historic industrial sites such as Kaiser Mill. The historic residences that are documented date mainly to the early to mid-20th century; however, some documented irrigation and transportation systems pre-date the founding of the townsite.

In total, the City of Fontana lists three National Register-listed properties, one California Historic landmark, and 12 California Points of Historic Interest. As shown in Exhibit 4.1 of the Fontana General Plan, five of the 12 California Points of Historic Interest are located within the Project Area: the Fontana Woman’s Club, Fontana Community Church, A.B. Miller Community Park and Plunge, Fontana Company Tract Office/Library/Chamber of Commerce Building, and Sinclair Commercial Block Heritage Site.

According to the General Plan EIR, more sites are likely eligible for listing in the California Register of Historic properties or the National Register of Historic Places, notably in the northern portion of the Project Area, which hosts a higher concentration of historic-era buildings, including many that are considered significant by the local community.

Fontana Municipal Code Section 5-365, *Designated Local Historic Resources*, designates 22 properties as historic resources within the City. Locally designated historic resources within the Project Area are shown in Table 5.4-1, *Designated Local Historic Resources Within the Project Area*.



Table 5.4-1
Designated Local Historic Resources Within the Project Area

Property Description	Address
A. B. Miller Community Park (boundaries only) and Plunge Building	17004 Arrow Route
Fontana Community Church	8316 Sierra Avenue
Fontana Farms Company, Tract Office	8459 Wheeler Avenue
Fontana Fire Department (exterior)	16980 Arrow Boulevard
Fontana Woman's Club	16880 Seville Avenue
Fontana Theater (exterior only, stand-alone marquee/sign, and two pedestals)	8463 Sierra Avenue
Kaiser Steel Medical Residence	9107 Sierra Avenue
Kreis Building	8462 Sierra Avenue
Provincial Revival Cottage	8350 Mango Avenue
Shoop Residence	8323 Bennet Avenue
Shultze Residence (residence only)	17006 Ivy Avenue
Spanish Colonial Residence (front residence, garage and front yard pine tree)	8336 Mango Avenue
Sticksel/Lemmerich Residence	16806 Ivy Avenue
Two-story commercial building	8461 Juniper Avenue
Source: City of Fontana Municipal Code, Chapter 5, Article XIII, Section 5-365, <i>Designated Local Historic Resources</i> .	

5.4.3 REGULATORY SETTING

FEDERAL

National Historic Preservation Act

Enacted in 1966 and amended in 2000, the National Historic Preservation Act (NHPA) declared a national policy of historic preservation and instituted a multifaceted program, administered by the Secretary of the Interior, to encourage the achievement of preservation goals at federal, State, and local levels. The NHPA authorized the expansion and maintenance of the National Register of Historic Places (NRHP), established the position of State Historic Preservation Officer (SHPO) and provided for the designation of State Review Boards, set up a mechanism to certify local governments to carry out the purposes of the NHPA, assisted Native American tribes to preserve their cultural heritage, and created the Advisory Council on Historic Preservation (ACHP).

Section 106 Process

Through regulations associated with the NHPA, an impact to a cultural resource would be considered significant if government action would affect a resource listed in or eligible for listing in the NRHP. The NHPA codifies a list of cultural resources found to be significant within the context of national history, as determined by a technical process of evaluation. Resources that have not yet been placed on the NRHP, and are yet to be evaluated, are afforded protection under the Act until shown not to be significant.

Section 106 of the NHPA and its implementing regulations (36 Code of Federal Regulations Part 800) state that for a cultural resource to be determined eligible for listing in the NRHP, the resource must meet specific criteria associated with historic significance and possess certain levels of integrity of form, location, and setting. The criteria for listing on the NRHP are applied within an analysis when there is some question as to the significance of a cultural resource. The criteria for evaluation are defined as the quality



of significance in American history, architecture, archeology, engineering, and culture. This quality must be present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it is significant under one or more of the following criteria:

- Criterion A: It is associated with events that have made a significant contribution to the broad patterns of our history; or
- Criterion B: It is associated with the lives of persons significant in our past; or
- Criterion C: It embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- Criterion D: It has yielded, or may be likely to yield, information important in prehistory or history.

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

The Section 106 evaluation process does not apply to projects undertaken under City environmental compliance jurisdiction. However, should the undertaking require funding, permits, or other administrative actions issued or overseen by a Federal agency, analysis of potential impacts to cultural resources following the Section 106 process would likely be necessary. The Section 106 process typically excludes cultural resources created less than 50 years ago unless the resource is considered highly significant from the local perspective. Finally, the Section 106 process allows local concerns to be voiced and the Section 106 process must consider aspects of local significance before a judgment is rendered.

[Secretary of the Interior's Standards for the Treatment of Historic Properties](#)

Evolving from the Secretary of the Interior's Standards for Historic Preservation Projects with Guidelines for Applying the Standards that were developed in 1976, the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings were published in 1995 and codified as 36 Code of Federal Regulations Part 67. Neither technical nor prescriptive, these standards are "intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources." "Preservation" acknowledges a resource as a document of its history over time, and emphasizes stabilization, maintenance, and repair of existing historic fabric. "Rehabilitation" not only incorporates the retention of features that convey historic character, but also accommodates alterations and additions to facilitate continuing or new uses. "Restoration" involves the retention and replacement of features from a specific period of significance. "Reconstruction," the least used treatment, provides a basis for recreating a missing resource. These standards have been adopted, or are used informally, by many agencies at all levels of government to review projects that affect historic resources.



STATE

California Environmental Quality Act

CEQA requires a lead agency determine whether a project may have a significant effect on historical resources (Public Resources Code Section 21084.1). A historical resource is a resource listed in, or determined to be eligible for listing, in the CRHR, a resource included in a local register of historical resources, or any object building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (State CEQA Guidelines, Section 15064.5[a][1-3]).

A resource is considered historically significant if it meets any of the following criteria:

- Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- Is associated with the lives of persons important in our past;
- Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, if it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (Public Resources Code Section 21083.2[a], [b], and [c]). Public Resources Code Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

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

California Register of Historical Resources (CRHR)

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



[Public Resources Code Section 5097 \(Related to Cultural Resources\)](#)

California Public Resources Code (PRC) Section 5097 addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the California Native American Heritage Commission (NAHC) to resolve disputes regarding the disposition of such remains. It has been incorporated into Section 15064.5(e) of the CEQA Guidelines.

The NAHC, created in statute in 1976 (Chapter 1332, Statutes of 1976), is a nine-member body whose members are appointed by the Governor. The NAHC identifies, catalogs, and protects Native American cultural resources -- ancient places of special religious or social significance to Native Americans and known ancient graves and cemeteries of Native Americans on private and public lands in California. The NAHC is also charged with ensuring California Native American tribes' accessibility to ancient Native American cultural resources on public lands, overseeing the treatment and disposition of inadvertently discovered Native American human remains and burial items, and administering the California Native American Graves Protection and Repatriation Act (CalNAGPRA), among many other powers and duties.

PRC Sections 5097.9 through 5097.991 establish that no public agency or private party using or occupying public property (or operating on under a public license, permit, grant, lease or contract made after July 1, 1977) shall in any manner interfere with the free expression or exercise of Native American religion as provided in the U.S. Constitution and the California Constitution. It also prohibits such agencies and parties from causing severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site or sacred shrine located on public property, except on a clear and convincing showing that the public interest and necessity so require it.

These sections also establish the state's NAHC. The NAHC is tasked with working to ensure the preservation and protection of Native American human remains, associated grave goods and cultural resources. Towards this end, the NAHC has a strategic plan for assisting the public, development communities, local and federal agencies, educational institutions and California Native Americans to better understand problems relating to the protection and preservation of cultural resources and to serve as a tool to resolve these problems. In 2006, PRC Sections 5097.91 and 5097.98 were amended by Assembly Bill 2641 to authorize the NAHC to bring legal action when necessary to prevent damage to Native American burial grounds or places of worship. It also established more specific procedures to be implemented in the event that Native American remains are discovered.

[California Health and Safety Code \(Sections 7050.5, 7051, and 7054\)](#)

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



LOCAL

City of Fontana General Plan

The Fontana General Plan includes goals, policies, and programs to reduce potential impacts to cultural resources. Chapter 4, Community and Neighborhoods Element contains the following goal and policies potentially relevant to the proposed Project:

Chapter 4 – Community and Neighborhoods

- **Goal 1:** The integrity and character of historic structures, cultural resources sites and overall historic character of the city of Fontana is maintained and enhanced.
 - **Policy:** Coordinate City programs and policies to support preservation goals.
 - **Policy:** Support and promote community-based historic preservation initiatives.
 - **Policy:** Designate local historic landmarks.
 - **Policy:** Provide appropriate tools to review changes that may detract from historic integrity and character.
- **Goal 2:** Residents’ and visitors’ experiences of Fontana are enhanced by a sense of the city’s history.
 - **Policy:** Enhance public awareness of Fontana’s unique historical and cultural legacy and the economic benefits of historic preservation in Fontana.
 - **Policy:** Support creation of the Fontana Historical Museum.
- **Goal 3:** Cultural and archaeological resources are protected and preserved.
 - **Policy:** Collaborate with state agencies to protect cultural and archaeological resources.

City of Fontana Municipal Code

Fontana Municipal Code Chapter 5, Article XIII, *Preservation of Historic Resources*, allows the Planning Commission to designate historical resources or historic overlay districts within the City. Section 5-365, *Designated Local Historic Resources*, designates 22 properties as historic resources. Per Section 5-357, any exterior alteration or proposed demolition of a locally designated historic resource must receive a Certificate of Appropriateness from the City Council before receiving a building or demolition permit. The process involves a determination and advice from the Planning Commission acting as the historic commission, public hearings, and a final decision by the City Council. In addition, the owner, occupant or person in charge of an historical resource must keep the property’s exterior in good repair to prevent deterioration and decay of any exterior architectural feature.

5.4.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

SIGNIFICANCE GUIDELINES

Historical Resources

Impacts to a significant cultural resource that affect characteristics that would qualify it for the NRHP or that adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from “physical demolition, destruction,



relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (*CEQA Guidelines*, Section 15064.5 [b][1], 2000). Material impairment is defined as demolition or alteration “in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register” (*CEQA Guidelines*, Section 15064.5[b][2][A]).

Archaeological Resources

A significant prehistoric archaeological impact would occur if grading and construction activities result in a substantial adverse change to archaeological resources determined to be “unique” or “historic.” “Unique” resources are defined in Public Resources Code Section 21083.2; “historic” resources are defined in Public Resources Code Section 21084.1 and *CEQA Guidelines* Section 15126.4.

Public Resources Code Section 21083.2(g) states:

As used in this section, “unique archaeological resource” means an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

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

CEQA SIGNIFICANCE CRITERIA

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to cultural resources. A project would result in a significant impact related to cultural resources if it would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 (refer to Impact Statement 5.4-1);
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 (refer to Impact Statement 5.4-2); and/or
- Disturb any human remains, including those interred outside of dedicated cemeteries (refer to Impact Statement 5.4-3).

Based on these standards and significance thresholds and criteria, the Project’s effects have been categorized as either “no impact,” a “less than significant impact,” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a “significant unavoidable impact.”



5.4.5 IMPACTS AND MITIGATION MEASURES

Impact 5.4-1: Would the Project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Impact Analysis: As described above, the Project Area includes five California Points of Historic Interest as well as 14-locally designated historic resources. Additionally, undiscovered or potentially eligible sites may be located within the Project Area. Redevelopment and alteration of existing structures has the potential to impact known and potentially eligible historical resources. A substantial adverse change in the significance of an historic resource is defined in Section 15064.5 (b)(1) of the CEQA Guidelines as the “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.”

According to the General Plan EIR, more sites are likely eligible for listing in the California Register of Historic properties or the National Register of Historic Places, notably in the northern portion of the Project Area, which hosts a higher concentration of historic-era buildings, including many that are considered significant by the local community. While the Downtown Core Project does not directly propose any changes to any historic resources, future development allowed under the Downtown Core Project could cause a substantial adverse change in the significance of known historical resources or unknown historical resources which have not yet been identified. This is considered a potentially significant impact.

The Fontana General Plan contains goals, policies, and actions to identify and protect historic resources within the City. In addition, future development associated with implementation of the proposed Project would be required to implement General Plan mitigation measures identified in the General Plan DEIR. Specifically, General Plan MM-CUL-1 requires a qualified archaeologist to perform a number of tasks prior to construction activities, including: subsequent to a preliminary City review, if evidence suggests the potential for historic resources, conduct a field survey for historical resources within portions of the project site not previously surveyed; subsequent to a preliminary City review, if evidence suggests the potential for historic resources, contact the San Bernardino County Archives for information on historical property records; inventory all historical resources within the project site using appropriate State record forms and guidelines followed according to the California Office of Historic Preservation’s handbook; evaluate the significance and integrity of all historical resources within the project site using criteria established in the CEQA Guidelines for important archaeological resources and/or 36 CFR 60.4 for eligibility for listing on the National Register of Historic Places; propose mitigation measures and/or implement conditions of approval (if a local government action) recommended to eliminate adverse project effects on significant, important, and unique historical resources, following appropriate CEQA and/or National Historic Preservation Act’s Section 106 guidelines; prepare a technical resources management report documenting the inventory, evaluation, and proposed mitigation of resources within the project site, following guidelines for Archaeological Resource Management Reports prepared by the California Office of Historic Preservation, Preservation Planning Bulletin 4(a), December 1989; and permanently curate all resources and data collected within the project site at an appropriate repository within the County.



As future development and infrastructure projects are considered by the City, each project would be evaluated for conformance with the Fontana General Plan, Municipal Code, and other applicable State and local regulations relative to historic and potentially historic resources. Future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measure MM-CUL-1 (incorporated herein as Mitigation Measure CUL-1), which would ensure evaluation of a project site for historical resources and, if necessary, implement mitigation measures to reduce impacts to a level that is less than significant. Per Fontana Municipal Code Chapter 5, Article XIII, *Preservation of Historic Resources*, potential historic resources and/or districts may be considered by the Planning Commission and/or City Council, and would require approval prior to alteration, restoration, rehabilitation, remodeling, construction, addition, change of use, demolition, relocation or removal of any designated or proposed historical resource or any improvement or object in a designated or proposed historical overlay district. Further, for structures that potentially have historical significance, the City would require preparation of a study by a qualified professional archaeologist or historian to determine the significance of the structure and potential impacts of the proposed development in compliance with CEQA. Therefore, with compliance with federal, State, and local regulations, including the General Plan and General Plan Mitigation Measures, the Project would not cause a substantial adverse change in the significance of a historical resource and impacts would be less than significant.

Mitigation Measures:

CUL-1: A qualified archaeologist shall perform the following tasks, prior to construction activities within project boundaries:

- Subsequent to a preliminary City review, if evidence suggests the potential for historic resources, a field survey for historical resources within portions of the project site not previously surveyed for cultural resources shall be conducted.
- Subsequent to a preliminary City review, if evidence suggests the potential for historic resources, the San Bernardino County Archives shall be contacted for information on historical property records.
- Subsequent to a preliminary City review, if evidence suggests the potential for sacred land resources, the Native American Heritage Commission shall be contacted for information regarding sacred lands.
- All historical resources within the project site, including archaeological and historic resources older than 50 years, shall be inventoried using appropriate State record forms and guidelines followed according to the California Office of Historic Preservation's handbook "Instructions for Recording Historical Resources." The archaeologist shall then submit two (2) copies of the completed forms to the San Bernardino County Archaeological Information Center for the assignment of trinomials.
- The significance and integrity of all historical resources within the project site shall be evaluated, using criteria established in the CEQA Guidelines for important archaeological resources and/or 36 CFR 60.4 for eligibility for listing on the National Register of Historic Places.
- Mitigation measures shall be proposed and conditions of approval (if a local government action) recommended to eliminate adverse project effects on significant, important, and



unique historical resources, following appropriate CEQA and/or National Historic Preservation Act's Section 106 guidelines.

- If there is evidence that a historical resource exists or could exist, a technical resources management report shall be prepared, documenting the inventory, evaluation, and proposed mitigation of resources within the project site, following guidelines for Archaeological Resource Management Reports prepared by the California Office of Historic Preservation, Preservation Planning Bulletin 4(a), December 1989. One copy of the completed report, with original illustrations, shall be submitted to the San Bernardino County Archaeological Information Center for permanent archiving.
- If human remains or funerary objects are encountered on the project site, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the San Bernardino County Coroner's Office shall be contacted pursuant to Health and Safety Code Sections 7050.5 to 7055 and PRC Section 5097.98. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Native American Heritage Commission shall be contacted within 24 hours.
- All resources and data collected within the project site shall be permanently curated at an appropriate repository within the County. (General Plan EIR MM-CUL-1, updated)

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

Impact 5.4-2: Would the Project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Impact Analysis: Redevelopment and development of previously undeveloped areas have the potential to impact known and unknown archaeological resources. Surface-level and subsurface archaeological sites and deposits can be affected by ground-disturbing activities associated with construction activities.

Prehistoric sensitivity in Fontana is mostly concentrated in the southern and northern portions of the City, outside of the Project Area. The lack of prehistoric sites within the City of Fontana urban center is likely due to obliteration by development. However, remnants of prehistoric sites may still be present below the surface, having been displaced underground during development. Effects on archaeological resources deemed to be significant could be considered adverse if they involve physical demolition, destruction, or alteration of the resource or its immediate surroundings such that the significance of a resource would be materially impaired. While the Downtown Core Project does not directly propose site-specific development with the potential to directly impact archaeological resources, future development associated with implementation of the Downtown Core Project could cause a substantial adverse change in the significance of known or unknown archaeological resources. This is considered a potentially significant impact.

The Fontana General Plan contains goals, policies, and actions to identify and protect cultural resources within the City, including archeological resources. In addition, future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measure MM-CUL-2 (incorporated herein as Mitigation Measure CUL-2), which would ensure that if any prehistoric archaeological resources are encountered before or during grading, the developer shall retain



a qualified archaeologist to monitor construction activities and to take appropriate measures to protect or preserve them for study.

Archaeological resources are protected under federal, State, and local regulations as described above and compliance with Fontana General Plan policies, actions, and mitigation measures would reduce potential adverse impacts to archaeological resources associated with future development. Subsequent development and infrastructure projects would be required to comply with existing federal, State, and local regulations, including the General Plan and implement Mitigation Measure CUL-2, which would reduce potential impacts to archaeological resources to less than significant.

Mitigation Measures:

CUL-2: If any prehistoric archaeological resources are encountered before or during grading, the developer shall retain a qualified archaeologist to monitor construction activities and to take appropriate measures to protect or preserve them for study. In the event Native American cultural resources are discovered, the archaeologist, in consultation with the applicant and City of Fontana Planning Department, shall implement Mitigation Measure TCR-1. With the assistance of the archaeologist, the City of Fontana shall:

- Enact interim measures to protect undesignated sites from demolition or significant modification without an opportunity for the City to establish its archaeological value.
- Consider establishing provisions to require incorporation of archaeological sites within new developments, using their special qualities at a theme or focal point.
- Pursue educating the public about the area's archaeological heritage.
- Propose mitigation measures and recommend conditions of approval (if a local government action) to eliminate adverse project effects on significant, important, and unique prehistoric resources, following appropriate CEQA guidelines.
- Prepare a technical resources management report, documenting the inventory, evaluation, and proposed mitigation of resources within the project area. Submit one copy of the completed report, with original illustrations, to the San Bernardino County Archaeological Information Center for permanent archiving. (General Plan EIR MM-CUL-2)

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

Impact 5.4-3: Would the Project disturb any human remains, including those interred outside of dedicated cemeteries?

Impact Analysis: Although no conditions exist that suggest human remains are likely to be found in the Project Area, future construction activities could have the potential to disturb or destroy buried Native American human remains as well as other human remains, including those interred outside of formal cemeteries. Health and Safety Code Section 7050.5 to 7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in PRC Section 5097.98 would be implemented, including notification of the County Coroner, notification of the NAHC and consultation with the individual identified by the NAHC to be the “most likely descendant (MLD).” The MLD would have 48 hours to make recommendations to



landowners for the disposition of any Native American human remains and grave goods found. Recommendations would be made for the treatment and disposition of the remains. Thus, compliance with Health and Safety Code Sections 7050.5 to 7055 and PRC Section 5097.98 would ensure that in the event human remains are discovered, the remains would be handled in accordance with applicable laws, and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.4.6 CUMULATIVE IMPACTS

Impact Analysis: Cultural resource impacts are site specific and generally do not combine to result in cumulative impacts. Construction of individual development projects associated with implementation of the Downtown Core Project may result in the discovery and removal of cultural resources, including historic and archaeological resources, as well as the inadvertent discovery of human remains. Federal, State, and local regulations, including the Fontana General Plan and mitigation measures, would reduce the risk to cultural resources in the region. As discussed above, site-specific development with the potential to impact known or unknown historic and/or archaeological resources would require a resource assessment to determine the significance of potential resources and if potential impacts are identified, to incorporate mitigation measures to reduce potential impacts to the identified resources. In the event of inadvertent discovery of human remains, Health and Safety Code Section 7050.5, CEQA Guidelines Section 15064.5(e), and PRC Section 5097.98 would dictate the proper identification and handling. Compliance with the Fontana General Plan policies and actions, and existing federal, State, and local regulations would avoid and/or minimize a cumulative loss of these important resources if they are identified during project-specific surveys or construction activities. Therefore, the Project's incremental contribution to cumulative cultural resource impacts would be less than cumulatively considerable.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.4.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with cultural resources would occur with the proposed Project.

5.4.8 REFERENCES

City of Fontana, *Fontana Forward: General Plan Update 2015-2035 Draft Environmental Impact Report*, June 2018.



5.5 ENERGY

5.5.1 PURPOSE

The purpose of this section is to describe the existing environmental conditions and regulatory requirements related to energy and to evaluate the potential for implementation of the proposed Project to result in short-term construction and long-term operational energy consumption impacts. This section is primarily based upon the energy analysis and modeling prepared by De Novo Planning Group and included as Appendix C, Air Quality, Energy and Greenhouse Gas Emissions Modeling Data.

5.5.2 ENVIRONMENTAL SETTING

ENERGY CONSUMPTION

Energy in California is consumed from a wide variety of sources. Fossil fuels (including gasoline and diesel fuel and natural gas) are the most widely used form of energy in the State (U.S. Energy Information Administration, 2022a). However, renewable sources of energy (such as solar and wind) are growing in proportion to California's overall energy mix. A large driver of renewable sources of energy in California is the State's current Renewable Portfolio Standard (RPS), which requires the State to derive at least 33 percent of electricity generated from renewable resources by 2020, and 60 percent by 2030.

Overall, in 2020, California's per capita energy usage was ranked 48th in the nation at 175 million British thermal units (Btu) per capita (U.S. Energy Information Administration, 2022a). Additionally, California's per capita rate of energy usage has been reduced by approximately one third since the 1970s (U.S. Energy Information Administration, 2022b). Many State regulations since the 1970s, including new building energy efficiency standards, vehicle fleet efficiency measures, as well as growing public awareness, have helped to keep per capita energy usage in the State constrained.

The consumption of nonrenewable energy (primarily gasoline and diesel fuel) associated with the operation of passenger, public transit, and commercial vehicles results in greenhouse gas (GHG) emissions that ultimately result in global climate change. Other fuels such as natural gas, ethanol, and electricity (unless derived from solar, wind, nuclear, or other energy sources that do not produce carbon emissions) also result in GHG emissions and contribute to global climate change.

ELECTRICITY CONSUMPTION

California relies on a regional power system composed of a diverse mix of natural gas, renewable, hydroelectric, and nuclear generation resources. Approximately 70 percent of the electrical power needed to meet California's demand is produced in the State, while the remaining 30 percent is imported from the Pacific Northwest and the Southwest (California Energy Commission, 2022a). In 2021, California's in-state generated electricity was derived from natural gas (50.2 percent), nuclear sources (8.5 percent), large hydroelectric resources (6.2 percent), coal (0.2 percent), and renewable resources that include geothermal, biomass, small hydroelectric resources, wind, and solar (34.8 percent). The percentage of renewable resources as a proportion of California's overall energy portfolio is increasing over time, as directed the State's Renewable Portfolio Standard (RPS).



Southern California Edison (SCE) provides electricity to the Project site. SCE, a subsidiary of Edison International, serves approximately 185 cities in 15 counties across central and Southern California (Southern California Edison, 2019). According to the California Energy Commission (CEC), approximately 103,597 million kilowatt-hours (GWh) of electricity were used in SCE's service area in 2020 (California Energy Commission, 2022b). This is approximately 38 percent of the State total system electric generation of 272,576 GWh in 2020, which was a two percent decrease from the previous year (California Energy Commission, 2022c). San Bernardino County's total electricity consumption in 2021 (residential and non-residential) was approximately 16,181 GWh (California Energy Commission, 2022d).

NATURAL GAS

Natural gas supplies are derived from underground sources and brought to the surface at gas wells. Once it is extracted, gas is purified and the odorant that allows gas leaks to be detected is added to the normally odorless gas. Natural gas suppliers, such as Southern California Gas Company (SoCalGas), then send the gas into transmission pipelines, which are usually buried underground. Compressors propel the gas through the pipeline system, which delivers it to homes and businesses.

The State produces approximately 12 percent of its natural gas, while obtaining 22 percent from Canada and 65 percent from the Rockies and the Southwest. In 2020, California produced 144 billion cubic feet of natural gas. SoCalGas provides natural gas for residential, industrial, and agency consumers within the City, including the Project Area.

PETROLEUM

The primary energy source for the United States is petroleum (oil), which is refined to produce fuels like gasoline, diesel, and jet fuel (U.S. Energy Information Administration, 2022c). Petroleum is a finite, nonrenewable energy source. California used approximately 524 million barrels of petroleum in 2020, with the majority (433 million barrels) used for the transportation sector (U.S. Energy Information Administration, 2022d). This total annual consumption equates to a daily use of approximately 1.4 million barrels of petroleum.

5.5.3 REGULATORY SETTING

FEDERAL

Clean Air Act

The Federal Clean Air Act (FCAA) was first signed into law in 1970. In 1977, and again in 1990, the law was substantially amended. The FCAA is the foundation for a national air pollution control effort, and it is composed of the following basic elements: National ambient air quality standards (NAAQS) for criteria air pollutants, hazardous air pollutant standards, state attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

The U.S. Environmental Protection Agency (EPA) is responsible for administering the FCAA. The FCAA requires the EPA to set NAAQS for several problem air pollutants based on human health and welfare criteria. Two types of NAAQS were established: primary standards, which protect public health, and



secondary standards, which protect the public welfare from non-health-related adverse effects such as visibility reduction.

[Energy Policy and Conservation Act](#)

The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards for on-road motor vehicles in the United States. Pursuant to the Act, the National Highway Traffic and Safety Administration, which is part of the U.S. Department of Transportation (USDOT), is responsible for establishing additional vehicle standards and for revising existing standards.

Since 1990, the fuel economy standard for new passenger cars has been 27.5 mpg. Since 1996, the fuel economy standard for new light trucks (gross vehicle weight of 8,500 pounds or less) has been 20.7 mpg. Heavy-duty vehicles (i.e., vehicles and trucks over 8,500 pounds gross vehicle weight) are not currently subject to fuel economy standards. Compliance with federal fuel economy standards is determined on the basis of each manufacturer's average fuel economy for the portion of its vehicles produced for sale in the U.S. The Corporate Average Fuel Economy (CAFE) program, which is administered by the EPA, was created to determine vehicle manufacturers' compliance with the fuel economy standards. The EPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the USDOT is authorized to assess penalties for noncompliance.

[Energy Policy Act of 1992 \(EPAct\)](#)

The Energy Policy Act of 1992 (EPAct) was passed to reduce the Country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain federal, state, and local government and private fleets to purchase a percentage of light duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

[Energy Policy Act of 2005](#)

The Energy Policy Act of 2005 was signed into law on August 8, 2005. Generally, the Act provides for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; bond financing, tax incentives, grants, and loan guarantees for clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

[Intermodal Surface Transportation Efficiency Act \(ISTEA\)](#)

ISTEA (49 U.S.C. Section 101 et seq.) promoted the development of intermodal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that metropolitan planning organizations (MPOs), were to address in developing transportation plans and programs, including some energy-related factors. To meet the ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values that were to guide transportation decisions in that metropolitan area. The planning process was then to address these policies. Another requirement was to consider the consistency of transportation planning with federal,



state, and local energy goals. Through this requirement, energy consumption was expected to become a criterion, along with cost and other values that determine the best transportation solution.

STATE

Warren-Alquist Act

The 1975 Warren-Alquist Act established the California Energy Resources Conservation and Development Commission, now known as CEC. The Act established state policy to reduce wasteful, uneconomical, and unnecessary uses of energy by employing a range of measures. The California Public Utilities Commission (CPUC) regulates privately-owned utilities in the energy, rail, telecommunications, and water fields.

Energy Action Plan

The first Energy Action Plan (EAP) emerged in 2003 from a crisis atmosphere in California's energy markets. The State's three major energy policy agencies (CEC, CPUC, and the Consumer Power and Conservation Financing Authority [established under deregulation and now defunct]) came together to develop one high-level, coherent approach to meeting California's electricity and natural gas needs. It was the first time that energy policy agencies formally collaborated to define a common vision and set of strategies to address California's future energy needs and emphasize the importance of the impacts of energy policy on the California environment.

In the October 2005 Energy Action Plan II, CEC and CPUC updated their energy policy vision by adding some important dimensions to the policy areas included in the original EAP, such as the emerging importance of climate change, transportation-related energy issues, and research and development activities. The CEC adopted an update to the EAP II in February 2008 that supplements the earlier EAPs and examines the State's ongoing actions in the context of global climate change.

State of California Energy Action Plan

The CEC is responsible for preparing the State Energy Action Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The current plan is the 1997 California Energy Plan. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero-emission vehicles and addressing their infrastructure needs; and encouragement of urban design that reduces vehicle miles traveled (VMT) and accommodates pedestrian and bicycle access.

Assembly Bill 1493

In response to AB 1493, CARB approved amendments to the California Code of Regulations (CCR) adding GHG emission standards to California's existing motor vehicle emission standards. Amendments to CCR Title 13 Sections 1900 (CCR 13 1900) and 1961 (CCR 13 1961), and adoption of Section 1961.1 (CCR 13 1961.1) require automobile manufacturers to meet fleet average GHG emission limits for all passenger cars, light-duty trucks within various weight criteria, and medium-duty passenger vehicle weight classes beginning with the 2009 model year. Emission limits are further reduced each model year through 2016. For passenger cars and light-duty trucks 3,750 pounds or less loaded vehicle weight (LVW), the 2016 GHG



emission limits are approximately 37 percent lower than during the first year of the regulations in 2009. For medium-duty passenger vehicles and light-duty trucks 3,751 LVW to 8,500 pounds gross vehicle weight (GVW), GHG emissions are reduced approximately 24 percent between 2009 and 2016.

CARB requested a waiver of federal preemption of California's Greenhouse Gas Emissions Standards. The intent of the waiver is to allow California to enact emissions standards to reduce carbon dioxide and other greenhouse gas emissions from automobiles in accordance with the regulation amendments to the CCRs that fulfill the requirements of AB 1493. The EPA granted a waiver to California to implement its greenhouse gas emissions standards for cars.

[Assembly Bill 1007](#)

Assembly Bill 1007, (Pavley, Chapter 371, Statutes of 2005) directed the CEC to prepare a plan to increase the use of alternative fuels in California. As a result, the CEC prepared the State Alternative Fuels Plan in consultation with the state, federal, and local agencies. The plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-state production. The Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce greenhouse gas emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality.

[Executive Order B-48-18: Zero-Emission Vehicles](#)

In January 2018, Executive Order (EO) B-48-18 was signed into law and requires all State entities to work with the private sector to have at least five million zero-emission vehicles (ZEVs) on the road by 2030, as well as install 200 hydrogen fueling stations and 250,000 electric vehicle charging stations by 2025. It specifies that 10,000 of the electric vehicle charging stations should be direct current fast chargers. This Executive Order also requires all State entities to continue to partner with local and regional governments to streamline the installation of ZEV infrastructure. The Governor's Office of Business and Economic Development is required to publish a Plug-in Charging Station Design Guidebook and update the 2015 Hydrogen Station Permitting Guidebook to aid in these efforts. All State entities are required to participate in updating the 2016 Zero-Emissions Vehicle Action Plan (Governor's Interagency Working Group on Zero-Emission Vehicles 2016) to help expand private investment in ZEV infrastructure with a focus on serving low-income and disadvantaged communities. Additionally, all State entities are to support and recommend policies and actions to expand ZEV infrastructure at residential uses through the Low Carbon Fuel Standard Program, and recommend how to ensure affordability and accessibility for all drivers.

[California Building Energy Efficiency Standards](#)

Title 24, Part 6 of the California Code of Regulations, known as the Building Energy Efficiency Standards (Standards), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. On January 1, 2010, the California Building Standards Commission adopted CALGreen and became the first state in the United States to adopt a statewide green building standards code.



The 2022 update to the California Building Energy Efficiency Standards (the current version of the Standards) went into effect on January 1, 2023. The Standards are divided into three basic sets. First, there is a basic set of mandatory requirements that apply to all buildings. Second, there is a set of performance standards – the energy budgets – that vary by climate zone (of which there are 16 in California) and building type; thus, the Standards are tailored to local conditions. Finally, the third set constitutes an alternative to the performance standards, which is a set of prescriptive packages that are basically a recipe or a checklist compliance approach.

Renewable Portfolio Standard

In 2002, the Legislature enacted Senate Bill 1078 (Stats. 2002, ch. 516), which established the Renewables Portfolio Standard program, requiring retail sellers of electricity, including electrical corporations, community choice aggregators, and electric service providers, to purchase a specified minimum percentage of electricity generated by eligible renewable energy resources such as wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. (See Pub. Utilities Code, Section 399.11 et seq. [subsequently amended].) The legislation set a target by which 20 percent of the State’s electricity would be generated by renewable sources. (Pub. Utility Code, Section 399.11, subd. (a) [subsequently amended].) As described in the Legislative Counsel’s Digest, Senate Bill 1078 required “[e]ach electrical corporation ... to increase its total procurement of eligible renewable energy resources by at least one percent per year so that 20 percent of its retail sales are procured from eligible renewable energy resources. If an electrical corporation fails to procure sufficient eligible renewable energy resources in a given year to meet an annual target, the electrical corporation would be required to procure additional eligible renewable resources in subsequent years to compensate for the shortfall, if funds are made available as described. An electrical corporation with at least 20 percent of retail sales procured from eligible renewable energy resources in any year would not be required to increase its procurement in the following year.”

In 2006, the Legislature enacted Senate Bill 107 (Stats. 2006, ch. 464), which modified the Renewables Portfolio Standard to require that at least 20 percent of electricity retail sales be served by renewable energy resources by year 2010. (Pub. Utility Code, Section 399.11, subd (a) [subsequently amended].)

Senate Bill X1-2 (Stats. 2011, 1st Ex. Sess., ch. 1) set even more aggressive statutory targets for renewable electricity, culminating in the requirement that 33 percent of the State’s electricity come from renewables by 2020. This legislation applies to all electricity retailers in the State, including publicly owned utilities, investor-owned utilities, electricity service providers, and community choice aggregators. All of these entities must meet renewable energy goals of 20 percent of retail sales from renewables by the end of 2013, 25 percent by the end of 2016, and 33 percent by the end of 2020. (See Pub. Utility Code, Section 399.11 et seq. [subsequently amended].)

SB 350, discussed above, increases the Renewable Portfolio Standard to require 50 percent of electricity generated to be from renewables by 2030. (Pub. Utility Code, Section 399.11, subd (a); see also Section 399.30, subd. (c)(2).) Of equal significance, Senate Bill 350 also embodies a policy encouraging a substantial increase in the use of electric vehicles. As noted earlier, Section 740.12(b) of the Public Utilities Code now states that the PUC, in consultation with CARB and the CEC, must “direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification



to reduce dependence on petroleum, meet air quality standards, ... and reduce emissions of greenhouse gases to 40 percent below 1990 levels by 2030 and to 80 percent below 1990 levels by 2050.”

Executive Order, B-16-12, issued in 2012, embodied a similar vision of a future in which zero-emission vehicles (ZEV) will play a big part in helping the State meet its GHG reduction targets. Executive Order B-16-12 directed State government to accelerate the market for in California through fleet replacement and electric vehicle infrastructure. The Executive Order set the following targets:

- By 2015, all major cities in California will have adequate infrastructure and be “ZEV ready”;
- By 2020, the State will have established adequate infrastructure to support 1 million ZEVs in California;
- By 2025, there will be 1.5 million ZEVs on the road in California; and
- By 2050, virtually all personal transportation in the State will be based on ZEVs, and GHG emissions from the transportation sector will be reduced by 80 percent below 1990 levels.

In 2018, Senate Bill 100 (Stats. 2018, ch. 312) revised the above-described deadlines and targets so that the State will have to achieve a 50 percent renewable resources target by December 31, 2026 (instead of by 2030) and achieve a 60 percent target by December 31, 2030. The legislation also establishes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045.

In summary, California has set a statutory goal of requiring that, by 2030, 60 percent of the electricity generated in California should be from renewable sources, with increased generation capacity sufficient to allow the mass conversion of the statewide vehicle fleet from petroleum-fueled vehicles to electrical vehicles and/or other ZEVs. By 2045, all electricity must come from renewable resources and other carbon-free resources. Former Governor Brown had an even more ambitious goal for the State of achieving carbon neutrality as soon as possible and by no later than 2045. This goal was reaffirmed in the Final 2022 Scoping Plan, which lays out a path to achieve State targets for carbon neutrality and reduce anthropogenic GHG emissions by 85 percent below 1990 levels no later than 2045. The Legislature is thus looking to California drivers to buy electric cars, powered by green energy, to help the State meet its aggressive statutory goal, created by SB 32, of reducing statewide GHG emissions by 2030 to 40 percent below 1990 levels. Another key prong to this strategy is to make petroleum-based fuels less carbon-intensive. A number of statutes in recent years have addressed that strategy.

[Senate Bill 1078 \(2002\)](#), [Senate Bill 107 \(2006\)](#), [Executive Order S-14-08 \(2008\)](#), [Senate Bill 350 \(2015\)](#), and [Senate Bill 100 \(2018\)](#), [Assembly Bill 1279 \(2022\)](#), [Senate Bill 1020 \(2022\)](#)

SB 1078 established the Renewable Portfolio Standard (RPS) program, which required retail sellers of electricity to provide at least 20 percent of their supply from renewable sources by 2017. This goal has subsequently been accelerated several times. SB 107 changed the target date to 2010 and Executive Order S-14-08 expanded the State’s RPS to 33 percent renewable power by 2020. SB 350 expanded the RPS by requiring retail seller and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030, with interim goals of 40 percent by 2024 and 45 percent by 2027. SB 100 accelerated and expanded the standards set forth in SB 350 by updating the RPS program to 50



percent eligible renewable energy resources by 2025 and 60 percent by 2030. In addition, SB 100 sets a 100 percent clean, zero carbon, and renewable energy policy for California’s electricity system by 2045. Additionally, AB 1279, the California Climate Crisis Act, declares the policy of the state both to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and achieve and maintain net negative greenhouse gas emissions thereafter, and to ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 85 percent below the 1990 levels. Lastly, SB 1020 revised state policy to require that eligible renewable energy resources and zero-carbon resources supply 90 percent of all retail sales of electricity to California end-use customers by December 31, 2035, 95 percent of all retail sales of electricity to California end-use customers by December 31, 2040, 100 percent of all retail sales of electricity to California end-use customers by December 31, 2045, and 100 percent of electricity procured to serve all state agencies by December 31, 2035.

LOCAL

City of Fontana General Plan

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts to energy. Chapter 12, Sustainability and Resilience, contains the following goals and policies potentially relevant to the proposed Project:

Chapter 12 – Sustainability and Resilience

- **Goal 1:** Fontana is a regional leader in sustainability and resilience with an effective “Sustainable Fontana” program.
 - **Policy:** Create a Sustainable Fontana program that promotes green practices in government and in the community.
- **Goal 2:** Government facilities and operations are models of resource efficiency.
 - **Policy:** Incorporate goals into the City Code for resource efficiency in municipal facilities and operations.
 - **Policy:** Continue organizational and operational improvements to maximize energy and resource efficiency and reduce waste.
- **Goal 3:** Renewable sources of energy, including solar and wind, and other energy-conservation strategies are available to city households and businesses.
 - **Policy:** Promote renewable energy programs for government, Fontana businesses, and Fontana residences.
- **Goal 4:** Fontana meets the greenhouse gas reduction goals for 2030 and subsequent goals set by the state.
 - Continue to collaborate with SBCTA, infrastructure agencies, and utilities on greenhouse gas reduction studies and goals.
- **Goal 5:** Green building techniques are used in new development and retrofits.
 - **Policy:** Fontana is a leader energy-efficient development and retrofits.
- **Goal 6:** Fontana is a leader energy-efficient development and retrofits.



- **Policy:** Promote energy-efficient development in Fontana.
- **Policy:** Meet or exceed state goals for energy-efficient new construction.

5.5.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to energy. A project would result in a significant impact related to energy if it would:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation (refer to Impact Statement 5.5-1); and/or
- Conflict with or obstruct a State or local plan for renewable energy or energy efficiency (refer to Impact Statement 5.5-2).

Based on these standards and significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a "significant unavoidable impact."

5.5.5 IMPACTS AND MITIGATION MEASURES

Impact 5.5-1: Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Impact 5.5-2: Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

Impact Analysis: The means to achieve the goal of conserving energy include decreasing overall energy consumption, decreasing reliance on natural gas and oil, and increasing reliance on renewable energy sources. In particular, the proposed Project would be considered "wasteful, inefficient, and unnecessary" if it were to violate State and federal energy standards and/or result in significant adverse impacts related to project energy requirements, energy inefficiencies, energy intensiveness of materials, cause significant impacts on local and regional energy supplies or generate requirements for additional capacity, fail to comply with existing energy standards, otherwise result in significant adverse impacts on energy resources, or conflict or create an inconsistency with applicable plan, policy, or regulation.

The City is proposing to create a new focused area in the Downtown Core (Project Area) by creating and implementing a new General Plan land use category and six new Form-Based Code (FBC) districts specific to the Project Area. The Proposed Project would involve amending General Plan Chapter 9, Community Mobility and Circulation, including Exhibit 9.2, Hierarchy of Streets in Fontana, Chapter 14, Downtown Area Plan, and Chapter 15, Land Use, Zoning, and Urban Design, including establishing a new General Plan land use category, amending the General Plan Land Use Map to apply the new land use category, and amending the Zoning and Development Code, including the Zoning District Map. The proposed Project,



would in part, provide increased residential development opportunities, consistent with the goals of the SB 2 Planning Grant received by the City.

Although development of the Project Area is not currently proposed, for purposes of this analysis development of the net new development (i.e. development over existing conditions) is considered as part of the proposed Project. The amount of energy used by future development associated with implementation of the proposed Project would directly correlate to the size of the residential and non-residential structures proposed, the energy consumption of appliances, and outdoor lighting. Other major sources of Project energy consumption include fuel used by vehicle trips generated during Project construction and operation, and fuel used by off-road construction vehicles during construction.

The following discussion provides calculated levels of energy use expected for the potential development, based on commonly used modelling software (i.e. CalEEMod v.2020.4.0 and the California Air Resource Board’s EMFAC2021). It should be noted that many of the assumptions provided by CalEEMod are conservative relative to the Project; thus, this discussion provides a conservative estimate of proposed Project emissions.

Electricity and Natural Gas

Electricity and natural gas used by the Project would be used primarily to power on-site buildings. Total annual natural gas (kBtu) and electricity (kWh) usage associated with the operation of the Project are shown in Table 5.5-1, Project Operational Natural Gas and Electricity Usage (Mitigated Scenario).

**Table 5.5-1
Project Operational Natural Gas and Electricity Usage**

Emissions	Project Annual Consumption	San Bernardino County Annual Consumption	Percent Increase
Natural Gas Consumption (therms)	1,381,388	561,000,000	0.25%
Electricity Consumption (MWh/year)	68,753	16,180,000	0.42%
Sources: CalEEMod version 2020.4.0; California Energy Commission, Electricity Consumption by County; Natural Gas Consumption by County.			

CalEEMod uses the California Commercial End Use Survey (CEUS) database to develop energy intensity value for non-residential buildings. As shown in Table 5.5-1, Project operational natural gas usage would be a 0.42 percent increase above the County’s typical annual electricity consumption, and an approximate 0.25 percent increase above the county’s typical natural gas consumption. These increases are minimal in the context of the County as a whole.

On-Road Vehicles (Operation)

The Project would generate vehicle trips during its operational phase. According to the Transportation Study prepared by Kittelson & Associates (refer to Appendix E), the Project would generate an average of approximately 105,168 net new daily vehicles trips and 662,369 average daily vehicle miles traveled (Average Daily VMT). Based on fleet mix data provided by CalEEMod and Year 2040 gasoline and diesel



miles per gallon (MPG) factors for individual vehicle classes as provided by EMFAC2021, a weighted MPG factor for operational on-road vehicles of approximately 31.2 MPG for gasoline vehicles were derived. Based on 231.2 MPG and 662,369 Average Daily VMT, the Project would generate vehicle trips that would use approximately 21,248 gallons of gasoline per day or 7,755,420 gallons of gasoline per year.

On-Road Vehicles (Construction)

Project implementation would also generate on-road vehicle trips during future site-specific construction activities (from construction workers and vendors). Estimates of vehicle fuel consumed were derived based on the assumed construction schedule, vehicle trip lengths and number of workers per construction phase as provided by CalEEMod, and Year 2023 gasoline MPG factors provided by EMFAC2021. It was assumed that all vehicles would use gasoline as a fuel source (as opposed to diesel fuel or alternative sources). Table 5.5-2, On-Road Mobile Fuel Generated by Project Construction Activities – By Phase, describes gasoline and diesel fuel used by on-road mobile sources during each phase of the construction schedule. As shown, the vast majority of on-road mobile vehicle fuel used during construction would occur during the building construction phase.

**Table 5.5-2
On-Road Mobile Fuel Generated by Project Construction Activities – By Phase**

Construction Phase	# of Days	Total Daily Worker Trips ⁽¹⁾	Total Daily Vendor Trips ⁽¹⁾	Total Hauler Trips ⁽¹⁾	Gallons of Gasoline Fuel ⁽²⁾	Gallons of Diesel Fuel ⁽²⁾
Demolition	400	15	0	0	3,402	0
Site Preparation	240	18	0	0	240	0
Grading	620	20	0	0	7,032	0
Building Construction	4,566	7,132	1,392	0	923,331	293,243
Paving	440	15	0	0	3,743	0
Architectural Coating	4,566	1,426	0	0	184,614	0
Total				0	1,122,362	293,243
Sources: CalEEMod Version 2020.4.0; EMFAC2021.						
Notes:						
1. Provided by CalEEMod.						
2. Refer to <u>Appendix C</u> for further detail.						

Off-Road Vehicles (Construction)

Off-road construction vehicles would use diesel fuel during the construction phase of site-specific development. Off-road construction vehicles expected to be used during the construction phase include, but are not limited to, cranes, forklifts, generator sets, tractors, excavators, and dozers. Based on the total amount of CO₂ emissions expected to be generated (as provided by the CalEEMod output), and a CO₂ to diesel fuel conversion factor (provided by the U.S. Energy Information Administration), Project implementation would use up to approximately 941,439 gallons of diesel fuel for off-road construction



vehicles during the site preparation and grading phases associated with future development; refer to [Appendix C](#) for detailed calculations.

On-site Renewable Energy

The Project contains various land uses, including residential and commercial uses. Under the latest version of the California Title 24 Building Energy Efficiency Standards (2022), effective on January 1, 2023, single-family residential and various commercial uses are required to include on-site solar photovoltaic (PV) systems. Therefore, it is anticipated that many of the uses proposed as part of the Project would include on-site solar, including rooftop solar, as required. It should also be noted that additional on-site solar PV installations, above what is required by the current and future versions of the California Title 24 Building Energy Efficiency Standards, would likely be installed at some of the properties developed under the Project. Overall, it is anticipated that the Project would incorporate renewable energy features, such as on-site solar PV, which would reduce the Project's dependence on electricity from the utility grid, including providers such as Southern California Edison (SCE).

Conclusion

Project implementation would use energy resources for the operation of new residential and non-residential buildings (e.g., electricity and natural gas), for on-road vehicle trips (e.g. gasoline and diesel fuel) generated by the Project (both during project construction and operation), and from off-road construction activities associated with the Project (e.g. diesel fuel). Each of these activities would require the use of energy resources. Future development projects associated with implementation of the proposed Project would be responsible for conserving energy, to the extent feasible, and would be required to comply with Statewide and local measures regarding energy conservation, such as Title 24 building efficiency standards.

The proposed Project would be in compliance with all applicable federal, State, and local regulations regulating energy usage. For example, Southern California Edison (SCE) is responsible for the mix of energy resources used to provide electricity for its customers, and it is in the process of implementing the Statewide Renewable Portfolio Standard (RPS) to increase the proportion of renewable energy (e.g. solar and wind) within its energy portfolio. SCE has achieved at least a 33 percent mix of renewable energy resources, and will be required to achieve a renewable mix of at least 50 percent by 2030. Additionally, energy-saving regulations, including the latest State Title 24 building energy efficiency standards ("part 6"), would be applicable to future development within the Project Area. Other statewide measures, including those intended to improve the energy efficiency of the statewide passenger and heavy-duty truck vehicle fleet (e.g. the Pavley Bill and the Low Carbon Fuel Standard) are improving vehicle fuel economies, thereby conserving gasoline and diesel fuel. These energy savings would continue to accrue over time.

As a result, the proposed Project would not result in any significant adverse impacts related to Project energy requirements, energy use inefficiencies, and/or the energy intensiveness of materials by amount and fuel type for each stage of the Project including construction, operations, maintenance, and/or removal. Both SCE, the electricity provider to the site, and Southern California Gas, the natural gas provider to the site, maintain sufficient capacity to serve development associated with implementation of the proposed Project. Future development associated with the Project would be required to comply



with all existing energy efficiency standards, and would not result in significant adverse impacts on energy resources. Therefore, the proposed Project would not result in a wasteful, inefficient, or unnecessary of energy resources during Project construction or operation. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.5.6 CUMULATIVE IMPACTS

Impact Analysis: As future development projects within the Project Area are received and reviewed by the City in subsequent years, those projects would be reviewed for consistency with the City's General Plan and Development Code and all relevant State-level programs and requirements. All future projects must implement the most current version of the Title 24 energy efficiency requirements, as required by State law. Consistency with the General Plan and other mandatory State-level programs would ensure that future project-level contributions to inefficient, wasteful or unnecessary energy use would be less than significant. Moreover, as identified above, Project implementation would not be expected to cause an inefficient, wasteful, or unnecessary use of energy resources nor conflict with or obstruct a state or local plan for renewable energy or energy efficiency. As a result, the proposed Downtown Core Project's incremental contribution to cumulative energy impacts would be less than cumulatively considerable.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.5.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with energy would occur with the proposed Project.

5.5.8 REFERENCES

California Energy Commission, *2021 Total System Electric Generation*, <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2021-total-system-electric-generation>, accessed November 11, 2022a.

California Energy Commission, *Electricity Consumption by Planning Area*, <http://www.ecdms.energy.ca.gov/elecbyplan.aspx>, accessed November 11, 2022b.

California Energy Commission, *2020 Total Electricity System Power*, <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2020-total-system-electric-generation/2020>, accessed November 11, 2022c.

California Energy Commission, *Electricity Consumption by County*, <https://ecdms.energy.ca.gov/elecbycounty.aspx>, accessed November 11, 2022d.

Southern California Edison, *Southern California Edison's Service Area*, https://download.newsroom.edison.com/create_memory_file/?f_id=5cc32d492cfac24d21aacf4c&content_verified=True, April 2019, accessed November 11, 2022.



U.S. Energy Information Administration, *California State Profile and Energy Estimates*, <https://www.eia.gov/state/?sid=CA#tabs-1>, accessed November 11, 2022a.

U.S. Energy Information Administration, *State Energy Data System: 1960-2020*, June 24, 2022b.

U.S. Energy Information Administration, *Monthly Energy Review*, <https://www.eia.gov/totalenergy/data/monthly/>, accessed November 11, 2022c.

U.S. Energy Information Administration, *California State Profile and Energy Estimates: Table F16: Total Petroleum Consumption Estimates, 2020*, <https://www.eia.gov/state/data.php?sid=CA#ConsumptionExpenditures>, accessed November 11, 2022d.



5.6 GEOLOGY AND SOILS

5.6.1 PURPOSE

The purpose of this section is to describe the existing conditions and regulatory environment related to geology and soils, and identify potential impacts that could result from Project implementation. This section is based in part on the Fontana Forward: General Plan Update 2015-2035 Draft Environmental Impact Report (State Clearinghouse No. 016021099) (City of Fontana, 2018), the San Bernardino Countywide Plan: Draft Environmental Impact Report (State Clearinghouse No. 2017101033) (PlaceWorks, 2019), and California Geological Survey.

5.6.2 ENVIRONMENTAL SETTING

GEOLOGIC CONDITIONS

The City of Fontana is located within the northwestern portion of the Peninsular Ranges Geomorphic Province, which includes parts of Riverside, San Bernardino, Los Angeles, Orange, and San Diego counties. The Peninsular Ranges Geomorphic Province is located in the southwestern corner of California and is bounded by the Transverse Ranges Geomorphic Province to the north (including the San Gabriel and San Bernardino Mountains) and the Colorado Desert Geomorphic Province to the east. This geomorphic province is characterized by elongated northwest-trending mountain ridges separated by sediment-floored valleys. The City is located within the San Bernardino Valley, between the foothills of the San Gabriel Mountains to the north and the Jurupa Mountains to the south.

The City is underlain by the relatively young (Holocene and late Pleistocene) alluvial deposits of the Lytle Creek alluvial fan (City of Fontana, 2018). These deposits primarily consist of unconsolidated, gray, cobbly and bouldery alluvium. In the southern reaches, the deposits are relatively fine-grained (pebbly and cobbly) and become coarser grained (cobbly and bouldery) to the north.

The Project Area is located in a predominately developed area in the City of Fontana. The Project Area is bounded by Foothill Boulevard on the north, Randall Avenue on the south, Juniper Avenue on the west, and Mango Avenue on the east. Elevations within the Project Area range from approximately 1,300 feet above mean sea level in the north and 1,200 in the south. Generally, topography descends gently to the south.

FAULTS

The City is located in a highly active seismic region of Southern California. There are no major active faults within the Project Area. Major active faults in the vicinity of the Project Area include the San Andreas Fault Zone, San Jacinto Fault Zone, Sierra Madre Fault Zone, Elsinore Fault Zone, Cucamonga Fault, and Chino Fault.

San Andreas Fault Zone

The San Andreas fault is approximately nine miles northeast of the Project Area. This fault is widely recognized as the longest and most active fault in the state. It has been mapped from Cape Mendocino in northern California to an area near the Mexican border, a length of approximately 800 miles. Abundant



evidence of historic earthquakes indicates that the fault is active, including those that have caused extensive surface rupture and displacement of recent sediments. Current work indicates that large earthquakes have occurred along the fault at widely varying intervals, but averaging 160 years. A maximum probable earthquake of M 8.3 (magnitude of 8.3 on the Richter Scale) has been assigned to the San Andreas fault in Southern California.

[San Jacinto Fault Zone](#)

The San Jacinto Fault is approximately five miles northeast of the Project Area. This active fault is similar to the San Andreas fault in that it is a large strike-slip fault that has been active for several million years. It has been the principal focus of historical release of strain in Southern California between the North American continental plate and Pacific Ocean plate. Surface rupture has been associated with several historic earthquakes on the fault. A maximum probable earthquake for the San Jacinto of M 7.2 (magnitude of 7.2 on the Richter Scale) is based upon historic seismicity and rupture length.

[Sierra Madre Fault Zone](#)

The Sierra Madre Fault is approximately five miles northwest of the Project Area. The Sierra Madre fault is part of the San Gabriel Mountain frontal fault system. This fault zone has been responsible for uplift of mountains by reverse faulting in response to north-south compression. During the 1971 San Fernando earthquake, approximately seven feet of uplift occurred along the San Fernando and Tujunga faults (westward extensions of the Sierra Madre fault zone). The recurrence interval for large (M 6.0 to 7.0) earthquakes is estimated at 100 to 5,000 years. The Sierra Madre fault zone encompasses essentially all major faults in the foothill area of San Jacinto, including major surface traces in bedrock as well as sub-parallel faults in alluvial areas immediately to the south.

[Cucamonga Fault](#)

The Cucamonga fault is an easterly extension of the Sierra Madre fault zone. It is considered active and has been mapped from the Lytle Creek area to at least the mouth of San Antonio Canyon, a distance of 10 miles. Geologically, recent movement has occurred just east of Glendora where granite basement rocks have been thrust over alluvial formation and in the vicinity of San Antonio, Deer, and Day Canyons to the east where relative uplift on the northern side has produced steep slopes approximately 200 feet high in recent alluvium.

[Elsinore Fault Zone](#)

The Elsinore fault zone is located south and southeast of the Project Area. This active fault parallels the San Jacinto fault. In 1987, a M 5.9 (magnitude of 5.9 on the Richter Scale) earthquake occurred along a previously unknown thrust fault attached to this system. A maximum probable of M 6.7 (magnitude of 6.7 on the Richter Scale) is assigned to the Whittier-Elsinore fault.

[Chino](#)

The Chino Fault is a northerly extension of the Elsinore Fault Zone. It runs along the Chino Hills and is located approximately 18 miles southwest of the Project Area.



SEISMIC HAZARDS

Seismic hazards include both rupture (surface and subsurface) along active faults and ground shaking, which can occur over wider areas. Ground shaking, produced by various tectonic phenomena, is the principal source of seismic hazards in areas devoid of active faults. All areas of the state are subject to some level of seismic ground shaking.

The Uniform California Earthquake Rupture Forecast, Version 3, or UCERF3, is the latest official earthquake rupture forecast (ERF) for the State of California. It provides estimates of the likelihood and severity of potentially damaging earthquake ruptures in the long- and near-term. Combining this with ground motion models produces estimates of the severity of ground shaking that can be expected during a given period (seismic hazard), and of the threat to the built environment (seismic risk). This information is used to inform engineering design and building codes, planning for disaster, and evaluating whether earthquake insurance premiums are sufficient for the prospective losses.

UCERF3 was prepared by the Working Group on California Earthquake Probabilities (WGCEP), a collaboration between the United States Geological Survey (USGS), the California Geological Survey (CGS), and the Southern California Earthquake Center (SCEC), with funding from the California Earthquake Authority (CEA). The UCERF3 Model represents the latest model from the Working Group on California Earthquake Probabilities (WGCEP). Results for the Los Angeles region faults, which includes the Fontana region, based on the UCERF3 are shown in Table 5.6-1, Likelihood of Having One or More Earthquakes by Size in the Next 30 Years (Starting from 2014).

**Table 5.6-1
Likelihood of Having One or More Earthquakes by Size in the Next 30 Years (Starting from 2014)**

Magnitude (greater than or equal to)	Average repeat time (years)	30-year likelihood of one or more events	Readiness
5	1.4	100%	1.0
6	10	96%	1.0
6.7	40	60%	1.1
7	61	46%	1.2
7.5	109	31%	1.3
8	532	7%	1.3

Source: United States Geological Survey (USGS), UCERF3: A New Earthquake Forecast for California’s Complex Fault System, March 2015, <https://pubs.usgs.gov/fs/2015/3009/pdf/fs2015-3009.pdf>.

The US Geologic Survey (USGS) Earthquake Probabilities predicts the probabilities of earthquakes within Greater California, the Southern California/Los Angeles Region, and the Northern California/San Francisco Region. The USGS Earthquake Probabilities predicts the probability that an earthquake will occur in the Los Angeles region within the next 30 years is:

- 60 percent that an earthquake measuring magnitude 6.7 will occur;
- 46 percent that an earthquake measuring magnitude 7 will occur; and



- 31 percent that an earthquake measuring magnitude 7.5 will occur.

SEISMIC HAZARD ZONES

Alquist-Priolo Fault Zone

An active earthquake fault, per California's Alquist-Priolo Act, is one that has ruptured within the Holocene Epoch ($\approx 11,000$ years). Based on this criterion, the CGS identifies Earthquake Fault Zones. These Earthquake Fault Zones are identified in Special Publication 42 (SP42), which is updated as new fault data become available. The SP42 lists all counties and cities within California that are affected by designated Earthquake Fault Zones. The Fault Zones are delineated on maps within SP42 (Earthquake Fault Zone Maps).

Southern California is a region of high seismic activity. Similar to most cities in the region, Fontana is subject to risks associated with potentially destructive earthquakes. The Project Area is not located within a designated Alquist-Priolo Earthquake Fault Zone (California Geological Survey, 2022).

LIQUEFACTION

Liquefaction, which is primarily associated with loose, saturated materials, is most common in areas of sand and silt or on reclaimed lands. Cohesion between the loose materials that comprise the soil may be jeopardized during seismic events and the ground will take on liquid properties. Thus, liquefaction requires specific soil characteristics and seismic shaking.

Liquefaction zones are areas where historical occurrence of liquefaction, or local geological, geotechnical, and ground water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required. The Project Area is not located within a mapped liquefaction zone (California Geological Survey, 2022).

OTHER GEOLOGIC HAZARDS

Soils

Soil is generally defined as the unconsolidated mixture of mineral grains and organic material that mantles the land surface. Soils can develop on unconsolidated sediments and weathered bedrock. The characteristics of soil reflect the five major influences on their development: topography, climate, biological activity, parent (source) material, and time. The Project Area is underlain by loamy sand of the Tujunga series, which consists of very deep, somewhat excessively drained soils that formed in alluvium from granitic sources (Natural Resources Conservation Service, 2017). Tujunga soils are on alluvial fans and floodplains, including urban areas.

Erosion

The U.S. Natural Resource Conservation Service (NRCS) delineates soil units and compiles soils data as part of the National Cooperative Soil Survey. The following description of erosion factors is provided by the NRCS Physical Properties Descriptions:

- Erosion factor K indicates the susceptibility of a soil to sheet and rill erosion by water. Values of K range from 0.02 to 0.69. Other factors being equal, the higher the value, the more susceptible the soil is to sheet and rill erosion by water. Erosion factor Kw indicates the erodibility of the whole



soil, whereas Kf indicates the erodibility of the fine soils. The estimates are modified by the presence of rock fragments.

Soil erosion data for the Project Area was obtained from the NRCS. As identified by the NRCS web soil survey, the erosion factor K within the Project Area is 0.15, which is considered a low potential for erosion.

Expansive Soils

The NRCS delineates soil units and compiles soils data as part of the National Cooperative Soil Survey. The NRCS provides a description of linear extensibility (also known as shrink-swell potential or expansive potential). The shrink-swell potential is low if the soil has a linear extensibility of less than three percent; moderate if three to six percent; high if six to nine percent; and very high if more than nine percent. If the linear extensibility is more than three, shrinking and swelling can cause damage to buildings, roads, and other structures and to plant roots; special design is commonly needed.

The linear extensibility of the soils within the Project Area is 1.5 percent, which is considered Low.

Landslides

CGS classifies landslides with a two-part designation based on the research of Varnes (1978) and Cruden and Varnes (1996). The designation captures both the type of material that failed and the type of movement that the failed material exhibited. Material types are broadly categorized as either rock or soil, or a combination of the two for complex movements. Landslide movements are categorized as falls, topples, spreads, slides, or flows.

Landslide potential is influenced by physical factors, such as slope, soil, vegetation, and precipitation. Landslides require a slope, and can occur naturally from seismic activity, excessive saturation, and wildfires, or from human-made conditions such as construction disturbance, vegetation removal, wildfires, etc. Landslides and debris flows can occur rapidly and without warning during periods of exceptionally high rainfall. Due to the predominant underlying geologic formations and generally flat topography within the City, the Project Area has a low susceptibility to landslides.

Earthquake Induced Landslides

Earthquake-Induced Landslide Zones are areas where previous occurrence of landslide movement, or local topographic, geological, geotechnical, and subsurface water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required. There are no earthquake-induced landslide seismic hazard zones mapped within the Project Area (California Geological Survey, 2022).

Subsidence

Land subsidence is a gradual settling or sudden sinking of the Earth's surface due to removal or displacement of subsurface earth materials (USGS, 2019). Common causes of land subsidence include: aquifer-system compaction associated with groundwater withdrawals; drainage of organic soils; underground mining; and natural compaction or collapse. Subsidence takes place gradually, usually over a period of several years. Soils with high shrink-swell potential can be particularly susceptible to subsidence during a loss of soil moisture. The Project Area is underlain by Tujunga soils, which have low shrink-swell potential.



As discussed in [Section 5.9, *Hydrology and Water Quality*](#), the Project Area is underlain by the Chino Groundwater Basin, an adjudicated basin managed by the Chino Basin Watermaster. Management of the Basin reduces the likelihood of largescale extraction of groundwater that could cause subsidence.

[Collapsible Soils](#)

Hydroconsolidation occurs when soil layers collapse, or settle, as water is added under loads. Natural deposits susceptible to hydroconsolidation are typically aeolian, alluvial, or colluvial materials, that have a high apparent strength when dry. The dry strength of the materials may be attributed to the clay and silt constituents in the soil and the presence of cementing agents (i.e., salts). Capillary tension may tend to bond soil grains. Once these soils are subjected to excessive moisture and foundation loads, the constituency including soluble salts or bonding agents is weakened or dissolved, capillary tensions are reduced and collapse occurs resulting in settlement. Existing alluvium within the Project Area may be susceptible to collapse and excessive settlements, which could create the risk of hydroconsolidation if these soils were exposed to excessive moisture.

PALEONTOLOGICAL RESOURCES

As discussed in the Fontana General Plan EIR, the City of Fontana is situated on surface exposures of Quaternary younger alluvial fan deposits (Holocene to late Pleistocene period) that are scored by more recent wash deposits (City of Fontana, 2018). Although younger fan deposits do not have the potential to contain significant paleontological resources, the City also contains areas of Pleistocene older fan deposits exposed at surface levels that have been mapped along the western area of the City (near the intersection of I-15 and I-210) and in the southwestern areas of the City. Subsurface Pleistocene deposits overlain with more recent alluvial deposits are also known to be present. Within these Pleistocene older deposits the potential for paleontological resources is consider to be high. Paleontological resources, including the remains of a saber-tooth cat, have been recovered in the southwest area and many fossils that include Pleistocene mega-fauna (e.g. mammoth, camels, horses) have been recovered from the Jurupa Basin area near the intersection of Jurupa Avenue and Mulberry Avenue within the City of Fontana.

5.6.3 REGULATORY SETTING

FEDERAL

[International Building Code \(IBC\)](#)

The purpose of the International Building Code (IBC) is to provide minimum standards to preserve the public peace, health, and safety by regulating the design, construction, quality of materials, certain equipment, location, grading, use, occupancy, and maintenance of all buildings and structures. IBC standards address foundation design, shear wall strength, and other structurally related conditions.

[Earthquake Hazards Reduction Act](#)

The Earthquake Hazards Reduction Act of 1977 established the National Earthquake Hazards Reduction Program (NEHRP). Under the NEHRP, four federal agencies have responsibility for long-term earthquake risk reduction: the U.S. Geological Survey (USGS), the National Science Foundation (NSF), the Federal Emergency Management Agency (FEMA), and the National Institute of Standards and Technology (NIST). NEHRP's mission includes improved understanding, characterization, and prediction of hazards and vulnerability; improvements of building codes and land use practices; risk reduction through post-



earthquake investigation and education; development and improvement of design and construction techniques; improvement of mitigation capacity; and accelerated application of research results.

STATE

[Earthquake Fault Zoning Act \(Alquist-Priolo Act\)](#)

The State of California Alquist-Priolo Earthquake Fault Zoning Act (1972) was established to mitigate the hazard of surface faulting to structures for human occupancy. Pursuant to the act, the state geologist has established regulatory zones (known as earthquake fault zones) around surface traces of active faults. These have been mapped for affected cities, including Fontana. Application for a development permit for any project within a delineated earthquake fault zone is required to be accompanied by a geologic report, prepared by a geologist registered in the state of California, that is directed to the problem of potential surface fault displacement through a project site.

[Seismic Hazards Mapping Act](#)

The Seismic Hazard Mapping Act (SHMA) was adopted by the State in 1990 to protect the public from the effects of non-surface fault rupture earthquake hazards, including strong ground shaking, liquefaction, seismically induced landslides, ground amplification, or other ground failure caused by earthquakes. The goal of the act is to minimize loss of life and property by identifying and mitigating seismic hazards. The CGS is the primary agency responsible for the implementation of the SHMA. The CGS prepares maps identifying seismic hazard zones and provides them to local governments, which include areas susceptible to amplified shaking, liquefaction, earthquake-induced landslides, and other ground failures. SHMA requires responsible agencies to only approve projects within these zones following a site-specific investigation to determine if the hazard is present, and if so, the inclusion of appropriate mitigation(s). In addition, the SHMA requires real estate sellers and agents at the time of sale to disclose whether a property is within one of the designated seismic hazard zones.

[California Building Standards Code \(Title 24\)](#)

Title 24 of the California Code of Regulations (CCR) provides state regulations that govern the design and construction of buildings, associated facilities, and equipment. These regulations are also known as building standards (reference California Health and Safety Code Section 18909). Cities and counties are required by state law to enforce CCR Title 24, and may adopt ordinances making more restrictive requirements than provided by CCR Title 24 due to local climatic, geological, or topographical conditions.

LOCAL

[City of Fontana General Plan](#)

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts associated with geologic hazards and soils. Chapter 11, Noise and Safety Element contains the following goals and policies specific to geologic hazards:

[Chapter 11 – Noise and Safety](#)

- **Goal 4:** Seismic injury and loss of life, property damage, and other impacts caused by seismic shaking, fault rupture, ground failure, earthquake-induced landslides, and other earthquake-induced ground deformation are minimized in Fontana.



- **Policy:** The City shall monitor development or redevelopment in areas where faults have been mapped through the city.
- **Policy:** The City shall continue to ensure that current geologic knowledge and peer (third party) review are incorporated into the design, planning, and construction stages of a project and that site-specific data are applied to each project.
- **Policy:** The City shall continue to ensure to the fullest extent possible that, in the event of a major disaster, essential structures and facilities remain safe and functional, as required by current law. Essential facilities include hospitals, police stations, fire stations, emergency operation centers, communication centers, generators and substations, and reservoirs.
- **Goal 5:** Risk to life or limb and property damage resulting from geologic hazards are minimized in Fontana.
 - **Policy:** The City shall continue to participate in regional programs designed to protect the groundwater resources and to protect the area from the hazard of regional ground subsidence through careful management of the regional groundwater basin that underlies the area.
- **Goal 6:** Injury, loss of life, property damage, and economic and social disruption caused by flood and inundation hazards are minimized in Fontana.
 - **Policy:** The City shall discourage new development in flood-hazard areas and implement mitigation measures to reduce the hazard to existing developments located within the 100- and 500-year flood zones.

City of Fontana Municipal Code

Fontana Municipal Code Chapter 5, *Buildings and Building Regulations*, adopts various codes and safety precautions as part of the building code for the City of Fontana, including, but not limited to, the Uniform Administrative Code, the California Building Code, and the Green Building Standards Code.

Chapter 9, Article III, *Control of Blowing Sand and Soil Erosion*, adopts the County's dust control measures to minimize water quality-related impacts.

Chapter 23, Article I, *In General*, requires residential, commercial, industrial and public/institutional buildings to connect to the public sewer system, provided the public sewer is within 200 feet of the nearest point of the building. Chapter 23, Article IX, *Preventing Discharge of Pollutants into Storm Drains*, requires all development activities subject to the City's National Pollution Discharge Elimination System (NPDES) permit to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), which is required to identify proposed structural best management practices (BMPs) and source and treatment control BMPs to infiltrate and/or adequately treat the projected stormwater and urban runoff from the development site.

Chapter 28, Article IV, *Landscaping and Water Conservation*, includes a number of regulations related to applicable development projects within the City. Sections 28-99, *Soil Management Report*, and 28-102, *Grading Design Plan*, require project applicants to complete a soil management report and grading plan.



City of Fontana Local Hazard Mitigation Plan

The City's Local Hazard Mitigation Plan (LHMP), identifies hazards, reviews and assesses past disaster occurrences, estimates the probability of future occurrences, and sets goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards. The 2017 LHMP was approved and adopted by City Council on August 14, 2018.

5.6.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to geology and soils. Accordingly, a project may create a significant environmental impact if it would:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving;
 - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42 (refer to Section 8.0, Effects Found Not To Be Significant);
 - Strong seismic ground shaking (refer to Impact Statement 5.6-1);
 - Seismic-related ground failure, including liquefaction (refer to Impact Statement 5.6-1); and
 - Landslides (refer to Section 8.0, Effects Found Not To Be Significant).
- Result in substantial soil erosion or the loss of topsoil (refer to Impact Statement 5.6-2);
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (refer to Impact Statement 5.6-3);
- Be located on expansive soil, as defined in Tables 18-1-D of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property (refer to Impact Statement 5.6-4);
- Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water (refer to Section 8.0, Effects Found Not To Be Significant); and/or
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (refer to Impact Statement 5.6-5).

Based on these standards and significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a "significant unavoidable impact."



5.6.5 IMPACTS AND MITIGATION MEASURES

Impact 5.6-1: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure, including liquefaction?

Impact Analysis: The Project Area, like the rest of Southern California, is situated within a seismically active region as the result of being located near the active margin between the North American and Pacific tectonic plates. Development associated with implementation of the Downtown Core Project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking or seismic-related ground failure (i.e., liquefaction).

As discussed in [Section 5.6.2, *Environmental Setting*](#), the Project Area is not located within a designated Alquist-Priolo Earthquake Fault Zone. While there are no major active faults within the Project Area, major active faults exist in the vicinity of the Project Area, including the San Andreas Fault Zone, San Jacinto Fault Zone, Sierra Madre Fault Zone, Elsinore Fault Zone, Cucamonga Fault, and Chino Fault. Therefore, the Project Area could experience considerable ground shaking generated by faults located near the City.

Strong ground shaking can result in liquefaction. The Project Area is not located in an area designated as potentially liquefiable by the California Geological Survey (California Geological Survey, 2022). The General Plan DEIR and LHMP do not identify the Project Area as being located within an area that is susceptible to liquefaction.

The Fontana General Plan includes goals, policies, and actions intended to protect against injury and loss of life, property damage, and other impacts caused by seismic shaking or seismic-related ground failure. Chapter 5 of the Fontana Municipal Code adopts various codes and safety precautions as part of the building code for the City of Fontana, including the Uniform Administrative Code and California Building Code. Future development projects within the Project Area would be required to comply with the provisions of the California Building Standards Code (CBSC), which requires development projects to perform geotechnical investigations in accordance with State law, engineer improvements to address potential seismic and ground failure issues, and use earthquake-resistant construction techniques to address potential earthquake loads when constructing buildings and improvements. As future development and infrastructure projects are considered by the City, each project will be evaluated for conformance with the CBSC, General Plan, Municipal Code, and other regulations.

Development projects are reviewed to address seismic safety issues and would be required to provide adequate mitigation for existing and potential hazards identified. With the implementation of the policies and actions in the General Plan, as well as applicable State and City codes, potential impacts associated with a seismic event, including seismic ground shaking and liquefaction, would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.



Impact 5.6-2: Would the project result in substantial soil erosion or the loss of topsoil?

Impact Analysis: Implementation of the Downtown Core Project would provide for development and improvement projects that would involve some land clearing, mass grading, and other ground-disturbing activities that could temporarily increase soil erosion rates during and shortly after project construction. As noted previously, soil erosion data for the Project Area was obtained from the NRCS. As identified by the NRCS web soil survey, the erosion factor K within the Project Area is 0.15, which is considered a low potential for erosion. Further, the Project Area is relatively flat and does not possess site conditions necessarily conducive to soil erosion. Depending upon the location of site-specific development, construction activities, and soil conditions, construction-related erosion could result in the loss of a substantial amount of nonrenewable topsoil and could adversely affect water quality in nearby surface waters. This is considered a potentially significant impact.

As future development and infrastructure projects are considered by the City, each project would be evaluated for conformance with the CBSC, General Plan, Municipal Code, and other regulations. Municipal Code Chapter 23, Article IX, requires all development activities subject to the City's NPDES permit to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), which is required to identify proposed structural BMPs and source and treatment control BMPs to infiltrate and/or adequately treat the projected stormwater and urban runoff from the development site. Additionally, in compliance with NPDES Permit regulations, the State of California requires that any construction activity disturbing one acre or more of soil comply with the Construction General Permit. The permit requires development and implementation of a SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs that would meet or exceed measures required by the Construction General Permit to control stormwater quality degradation due to potential construction-related pollutants. The SWPPP would include project specific BMPs that are designed to control drainage and erosion. With the implementation of the policies and actions in the General Plan, as well as applicable State and City requirements, potential impacts associated with erosion and loss of topsoil would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.6-3: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Impact Analysis: According to the General Plan EIR, given the relatively stable geology and soils within the City, it is unlikely that there would be a potential risk that represents a significant change or increase from existing conditions. Soils and geologic conditions within the Project Area are discussed below:

Landslide: Due to the predominant underlying geologic formations and generally flat topography within the City, including the Project Area, future development associated with implementation of the Downtown Core Project would not occur on geologic units or soils with the potential for on- or off-site landslides.

Lateral Spreading: The potential for lateral spreading is present where open banks and unsupported cut slopes provide a free face (unsupported vertical slope face). Ground shaking, especially when inducing



liquefaction, may cause lateral spreading toward unsupported slopes. Due to the predominant underlying geologic formations and generally flat topography within the City, the Project Area has a low susceptibility to lateral spreading.

Subsidence: Soils with high shrink-swell potential can be particularly susceptible to subsidence during a loss of soil moisture. The Project Area is underlain by Tujunga soils, which have low shrink-swell potential. The Project Area is underlain by the Chino Groundwater Basin, an adjudicated basin managed by the Chino Basin Watermaster. Management of the Chino Groundwater Basin reduces the likelihood of largescale extraction of groundwater that could cause subsidence.

Liquefaction: The Project Area is not located within a mapped liquefaction zone, as delineated by the California Geological Survey.

Collapse: Collapsible soils occur predominantly at the base of mountain ranges, where Holocene-age alluvial fan and wash sediments have been deposited during rapid run-off events. Differential settlement of structures typically occurs when heavily irrigated landscape areas are near a building foundation. Examples of common problems associated with collapsible soils include tilting floors, cracking or separation in structures, sagging floors, and nonfunctional windows and doors. Existing alluvium within the Project Area may be susceptible to collapse and excessive settlements, which could create the risk of hydroconsolidation if these soils were exposed to excessive moisture.

Conclusion

The Project Area has a low potential for landslide, lateral spreading, and liquefaction. Additionally, subsidence is considered low due to the soils underlying the Project Area and management of the groundwater basin. Collapsible soils and differential settlement within the Project Area would typically be associated with inadequate drainage resulting in damage to the building foundation. As future development and infrastructure projects are considered within the Project Area, each project would be evaluated for conformance with the CBSC, the General Plan policies and actions, the Municipal Code, and other regulations. Future development and improvement projects would be required to prepare site-specific geotechnical studies to identify geologic and soil conditions specific to the site and provide design recommendations consistent with the requirements of State and City codes. Implementation of CBSC and the Municipal Code requirements related to seismic and geologic conditions and the General Plan policies and actions would ensure that future development projects are evaluated for potential geologic and seismic risks and that potential risks are adequately addressed. Compliance with applicable State and City regulations would reduce potential impacts associated with unstable geologic and soil conditions to less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.



Impact 5.6-4: Would the project be located on expansive soil, as defined in Tables 18-1-D of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Impact Analysis: Expansive soil properties can cause substantial damage to building foundations, piles, pavements, underground utilities, and/or other improvements. Structural damage, such as warping and cracking of improvements, and rupture of underground utility lines, may occur if the expansive potential of soils is not considered during the design and construction of all improvements. As the linear extensibility (i.e., shrink-swell potential or expansive potential) of the soils within the Project Area is 1.5 percent, which is considered low, the Project Area has low expansive soils.

As future development and infrastructure projects are considered by the City, each project would be evaluated for conformance with the CBSC, General Plan policies and actions, Municipal Code, and other applicable regulations. As required by the CBSC, a site-specific geotechnical investigation would identify the potential for damage related to expansive soils and non-uniformly compacted fill and engineered fill. If a risk is identified, design criteria and specification options may include removal of the problematic soils, and replacement, as needed, with properly conditioned and compacted fill material that is designed to withstand the forces exerted during the expected shrink-swell cycles and settlements. Design criteria and specifications set forth in the design-level geotechnical investigation would ensure impacts from problematic soils are minimized. No significant adverse environmental impacts are anticipated to occur associated with expansive soils. Therefore, this impact is considered less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.6-5: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Impact Analysis: As discussed in the General Plan EIR, the City is situated on surface exposures of Quaternary younger alluvial fan deposits (Holocene to late Pleistocene period) that are scored by more recent wash deposits. The Project Area is not identified as being located within an area underlain by Pleistocene older deposits, which are considered to have high potential for paleontological resources. However, it is possible that undiscovered paleontological resources could be encountered during future ground-disturbing activities within the Project Area. This is considered a potentially significant impact.

Only qualified, trained paleontologists with specific expertise in the type of fossils being evaluated can determine the scientific significance of paleontological resources. Fossils are considered to be significant if one or more of the following criteria apply (Scott & Springer, 2003):

1. The fossils provide information on the evolutionary relationships and developmental trends among organisms, living or extinct;
2. The fossils provide data useful in determining the age(s) of the rock unit or sedimentary stratum, including data important in determining the depositional history of the region and the timing of geologic events therein;



3. The fossils provide data regarding the development of biological communities or interaction between paleobotanical and paleozoological biotas;
4. The fossils demonstrate unusual or spectacular circumstances in the history of life;
5. The fossils are in short supply and/or in danger of being depleted or destroyed by the elements, vandalism, or commercial exploitation, and are not found in other geographic locations.
6. All identifiable vertebrate fossils are considered significant due to the rarity of their preservation.

As so defined, significant paleontological resources are determined to be fossils or assemblages of fossils that are unique, unusual, rare, uncommon, or diagnostically important. Significant fossils can include remains of large to very small aquatic and terrestrial vertebrates or remains of plants and invertebrate animals previously not represented in certain portions of the stratigraphy. Assemblages of fossils that might aid stratigraphic correlation, particularly those offering data for the interpretation of tectonic events, geomorphologic evolution, and paleoclimatology are also critically important.

Damage to or destruction of a paleontological resource would be considered a potentially significant impact under local, State, or federal criteria. The Fontana General Plan includes goals, policies, and actions to protect paleontological resources. In addition, future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measure MM-CUL-4 (incorporated herein as Mitigation Measure GEO-1), which would require a qualified paleontologist conduct a pre-construction field survey of any project site that is underlain by older alluvium. The paleontologist shall submit a report of findings to the City that provides specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Should mitigation monitoring of paleontological resources be recommended for a specific project, the project would be required to implement General Plan mitigation measure MM-CUL-5 (incorporated herein as Mitigation Measure GEO-2), which would require the program to assign a paleontological monitor to the site full-time during the interval of earth-disturbing activities; cease earth-disturbing activities should fossils be found; curate for documentation and transfer recovered fossils to an appropriate depository; and submit a report to the City and San Bernardino County Museum. With implementation of Mitigation Measures GEO-1 and GEO-2, potential impacts to paleontological resources associated with future development anticipated by the Downtown Core Project would be reduced to less than significant.

Mitigation Measures:

GEO-1: If excavation activities would occur at a depth of greater than five feet on any site mapped as middle to late Pleistocene older alluvium at the surface, a qualified paleontologist shall conduct a pre-construction field survey. The paleontologist shall submit a report of findings that provides specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate to the City of Fontana Community Development Department. (General Plan EIR MM-CUL-4, updated)

GEO-2: Should mitigation monitoring of paleontological resources be recommended for a specific project within the Project Area, the program shall include, but not be limited to, the following measures:



- Assign a paleontological monitor, trained and equipped to allow the rapid removal of fossils with minimal construction delay, to the site full-time during the interval of earth-disturbing activities.
- Should fossils be found within an area being cleared or graded, earth-disturbing activities shall be diverted elsewhere until the monitor has completed salvage. If construction personnel make the discovery, the grading contractor shall immediately divert construction and notify the monitor of the find.
- All recovered fossils shall be prepared, identified, and curated for documentation in the summary report and transferred to an appropriate depository (i.e., San Bernardino County Museum).
- A summary report shall be submitted to City of Fontana. Collected specimens shall be transferred with copy of report to San Bernardino County Museum. (General Plan EIR MM-CUL-5)

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

5.6.6 CUMULATIVE IMPACTS

Impact Analysis: Future development within the region, including the Project Area, would contribute to the exposure of people and structures to geologic and seismic hazards. However, specific site and soils conditions would vary amongst the Project Area and cumulative project sites. Similar to the Project, geotechnical studies would be required to be prepared for cumulative projects and site-specific development would be required to comply with the established regulatory framework (i.e., CBSC and Municipal Code requirements). The site-specific geotechnical studies would require review and approval by the City, and recommendations included in the report would be required to be incorporated into the grading plans and specifications for individual projects. If a specific site were determined to create a significant impact that could not be feasibly mitigated, the site would not be appropriate for development. Overall, compliance with applicable laws, standards, and guidelines, (including the CBSC and Municipal Code requirements) would ensure that design and construction of the Project and cumulative projects would reduce potential impacts associated with site-specific geology and soils conditions.

The Project Area has the potential to contain paleontological resources. As discussed above, implementation of Mitigation Measures GEO-1 and GEO-2 would reduce potential impacts to paleontological resources associated with future Project Area construction activities to a less than significant level. There is the potential for cumulative project sites within the City to have soils that contain paleontological resources. Construction activities associated with the cumulative projects have the potential to directly or indirectly destroy paleontological resources specific to those development sites. However, as with the Project, cumulative development would undergo environmental and design review on a project-by-project basis pursuant to CEQA to evaluate potential impacts to paleontological resources. All development would be subject to compliance with the established federal, State, and local regulatory framework concerning protection of paleontological resources on a project-by-project basis. Where significant or potentially significant impacts are identified, implementation of all feasible site-specific mitigation would be required to avoid or reduce impacts. Based on the above, the Project's impacts would not be cumulatively considerable and cumulative impacts to paleontological resources would be less than significant.



Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.6.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with geology and soils would occur with the proposed Project.

5.6.8 REFERENCES

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5.7 GREENHOUSE GAS EMISSIONS

5.7.1 PURPOSE

This section identifies the existing climate conditions, the current state of climate change science, and greenhouse gas (GHG) emissions sources within California and the Project Area and provides an analysis of potential impacts associated with implementation of the Project. This section is primarily based upon greenhouse gas emissions analysis and modeling prepared by De Novo Planning Group and included as *Appendix C, Air Quality, Energy and Greenhouse Gas Emissions Modeling Data*.

5.7.2 ENVIRONMENTAL SETTING

GREENHOUSE GASES AND CLIMATE CHANGES LINKAGES

Various gases in the Earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth's surface temperature. Solar radiation enters Earth's atmosphere from space, and a portion of the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. This is called the greenhouse effect, and leads to global warming as well as an overall global climate change, which includes long-term shifts in temperatures and weather patterns.

Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is now retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect are carbon dioxide (CO₂), methane (CH₄), ozone (O₃), water vapor (H₂O), N₂O, and chlorofluorocarbons (CFCs).

Gases in the atmosphere can contribute to the greenhouse effect both directly and indirectly. Direct effects occur when the gas itself absorbs radiation. Indirect radiative forcing occurs when chemical transformations of the substance produce other greenhouse gases, when a gas influences the atmospheric lifetimes of other gases, and/or when a gas affects atmospheric processes that alter the radiative balance of the earth (U.S. Environmental Protection Agency, 2011).

Naturally occurring greenhouse gases include water vapor (H₂O), carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and ozone (O₃). Several classes of halogenated substances that contain fluorine, chlorine, or bromine are also greenhouse gases, but they are, for the most part, solely a product of industrial activities. There are also several gases that do not have a direct global warming effect but indirectly affect terrestrial and/or solar radiation absorption by influencing the formation or destruction of greenhouse gases, including tropospheric and stratospheric ozone. These gases include carbon monoxide (CO), oxides of nitrogen (NO_x), and non-CH₄ volatile organic compounds (NMVOCs). Aerosols, which are extremely small particles or liquid droplets, such as those produced by sulfur dioxide (SO₂) or elemental carbon emissions, can also affect the absorptive characteristics of the atmosphere (U.S. Environmental Protection Agency, 2011).



Although the direct greenhouse gases CO₂, CH₄, and N₂O occur naturally in the atmosphere, human activities have changed their atmospheric concentrations. From the pre-industrial era (i.e., ending about 1750) to 2011, concentrations of these three greenhouse gases have increased globally by 40, 150, and 20 percent, respectively.

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by the industrial sector.

As the name implies, global climate change is a global problem. GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants, which are pollutants of regional and local concern, respectively. California produced approximately 418.2 million gross metric tons of carbon dioxide equivalents (MMTCO₂e) in 2019, meeting the annual Statewide target set by the California Air Resources Board (CARB), which required that California emissions be below 431 MMTCO₂e by 2020 (CARB, 2021). To meet CARB's Statewide targets, California emissions must further be reduced to below 260 MMTCO₂e by 2030.

Carbon dioxide equivalents are a measurement used to account for the fact that different GHGs have different potential to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. This potential, known as the global warming potential of a GHG, is also dependent on the lifetime, or persistence, of the gas molecule in the atmosphere. Expressing GHG emissions in carbon dioxide equivalents takes the contribution of all GHG emissions to the greenhouse effect and converts them to a single unit equivalent to the effect that would occur if only CO₂ were being emitted.

Consumption of fossil fuels in the transportation sector was the single largest source of California's GHG emissions in 2019, accounting for 41 percent of total GHG emissions in the State (CARB, 2021). This category was followed by the industrial sector (24 percent), the electricity generation sector (including both in-State and out-of-State sources) (14 percent), the agriculture and forestry sector (7 percent), the residential energy consumption sector (8 percent), and the commercial energy consumption sector (6 percent).

EFFECTS OF GLOBAL CLIMATE CHANGE

The effects of increasing global temperature are far-reaching and extremely difficult to quantify. The scientific community continues to study the effects of global climate change. In general, increases in the ambient global temperature as a result of increased GHGs are anticipated to result in rising sea levels, which could threaten coastal areas through accelerated coastal erosion, threats to levees and inland water systems, and disruption to coastal wetlands and habitat.

If the temperature of the ocean warms, it is anticipated that the winter snow season would be shortened. Snowpack in the Sierra Nevada provides both water supply (runoff) and storage (within the snowpack before melting), which is a major source of water supply for the State. The snowpack portion of the supply could potentially decline by 50 percent to 75 percent by the end of the 21st century. This phenomenon could lead to significant challenges securing an adequate water supply for a growing State population. Further, the increased ocean temperature could result in increased moisture flux into the State; however, since this would likely increasingly come in the form of rain rather than snow in the high elevations, increased precipitation could lead to increased potential and severity of flood events, placing more pressure on California's levee/flood control system.



Sea level has risen approximately seven inches during the last century and it is predicted to rise an additional 22 to 35 inches by 2100, depending on the future GHG emissions levels. If this occurs, resultant effects could include increased coastal flooding, saltwater intrusion, and disruption of wetlands. As the existing climate throughout California changes over time, mass migration of species, or failure of species to migrate in time to adapt to the perturbations in climate, could also result. According to the most recent California Climate Change Assessment (*California's Fourth Climate Change Assessment*), the impacts of global warming in California are anticipated to include, but are not limited to, the following.

Wildfires

In recent years, the area burned by wildfires has increased in parallel with increasing air temperatures. Wildfires have also been occurring at higher elevations in the Sierra Nevada mountains, a trend which is expected to continue under future climate change. Climate change will likely modify the vegetation in California, affecting the characteristics of fires on the land. Land use and development patterns also play an important role in future fire activity. Because of these complexities, projections of wildfire in future decades in California range from modest changes from historical conditions to relatively large increases in wildfire regimes depending on the time period for the projection and what interacting factors are included in the analysis.

Public Health

Extreme heat conditions are defined as weather that is much hotter than average for a particular time and place—and sometimes more humid, too. Extreme heat is not just a nuisance; it kills hundreds of Americans every year and causes many more to become seriously ill (U.S. Environmental Protection Agency, 2016). Nineteen heat-related events occurred from 1999 to 2009 that had significant impacts on human health, resulting in about 11,000 excess hospitalizations. However, the National Weather Service issued Heat Advisories for only six of the events. Heat-Health Events (HHEs), which better predict risk to populations vulnerable to heat, will worsen drastically throughout the State: for example, by midcentury, the Central Valley is projected to experience average HHEs that are two weeks longer, and HHEs could occur four to ten times more often in the Northern Sierra region.

Higher temperatures are expected to increase the frequency, duration, and intensity of conditions conducive to air pollution formation. Climate change poses direct and indirect risks to public health, as people will experience earlier death and worsening illnesses. Air quality could be further compromised by increases in wildfires, which emit fine particulate matter that can travel long distances depending on wind conditions.

Energy Resources

Higher temperatures will increase annual electricity demand for homes, driven mainly by the increased use of air conditioning units. High demand is projected in inland and Southern California, and more moderate increases are projected in cooler coastal areas. However, the increased annual residential energy demand for electricity is expected to be offset by reduced use of natural gas for space heating. Increases in peak hourly demand during the hot months of the year could be more pronounced than changes in annual demand. This is a critical finding for California's electric system, because generating capacity must match peak electricity demand.



It should also be noted that with the electrification of vehicles, there will also be a significant increase in residential energy use in the near future. Those increases are offset by the reduction of internal combustion use.

Water Supply

A vast network of man-made reservoirs and aqueducts capture and transport water throughout the State from northern California rivers and the Colorado River. The current distribution system relies on Sierra Nevada snowpack to supply water during the dry spring and summer months. Rising temperatures, potentially compounded by decreases in precipitation, could severely reduce spring snowpack, increasing the risk of summer water shortages.

The State's water supplies are also at risk from rising sea levels. An influx of saltwater would degrade California's estuaries, wetlands, and groundwater aquifers. Saltwater intrusion caused by rising sea levels is a major threat to the quality and reliability of water within the southern edge of the Sacramento/San Joaquin River Delta, a major State fresh water supply.

Current management practices for water supply and flood management in California may need to be revised for a changing climate. This is in part because such practices were designed for historical climatic conditions, which are changing and will continue to change during the rest of this century and beyond. As one example, the reduction in the Sierra Nevada snowpack, which provides natural water storage, will have implications throughout California's water management system. Even under the wetter climate projections, the loss of snowpack would pose challenges to water managers, hamper hydropower generation, and nearly eliminate all skiing and other snow-related recreational activities.

Agriculture

Increased GHG emissions are expected to cause widespread changes to the agriculture industry reducing the quantity and quality of agricultural products Statewide. Although higher carbon dioxide levels can stimulate plant production and increase plant water-use efficiency, California's farmers will face greater water demand for crops and a less reliable water supply as temperatures rise.

Plant growth tends to be slow at low temperatures, increasing with rising temperatures up to a threshold. However, faster growth can result in less-than-optimal development for many crops, so rising temperatures are likely to worsen the quantity and quality of yield for a number of California's agricultural products. Products likely to be most affected include wine grapes, fruits, and nuts, as well as milk due to the reduced quality of grazing food such as alfalfa.

Crop growth and development will be affected, as will the intensity and frequency of pest and disease outbreaks. Rising temperatures will likely aggravate ozone pollution, which makes plants more susceptible to disease and pests and interferes with plant growth.

In addition, continued climate change will likely shift the ranges of existing invasive plants and weeds and alter competition patterns with native plants. Range expansion is expected in many species while range contractions are less likely in rapidly evolving species with significant populations already established. Should range contractions occur, it is likely that new or different invasive species will fill the emerging gaps. Continued global warming is also likely to alter the abundance and types of many pests, lengthen pests' breeding season, and increase pathogen growth rates.



Forests and Landscapes

Climate change will make forests more susceptible to extreme wildfires. *California's Fourth Climate Change Assessment* found that by 2100, if greenhouse gas emissions continue to rise, the frequency of extreme wildfires burning over approximately 25,000 acres would increase by nearly 50 percent, and that average area burned Statewide would increase by 77 percent by the end of the century. In the areas that have the highest fire risk, wildfire insurance is estimated to see costs rise by 18 percent by 2055 and the amount of property insured would decrease.

Moreover, continued global warming will alter natural ecosystems and biological diversity within the State. For example, alpine and sub-alpine ecosystems are expected to decline by as much as 60 to 80 percent by the end of the century as a result of increasing temperatures. The productivity of the State's forests is also expected to decrease as a result of global warming.

Rising Sea Levels

The United States Geological Survey (USGS) estimates that, under mid to high sea-level rise scenarios, 31 to 67 percent of southern California beaches may completely erode by 2100 without large-scale human interventions (USGS, 2017). Statewide damages could reach nearly \$17.9 billion from inundation of residential and commercial buildings under 50 centimeters (approximately 20 inches) of sea-level rise, which is close to the 95th percentile of potential sea-level rise by the middle of this century. A 100-year coastal flood, on top of this level of sea-level rise, would almost double the costs.

Rising sea levels, more intense coastal storms, and warmer water temperatures will increasingly threaten the State's coastal regions. Rising sea levels would inundate coastal areas with saltwater, accelerate coastal erosion, threaten vital levees and inland water systems, and disrupt wetlands and natural habitats.

5.7.3 REGULATORY SETTING

FEDERAL

Clean Air Act

The Federal Clean Air Act (FCAA) was first signed into law in 1970. In 1977, and again in 1990, the law was substantially amended. The FCAA is the foundation for a national air pollution control effort, and it is composed of the following basic elements: National ambient air quality standards (NAAQS) for criteria air pollutants, hazardous air pollutant standards, state attainment plans, motor vehicle emissions standards, stationary source emissions standards and permits, acid rain control measures, stratospheric ozone protection, and enforcement provisions.

The U.S. Environmental Protection Agency (EPA) is responsible for administering the FCAA. The FCAA requires the EPA to set NAAQS for several problem air pollutants based on human health and welfare criteria. Two types of NAAQS were established: primary standards, which protect public health, and secondary standards, which protect the public welfare from non-health-related adverse effects such as visibility reduction.

Energy Policy and Conservation Act

The Energy Policy and Conservation Act of 1975 sought to ensure that all vehicles sold in the U.S. would meet certain fuel economy goals. Through this Act, Congress established the first fuel economy standards



for on-road motor vehicles in the United States. Pursuant to the Act, the National Highway Traffic and Safety Administration, which is part of the U.S. Department of Transportation (USDOT), is responsible for establishing additional vehicle standards and for revising existing standards.

Compliance with federal fuel economy standards is determined on the basis of each manufacturer's average fuel economy for the portion of its vehicles produced for sale in the U.S. The Corporate Average Fuel Economy (CAFE) program, which is administered by the EPA, was created to determine vehicle manufacturers' compliance with the fuel economy standards. The EPA calculates a CAFE value for each manufacturer based on city and highway fuel economy test results and vehicle sales. Based on the information generated under the CAFE program, the USDOT is authorized to assess penalties for noncompliance.

[Energy Policy Act of 1992 \(EPAct\)](#)

The Energy Policy Act of 1992 (EPAct) was passed to reduce the country's dependence on foreign petroleum and improve air quality. EPAct includes several parts intended to build an inventory of alternative fuel vehicles (AFVs) in large, centrally fueled fleets in metropolitan areas. EPAct requires certain federal, state, and local government and private fleets to purchase a percentage of light duty AFVs capable of running on alternative fuels each year. In addition, financial incentives are included in EPAct. Federal tax deductions will be allowed for businesses and individuals to cover the incremental cost of AFVs. States are also required by the act to consider a variety of incentive programs to help promote AFVs.

[Energy Policy Act of 2005](#)

The Energy Policy Act of 2005 was signed into law on August 8, 2005. Generally, the act provides for renewed and expanded tax credits for electricity generated by qualified energy sources, such as landfill gas; provides bond financing, tax incentives, grants, and loan guarantees for a clean renewable energy and rural community electrification; and establishes a federal purchase requirement for renewable energy.

[Intermodal Surface Transportation Efficiency Act \(ISTEA\)](#)

ISTEA (49 U.S.C. Section 101 et seq.) promoted the development of intermodal transportation systems to maximize mobility as well as address national and local interests in air quality and energy. ISTEA contained factors that metropolitan planning organizations (MPOs), were to address in developing transportation plans and programs, including some energy-related factors. To meet the ISTEA requirements, MPOs adopted explicit policies defining the social, economic, energy, and environmental values that were to guide transportation decisions in that metropolitan area. The planning process was then to address these policies. Another requirement was to consider the consistency of transportation planning with federal, state, and local energy goals. Through this requirement, energy consumption was expected to become a criterion, along with cost and other values that determine the best transportation solution.

[The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users \(SAFETEA-LU\)](#)

The Fixing America's Surface Transportation Act (FAST Act) went into effect on December 4, 2015, to provide long-term funding for surface transportation with a focus on improving mobility on America's highways, creating jobs and supporting economic growth, and accelerating project delivery and promoting innovation.



[U.S. Federal Climate Change Policy](#)

According to the EPA, “the United States government has established a comprehensive policy to address climate change” that includes slowing the growth of emissions; strengthening science, technology, and institutions; and enhancing international cooperation. To implement this policy, “the Federal government is using voluntary and incentive-based programs to reduce emissions and has established programs to promote climate technology and science.” The federal government’s goal is to reduce net GHG emissions by 50-52 percent from 2005 levels in 2030 and reach net-zero emissions no later than 2050 (U.S. Department of State, 2021). In addition, the EPA administers multiple programs that encourage voluntary GHG reductions, including “ENERGY STAR”, “Climate Leaders”, and Methane Voluntary Programs. However, as of this writing, there are no adopted federal plans, policies, regulations, or laws directly regulating GHG emissions.

[Mandatory Greenhouse Gas Reporting Rule](#)

On September 22, 2009, EPA issued a final rule for mandatory reporting of GHGs from large GHG emissions sources in the United States. In general, this national reporting requirement will provide EPA with accurate and timely GHG emissions data from facilities that emit 25,000 metric tons or more of CO₂ per year. This publicly available data will allow the reporters to track their own emissions, compare them to similar facilities, and aid in identifying cost effective opportunities to reduce emissions in the future. Reporting is at the facility level, except that certain suppliers of fossil fuels and industrial greenhouse gases along with vehicle and engine manufacturers will report at the corporate level. An estimated 85 percent of the total U.S. GHG emissions, from approximately 10,000 facilities, are covered by this final rule.

STATE

[Warren-Alquist Act](#)

The 1975 Warren-Alquist Act established the California Energy Resources Conservation and Development Commission, now known as California Energy Commission (CEC). The Act established State policy to reduce wasteful, uneconomical, and unnecessary uses of energy by employing a range of measures. The California Public Utilities Commission (CPUC) regulates privately-owned utilities in the energy, rail, telecommunications, and water fields.

[Energy Action Plan](#)

The first Energy Action Plan (EAP) emerged in 2003 from a crisis atmosphere in California’s energy markets. The State’s three major energy policy agencies (CEC, CPUC, and the Consumer Power and Conservation Financing Authority [established under deregulation and now defunct]) came together to develop one high-level, coherent approach to meeting California’s electricity and natural gas needs. It was the first time that energy policy agencies formally collaborated to define a common vision and set of strategies to address California’s future energy needs and emphasize the importance of the impacts of energy policy on the California environment.

In the October 2005 Energy Action Plan II, CEC and CPUC updated their energy policy vision by adding some important dimensions to the policy areas included in the original EAP, such as the emerging importance of climate change, transportation-related energy issues, and research and development



activities. The CEC adopted an update to the EAP II in February 2008 that supplements the earlier EAPs and examines the State's ongoing actions in the context of global climate change.

[Assembly Bill 1493](#)

In response to AB 1493, CARB approved amendments to the California Code of Regulations (CCR) adding GHG emission standards to California's existing motor vehicle emission standards. Amendments to CCR Title 13 Sections 1900 (CCR 13 1900) and 1961 (CCR 13 1961), and adoption of Section 1961.1 (CCR 13 1961.1) require automobile manufacturers to meet fleet average GHG emission limits for all passenger cars, light-duty trucks within various weight criteria, and medium-duty passenger vehicle weight classes beginning with the 2009 model year. Emission limits are further reduced each model year through 2016. For passenger cars and light-duty trucks 3,750 pounds or less loaded vehicle weight (LVW), the 2016 GHG emission limits are approximately 37 percent lower than during the first year of the regulations in 2009. For medium-duty passenger vehicles and light-duty trucks 3,751 LVW to 8,500 pounds gross vehicle weight (GVW), GHG emissions are reduced approximately 24 percent between 2009 and 2016.

CARB requested a waiver of federal preemption of California's Greenhouse Gas Emissions Standards. The intent of the waiver is to allow California to enact emissions standards to reduce carbon dioxide and other greenhouse gas emissions from automobiles in accordance with the regulation amendments to the CCRs that fulfill the requirements of AB 1493. The EPA granted a waiver to California to implement its greenhouse gas emissions standards for cars.

[Assembly Bill 1007](#)

Assembly Bill 1007, (Pavley, Chapter 371, Statutes of 2005) directed the CEC to prepare a plan to increase the use of alternative fuels in California. As a result, the CEC prepared the State Alternative Fuels Plan in consultation with the State, federal, and local agencies. The plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-State production. The Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce greenhouse gas emissions, and increase in-State production of biofuels without causing a significant degradation of public health and environmental quality.

[Bioenergy Action Plan – Executive Order #S-06-06](#)

Executive Order (EO) #S-06-06 establishes targets for the use and production of biofuels and biopower and directs State agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The EO establishes the following target to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources: produce a minimum of 20 percent of its biofuels within California by 2010, 40 percent by 2020, and 75 percent by 2050. The EO also calls for the State to meet a target for use of biomass electricity.

[California Executive Orders S-3-05 and S-20-06, and Assembly Bill 32](#)

On June 1, 2005, Governor Schwarzenegger signed EO S-3-05. The goal of this EO is to reduce California's GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the 2020 and 3) 80 percent below the 1990



levels by the year 2050. EO-S-20-06 establishes responsibilities and roles of the Secretary of Cal/EPA and State agencies in climate change.

In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that CARB create a plan, which includes market mechanisms, and implement rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” EO S-20-06 further directs State agencies to begin implementing AB 32, including the recommendations made by the State’s Climate Action Team.

[Executive Order S-13-08](#)

EO S-13-08 was issued on November 14, 2008. The EO is intended to hasten California’s response to the impacts of global climate change, particularly sea level rise, and directs State agencies to take specified actions to assess and plan for such impacts, including requesting the National Academy of Sciences to prepare a Sea Level Rise Assessment Report, directing the Business, Transportation, and Housing Agency to assess the vulnerability of the State’s transportation systems to sea level rise, and requiring the Office of Planning and Research and the Natural Resources Agency to provide land use planning guidance related to sea level rise and other climate change impacts.

The order also required State agencies to develop adaptation strategies to respond to the impacts of global climate change that are predicted to occur over the next 50 to 100 years. The adaption strategies report summarizes key climate change impacts to the State for the following areas: public health; ocean and coastal resources; water supply and flood protection; agriculture; forestry; biodiversity and habitat; and transportation and energy infrastructure. The report recommends strategies and specific responsibilities related to water supply, planning and land use, public health, fire protection, and energy conservation.

[Assembly Bill 32 - Climate Change Scoping Plan](#)

On December 11, 2008, CARB adopted its *Climate Change Scoping Plan* (Scoping Plan), which functions as a roadmap of CARB’s plans to achieve GHG reductions in California required by Assembly Bill (AB) 32 through subsequently enacted regulations. The Scoping Plan contains the main strategies California will implement to reduce carbon dioxide-equivalent (CO₂e) emissions by 169 million metric tons (MMT), or approximately 30 percent, from the State’s projected 2020 emissions level of 596 MMT of CO₂e under a business-as-usual scenario. (This is a reduction of 42 MMT CO₂e, or almost 10 percent, from 2002–2004 average emissions, but requires the reductions in the face of population and economic growth through 2020.) The Scoping Plan also breaks down the amount of GHG emissions reductions CARB recommends for each emissions sector of the State’s GHG inventory. The Scoping Plan calls for the largest reductions in GHG emissions to be achieved by implementing the following measures and standards:

- Improved emissions standards for light-duty vehicles (estimated reductions of 31.7 MMT CO₂e);
- The Low-Carbon Fuel Standard (15.0 MMT CO₂e);
- Energy efficiency measures in buildings and appliances and the widespread development of combined heat and power systems (26.3 MMT CO₂e); and
- A renewable portfolio standard for electricity production (21.3 MMT CO₂e).



CARB updated the Scoping Plan in 2013 (*First Update to the Scoping Plan*) and again in 2017. The 2013 Update built upon the initial Scoping Plan with new strategies and recommendations, and also set the groundwork to reach the long-term goals set forth by the State. Successful implementation of existing programs (as identified in previous iterations of the Scoping Plan) has allowed California to meet the 2020 target. The 2017 Update expands the scope of the plan further by focusing on the strategy for achieving the State's 2030 GHG target of 40 percent emissions reductions below 1990 levels (to achieve the target codified into law by SB 32), and substantially advances toward the State's 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels.

The 2017 Update relies on the preexisting programs paired with an extended, more stringent Cap-and-Trade Program, to deliver climate, air quality, and other benefits. The 2017 Update identifies new technologically feasible and cost-effective strategies to ensure that California meets its GHG reduction goals.

CARB adopted the 2022 Scoping Plan Update (2022 Scoping Plan) on December 15, 2022. The 2022 Scoping Plan Update assesses progress towards the SB 32 GHG reduction target of at least 40 percent below 1990 emissions by 2030, while laying out a path to achieving carbon neutrality no later than 2045 and a reduction in anthropogenic emissions by 85 percent below 1990 levels.

[Senate Bill 32](#)

Senate Bill 32, which passed into law in 2016, sets the target of reducing greenhouse gas emissions to 40 percent below the 1990 level by the year 2030. SB 32 extends the original set of greenhouse gas targets provided by the passage of AB 32 (the Global Warnings Solutions Act of 2006). This new target sets an aggressive goalpost, helping the State along its pathway to achieve its longer-term goal of an 80 percent reduction in greenhouse gas emissions by the year 2050.

[Senate Bill 743](#)

On September 27, 2013, Senate Bill (SB) 743 was signed into law. SB 743 was passed to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. SB 743 changes the way that public agencies evaluate the transportation impacts of projects under CEQA. The revisions to the State CEQA Guidelines establish new criteria for determining the significance of a project's transportation impacts that will more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of GHGs. The 2017 Update to the Scoping Plan identified that slower VMT growth from more efficient land use development patterns would promote achievement of the State's climate goals.

The Office of Planning and Research (OPR) published the Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018) to provide recommendations for jurisdictions to apply VMT metrics and thresholds compliant with SB 743. OPR's advisory includes recommendations pertaining to screening criteria, metrics, and significant impact thresholds. OPR's recommendations are not binding and lead agencies ultimately have the discretion to set or apply their own significance thresholds, provided they are based on significant evidence.



For land use and transportation projects, SB 743-compliant CEQA analysis became mandatory on July 1, 2020. More detail about SB 743 is provided in the setting section of [Section 5.14, *Transportation*](#).

[Executive Order B-48-18: Zero-Emission Vehicles](#)

In January 2018, EO B-48-18 was signed into law and requires all State entities to work with the private sector to have at least five million zero-emission vehicles (ZEVs) on the road by 2030, as well as install 200 hydrogen fueling stations and 250,000 electric vehicle charging stations by 2025. It specifies that 10,000 of the electric vehicle charging stations should be direct current fast chargers. This Executive Order also requires all State entities to continue to partner with local and regional governments to streamline the installation of ZEV infrastructure. The Governor's Office of Business and Economic Development is required to publish a Plug-in Charging Station Design Guidebook and update the 2015 Hydrogen Station Permitting Guidebook to aid in these efforts. All State entities are required to participate in updating the 2016 Zero-Emissions Vehicle Action Plan (Governor's Interagency Working Group on Zero-Emission Vehicles 2016) to help expand private investment in ZEV infrastructure with a focus on serving low-income and disadvantaged communities. Additionally, all State entities are to support and recommend policies and actions to expand ZEV infrastructure at residential uses through the Low Carbon Fuel Standard Program, and recommend how to ensure affordability and accessibility for all drivers.

[Assembly Bill 2076: California Strategy to Reduce Petroleum Dependence](#)

In response to the requirements of Assembly Bill (AB) 2076 (Chapter 936, Statutes of 2000), the CEC and CARB developed a strategy to reduce petroleum dependence in California. The strategy, *Reducing California's Petroleum Dependence*, was adopted by the CEC and CARB in 2003. The strategy recommends that California reduce on-road gasoline and diesel fuel demand to 15 percent below 2003 demand levels by 2020 and maintain that level for the foreseeable future; the Governor and Legislature work to establish national fuel economy standards that double the fuel efficiency of new cars, light trucks, and sport utility vehicles (SUVs); and increase the use of non-petroleum fuels to 20 percent of on-road fuel consumption by 2020 and 30 percent by 2030.

[Assembly Bill 2188: Solar Permitting Efficiency Act](#)

Assembly Bill (AB) 2188, enacted in California in 2015, required local governments to adopt a solar ordinance by September 30, 2015 that creates a streamlined permitting process that conforms to the best practices for expeditious and efficient permitting of small residential rooftop solar systems. The act is designed to lower the cost of solar installations in California and further expand the accessibility of solar to more California homeowners. The bulk of the time and cost savings associated with a streamlined permitting process comes from the use of a standardized eligibility checklist and a simplified plan. This bill also shortens the number of days for those seeking Homeowner's Association (HOA) approval for a written denial of a proposed solar installation.

[Governor's Low Carbon Fuel Standard \(Executive Order #S-01-07\)](#)

Executive Order #S-01-07 establishes a statewide goal to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020 through establishment of a Low Carbon Fuel Standard. The Low Carbon Fuel Standard is incorporated into the State Alternative Fuels Plan and is one of the proposed discrete early action GHG reduction measures identified by the CARB pursuant to AB 32.



[Senate Bill 97](#)

Senate Bill (SB) 97 (Chapter 185, 2007) required OPR to develop recommended amendments to the State CEQA Guidelines for addressing greenhouse gas emissions. OPR prepared its recommended amendments to the State CEQA Guidelines to provide guidance to public agencies regarding the analysis and mitigation of greenhouse gas emissions and the effects of greenhouse gas emissions in draft CEQA documents. The Amendments became effective on March 18, 2010.

[Senate Bill 375](#)

SB 375 (Stats. 2008, ch. 728) (SB 375) was built on AB 32 (California's 2006 climate change law). SB 375's core provision is a requirement for regional transportation agencies to develop a Sustainable Communities Strategy (SCS) in order to reduce GHG emissions from passenger vehicles. The SCS is one component of the existing Regional Transportation Plan (RTP).

The SCS outlines the region's plan for combining transportation resources, such as roads and mass transit, with a realistic land use pattern, in order to meet a State target for reducing GHG emissions. The strategy must take into account the region's housing needs, transportation demands, and protection of resource and farmlands.

Additionally, SB 375 modified the State's Housing Element Law to achieve consistency between the land use pattern outlined in the SCS and the Regional Housing Needs Assessment allocation. The legislation also substantially improved cities' and counties' accountability for carrying out their housing element plans.

Finally, SB 375 amended CEQA (Pub. Resources Code, Section 21000 et seq.) to ease the environmental review of developments that help reduce the growth of GHG emissions.

[Executive Order B-30-15](#)

On April 29, 2015, Governor Brown issued EO B-30-15, which establishes a State GHG reduction target of 40 percent below 1990 levels by 2030. The new emission reduction target provides for a mid-term goal that would help the State to continue on course from reducing GHG emissions to 1990 levels by 2020 (per AB 32) to the ultimate goal of reducing emissions 80 percent under 1990 levels by 2050 (per EO S-03-05). This is in line with the scientifically established levels needed in the U.S. to limit global warming below two degrees Celsius – the warming threshold at which scientists say there will likely be major climate disruptions. EO B-30-15 also addresses the need for climate adaptation and directs State government to:

- Incorporate climate change impacts into the State's Five-Year Infrastructure Plan;
- Update the Safeguarding California Plan, the State climate adaptation strategy, to identify how climate change will affect California infrastructure and industry and what actions the State can take to reduce the risks posed by climate change;
- Factor climate change into State agencies' planning and investment decisions; and
- Implement measures under existing agency and departmental authority to reduce GHG emissions.



[Advanced Clean Cars Program](#)

In January 2012, CARB approved the Advanced Clean Cars program which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The new rules strengthen the GHG standard for 2017 models and beyond. This will be achieved through existing technologies, the use of stronger and lighter materials, and more efficient drivetrains and engines. The program's zero-emission vehicle regulation requires battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California's new vehicle sales by 2025. The program also includes a clean fuels outlet regulation designed to support the commercialization of zero-emission hydrogen fuel cell vehicles planned by vehicle manufacturers by 2015 by requiring increased numbers of hydrogen fueling stations throughout the State. The program will have significant energy demand implications as battery, fuel cell, and/or plug-in hybrid electric vehicle sales increase overtime, creating new demand for electricity services both in residential and commercial buildings (e.g., charging stations) as well as demand for new EV and hydrogen fuel cell charging stations. The number of stations will grow as vehicle manufacturers sell more fuel cell vehicles. According to the CARB, by 2025, when the rules will be fully implemented, the Statewide fleet of new cars and light trucks will emit 34 percent fewer global warming gases and 75 percent fewer smog-forming emissions than the Statewide fleet in 2016.

[California Building Energy Efficiency Standards](#)

Title 24, Part 6 of the California Code of Regulations, known as the Building Energy Efficiency Standards (Standards), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. On January 1, 2010, the California Building Standards Commission adopted CALGreen and became the first state in the United States to adopt a statewide green building standards code.

The 2019 California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2020. In general, Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Under 2019 Title 24 standards, residential buildings will use about 53 percent less energy (mainly due to the requirement for new homes to provide solar photovoltaic panels and lighting upgrades) when compared to those constructed under 2016 Title 24 standards. The 2019 Title 24 standards require installation of energy efficient windows, insulation, lighting, ventilation systems, rooftop solar panels, and other features that reduce energy consumption in homes and businesses.

[California Green Building Standards \(CALGreen\)](#)

The 2022 California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as CALGreen, went into effect on January 1, 2023. CALGreen is the first-in-the-nation mandatory green buildings standards code. The California Building Standards Commission developed CALGreen in an effort to meet the State's landmark initiative Assembly Bill (AB) 32 goals, which established a comprehensive program of cost-effective reductions of greenhouse gas (GHG) emissions to 1990 levels by 2020. CALGreen was developed to (1) reduce GHG emissions from buildings; (2) promote



environmentally responsible, cost-effective, and healthier places to live and work; (3) reduce energy and water consumption; and (4) respond to the environmental directives of the administration. CALGreen requires that new buildings employ water efficiency and conservation, increase building system efficiencies (e.g. lighting, heating/ventilation and air conditioning [HVAC], and plumbing fixtures), divert construction waste from landfills, and incorporate electric vehicles charging infrastructure. There is growing recognition among developers and retailers that sustainable construction is not prohibitively expensive, and that there is a significant cost-savings potential in green building practices and materials (U.S. Green Building Council, 2022).

[Executive Order B-55-18](#)

EO B-55-18, issued by Governor Brown in September 2018, establishes a statewide goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net-negative emissions thereafter. The goal is an addition to the existing Statewide targets of reducing the State's GHG emissions.

[Senate Bill 1078 \(2002\), Senate Bill 107 \(2006\), Executive Order S-14-08 \(2008\), Senate Bill 350 \(2015\), and Senate Bill 100 \(2018\)](#)

SB 1078 established the Renewable Portfolio Standard (RPS) program, which required retail sellers of electricity to provide at least 20 percent of their supply from renewable sources by 2017. This goal has subsequently been accelerated several times. SB 107 changed the target date to 2010 and Executive Order S-14-08 expanded the State's RPS to 33 percent renewable power by 2020. SB 350 expanded the RPS by requiring retail seller and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030, with interim goals of 40 percent by 2024 and 45 percent by 2027. SB 100 accelerated and expanded the standards set forth in SB 350 by updating the RPS program to 50 percent eligible renewable energy resources by 2025 and 60 percent by 2030. In addition, SB 100 sets a 100 percent clean, zero carbon, and renewable energy policy for California's electricity system by 2045.

[Assembly Bill 939, Assembly Bill 341, and Assembly Bill 1826](#)

The Integrated Solid Waste Management Act of 1989 (AB 939) (California Public Resources Code Section 40050 et seq.) established an integrated waste management system that focuses on source reduction, recycling, composting, and land disposal of waste. AB 939 requires every city and county in California to divert 50 percent of its waste from landfills whether through waste reduction, recycling, or other means. AB 341, which took effect on July 1, 2012, amended the California Integrated Waste Management Act of 1989 to set California's recycling goal of 75 percent by the year 2020. AB 1826 requires recycling of organic matter by businesses generating such wastes in amounts over certain thresholds. AB 1826 also requires that local jurisdictions implement an organic waste recycling program to divert organic waste generated by businesses and multi-family developments that consist of five or more units.

[Senate Bill 1383](#)

SB 1383, issued by Governor Brown in September 2016, set Statewide methane emissions reduction targets to reduce emissions of short-lived climate pollutants. The targets must reduce organic waste disposal 75 percent by 2025, and rescue at least 20 percent of currently disposed surplus food by 2025.



Senate Bill 379

In 2015, SB 379 revised California Government Code Section 65302 et seq. to require that cities and counties update their safety elements to address climate adaptation and resiliency strategies applicable to their jurisdiction. The updates are required at the next update of their local hazard mitigation plan (LHMP) on or after January 1, 2017. Local jurisdictions without an LHMP must update their safety elements beginning on or before January 1, 2022. The safety element update must include a vulnerability assessment identifying the risks that climate change poses to the local jurisdiction, and feasible implementation strategies to protect the community.

Assembly Bill 1279

Assembly Bill 1279, passed in 2022, declares the State's objective to achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045, and to achieve and maintain net negative greenhouse gas emissions thereafter. This is in addition to, and does not replace or supersede, Statewide greenhouse gas emissions reduction targets.

LOCAL

South Coast Air Quality Management District

The South Coast Air Quality Management District (SCAQMD) adopted a Policy on Global Warming and Stratospheric Ozone Depletion in April 1990. The policy commits the SCAQMD to consider global impacts in rulemaking and in drafting revisions to the Air Quality Management Plan (AQMP). In March 1992, the SCAQMD Governing Board reaffirmed this policy and adopted amendments to the policy to include the following directives:

- Phase out the use and corresponding emissions of CFCs, methyl chloroform (1,1,1-trichloroethane or TCA), carbon tetrachloride, and halons by December 1995;
- Phase out the large quantity use and corresponding emissions of HCFCs by the year 2000;
- Develop recycling regulations for HCFCs (e.g., SCAQMD Rules 1411 and 1415);
- Develop an emissions inventory and control strategy for methyl bromide; and
- Support the adoption of a California GHG emission reduction goal.

The legislative and regulatory activity detailed above is expected to require significant development and implementation of energy efficient technologies and shifting of energy production to renewable sources.

Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

SCAG is the metropolitan planning organization (MPO) for the region in which the City of Fontana is located. In 2020, SCAG adopted Connect SoCal, the 2020-2045 RTP/SCS, which is an update to the previous 2016 RTP/SCS. The 2020 RTP/SCS considers the role of transportation in the broader context of economic, environmental, and quality-of-life goals for the future, identifying regional transportation strategies to address mobility needs. The 2020 RTP/SCS describes how the region can attain the GHG emission-reduction targets set by CARB by achieving a 19 percent reduction by 2035 compared to the 2005 level.



SCAG's 2020 RTP/SCS builds on the land use policies that were incorporated into the 2016 RTP/SCS, and provides specific strategies for successful implementation. These strategies include implementing the Sustainable Communities Program (SCP) – Housing and Sustainable Development (HSD) which will both accelerate housing production as well as enable implementation of the Sustainable Communities Strategy of Connect SoCal; encouraging use of active transportation, or human powered transportation such as bicycles, tricycles, wheelchairs, electric wheelchairs/scooters, skates, and skateboards; and supporting alternative fueled vehicles. The 2020 RTP/SCS overall land use pattern reinforces the trend of focusing new housing and employment in infill areas well served by transit.

In addition, the 2020 RTP/SCS includes goals and strategies to promote active transportation and improve transportation demand management (TDM). The 2020 RTP/SCS strategies support local planning and projects that serve short trips, increase access to transit, expand understanding and consideration of public health in the development of local plans and projects, and support improvements in sidewalk quality, local bike networks, and neighborhood mobility areas. The 2020 RTP/SCS proposes to better align active transportation investments with land use and transportation strategies, increase competitiveness of local agencies for federal and State funding, and to expand the potential for all people to use active transportation.

[City of Fontana General Plan](#)

The Fontana General Plan includes goals, policies, and actions to reduce potential greenhouse gas emissions. Chapter 4, Community and Neighborhoods, Chapter 6, Building a Healthier Fontana, Chapter 9, Community Mobility and Circulation, Chapter 10, Infrastructure and Green Systems, and Chapter 12, Sustainability and Resilience, contain the following goals and policies potentially relevant to the proposed Project:

[Chapter 4 – Community and Neighborhoods](#)

- **Goal 5:** New housing developments provide walkable neighborhoods with mixed-use amenities and connections to citywide destinations.
 - **Policy:** Support regulations that promote creation of compact and walkable urban village-style design in new developments.
- **Goal 6:** The safe, attractive, and lively central area of the city has new infill development and infrastructure and public improvements.
 - **Policy:** Support revitalization of the central area of the city with an integrated approach including mixed-use development, infill housing, infrastructure improvements, interconnections, and placemaking programs.

[Chapter 6 – Building a Healthier Fontana](#)

- **Goal 1:** The average lifespan in Fontana is consistently within the top ten of all southern California cities.
 - **Policy:** Continue economic development efforts to develop a greater number and range of jobs in Fontana so as to reduce residents' need to commute out of the City.
 - **Policy:** Support transit efforts that reduce residents' need for automobile-based travel.



Chapter 9 – Community Mobility and Circulation

- **Goal 1:** The City of Fontana has a comprehensive and balanced transportation system with safety and multimodal accessibility the top priority of citywide transportation planning, as well as accommodating freight movement.
 - **Policy:** Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2014-2040 Regional Transportation Plan and Sustainable Communities Strategy.
- **Goal 3:** Local transit within the City of Fontana is a viable choice for residents, easily accessible and serving destinations throughout the city.
 - **Policy:** Maximize the accessibility, safety, convenience, and appeal of transit service and transit stops.
 - **Policy:** Promote concentrated development patterns in coordination with transit planning to maximize service efficiency and ridership.
- **Goal 5:** Fontana’s commercial and mixed-use areas include a multifunctional street network that ensures a safe, comfortable, and efficient movement of people, goods, and services to support a high quality of life and economic vitality.
 - **Policy:** Provide a transportation network that is compatible with the needs of commerce and those who live, work and shop in mixed-use areas.
 - **Policy:** Encourage mixed use and commercial developments that support walking, bicycling, and public transit use while balancing the needs of motorized traffic to serve such developments.
- **Goal 7:** The city of Fontana participates in shaping regional transportation policies to reduce traffic congestion and greenhouse gas emissions.
 - **Policy:** Lead and participate in initiatives to manage regional traffic.
 - **Policy:** Coordinate with regional agencies and Caltrans to participate in regional efforts to maintain transportation infrastructure in Fontana.
 - **Policy:** Participate in the efforts of the Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reductions.
 - **Policy:** Participate in the efforts by Caltrans to reduce congestion and improve traffic flow on area freeways.

Chapter 10 – Infrastructure and Green Systems

- **Goal 7:** Fontana is an energy efficient community.
 - **Policy:** Promote renewable energy and distributed energy systems in new development and retrofits of existing development to work towards the highest levels of low-carbon energy-efficiency.
- **Goal 10:** Fontana uses the ENVISION rating system to evaluate infrastructure options and potential social, environmental and economic impacts.



- **Policy:** Support use of the ENVISION system to make Fontana projects as cost-effective and beneficial as possible.

Chapter 12 – Sustainability and Resilience

- **Goal 1:** Fontana is a regional leader in sustainability and resilience with an effective “Sustainable Fontana” program.
 - **Policy:** Create a Sustainable Fontana program that promotes green practices in government and in the community.
- **Goal 2:** Government facilities and operations are models of resource efficiency.
 - **Policy:** Incorporate goals into the City Code for resource efficiency in municipal facilities and operations.
 - **Policy:** Continue organizational and operational improvements to maximize energy and resource efficiency and reduce waste.
- **Goal 3:** Renewable sources of energy, including solar and wind, and other energy-conservation strategies are available to city households and businesses.
 - **Policy:** Promote renewable energy programs for government, Fontana businesses, and Fontana residences.
- **Goal 4:** Fontana meets the greenhouse gas reduction goals for 2030 and subsequent goals set by the state.
 - Continue to collaborate with SBCTA, infrastructure agencies, and utilities on greenhouse gas reduction studies and goals.
- **Goal 5:** Green building techniques are used in new development and retrofits.
 - **Policy:** Fontana is a leader energy-efficient development and retrofits.
- **Goal 6:** Fontana is a leader energy-efficient development and retrofits.
 - **Policy:** Promote energy-efficient development in Fontana.
 - **Policy:** Meet or exceed state goals for energy-efficient new construction.

[City of Fontana Active Transportation Plan](#)

The City of Fontana Active Transportation Plan (ATP) provides a framework to enable residents and visitors of Fontana to engage in healthier activities and more sustainable living to support Statewide and active transportation goals. Objective 1A of the ATP calls for a reduction in the City’s VMT by four percent by 2035.

5.7.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to greenhouse gas emissions and climate change-related impacts. A project would result in a significant impact related to greenhouse gas emissions if it would:



- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment (refer to Impact Statement 5.7-1); and/or
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (refer to Impact Statement 5.7-2).

Based on these standards and significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a "significant unavoidable impact."

ANALYSIS APPROACH AND METHODOLOGY

Cumulative impacts are the collective impacts of one or more past, present, and future projects that, when combined, result in adverse changes to the environment. In determining the significance of a project's contribution to anticipated adverse future conditions, a lead agency should generally undertake a two-step analysis. The first question is whether the *combined* effects from *both* the proposed Project *and* other projects would be cumulatively significant. If the agency answers this inquiry in the affirmative, the second question is whether "the project's *incremental* effects are cumulatively considerable" and thus significant in and of themselves. The cumulative global project list for this issue (climate change) comprises anthropogenic (i.e., human-made) GHG emissions sources across the globe. No project alone would reasonably be expected to contribute to a noticeable incremental change to the global climate, but rather effects are shown to be caused by the cumulative emissions from across the globe. However, legislation and executive orders on the subject of climate change in California have established a Statewide context and process for developing an enforceable Statewide cap on GHG emissions. Given the nature of environmental consequences from GHGs and global climate change, CEQA requires that lead agencies consider evaluating the cumulative impacts of GHGs. Small contributions to this cumulative impact (from which significant effects are occurring and are expected to worsen over time) may be potentially considerable and, therefore, significant.

South Coast Air Quality Management District Developed Thresholds

SCAQMD is the agency responsible for air quality planning and regulation in the SCAB. SCAQMD addresses the impacts to climate change of projects subject to SCAQMD permit as a lead agency if they are the only agency having discretionary approval for the project and acts as a responsible agency when a land use agency must also approve discretionary permits for the project. SCAQMD acts as an expert commenting agency for impacts to air quality. This expertise carries over to GHG emissions, so the agency helps local land use agencies through the development of models and emission thresholds that can be used to address GHG emissions.

In 2008, SCAQMD formed a Working Group to identify GHG emissions thresholds for land use projects that could be used by local lead agencies in the SCAB. The Working Group developed several different options that are contained in the SCAQMD Draft Guidance Document – Interim CEQA GHG Significance Threshold, that could be applied by lead agencies. The working group has not provided additional guidance since release of the interim guidance in 2008 and the subsequent Working Group meetings (latest of which occurred in 2010). The SCAQMD Board has not approved the thresholds; however, the



Guidance Document provides substantial evidence supporting the approaches to significance of GHG emissions that can be considered by the lead agency in adopting its own threshold.

Specifically, while estimated Project-related GHG emissions can be calculated, the direct impacts of such emissions on global climate change (GCC) and global warming cannot be determined on the basis of available science because GCC is a global phenomenon and not limited to a specific locale such as the Project Area and its immediate vicinity. Furthermore, there is no evidence that would indicate that the emissions from a project the size of the proposed Project could directly or indirectly affect the global climate. Because global climate change is the result of GHG emissions, and GHGs are emitted by innumerable sources worldwide, the proposed Project would not result in a direct impact to global climate change; rather, Project-related impacts to global climate change only could be potentially significant on a cumulative basis. Therefore, the analysis below focuses on the Project's potential to contribute to global climate change in a cumulatively considerable way.

The City of Fontana does not have an adopted threshold of significance for GHG emissions but, for CEQA purposes, it has discretion to select an appropriate significance criterion based on substantial evidence. To provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, the SCAQMD Board developed an Interim CEQA GHG Significance Threshold of 3,000 metric tons of carbon dioxide equivalent (MTCO_{2e}) emissions per year. The City has selected this value as a significance criterion which has been supported by substantial evidence.

The 3,000 MTCO_{2e} per year threshold is based on a 90 percent emission "capture" rate methodology. Prior to its use by the SCAQMD, the 90 percent emissions capture approach was one of the options suggested by the California Air Pollution Control Officers Association (CAPCOA) in their *CEQA & Climate Change* white paper (2008). A 90 percent emission capture rate means that unmitigated GHG emissions from the top 90 percent of all GHG-producing projects within a geographic area – the SCAB in this instance – would be subject to a detailed analysis of potential environmental impacts from GHG emissions, while the bottom 10 percent of all GHG-producing projects would be excluded from detailed analysis. A GHG significance threshold based on a 90 percent emission capture rate is appropriate to address the long-term adverse impacts associated with global climate change because medium and large projects will be required to implement measures to reduce GHG emissions, while small projects, which are generally infill development projects that are not the focus of the State's GHG reduction targets, are allowed to proceed. Further, a 90 percent emission capture rate sets the emission threshold low enough to capture a substantial proportion of future development projects and demonstrate that cumulative emissions reductions are being achieved while setting the emission threshold high enough to exclude small projects that will, in aggregate, contribute approximate 1 percent of projected statewide GHG emissions in the Year 2050 (SCAQMD, 2008).

In setting the threshold at 3,000 MTCO_{2e} per year, SCAQMD researched a database of projects kept by the Governor's Office of Planning and Research (OPR). That database contained 798 projects, 87 of which were removed because they were very large projects and/or outliers that would skew emissions values too high, leaving 711 as the sample population to use in determining the 90th percentile capture rate. The SCAQMD analysis of the 711 projects within the sample population combined commercial, residential, and mixed-use projects. It should be noted that the sample of projects included warehouses and other light industrial land uses but did not include industrial processes (i.e., oil refineries, heavy manufacturing,



electric generating stations, mining operations, etc.). Emissions from each of these projects were calculated by SCAQMD to provide a consistent method of emissions calculations across the sample population and from projects within the sample population. In calculating the emissions, the SCAQMD analysis determined that the 90th percentile ranged between 2,983 to 3,143 MTCO₂e per year. The SCAQMD set their significance threshold at the low-end value of the range when rounded to the nearest hundred tons of emissions (i.e., 3,000 MTCO₂e per year) to define small projects that are considered less than significant and do not need to provide further analysis.

The City understands that the 3,000 MTCO₂e per year threshold was proposed by SCAQMD a decade ago; however, no permanent, superseding policy or threshold has since been adopted. The 3,000 MTCO₂e per year threshold was developed and recommended by SCAQMD, an expert agency, based on substantial evidence as provided in the *Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold* (2008) document and subsequent Working Group meetings (latest of which occurred in 2010). SCAQMD has not withdrawn its support of the interim threshold and all documentation supporting the interim threshold remains on the SCAQMD website on a page that provides guidance to CEQA practitioners for air quality analysis (and where all SCAQMD significance thresholds for regional and local criteria pollutants and toxic air contaminants also are listed). Further, as stated by SCAQMD, this threshold “uses the Executive Order S-3-05 goal [80 percent below 1990 levels by 2050] as the basis for deriving the screening level” and, thus, remains valid for use in 2023 (SCAQMD, 2008, pp. 3-4). Lastly, this threshold has been used for hundreds, if not thousands of GHG analyses performed for projects located within the SCAQMD jurisdiction.

Thus, for purposes of analysis in this EIR, if Project-related GHG emissions do not exceed the 3,000 MTCO₂e per year threshold, then Project-related GHG emissions would clearly have a less-than-significant impact. On the other hand, if Project-related GHG emissions exceed 3,000 MTCO₂e per year, the Project would be considered a potentially significant source of GHG emissions.

[Consistency with Relevant Planning Documents](#)

The City of Fontana does not have an adopted Climate Action Plan, or other qualified GHG Reduction Strategy. However, the proposed Project has also been analyzed herein for its consistency with relevant regional planning documents relating to GHGs, which include the CARB’s most recent Scoping Plan, the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan), and the most recent version of the regional RTP/SCS, the SCAG’s Connect SoCal (2020 – 2045 Regional Transportation Plan/Sustainable Communities Strategy [2020 RTP/SCS]).



5.7.5 IMPACTS AND MITIGATION MEASURES

Impact 5.7-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Impact 5.7-2: Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Impact Analysis:

Construction Emissions

Potential future development associated with implementation of the proposed Project would generate GHGs during the construction and operational phases of the Project. The proposed Project’s primary source of construction-related GHGs would result from emissions of CO₂ associated with individual development projects’ construction and worker vehicle trips; refer to Table 5.7-1, Construction GHG Emissions (Metric Tons/Year). Additionally, site-specific development would likely require limited demolition and grading, and would also include site preparation, paving building construction, and architectural coating phases. Construction was assumed to occur starting in year 2023 and ending in year 2040. Since specific development projects are not currently proposed, default parameters were used for construction activities except for the building and architectural phases, which were adjusted for the buildout year of 2040. See Appendix C, Air Quality, Energy and Greenhouse Gas Emissions Modeling Data, for more detail.

**Table 5.7-1
Construction GHG Emissions (Metric Tons/Year)**

Year	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Maximum	0	13,139.6	13,139.6	0.6	0.7	13,362.3

Source: CalEEMod version 2020.4.0

As shown in Table 5.7-1, Project construction-related activities would generate a maximum of approximately 13,362 MTCO₂e of GHG emissions in a single year. Total GHG emissions construction-related activities would be approximately 196,390, over the entire course of construction (assumed to start in year 2023 and end in year 2040). See Appendix C, Air Quality, Energy and Greenhouse Gas Emissions Modeling Data, for more detail. Once construction is complete, the generation of construction-related GHG emissions would cease.

Operational Emissions

The operational phase of future development associated with implementation of the proposed Project would generate GHGs primarily from the individual development’s operational vehicle trips and building energy (electricity and natural gas) usage; refer to Table 5.7-2, Operational GHG Emissions 2040 (Metric Tons/Year). Other sources of GHG emissions would be minimal. Refer to Section 5.2, Air Quality, of this EIR for further detail regarding additional mitigation measures that could reduce GHG emissions.



**Table 5.7-2
Operational GHG Emissions 2040 (Metric Tons/Year)**

Category	Bio-CO ₂	NBio-CO ₂	Total CO ₂	CH ₄	N ₂ O	CO ₂ e
Area	0	150	150	0.1	0	153.6
Energy	0	19,631.3	19,631.3	1.2	0.3	19,738.4
Mobile	0	25,749.8	25,749.8	1.7	1.5	26,250.6
Waste	1,648.9	0	1,648.9	97.4	0	4,085.1
Water	255.1	2,847.6	3,102.7	26.4	0.6	3,956.7
Total	1,904	48,378.7	50,282.7	126.9	2.4	54,184.4

Source: CalEEMod version 2020.4.0

As shown in [Table 5.7-2](#), Project operational GHG emissions would total approximately 54,184 MTCO₂e annually, and combined with construction-related GHG emissions, would total approximately 54,629 MTCO₂e annually. Therefore, the proposed Project would exceed the SCAQMD’s proposed GHG threshold of 3,000 MTCO₂e per year for residential and commercial land uses. Thus, the Project has the potential to result in a cumulatively considerable impact with respect to GHG emissions.

The Fontana General Plan includes goals, policies, and actions to reduce GHG emissions. In addition, future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measure MM-GHG-1 (incorporated herein as Mitigation Measure GHG-1), in which future development projects must demonstrate the incorporation of design features that achieve a minimum 28.5 percent reduction in GHG emissions from non-mobile sources. The proposed Project would also be required to implement Mitigation Measure GHG-2 and Mitigation Measure GHG-3, as provided below. Mitigation Measure GHG-2 would require developers of future individual projects in the Project Area to construct buildings to be solar-ready and to install solar energy or clean energy for each structure greater than 50,000 square feet within two years of commencing operations, when feasible. Mitigation Measure GHG-3 would require developers of future individual projects in the Project Area that have 10 employees or more to submit a GHG Reduction Plan to the City for review and approval. Although the numerical effectiveness of these mitigation measures cannot be quantified at this time without further information about the exact type and design of future individual projects in the Project Area, these measures would minimize operational-source related contributions to significant GHG emissions to the greatest extent feasible for a project of this type. However, ultimately the above measures, in conjunction with Air Quality Mitigation Measures AQ-1 through AQ-28, would not fully reduce significant construction or operational-source GHG emissions to a less than significant level.

No feasible mitigation measures exist that would reduce these emissions to levels that are less-than-significant. Project operational-source GHG emissions exceedances of applicable SCAQMD numeric threshold are therefore considered significant and unavoidable. Moreover, approximately 50 percent of all operational-source emissions (by weight) would be generated by Project mobile sources (traffic). Neither future project applicants nor the Lead Agency can substantively or materially affect reductions in project mobile-source emissions beyond the regulatory requirements and Mitigation Measures GHG-1, GHG-2, and GHG-3. As such, project operational-source GHG emissions exceedances of the numeric



thresholds discussed above are considered to be significant and cumulatively considerable impacts in regards to GHG impacts. However, it should be noted that the proposed Downtown Core Project would provide for more residential and commercial development in proximity to each other, as well as in proximity to transit. Further, Project implementation would provide for a denser urban environment with improved amenities that support active (non-motorized) transportation opportunities within the Project Area. When compared to the existing General Plan land use plan for the Project Area, the proposed Downtown Core Project would result in a four percent reduction in VMT per service population. Accordingly, as discussed further below, the Project is consistent with plans and policies designed to achieve the State's GHG reduction goals.

CONSISTENCY WITH APPLICABLE GHG PLANS, POLICIES, OR REGULATIONS

2022 Scoping Plan Consistency

The goal to reduce GHG emissions to 1990 levels by 2020 (Executive Order S-3-05) was codified by the California Legislature as AB 32. In 2008, CARB approved a Scoping Plan as required by AB 32. The Scoping Plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation fee to fund the program. The 2022 Scoping Plan identifies additional GHG reduction measures necessary to achieve the 2030 target, as well as to achieve the State's target of carbon neutrality by year 2045. These measures build upon those identified in the previous Scoping Plan updates. Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these measures or similar actions to reduce GHG emissions will be adopted subsequently as required to achieve Statewide GHG emissions targets.

Table 5.7-3, *Project Consistency with the 2022 Scoping Plan*, summarizes the Project's consistency with applicable policies and measures of the 2022 Scoping Plan. As indicated in Table 5.7-3, the Project would not conflict with any of the provisions of the 2022 Scoping Plan and would support four of the action categories through energy efficiency, water conservation, recycling, and landscaping.



**Table 5.7-3
Project Consistency with the 2022 Scoping Plan**

Sector/Source	Category/Description	Consistency Analysis
Area		
SCAQMD Rule 445 (Wood Burning Devices)	Restricts the installation of wood-burning devices in new development.	<u>Mandatory Compliance.</u> Approximately 15 percent of California’s major anthropogenic sources of black carbon include fireplaces and woodstoves. ¹ The Project would not include hearths (woodstove and fireplaces) as mandated by this rule.
Energy		
California Renewables Portfolio Standard, Senate Bill 350 (SB 350) and Senate Bill 100 (SB 100)	Increases the proportion of electricity from renewable sources to 33 percent renewable power by 2020. SB 350 requires 50 percent by 2030. SB 100 requires 44 percent by 2024, 52 percent by 2027, and 60 percent by 2030. It also requires the State Energy Resources Conservation and Development Commission to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation.	<u>No Conflict.</u> The Project would utilize electricity provided by Southern California Edison (SCE), which is required to meet the 2020, 2030, 2045, and 2050 performance standards. In 2018, 31 percent of SCE’s electricity came from renewable resources. ² By 2030 SCE plans to achieve 80 percent carbon-free energy. ³
All Electric Appliances for New Residential and Commercial Buildings (AB 197)	All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030.	<u>Mandatory Compliance.</u> Project-specific plans would be required to demonstrate that only all electric appliances would be installed for residential land uses starting in 2026, and for commercial uses starting in 2029, consistent with this requirement.
California Code of Regulations, Title 24, Building Standards Code	Requires compliance with energy efficiency standards for residential and nonresidential buildings.	<u>Mandatory Compliance.</u> Future development associated with Project implementation would be required to meet the applicable requirements of the 2022 Title 24 Building Energy Efficiency Standards, including installation of rooftop solar panels and additional CALGreen requirements (see discussion under CALGreen Code requirements below).



**Table 5.7-3 (continued)
Project Consistency with the 2022 Scoping Plan**

Sector/Source	Category/Description	Consistency Analysis
California Green Building Standards (CALGreen) Code Requirements	All bathroom exhaust fans are required to be ENERGY STAR compliant.	<u>Mandatory Compliance.</u> Project-specific construction plans would be required to demonstrate that energy efficiency appliances, including bathroom exhaust fans, and equipment are ENERGY STAR compliant.
	HVAC system designs are required to meet American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) standards.	<u>Mandatory Compliance.</u> Project-specific construction plans would be required to demonstrate that the HVAC system meets the ASHRAE standards.
	Air filtration systems are required to meet a minimum efficiency reporting value (MERV) 8 or higher.	<u>Mandatory Compliance.</u> Specific development projects would be required to install air filtration systems (MERV 8 or higher) as part of its compliance with the 2022 Title 24 Building Energy Efficiency Standards.
	Refrigerants used in newly installed HVAC systems shall not contain any chlorofluorocarbons.	<u>Mandatory Compliance.</u> Specific development projects would be required to meet this requirement as part of its compliance with the CALGreen Code.
	Parking spaces shall be designed for carpool or alternative fueled vehicles. Up to eight percent of total parking spaces is required for such vehicles.	<u>Mandatory Compliance.</u> Specific development projects would be required to meet this requirement as part of its compliance the CALGreen Code.
Mobile Sources		
Mobile Source Strategy (Cleaner Technology and Fuels)	Reduce GHGs and other pollutants from the transportation sector through transition to zero-emission and low-emission vehicles, cleaner transit systems, and reduction of vehicle miles traveled.	<u>Consistent.</u> The Project would be consistent with this strategy by supporting the use of zero-emission and low-emission vehicles; refer to CALGreen Code discussion above.
Senate Bill (SB) 375	SB 375 establishes mechanisms for the development of regional targets for reducing passenger vehicle GHG emissions. Under SB 375, CARB is required, in consultation with the State’s Metropolitan Planning Organizations, to set regional GHG reduction targets for the passenger vehicle and light-duty truck sector for 2020 and 2035.	<u>Consistent.</u> As demonstrated in Table 5.7-4 , the Project would comply with the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS), and therefore, the Project would be consistent with SB 375.



**Table 5.7-3 (continued)
Project Consistency with the 2022 Scoping Plan**

Sector/Source	Category/Description	Consistency Analysis
Water		
CCR, Title 24, Building Standards Code	Title 24 includes water efficiency requirements for new residential and non-residential uses.	<u>Mandatory Compliance</u> . Refer to the discussion under 2022 Title 24 Building Standards Code and CALGreen Code, above.
Water Conservation Act of 2009 (Senate Bill X7-7)	The Water Conservation Act of 2009 sets an overall goal of reducing per capita urban water use by 20 percent by December 31, 2020. Each urban retail water supplier shall develop water use targets to meet this goal. This is an implementing measure of the Water Sector of the AB 32 Scoping Plan. Reduction in water consumption directly reduces the energy necessary and the associated emissions to convey, treat, and distribute the water; it also reduces emissions from wastewater treatment.	<u>Consistent</u> . Refer to the discussion under 2022 Title 24 Building Standards Code and CALGreen Code, above. Also, refer to <u>Section 5.9, Hydrology and Water Quality</u> .
Solid Waste		
California Integrated Waste Management Act (IWMA) of 1989 and Assembly Bill (AB) 341	The IWMA mandates that State agencies develop and implement an integrated waste management plan which outlines the steps to divert at least 50 percent of solid waste from disposal facilities. AB 341 directs the California Department of Resources Recycling and Recovery (CalRecycle) to develop and adopt regulations for mandatory commercial recycling and sets a Statewide goal for 75 percent disposal reduction by the year 2020.	<u>Mandatory Compliance</u> . The Project would be required to comply with AB 341 which requires multifamily residential dwelling of five units or more to arrange for recycling services. This would reduce the overall amount of solid waste disposed of at landfills. The decrease in solid waste would in return decrease the amount of methane released from decomposing solid waste.
Notes: 1. California Air Resources Board, <i>California's 2017 Climate Change Scoping Plan</i> , Figure 4: California 2013 Anthropogenic Black Carbon Emission Sources, November 2017. 2. California Energy Commission, <i>2018 Power Content Label Southern California Edison</i> , https://www.energy.ca.gov/sites/default/files/2020-01/2018_PCL_Southern_California_Edison.pdf , accessed June 24, 2020. 3. Southern California Edison, <i>The Clean Power and Electrification Pathway</i> , https://newsroom.edison.com/internal_redirect/cms.ipressroom.com.s3.amazonaws.com/166/files/20187/g17-pathway-to-2030-white-paper.pdf , accessed June 24, 2020. 4. California Energy Commission, <i>2013 California Energy Efficiency Potential and Goals Study</i> , Appendix Volume I, August 15, 2013.		



SCAG RTP/SCS Consistency

On September 3, 2020, SCAG's Regional Council adopted Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy [2020 RTP/SCS]). The RTP/SCS is a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The RTP/SCS embodies a collective vision for the region's future and is developed with input from local governments, county transportation commissions, tribal governments, nonprofit organizations, businesses, and local stakeholders in the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. SCAG's RTP/SCS establishes GHG emissions goals for automobiles and light-duty trucks for 2020 and 2035 as well as an overall GHG target for the Project region consistent with both the target date of AB 32 and the post-2020 GHG reduction goals of Executive Orders 5-03-05 and B-30-15.

The RTP/SCS contains over 4,000 transportation projects, ranging from highway improvements, railroad grade separations, bicycle lanes, new transit hubs and replacement bridges. These future investments were included in county plans developed by the six county transportation commissions and seek to reduce traffic bottlenecks, improve the efficiency of the region's network, and expand mobility choices for everyone. The RTP/SCS is an important planning document for the region, allowing project sponsors to qualify for federal funding.

The plan accounts for operations and maintenance costs to ensure reliability, longevity, and cost effectiveness. The RTP/SCS is also supported by a combination of transportation and land use strategies that help the region achieve State GHG emissions reduction goals and Federal Clean Air Act (FCAA) requirements, preserve open space areas, improve public health and roadway safety, support our vital goods movement industry, and utilize resources more efficiently. GHG emissions resulting from development-related mobile sources are the most potent source of emissions, and therefore Project comparison to the RTP/SCS is an appropriate indicator of whether the Project would inhibit the post-2020 GHG reduction goals promulgated by the State. The Project's consistency with the RTP/SCS goals is analyzed in detail in Table 5.7-4, Project Consistency with the 2020-2045 RTP/SCS.



**Table 5.7-4
Project Consistency with the 2020-2045 RTP/SCS**

SCAG Goals	Consistency Analysis
Goal 1: Encourage regional economic prosperity and global competitiveness.	<u>Consistent.</u> The proposed Project would promote economic prosperity and development of the Project Area in an orderly and market-driven manner, consistent with local priorities.
Goal 2: Improve mobility, accessibility, reliability, and travel safety for people and goods.	<u>Consistent.</u> Although this Project is not a transportation improvement project, the Project is located near existing transit routes. The Fontana Metrolink station is located within the Project Area and accessible from Sierra Avenue and Orange Way. The availability of public transportation and the focus on increasing density relative to the existing public transportation, enables Project implementation to reduce VMT per service population, and associated transportation-related emissions, compared to existing conditions and the existing land use plan for the Project Area.
Goal 3: Enhance the preservation, security, and resilience of the regional transportation system.	<u>Not applicable.</u> This is not a transportation improvement project and is therefore not applicable.
Goal 4: Increase person and goods movement and travel choices within the transportation system.	<u>Not applicable.</u> This is not a transportation improvement project and is therefore not applicable. However, the Project would not reduce person and goods movement and travel choices within the transportation system.
Goal 5: Reduce greenhouse gas emissions and improve air quality.	<u>Consistent.</u> The Project Area is located within an urban area. The location of the Project Area within an urbanized area served by existing transit and implementation of the proposed Downtown Core Project land uses and development potential would reduce VMT per service population compared to the existing condition and the existing land use plan for the Project Area, which would reduce GHG and air quality emissions.
Goal 6: Support healthy and equitable communities	<u>Consistent.</u> The Project would provide for more residential and commercial development in proximity to each other, as well as in proximity to transit. Further, Project implementation would provide for a denser urban environment with improved amenities that support active (non-motorized) transportation opportunities, including walking and bicycling within the Project Area. Additionally, the Project would reduce VMT per service population compared to the existing condition and the existing land use plan for the Project Area, which would reduce GHG and air quality emissions. Therefore, overall, the Project would support the goal of supporting healthy and equitable communities.
Goal 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	<u>Not applicable.</u> This is not a project-specific policy and is therefore not applicable.



Table 5.7-4 (continued)
Project Consistency with the 2020-2045 RTP/SCS

SCAG Goals	Consistency Analysis
Goal 8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	<u>Not applicable.</u> This is not a project-specific policy and is therefore not applicable.
Goal 9: Encourage development of diverse housing types in areas that are supported by multiple transportation options.	<u>Consistent.</u> The Project includes a variety of housing types, including single family and multi-family housing, based around various districts, which are supported by a variety of transportation options, including local bus routes and the Metrolink station accessible through Sierra Avenue and Orange Way.
Goal 10: Promote conservation of natural and agricultural lands and restoration of habitats.	<u>Not applicable.</u> The Project Area is urbanized and primarily developed with minimal vacant lots. The Project Area does not include any natural or agricultural lands.
Source: Southern California Association of Governments, Connect SoCal – The Regional Transportation Plan/Sustainable Communities Strategy, 2020.	

Compliance with applicable State standards would ensure consistency with State and regional GHG reduction planning efforts. The goals stated in the RTP/SCS were used to determine consistency with the planning efforts previously stated. As shown in [Table 5.7-4](#), the proposed Project would be consistent with the stated goals of the RTP/SCS. Therefore, the proposed Project would not result in any significant impacts or interfere with SCAG’s ability to achieve the region’s post-2020 mobile source GHG reduction targets.

Conclusion

Though the proposed Project would be required to comply with regulations imposed by the State of California and the SCAQMD aimed at the reduction of air pollutant emissions, as described above, the proposed Project would generate emissions beyond the identified threshold of 3,000 MTCO2e/year for residential and commercial land uses, and as such, would have a cumulatively significant and unavoidable adverse impact.

Mitigation Measures:

GHG-1: Prior to the issuance of building permits, future development projects shall demonstrate compliance with the SCAQMD threshold for greenhouse gas emissions in place at the time of individual project development, or if exceeding the applicable threshold, demonstrate the incorporation of project design features that achieve compliance with the SCAQMD threshold for greenhouse emissions in place at the time of individual project development to the maximum extent feasible. With regard to expansions/modifications of existing facilities, this mitigation measure shall be applied to the resulting incremental net increase in enclosed floor area. Future projects that exceed the SCAQMD threshold for greenhouse gas emissions in place at the time of individual project development shall include measures to reduce emissions, that may include, but not be limited to, the following list of potential design features (which includes measures for reducing GHG emissions related to Transportation and Motor Vehicles).



Energy Efficiency

- Design buildings to be energy efficient and exceed Title 24 requirements by at least 5 percent.
- Install efficient lighting and lighting control systems. Site and design buildings to take advantage of daylight.
- Use trees, landscaping and sun screens on west and south exterior building walls to reduce energy use.
- Install light colored “cool” roofs and cool pavements.
- Provide information on energy management services for large energy users.
- Install energy efficient heating and cooling systems (e.g., minimum of Energy Star rated equipment).
- Implement design features to increase the efficiency of the building envelope (i.e., the barrier between conditioned and unconditioned spaces).
- Install light emitting diodes (LEDs) for traffic, street and other outdoor lighting.
- Limit the hours of operation of outdoor lighting.

Renewable Energy

- Install solar panels on carports and over parking areas.
- Use combined heat and power in appropriate applications.

Water Conservation and Efficiency

- Create water-efficient landscapes with a preference for a xeriscape landscape palette.
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls.
- Design buildings to be water-efficient. Install water-efficient fixtures and appliances (e.g., EPA WaterSense labeled products).
- Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff.
- Restrict the use of water for cleaning outdoor surfaces and vehicles.
- Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment (retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site).
- Devise a comprehensive water conservation strategy appropriate for the project and location. The strategy may include many of the specific items listed above, plus other innovative measures that are appropriate to the specific project.
- Provide education about water conservation and available programs and incentives.

Solid Waste Measures

- Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, concrete, lumber, metal, and carboard).



- Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas.
- Provide education and publicity about reducing waste and available recycling services.

Transportation and Motor Vehicles

- Limit idling time for commercial vehicles, including delivery and construction vehicles.
- Promote ride sharing programs (e.g., by designating certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides).
- Creating local “light vehicle” networks, such as neighborhood electric vehicle (NEV) systems.
- Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling stations).
- Promote “least polluting” ways to connect people and goods to their destinations.
- Incorporate bicycle lanes and routes into street systems, new subdivisions, and large developments.
- Incorporate bicycle-friendly intersections into street design.
- For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting (e.g., locked bicycle storage or covered or indoor bicycle parking).
- Create bicycle lanes and walking paths directed to the location of schools, parks and other destination points. (General Plan EIR MM-GHG-1, updated)

GHG-2: All future individual projects with the Project Area shall be required to construct future buildings to be solar or other clean energy technology compatible, and clean energy ready. Further, for individual structures proposed within the Project Area that are greater than 50,000 square feet, the developer shall ensure that the structure provides solar photovoltaic panel system(s) within 2 years of commencing operations where feasible.

GHG-3: Prior to issuance of building permits, future individual project developers with more than 10 employees or more than 10 company vehicles shall submit a GHG Emissions Reduction Plan (ERP) to the City of Fontana for review and approval. The objective of the plan shall be to reduce GHG emissions by a minimum of 10 percent. The GHG ERP shall consider and identify GHG emission reductions from the following emission source categories as part of the ERP:

- Energy source reduction from measure GHG-1
- Implementation of Ride Sharing Program (Mobile Source)
- Provision of electric vehicle charging stations (Level 2 or Level 3, Mobile Source)
- Maintenance of an onsite bicycle sharing program (Mobile Source)
- Establishment and support of a mass transit use program (including adjusting hours of operations to complement local mass transit operations, Mobile Source)



- Provision of secure bicycle parking facilities (Mobile Source)
- Acquisition of a minimum of one company electric vehicle or low NOx emission CNG vehicle, including truck(s) (Mobile source)
- Install low demand water consumption systems, internally and outdoors (Water Usage source)
- Implement a solid waste management system that achieves greater than 50 percent recycling (Waste Management Source)
- Utilize construction equipment that can reduce GHG and NOx emissions a minimum of 5 percent (Construction Emissions Source).

Level of Significance: Significant and Unavoidable Impact.

5.7.6 CUMULATIVE IMPACTS

Impact Analysis: The topic of GHG emissions is inherently a cumulative impact. Though significance thresholds can be developed by air districts, as well as State and federal regulatory agencies, these thresholds and their related goals are ultimately designed to effect change at a global level. In 2018, California greenhouse gas emissions totaled 425 million metric tons CO₂e.^{1,2} The Future development associated with implementation of the proposed Project would generate approximately 54,629 metric tons CO₂e per year, or about 0.012854 percent of the total amount of GHG emissions in California in 2018. The proposed Project may contribute to global climate change through an incremental contribution of greenhouse gases. Even with implementation of Air Quality Mitigation Measures AQ-1 through AQ-28 and GHG-1 through GHG-3, implementation of the proposed Project exceeds the SCAQMD recommended numeric threshold of 10,000 MTCO₂e/year. Project GHG impacts are mitigated to the greatest extent feasible, but the Project would still contribute to global climate change through a cumulatively considerable contribution of greenhouse gases. As such, the proposed Project would result in a cumulatively considerable and significant adverse GHG emissions impact.

Mitigation Measures: Refer to Mitigation Measure GHG-1, Mitigation Measure GHG-2, and Mitigation Measure GHG-3. No additional mitigation measures are feasible.

Level of Significance: Significant and Unavoidable Impact.

5.7.7 SIGNIFICANT UNAVOIDABLE IMPACTS

Implementation of the Downtown Core Project would result in significant unavoidable GHG impacts.

If the City approves the proposed Project, the City will be required to make findings in accordance with Section 15091 of CEQA and prepare a Statement of Overriding Considerations for consideration by the City's decisionmakers in accordance with Section 15093 of the CEQA Guidelines.

¹ <https://www.arb.ca.gov/cc/inventory/data/data.htm>

² https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2018/ghg_inventory_trends_00-18.pdf



5.7.8 REFERENCES

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5.8 HAZARDS AND HAZARDOUS MATERIALS

5.8.1 PURPOSE

The purpose of this section is to describe the existing conditions and regulatory environment related to hazards and hazardous materials and identify potential impacts that could result from Project implementation.

For the purpose of this analysis, the term “hazardous material” refers to both hazardous substances and hazardous waste. A material is defined as “hazardous” if it appears on a list of hazardous materials prepared by a federal, tribal, State, or local regulatory agency, or if it possesses characteristics defined as “hazardous” by such an agency. A “hazardous waste” is a solid waste that exhibits toxic or hazardous characteristics (i.e., ignitability, corrosivity, reactivity, and/or toxicity). Other hazards, such as potential airport-related safety hazards for people residing/working in the Project Area, interference with an adopted emergency response plan, and exposure of people/structures to risk involving wildland fires, are also addressed in this section.

5.8.2 ENVIRONMENTAL SETTING

HAZARDOUS MATERIALS AND WASTE

Hazardous Materials

A hazardous material is a substance or combination of substances which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may either (1) cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating irreversible illness; or (2) pose a substantial present or potential hazard to human health and safety, or the environment when improperly treated, stored, transported, or disposed of. Hazardous materials are mainly present because of industries involving chemical byproducts from manufacturing, petrochemicals, and hazardous building materials.

Hazardous Waste

Hazardous waste is the subset of hazardous materials that have been abandoned, discarded, or recycled and is not properly contained, including contaminated soil or groundwater with concentrations of chemicals, infectious agents, or toxic elements sufficiently high to increase human mortality or to destroy the ecological environment. If a hazardous material is spilled and cannot be effectively picked up and used as a product, it is considered to be hazardous waste. If a hazardous material site is unused, and it is obvious there is no realistic intent to use the material, it is also considered to be a hazardous waste. Examples of hazardous materials include flammable and combustible materials, corrosives, explosives, oxidizers, poisons, materials that react violently with water, radioactive materials, and chemicals.

Transportation of Hazardous Materials

The transportation of hazardous materials within California is subject to various federal, State, and local regulations. The City has no direct authority to regulate the transport of hazardous materials on State highways or rail lines. Transportation of hazardous materials by truck and rail is regulated by the U.S.



Department of Transportation (DOT). DOT regulations establish criteria for safe handling procedures. It is illegal to transport explosives or inhalation hazards on any public highway not designated for that purpose, unless the use of the highway is required to permit delivery, or the loading of such materials (California Vehicle Code Section 31602(b), 32104(a)). The California Highway Patrol (CHP) designates through routes to be used for the transportation of hazardous materials. Transportation of hazardous materials is restricted to these routes except in cases where additional travel is required from that route to deliver or receive hazardous materials to and from users.

HAZARDOUS SITES

EnviroStor Data Management System

The California Department of Toxic Substances Control (DTSC) maintains the EnviroStor Data Management System, which provides information on hazardous waste facilities (both permitted and corrective action) as well as any available site cleanup information. This site cleanup information includes: Federal Superfund Sites (NPL), State Response Sites, Voluntary Cleanup Sites, School Cleanup Sites, Corrective Action Sites, Tiered Permit Sites, and Evaluation/Investigation Sites. The hazardous waste facilities include: Permitted–Operating, Post-Closure Permitted, and Historical Non-Operating.

There are no “Active” status sites listed in the EnviroStor database within the Project Area (DTSC, 2022a). The former site of the Southern California Edison (SCE) Flanco substation, located adjacent to the Project Area at the southwestern corner of Orange Way and Juniper Street, is listed with a status of “Active” as of May 2, 2019 (DTSC, 2022b). The site was used as an electrical substation until it was decommissioned in 2018; it is currently vacant. Potential contaminants of concern include metals, petroleum, and polychlorinated biphenyls (PCBs). A voluntary cleanup agreement for the site was executed on October 10, 2019.

Cortese List

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the State, local agencies, and developers to comply with the California Environmental Quality Act (CEQA) requirements in providing information about the location of hazardous materials release sites. Government Code Section 65962.5 requires the California Environmental Protection Agency (Cal EPA) to develop at least annually an updated Cortese List. The DTSC is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List. There are no hazardous materials release sites located in the City of Fontana on the Cortese List (DTSC, 2022c).

GeoTracker

GeoTracker is the California State Water Resource Control Board’s (SWRCB’s) data management system for managing sites that impact groundwater, especially those that require groundwater cleanup (Underground Storage Tanks, Department of Defense, Site Cleanup Program).

There are 67 locations with a Fontana address that are listed in the GeoTracker database for Leaking Underground Storage Tanks (LUST); of these, 65 have a status of “Completed – Case Closed” (SWRCB, 2022). There are no LUST cleanup sites with a status of “Open” located within or adjacent to the Project Area.



Solid Waste Information System (SWIS)

The Solid Waste Information System (SWIS) is a database of solid waste facilities that is maintained by California's Department of Resources Recycling and Recovery (CalRecycle). The SWIS database identifies active, planned and closed sites. There are two active facilities listed in the SWIS database located within Fontana: Andre Landscape Services Inc. (36-AA-0482), located at 14005 Rancho Court; and West Valley Materials Recovery Facility (36-AA-0341), located at 13373 Napa Street (CalRecycle, 2022). There are no listed facilities within the Project Area.

HAZARDS FROM AIR TRAFFIC

The San Bernardino County Airport Land Use Commission (ALUC) adopts plans to protect and promote the safety and welfare of airport users and residents in the airport vicinity. Specifically, these plans seek to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities encroach upon or adversely affect the use of navigable airspace.

The Project Area is not located within two miles of any public airport or public use airport. Several airports are located within a 10-mile radius of the Project Area and are described further below.

Local Airport Facilities

Ontario International Airport (ONT): ONT is owned by the City of Ontario and the County of San Bernardino, under a Joint Powers Agreement, as of November 1, 2016. This airport primarily serves the Inland Empire, and is approximately eight miles southwest of the Project Area. The Project Area is not located within the boundaries of the Airport Influence Area (AIA) of the Ontario International Airport Land Use Compatibility Plan (City of Ontario, 2018).

Flabob Airport: A public-use airport located in the City of Riverside, Riverside County, approximately seven miles south of the Project Area. This airport covers an area of 80 acres and has one runway. The Project Area is not located within the boundaries of the AIA of the Flabob Airport (Riverside County Airport Land Use Commission, 2004).

Major Regional Airport Facilities

San Bernardino International Airport (SBD): SBD is in San Bernardino. It is the former Norton Air Force Base. The airport serves the inland empire and is in close proximity to both the Interstate 210 and Interstate 10, and to historic Route 66. SBD is approximately 10 miles east of the Project Area. The Project Area is not located within the boundaries of the AIA of the SBD.

National Transportation Safety Board Aviation Accident Database

The National Transportation Safety Board Aviation Accident Database identifies a total of 10 aircraft accidents in Fontana. The earliest record for an aircraft accident in Fontana is from July 13, 1983 (one fatality). The most recent incident is from May 4, 2013 (nonfatal). Out of the ten recorded aircraft accidents in Fontana, four were fatal accidents causing a total of five deaths (NTSB, 2022). These incidents were non-commercial, small-scale personal aircraft (primarily prop planes and other small planes) occurring due to mechanical failure, weather, or pilot error.



OTHER POTENTIAL HAZARDS

Wildland Fire Hazards

The State has charged the California Department of Forestry and Fire Protection (CALFIRE) with the identification of Fire Hazard Severity Zones within State Responsibility Areas (SRA). In addition, CALFIRE must recommend Very High Fire Hazard Severity Zones identified within any Local Responsibility Areas (LRA). The FHSZ maps are used by the State Fire Marshall as a basis for the adoption of applicable building code standards. According to the CALFIRE FHSZ Maps, the Project Area is not located within a Very High Fire Hazard Severity Zone (CALFIRE, 2022).

Asbestos-Containing Materials (ACM)

Asbestos, a natural fiber used in the manufacturing of different building materials, has been identified as a human carcinogen. Most friable (i.e., easily broken or crushed) asbestos-containing materials (ACM) were banned in building materials by 1978. By 1989, most major manufacturers had voluntarily removed non-friable ACM (i.e., flooring, roofing, and mastics/sealants) from the market. These materials, however, were not banned completely. The Project Area includes existing development from and prior to the 1960s; therefore, the presence of ACM is likely in some structures.

Lead-Based Paint

Lead-based paint has been identified by the Occupational Safety and Health Administration (OSHA), the Environmental Protection Agency (EPA), and the Department of Housing and Urban Development (HUD) as a potential health risk to humans, particularly children, based on its effects to the central nervous system, kidneys, and bloodstream. The risk of lead-based paint has been classified by HUD based upon the age and condition of the painted surface. The Project Area includes existing development from and prior to the 1960s; therefore, the presence of lead-based paint is likely in some structures.

EMERGENCY RESPONSE

The Fontana General Plan Noise and Safety Element establishes goals and policies specific to emergency preparedness. The overall goal for emergency preparedness is to maintain regulations, plans, protocols and emergency training to reduce hazards and risks, and meet State and federal requirements for emergency assistance. This includes through implementation of plans and programs that directly relate to the goals of the Noise and Safety Element, such as the City of Fontana Local Hazard Mitigation Plan (LHMP).

The Fontana Fire Protection District (FFPD) provides emergency, preventive, and administrative services in the City and SOI through a contract with the San Bernardino County Fire Department (City of Fontana, 2018). The City of Fontana Emergency Management Program is a function of the City Manager's Office in cooperation with the San Bernardino County Fire, Office of Emergency Services (City of Fontana, 2022a). City personnel prepare for disaster situations by developing effective plans, conducting training and exercises, and ensuring facilities and equipment are ready for response. The City of Fontana Emergency Management Program utilizes the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). Both SEMS and NIMS are emergency management systems that provide a consistent template for all levels of government, non-governmental organizations, and the



private sector to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of their cause, size, location, or complexity.

The City is a participant in the San Bernardino County Operational Area Coordinating Council. The San Bernardino County Fire, Office of Emergency Services provides Emergency Management services to the City of Fontana through the provision of an Emergency Services Officer (ESO). This ESO is responsible for the development of the City's disaster plans, disaster training and exercise program, and oversight of the City's Emergency Operations Center.

5.8.3 REGULATORY SETTING

FEDERAL

[Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act](#)

The Federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act (RCRA) established a program administered by the U.S. EPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the "cradle to grave" system of regulating hazardous wastes.

[Comprehensive Environmental Response, Compensation and Liability Act](#)

The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) is a law developed to protect the water, air, and soil resources from the risks created by past chemical disposal practices. This law is also referred to as the Superfund Act and regulates sites on the National Priority List (also known as Superfund sites). This law (U.S. Code Title 42, Chapter 103) provides broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified.

[Emergency Planning and Community Right-to-Know Act](#)

The federal Emergency Planning and Community Right-To-Know Act (EPCRA) was enacted to inform communities and residents of chemical hazards in their area. Businesses are required to report the locations and quantities of chemicals stored onsite to both State and local agencies. EPCRA requires the U.S. EPA to maintain and publish a digital database list of toxic chemical releases and other waste management activities reported by certain industry groups and Federal facilities. This database, known as the Toxic Release Inventory, gives the community more power to hold companies accountable for their chemical management.

[Clean Water Act](#)

The Clean Water Act (CWA) is a 1977 amendment to the Federal Water Pollution Control Act of 1972. The CWA is the principal statute governing water quality. It establishes the basic structure for regulating discharges of pollutants into the Waters of the United States and gives the EPA the authority to implement pollution control programs, such as setting wastewater standards for the industry. Under the CWA, the



EPA has developed national water quality criteria recommendations for pollutants in surface waters. The statute's goal is to end all discharges entirely and to restore, maintain, and preserve the integrity of the Nation's waters. The CWA regulates both the direct and indirect discharge of pollutants into the Nation's waters. The CWA sets water quality standards for all contaminants in surface waters and makes it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a permit is obtained under its provisions. The CWA mandates permits for wastewater and stormwater discharges, requires States to establish site-specific water quality standards for navigable bodies of water, and regulates other activities that affect water quality, such as dredging and the filling of wetlands. The CWA also funded the construction of sewage treatment plants and recognized the need for planning to address nonpoint sources of pollution.

[Hazardous Waste Operations and Emergency Response Standards](#)

The Occupational Safety and Health Administration (OSHA) issued the Hazardous Waste Operations and Emergency Response (HAZWOPER) standards, 29 Code of Federal Regulations (CFR) 1910.120 and 29 CFR 1926.65, to protect workers and enable them to handle hazardous substances safely and effectively. The latter standard is for the construction industry and is identical to 29 CFR 1910.120. The HAZWOPER standard covers employers performing the following general categories of work operations: hazardous waste site cleanup operations; operations involving hazardous waste that are conducted at treatment, storage, and disposal facilities; and emergency response operations involving hazardous substance releases. The HAZWOPER standards provide information and training criteria to employers, emergency response workers, and other workers potentially exposed to hazardous substances to improve workplace safety and health and reduce workplace injuries and illnesses from exposures to hazardous substances. It is critical that employers and their workers understand the scope and application of HAZWOPER and can determine which sections apply to their specific work operations.

[Title 40 Code of Federal Regulations, Section 61 Subpart M](#)

Title 40 CFR Section 61 Subpart M, National Emissions Standards for Asbestos, sets forth emissions standards for asbestos from demolition and renovation activities, and for waste disposal from such activities.

[Title 40 Code of Federal Regulations, Section 761.61](#)

Title 40 CFR Section 761.61, PCB Remediation Waste, provides cleanup and disposal options for PCB remediation waste. Any person cleaning up and disposing of PCBs managed under Title 40 CFR Section 761.61 is required to do so based on the concentration at which the PCBs are found. This section does not prohibit any person from implementing temporary emergency measures to prevent, treat, or contain further releases or mitigate migration to the environment of PCBs or PCB remediation waste.

[Title 29 Code of Federal Regulations, Section 1926.62](#)

Title 29 CFR Section 1926.62, Lead, sets standards for occupational health and environmental controls for lead exposure in construction, regardless of the lead content of paints and other materials. The standards include requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs, recordkeeping, and observation and monitoring.



[U.S. Environmental Protection Agency's Lead Renovation, Repair and Painting Program Rules](#)

EPA's 2008 Lead-Based Paint Renovation, Repair and Painting Rule (as amended in 2010 and 2011) aims to protect the public from LBP hazards associated with renovation, repair, and painting activities. These activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed. The rule requires workers to be certified and trained in the use of lead-safe work practices, and requires renovation, repair, and painting professionals to be EPA-certified. These requirements became fully effective April 22, 2010.

STATE

[State Water Resources Control Board \(SWRCB\)](#)

Brownfields are underutilized properties where reuse is hindered by the actual or suspected presence of pollution or contamination. The goals of the SWRCB's Brownfield Program are to:

- Expedite and facilitate site cleanups and closures for Brownfields sites to support reuse of those sites;
- Preserve open space and greenfields;
- Protect groundwater and surface water resources, safeguard public health, and promote environmental justice; and
- Streamline site assessment, clean up, monitoring, and closure requirements and procedures within the various SWRCB site cleanup programs.

Site cleanup responsibilities for brownfields primarily reside within four main programs at the SWRCB: the Underground Storage Tank Program, the Site Cleanup Program, the Department of Defense Program and the Land Disposal Program. These SWRCB cleanup programs are charged with ensuring sites are remediated to protect the State of California's surface and groundwater and return it to beneficial use.

[California Hazardous Waste Control Act](#)

California's Hazardous Waste Control Act of 1972 created the framework under which hazardous wastes are managed in California. Title 22, Division 4.5 of the California Code of Regulations, sets forth definitions of hazardous waste and special waste and is implemented by the DTSC. The section also identifies hazardous waste criteria and establishes regulations pertaining to the storage, transport, and disposal of hazardous waste.

[California Health and Safety Code](#)

Division 11 of the Health and Safety Code establishes regulations related to a variety of explosive substances and devices, including high explosives and fireworks. Section 12000 et seq. establishes regulations related to explosives and explosive devices, including permitting, handling, storage, and transport (in quantities greater than 1,000 pounds).

Division 12 establishes requirements for buildings used by the public, including essential services buildings, earthquake hazard mitigation technologies, school buildings, and postsecondary buildings. Section 13000 et seq. establishes State fire regulations and broadly applicable regulations, such as standards for buildings and fire protection devices, in addition to regulations for specific land uses, such as childcare facilities and high-rise structures.



Division 20 establishes DTSC authority and sets forth hazardous waste and underground storage tank regulations. Under Chapter 6.95, *Hazardous Materials Release Response Plans and Inventory*, facilities handling hazardous materials are required to prepare a Hazardous Materials Business Plan. Hazardous Materials Business Plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of. In addition, in the event that a facility stores quantities of specific acutely hazardous materials above the thresholds set forth by the California Health and Safety Code, facilities are also required to prepare a Risk Management Plan and California Accidental Release Plan.

Division 26 establishes California Air Resources Board (CARB) authority. The division designates CARB as the air pollution control agency per Federal regulations and charges the Board with meeting Clean Air Act requirements.

South Coast Air Quality Management District

The South Coast Air Quality Management District (SCAQMD), in coordination with the California Air Resources Board (CARB) is responsible for developing and implementing rules and regulations regarding air toxics on a local level. SCAQMD establishes permitting requirements, inspects emission sources, and enforces measures through educational programs and/or fines.

SCAQMD Rule 1403 governs the demolition of buildings containing asbestos materials. Rule 1403 specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACBMs. The requirements for demolition and renovation activities include asbestos surveying, notification, ACBMs removal procedures and time schedules, ACBMs handling and cleanup procedures, and storage and disposal requirements for asbestos-containing waste materials.

Rule 1166 governs the emission of volatile organic compounds (VOCs) from excavating, grading, handling, and treating VOC-contaminated soil as a result of leakage from storage or transfer operations, accidental spillage, or other deposition. The requirements for excavating an UST, transfer pipe, or VOC-contaminated soils include operating pursuant to an approved mitigation plan, notification, VOC monitoring, and procedure for handling and transporting contaminated soils.

Rule 1401 governs any new, modified, or relocation of permit units (article, machine, equipment, or facility) that emit toxic air contaminants. The rule establishes allowable risks (maximum individual cancer risk, cancer burden, and noncancer acute and chronic hazard index) from operating permit units. Regulation 13 (Rules 1300 – 1325) establishes pre-construction review requirements for the installation or modification of a source facility (i.e., power plant, engine, equipment) of nonattainment air contaminant, ozone-depleting compounds (ODCs), or ammonia.

LOCAL

Certified Unified Program Agency

The Hazardous Materials Division of the San Bernardino County Fire Protection District is designated by the State Secretary for Environmental Protection as the Certified Unified Program Agency (CUPA) for the County of San Bernardino (San Bernardino County Fire Protection District, 2022). The CUPA program is designed to consolidate, coordinate, and uniformly and consistently administer permits, inspection



activities, and enforcement activities throughout San Bernardino County. The purpose of the Hazardous Materials Division is to protect the health and safety of the public and the environment of the County of San Bernardino by assuring that hazardous materials are properly handled and stored (City of Fontana, 2022b). The Division accomplishes this through inspection, emergency response, site remediation, and hazardous waste management services.

City of Fontana General Plan

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts associated with hazards and hazardous materials. Chapter 11, Noise and Safety Element contains the following goals and policies potentially relevant to the proposed Project:

Chapter 11 – Noise and Safety

- **Goal 8:** The potential for hazardous contamination is reduced in the City of Fontana.
 - **Policy:** The City shall strive to reduce the potential for residents, workers, and visitors to Fontana being exposed to hazardous materials and wastes.
- **Goal 9:** The City maintains regulations, plans, protocols and emergency training to reduce hazards and risks and to meet state and federal requirements for emergency assistance.
 - **Policy:** Keep hazard mitigation and emergency services programs up to date.
 - **Policy:** Continue to provide hazard and risk mitigation and emergency training to public employees and the public at large.

Fontana General Plan Exhibit 9.7, *Truck Routes*, designates truck routes within the City. Within the Project Area, Foothill Boulevard and Arrow Boulevard are designated as truck routes.

City of Fontana Municipal Code

The City of Fontana Municipal Code Chapter 8, *Emergency Preparedness*, provides for the preparation and carrying out of plans for the protection of persons and property within the City in the event of an emergency; the direction of the emergency organization; and the coordination of the emergency functions of the City with all other public agencies, corporations, organizations and affected private persons.

Municipal Code Chapter 9, Article II, *Hazardous Waste Management Plan*, adopts the County Hazardous Waste Management Plan and Environmental Impact Report.

Municipal Code Chapter 17, Article X, *Truck Routes*, identifies street segments that are part of City's commercial truck route system. Within the Project Area, Foothill Boulevard and Arrow Boulevard are designated as truck routes.

Municipal Code Chapter 23, *Sewers and Sewage Disposal*, addresses wastewater and storm drains within the City. Article II, *Industrial Waste*, sets forth uniform requirements for all users of the City wastewater collection and treatment system; provides for regulation through issuance of permits to certain industrial users and enforcement of general requirements for the other users; and authorizes monitoring and enforcement activities and user reporting, and provides for the setting of fees for the equitable distribution of costs for sewer service. Section 23-117 prohibits the discharge of hazardous materials into



the wastewater system. Article IX, *Preventing Discharge of Pollutants into Storm Drains*, provides requirements for all uses of the City's storm drain system to prevent illegal discharges of pollutants into the storm drain system and to control and contain spills of hazardous or toxic substances which could pollute the storm drain system if not contained.

Municipal Code Chapter 24, *Solid Waste and Recycling*, regulates solid waste handling, including hazardous waste, in order to protect public health, safety, and welfare.

[City of Fontana Local Hazard Mitigation Plan](#)

The City's Local Hazard Mitigation Plan (LHMP), identifies hazards, reviews and assesses past disaster occurrences, estimates the probability of future occurrences, and sets goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards. The 2017 LHMP was approved and adopted by City Council on August 14, 2018.

5.8.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to hazards and hazardous materials. A project would result in a significant impact related to hazards and hazardous materials if it would:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials (refer to Impact Statement 5.8-1);
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment (refer to Impact Statement 5.8-2);
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school (refer to Impact Statement 5.8-3);
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment (refer to Impact Statement 5.8-4);
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area (refer to [Section 8.0, *Effects Found Not To Be Significant*](#));
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (refer to Impact Statement 5.8-5); and/or
- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires (refer to [Section 8.0, *Effects Found Not To Be Significant*](#)).

Based on these standards and significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant



impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a “significant unavoidable impact.”

5.8.5 IMPACTS AND MITIGATION MEASURES

Impact 5.8-1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Impact Analysis: Many types of businesses utilize various chemicals and hazardous materials, and their routine business operations involve chemicals that are transported, stored and used on-site. Implementation of the proposed Project would accommodate future development of both residential and non-residential (primarily commercial) uses. The types of uses supported within the Downtown Core could involve the use of small amounts of hazardous materials, such as cleansers, paints, fertilizers, and pesticides for cleaning and maintenance purposes and are not typically associated with uses that use, generate, store or transport large quantities of hazardous materials such as those utilized in manufacturing and industrial uses.

The use, transportation, and disposal of hazardous materials is regulated and monitored by local fire departments, CUPAs, Cal OSHA, and the DTSC consistent with the requirements of federal, State, and local regulations and policies. Facilities that store hazardous materials on-site are required to maintain a Hazardous Materials Business Plan in accordance with State regulations. In the event of an accidental release of hazardous materials, the local CUPA and emergency management agencies (e.g., Police and Fire) would respond. The Downtown Core Project does not include any specific development proposals and future development is not anticipated to include the storage and/or use of significant amounts of hazardous materials. All future development that would include the storage and/or use of hazardous materials within the Project Area would be required to comply with the provisions of federal, State, and local requirements related to hazardous materials, including compliance with General Plan EIR mitigation measures MM-HAZ-1 and MM-HAZ-3 (included herein as Mitigation Measures HAZ-1 and HAZ-2). Specifically, Mitigation Measure HAZ-1 would require that new proposed facilities involved in the production, use, storage, transport or disposal of hazardous materials be located a safe distance from land uses that may be adversely impacted by such activities, and that new sensitive facilities would not be located near existing sites that use, store, or generate hazardous materials. Mitigation Measure HAZ-2 would require all businesses that handle hazardous materials above the reportable quantity to submit an inventory of the hazardous materials that they manage to the San Bernardino County Fire Department Hazardous Materials Division in coordination with the FFPD.

The Fontana General Plan and LHMP identify Hazardous Material Transportation Routes within the City. Within the Project Area, the Metrolink rail line is identified as a Hazardous Material Transportation Route. Additionally, transportation of hazardous materials could occur on designated truck routes or railways within the City. Within the Project Area, Foothill Boulevard and Arrow Boulevard are designated truck routes. Vehicles and/or trains transporting hazardous materials would be required to comply with the provisions of federal, State, and local requirements related to the transportation of hazardous materials.

As described previously, hazardous materials regulations related to the use, handling, and transport of hazardous materials are codified in Titles 8, 22, and 26 of the CCR, and their enabling legislation set forth in the California Health and Safety Code. These laws were established at the State level to ensure



compliance with federal regulations to reduce the risk to human health and the environment from the routine use of hazardous substances. These regulations must be implemented by employers/businesses, as appropriate, and are monitored by the State (e.g., Cal OSHA in the workplace or DTSC for hazardous waste) and/or the County. The haulers and users of hazardous materials are listed with and regulated and monitored by the County CUPA. Compliance with the requirements of federal, State, and local laws and regulations, including Mitigation Measures HAZ-1 and HAZ-2, regarding the use and storage of hazardous materials would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with implementation of the proposed Project would be less than significant.

Mitigation Measures:

HAZ-1: The City shall require that new proposed facilities involved in the production, use, storage, transport or disposal of hazardous materials be located a safe distance from land uses that may be adversely impacted by such activities. Conversely, new sensitive facilities, such as child-care centers and senior centers, shall not be located near existing sites that use, store, or generate hazardous materials. (General Plan EIR MM-HAZ-1, updated)

HAZ-2: The City shall require all businesses that handle hazardous materials above the reportable quantity to submit an inventory of the hazardous materials that they manage to the San Bernardino County Fire Department - Hazardous Materials Division in coordination with the Fontana Fire Protection District. (General Plan EIR MM-HAZ-3)

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

Impact 5.8-2: Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Impact Analysis:

[Short-Term Construction-Related Accidental Release of Hazardous Materials](#)

The proposed Project would enable development of new residential and non-residential uses. Construction activities associated with new development could result in upset and/or accident conditions involving the release of hazardous materials into the environment.

Specific development projects have not been identified as part of the proposed Project. However, future development accommodated through Project implementation could involve the demolition of existing structures and buildings as areas within the Project Area are redeveloped. As discussed above, the Project Area includes existing development from and prior to the 1960s; therefore, the presence of lead-based paint, ACM, and/or other contaminants, which are typically present in buildings and structures constructed prior to 1978, are likely present in some structures. All demolition that could result in the release of ACMs or lead-based paint would be conducted according to federal and State regulations which govern the renovation and demolition of structures where ACMs and lead-based paint are present. The National Emission Standards for Hazardous Air Pollutants mandates that building owners conduct an asbestos survey to determine the presence of ACMs prior to the commencement of any remedial work,



including demolition. In accordance with SCAQMD Rule 1403, if ACM material is found, abatement of asbestos would be required prior to any demolition activities. If paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste would be required to be evaluated independently from the building material by a qualified Environmental Professional in accordance with California Code of Regulations Title 8, Section 1532.1. If lead-based paint is found, abatement would be required to be completed by a qualified Lead Specialist prior to any demolition activities. Compliance with existing regulations related to ACM and lead-based paint would reduce potential impacts to a less than significant level.

In addition to potential demolition, future development would involve grading and construction of new buildings. Potentially hazardous materials used during construction include substances such as paints, sealants, lubricants, solvents, adhesives, cleaners, and diesel fuel. There is potential for these materials to spill or to create hazardous conditions. The materials used, however, would not be in such quantities or stored in such a manner as to pose a significant safety hazard. These activities would also be short-term and would cease upon completion of construction.

To prevent hazardous conditions, existing local, State, and federal laws such as those listed under Section 5.8.3, Regulatory Setting, are to be enforced at the construction sites. For example, compliance with existing regulations would ensure construction workers and the general public are not exposed to any risks related to hazardous materials during demolition and construction activities. Cal/OSHA has regulations concerning the use of hazardous materials, including requirements for safety training, exposure warnings, availability of safety equipment, and preparation of emergency action/prevention plans. For example, all spills or leakage of petroleum products during construction activities are required to be immediately contained, the hazardous material identified, and the material remediated in compliance with applicable State and local regulations for the cleanup and disposal of that contaminant. All contaminated waste encountered would be required to be collected and disposed of at an appropriately licensed disposal or treatment facility.

Future development accommodated through implementation of the proposed Project could involve grading and excavation activities which could expose construction workers and the public to previously unknown hazardous substances present in the soil or groundwater. Grading and excavation activities could also reveal previously unidentified underground storage tanks. Although underground storage tank removal activities could pose risks to workers and the public, potential risks would be minimized by managing the tank according to existing the San Bernardino County Fire Protection District Hazardous Materials Division standards. Potential impacts to groundwater would be dependent upon the type of contaminant, the amount released, and depth to groundwater at the time of the release.

The public could also be exposed to hazardous materials if new development or redevelopment were to be located on a current or historical hazardous material site. There are no active cleanup sites within the Project Area listed in the EnviroStor database. Further, there are no open LUST sites in the Project Area. Future development associated with implementation of the Project would be reviewed at the project-level to determine whether any development sites are listed on a hazardous materials site. Any development activities that may occur on documented hazardous materials sites would be required to undergo remediation and cleanup under the supervision of the regulatory agencies, such as DTSC and the Santa Ana Regional Water Quality Control Board (RWQCB). The Fontana General Plan includes goals,



policies, and actions to reduce threats to public health and safety involving the release of hazardous materials into the environment. Compliance with existing federal, State, and local regulations would reduce potential impacts involving the release of hazardous materials into the environment as a result of on-site contamination to a less than significant level.

Long-Term Operations-Related Accidental Release of Hazardous Materials

Long-term operation activities associated with new development could result in upset and/or accident conditions involving the release of hazardous materials into the environment. The Project does not propose site-specific development; thus, specific hazardous materials that could be accidentally released cannot be predicted at this time. However, as stated, the types of uses supported within the Downtown Core would typically involve the use of small amounts of hazardous materials, such as cleansers, paints, fertilizers, and pesticides for cleaning and maintenance purposes and are not typically associated with uses that use, generate, store or transport large quantities of hazardous materials such as those utilized in manufacturing and industrial uses.

The transport, storage, and handling of hazardous materials by developers, contractors, business owners, and others are required to comply with federal, State, and local regulations during project construction and operation. Facilities that use hazardous materials are required to obtain permits from the EPA under the RCRA, which gives the EPA the authority to control the generation, transportation, treatment, storage, and disposal of hazardous waste. Additionally, the hazardous materials regulations included in federal law govern the transportation of hazardous materials. Locally, the San Bernardino County Fire Protection District Hazardous Materials Division is the CUPA for San Bernardino County and is responsible for consolidating, coordinating, and making consistent the administrative requirements, permits, inspections, and enforcement activities of state standards regarding the transportation, use, and disposal of hazardous materials in the County, including the Project Area. As stated, all future development that would include the storage and/or use of hazardous materials within the Project Area would be required to comply with the provisions of federal, State, and local requirements related to hazardous materials, including compliance with Mitigation Measures HAZ-1 and HAZ-2. Mitigation Measure HAZ-1 would require that new proposed facilities involved in the production, use, storage, transport or disposal of hazardous materials be located a safe distance from land uses that may be adversely impacted by such activities, and that new sensitive facilities would not be located near existing sites that use, store, or generate hazardous materials. Mitigation Measure HAZ-2 would require all businesses that handle hazardous materials above the reportable quantity to submit an inventory of the hazardous materials that they manage to the San Bernardino County Fire Department Hazardous Materials Division in coordination with the FFPD.

Compliance with all applicable federal, State, and local regulations related to the transport, storage, and handling of hazardous materials, and compliance Mitigation Measures HAZ-1 and HAZ-2 would reduce the likelihood and severity of accidents, and impacts involving the release of hazardous materials into the environment would be less than significant.

Mitigation Measures: Refer to Mitigation Measures HAZ-1 and HAZ-2, above.

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.



Impact 5.8-3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Impact Analysis: The nearest schools to the Project Area are Fontana Middle School, located approximately 100 feet to the east of the Project Area (on the eastern side of Mango Avenue); Randall Pepper Elementary School, located approximately 0.08 miles from the southwestern corner of the Project Area (intersection of Juniper Avenue and Randall Avenue); and Palmetto Elementary School, located approximately 0.28 miles from the southeastern corner of the Project Area (intersection of Mango Avenue and Randall Avenue). As noted above, future development under the Project could utilize, transport, store, or dispose of hazardous materials during construction or operation. Excavation and grading activities associated with future development could expose the public to unknown hazardous materials present in soil or groundwater, which would require remediation activities. Remediation, if any, would include potential transport of hazardous materials to an approved landfill facility. As a result, future development within the Project Area could potentially emit or handle hazardous materials within one-quarter mile of an existing or proposed school.

CEQA Guidelines Section 15186, *School Facilities*, requires that school projects, as well as projects proposed to be located near schools, examine potential health impacts resulting from exposure to hazardous materials, wastes, and substances. Furthermore, permitting requirements for individual hazardous material handlers or emitters would require evaluation and notification where potential hazardous materials handling and emissions could occur in proximity to existing schools.

The Fontana General Plan includes goals, policies, and actions to reduce threats to public health and safety due to hazards and hazardous materials. As discussed above, the types of uses supported within the Downtown Core would typically involve the use of small amounts of hazardous materials, such as cleansers, paints, fertilizers, and pesticides for cleaning and maintenance purposes and are not typically associated with uses that use, generate, store or transport large quantities of hazardous materials such as those utilized in manufacturing and industrial uses. Future development associated with implementation of the proposed Project would be required to implement Mitigation Measure HAZ-1, which would require that new proposed facilities involved in the production, use, storage, transport or disposal of hazardous materials be located a safe distance from land uses that may be adversely impacted by such activities, and that new sensitive facilities not to be located near existing sites that use, store, or generate hazardous materials. Mitigation Measure HAZ-2 would require all businesses that handle hazardous materials above the reportable quantity to submit an inventory of the hazardous materials that they manage to the San Bernardino County Fire Department Hazardous Materials Division in coordination with the FFPD. Implementation of the safety procedures and regulations mandated by applicable federal, State, and local laws and Mitigation Measures HAZ-1 and HAZ-2 would ensure that potential risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes in proximity to a school associated with implementation of the Project would be less than significant.

Mitigation Measures: Refer to Mitigation Measures HAZ-1 and HAZ-2.

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.



Impact 5.8-4: Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Impact Analysis: There are no hazardous materials release sites located in the City of Fontana on the Cortese List (DTSC, 2022c). Future development associated with implementation of the Downtown Core Project would be evaluated at the project-level to determine whether any development sites are listed on a hazardous materials site. Any development activities occurring on documented hazardous materials sites would be required to undergo remediation and cleanup under the supervision of the DTSC and/or the Santa Ana RWQCB prior to construction. The Fontana General Plan includes goals, policies, and actions to reduce threats to public health and safety due to hazards and hazardous materials. Compliance with existing federal, State, and local regulations would reduce potential impacts involving potential hazardous materials sites.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.8-5: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Impact Analysis: The proposed Downtown Core Project would provide for increased residential and non-residential uses within the Project Area. Additionally, the Project proposes roadway modifications that would ultimately close a quarter-mile portion of Sierra Avenue to vehicular traffic. This would occur in two phases. Phase I (interim condition) would reduce the number of travel lanes on Sierra Avenue from two lanes in each direction to one lane in each direction, convert Wheeler Avenue to a one-way northbound street, and convert Nuevo Avenue to a one-way southbound street. Phase II (the ultimate condition) would close Sierra Avenue between Arrow Boulevard and Orange Way to vehicular traffic, diverting traffic to parallel streets.

Implementation of the proposed Project would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. As described in [Section 5.13, *Public Services and Recreation*](#), the FFPD provides fire and emergency response service to the City of Fontana, including the Project Area. Future development within the Downtown Core would be required to comply with applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the City police and fire departments. The ultimate closure of a quarter-mile portion of Sierra Avenue to vehicular traffic would not impair or interfere with an emergency response plan or emergency evacuation plan. Closure of a portion of Sierra Avenue would also involve the conversion of Wheeler Avenue to a one-way northbound street, and Nuevo Avenue to a one-way southbound street, providing continued emergency access within the area. Further, the proposed closure and ultimate design of Sierra Avenue would be reviewed by the FFPD to ensure that adequate emergency access would be maintained within the area.

The Project does not include any site-specific development. However, future development would be designed, constructed, and maintained in accordance with applicable standards, including vehicular access to ensure that adequate emergency access and evacuation would be maintained. The City has



adopted the current edition of the California Fire Code and access for emergency vehicles would be required to be incorporated into project design. Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures.

Primary access to all major roads would be maintained during construction of future developments within the Project Area. As part of the site review process, future development projects would be reviewed for adequate infrastructure and access as well as consistency with adopted emergency and evacuation plans in order to ensure adequate emergency response and emergency evacuation would not be impaired. Therefore, impacts associated with adopted emergency response or evacuation plans would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.8.6 CUMULATIVE IMPACTS

Impact Analysis: Construction of individual development projects associated with implementation of the Downtown Core Project may involve the transportation, use, and/or disposal of hazardous materials, or the transportation of excavated soil and/or groundwater containing contaminants associated with development and redevelopment activities. Furthermore, some future land uses could transport or use hazardous materials within one-quarter mile of a school, or other sensitive receptors such as residences.

As with site-specific development projects resulting from implementation of the Project, cumulative development would be required to evaluate individual hazards and hazardous materials impacts at the project-level. While some cumulative impacts would potentially occur in the Project Area as individual projects are constructed, federal, State, and local regulations, including the General Plan policies, actions, and Mitigation Measures HAZ-1 and HAZ-2, would reduce the risk to people associated with hazards and hazardous materials in the region. Considering the protection granted by local, State, and federal agencies and their requirements for the use of hazardous materials and other potential hazards in the region, as described above, the overall cumulative impact for hazards impacts would not be significant. Future closure of a quarter-mile of Sierra Avenue and development within the Project Area would not impair or interfere with an emergency response plan or emergency evacuation plan. The proposed closure and ultimate design of Sierra Avenue would be reviewed by the FFPD to ensure that adequate emergency access would be maintained within the area. All development projects within the City are reviewed for California Fire Code compliance, including adequate emergency access. As a result, the Project's incremental contribution to cumulative hazards and hazardous materials impacts would be less than cumulatively considerable.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.8.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with hazards and hazardous materials would occur with the proposed Project.



5.8.8 REFERENCES

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5.9 HYDROLOGY AND WATER QUALITY

5.9.1 PURPOSE

The purpose of this section is to describe the existing hydrology and water quality conditions and regulatory environment and to identify potential impacts that could result from Project implementation.

5.9.2 ENVIRONMENTAL SETTING

REGIONAL ENVIRONMENTAL SETTING

Watersheds

A watershed is a region that is bound by a divide that drains to a common watercourse or body of water. The State uses a hierarchical naming and numbering convention to define watershed areas for management purposes. This means that boundaries are defined according to size and topography, with multiple sub-watersheds within larger watersheds.

The Project Area is within the South Coast Hydrologic Region, which encompasses almost 11,000 square miles from the Pacific Ocean to Riverside County and from Ventura County south to San Diego County. Annual precipitation ranges from more than 40 inches in the mountains to less than 10 inches in some valleys, with an overall average of 17.6 inches for the region (California Department of Water Resources, 2021). The South Coast Hydrological Region includes all of Orange County, most of San Diego and Los Angeles Counties, and parts of Riverside, San Bernardino, and Ventura Counties. The region is bound by the Transverse Ranges (including the San Gabriel and San Bernardino Mountains) to the north, the San Jacinto Mountains and low-lying Peninsular Range to the east, and the international boundary with Mexico to the south (California Department of Water Resources, 2003).

Within the South Coast Hydrologic Region, the Project Area is within the Santa Ana River Watershed. At the sub-watershed level, the Project Area is located within the East Etiwanda Creek-Santa Ana River hydrologic sub-area.

The City of Fontana is under the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB) (Region 8). The Santa Ana RWQCB sets water quality objectives and monitors surface water quality through the implementation of the Water Quality Control Plan for Region 8 (Basin Plan), which includes the Project Area.

Groundwater

The City of Fontana is located within the Upper Santa Ana Basin. Most of the City of Fontana, including the Project Area, is underlain by the Chino Subbasin. The northern portion of the City is underlain by the Rialto-Colton Subbasin. The Chino Subbasin (Basin) is bounded on the east by the Rialto-Colton fault; on the southeast by the Jurupa Mountains; on the south by the Puente Hills and Chino fault; on the northwest by the San Jose fault; and on the north by the San Gabriel Mountains and by the Cucamonga fault (California Department of Water Resources, 2003). San Antonio Creek and Cucamonga Creek drain the surface of the subbasin southward to join the Santa Ana River. Annual mean precipitation ranges from 13 to 29 inches across the surface of the subbasin and averages about 17 inches (California Department of



Water Resources, 2003). The Basin contains approximately 5,000,000 acre-feet (AF) of water with an unused storage capacity of approximately 1,000,000 AF (Kennedy Jenks, 2021).

The Basin was adjudicated in 1978; pumping is managed and reported by the Chino Basin Watermaster. The Basin was designated a very low priority basin in the Department of Water Resources (DWR) 2019 Sustainable Groundwater Management Act (SGMA) Basin Prioritization report (California Department of Water Resources, 2020).

Water Quality Objectives and Impaired Water Bodies

As described above, the Project Area is tributary to the Santa Ana River Watershed that, in turn, drains to the Santa Ana River Reach 3, Prado Dam, Santa Ana River Reach 2, Santa Ana River Reach 1, and Pacific Ocean. The Santa Ana River runs southwesterly across San Bernardino, Riverside, and Orange Counties, where it discharges into the Pacific Ocean at the City of Huntington Beach. Based on the Santa Ana River Basin Plan (Basin Plan Table 3-1), the potential beneficial uses of the Santa Ana River Reach 3 are: municipal and domestic water supply (excepted in accordance with the criteria specified in the “Sources of Drinking Water Policy”); agricultural supply; groundwater recharge; water contact recreation; non-contact water recreation; warm freshwater habitat; wildlife habitat, rare, threatened, or endangered species; and spawning, reproduction and development. The potential beneficial uses of the Santa Ana River Reach 2 are municipal and domestic water supply (excepted); agricultural supply; groundwater recharge; water contact recreation; non-contact water recreation; warm freshwater habitat; and wildlife habitat, rare, threatened, or endangered species. The existing beneficial uses of the Santa Ana River Reach 1 are municipal and domestic water supply (excepted); water contact recreation; non-contact water recreation; warm freshwater habitat (intermittent); and wildlife habitat, rare, threatened, or endangered species (intermittent).

CWA 303(d) List of Water Quality Limited Segments

Under Section 303(d) of the Clean Water Act (CWA), states are required to identify water bodies that do not meet their water quality standards. Biennially, the Santa Ana RWQCB prepares a list of impaired waterbodies in the region, referred to as the 303(d) list. The 303(d) list outlines the impaired waterbody and the specific pollutant(s) for which it is impaired. All waterbodies on the 303(d) list are subject to the development of a total maximum daily load (TMDL).

Of the Project Area’s receiving waterbodies, the Santa Ana River Reach 3 is included on the CWA’s Section 303(d) list of impaired waters because of excessive concentrations of copper, indicator bacteria, and lead, and the Prado Basin Management Zone is included because of pH (State Water Resources Control Board, 2022a).

Total Maximum Daily Loads (TMDLs)

Once a water body has been listed as impaired on the 303(d) list, a TMDL for the constituent of concern (pollutant) must be developed for that water body. A TMDL is an estimate of the daily load of pollutants that a water body may receive from point sources, non-point sources, and natural background conditions (including an appropriate margin of safety), without exceeding its water quality standard. Those facilities and activities that are discharging into the water body, collectively, must not exceed the TMDL. In general terms, municipal, small MS4, and other dischargers within each watershed are collectively responsible for meeting the required reductions and other TMDL requirements by the assigned deadline.



TMDLs for the Santa River Reach 3 have been established for indicator bacteria and nitrates (State Water Resources Control Board, 2022b).

LOCAL DRAINAGE AND HYDROLOGY

Local Storm Drainage Infrastructure

The City of Fontana and the San Bernardino Flood Control District (SBCFCD) share responsibility of the stormwater system in the City of Fontana (City of Fontana, 2018). The SBCFCD is responsible for operations and maintenance of the regional flood control facilities. The City is responsible for the local drainage system, detention basins, and storm drain lines that connect to the regional facilities. The City is located within Flood Control District Zone 2.

The City of Fontana's storm drain system eventually empties into the Santa Ana River without being cleaned at treatment plants (City of Fontana, 2018). As described above, the Santa Ana River flows in a southwesterly direction and eventually drains to the Pacific Ocean.

FLOODPLAIN MAPPING

FEMA Flood Zones

The Federal Emergency Management Agency (FEMA) has a database that maps flood potential across the United States. FEMA mapping provides important guidance for the City in planning for flooding events and regulating development within identified flood hazard areas. FEMA's National Flood Insurance Program (NFIP) is intended to encourage State and local governments to adopt responsible floodplain management programs and flood measures. As part of the program, the NFIP defines floodplain and floodway boundaries that are shown on Flood Insurance Rate Maps (FIRMs). The Project Area is located within Zone X, which is an area determined to be outside the 0.2 percent annual chance (500-year) floodplain (FEMA, 2022).

Dam Inundation

Earthquakes centered close to a dam are typically the most likely cause of dam failure. Dam inundation maps have been required in California since 1972, following the 1971 San Fernando Earthquake and near failure of the Lower Van Norman Dam. There are a number of dams in the vicinity of the City but none have the potential to inundate portions of the Project Area according to the Department of Water Resources (DWR) Division of Safety of Dams Dam Breach Inundation Maps (California Department of Water Resources, 2022).

5.9.3 REGULATORY SETTING

FEDERAL

Clean Water Act

The CWA, initially passed in 1972, regulates the discharge of pollutants into watersheds throughout the nation. Section 402(p) of the act establishes a framework for regulating municipal and industrial stormwater discharges under the National Pollutant Discharge Elimination System (NPDES) Program. Section 402(p) requires that stormwater associated with industrial activity that discharges either directly



to surface waters or indirectly through municipal separate storm sewers must be regulated by an NPDES permit.

The CWA establishes the basic structure for regulating the discharges of pollutants into the waters of the United States and gives the US Environmental Protection Agency (EPA) the authority to implement pollution control programs. The statute's goal is to regulate all discharges into the nation's waters and to restore, maintain, and preserve the integrity of those waters. The CWA sets water quality standards for all contaminants in surface waters and mandates permits for wastewater and stormwater discharges.

The CWA also requires states to establish site-specific water quality standards for navigable bodies of water and regulates other activities that affect water quality, such as dredging and the filling of wetlands. The following CWA sections assist in ensuring water quality for the water of the United States.

CWA Section 208 requires the use of best management practices (BMPs) to control the discharge of pollutants in stormwater during construction. CWA Section 303(d) requires the creation of a list of impaired water bodies by states, territories, and authorized tribes; evaluation of lawful activities that may impact impaired water bodies, and preparation of plans to improve the quality of these water bodies. CWA Section 303(d) also establishes TMDLs, which is the maximum amount of a pollutant that a water body can receive and still safely meet water quality standards. CWA Section 404 authorizes the US Army Corps of Engineers to require permits that will discharge dredge or fill materials into waters in the US, including wetlands.

In California, the EPA has designated the State Water Resources Control Board (SWRCB) and its nine RWQCBs) with the authority to identify beneficial uses and adopt applicable water quality objectives.

The SWRCB is responsible for implementing the CWA and does so through issuing NPDES permits to cities and counties through regional water quality control boards. Federal regulations allow two permitting options for storm water discharges (individual permits and general permits).

[National Pollutant Discharge Elimination System](#)

NPDES permits are required for discharges to navigable waters of the United States, which includes any discharge to surface waters, including lakes, rivers, streams, bays, oceans, dry stream beds, wetlands, and storm sewers that are tributary to any surface water body. NPDES permits are issued under the Federal CWA, Title IV, Permits and Licenses, Section 402 (33 USC 466 et seq.).

The RWQCB issues these permits in lieu of direct issuance by the EPA, subject to review and approval by the EPA Regional Administrator (EPA Region 9). The terms of these NPDES permits implement pertinent provisions of the Federal CWA and the Act's implementing regulations, including pre-treatment, sludge management, effluent limitations for specific industries, and anti-degradation. In general, the discharge of pollutants is to be eliminated or reduced as much as practicable so as to achieve the CWA's goal of "fishable and swimmable" navigable (surface) waters. Technically, all NPDES permits issued by the RWQCB are also Waste Discharge Requirements issued under the authority of the CWA.

These NPDES permits regulate discharges from publicly owned treatment works, industrial discharges, stormwater runoff, dewatering operations, and groundwater cleanup discharges. NPDES permits are issued for five years or less, and are therefore to be updated regularly. Individual projects in the City that disturb more than one acre would be required to obtain NPDES coverage under the California General



Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit). The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP) describing BMPs the discharger would use to prevent and retain storm water runoff. The SWPPP must contain a visual monitoring program; a chemical monitoring program for “non-visible” pollutants to be implemented if there is a failure of BMPs; and a sediment monitoring plan if the site discharges directly to a waterbody listed on the 303(d) list for sediment.

Federal Emergency Management Agency

FEMA operates the NFIP. Participants in the NFIP must satisfy certain mandated floodplain management criteria. The National Flood Insurance Act of 1968 has adopted as a desired level of protection, an expectation that developments should be protected from floodwater damage of the Intermediate Regional Flood (IRF). The IRF is defined as a flood that has an average frequency of occurrence on the order of once in 100 years, although such a flood may occur in any given year. Communities are occasionally audited by the California Department of Water Resources (DWR) to ensure the proper implementation of FEMA floodplain management regulations.

Flood Disaster Protection Act

The Flood Disaster Protection Act (FDPA) of 1973 was a response to the shortcomings of the NFIP, which were experienced during the flood season of 1972. The FDPA prohibited federal assistance, including acquisition, construction, and financial assistance, within delineated floodplains in non-participating NFIP communities. Furthermore, all federal agencies and/or federally insured and federally regulated lenders must require flood insurance for all acquisitions or developments in designated Special Flood Hazard Areas (SFHAs) in communities that participate in the NFIP.

Improvements, construction, and developments within SFHAs are generally subject to the following standards:

- All new construction and substantial improvements of residential buildings must have the lowest floor (including basement) elevated to or above the base flood elevation (BFE).
- All new construction and substantial improvements of non-residential buildings must either have the lowest floor (including basement) elevated to or above the BFE or dry-floodproofed to the BFE.
- Buildings can be elevated to or above the BFE using fill, or they can be elevated on extended foundation walls or other enclosure walls, on piles, or on columns.
- Extended foundation or other enclosure walls must be designed and constructed to withstand hydrostatic pressure and be constructed with flood-resistant materials and contain openings that will permit the automatic entry and exit of floodwaters. Any enclosed area below the BFE can only be used for the parking of vehicles, building access, or storage.

National Flood Insurance Program

Per the National Flood Insurance Act of 1968, the NFIP has three fundamental purposes: Better indemnify individuals for flood losses through insurance; Reduce future flood damages through State and community floodplain management regulations; and Reduce Federal expenditures for disaster assistance



and flood control. While the Act provided for subsidized flood insurance for existing structures, the provision of flood insurance by FEMA became contingent on the adoption of floodplain regulations at the local level.

STATE

[California Code of Regulations](#)

California Code of Regulations (CCR) Title 22, Chapter 15, Article 20 requires all public water systems to prepare a Consumer Confidence Report for distribution to its customers and to the Department of Health Services. The Consumer Confidence Report provides information regarding the quality of potable water provided by the water system. It includes information on the sources of the water, any detected contaminants in the water, the maximum contaminants levels set by regulation, violations and actions taken to correct them, and opportunities for public participation in decisions that may affect the quality of the water provided.

[California Government Code](#)

Relevant sections of the California Government Code are identified below.

[Section 65584.04](#)

Any land having inadequate flood protection, as determined by FEMA or DWR, must be excluded from land identified as suitable for urban development.

[Section 8589.4](#)

California Government Code §8589.4, commonly referred to as the Potential Flooding-Dam Inundation Act, requires owners of dams to prepare maps showing potential inundation areas in the event of dam failure. A dam failure inundation zone is different from a flood hazard zone under the NFIP. NFIP flood zones are areas along streams or coasts where storm flooding is possible from a “100-year flood.” In contrast, a dam failure inundation zone is the area downstream from a dam that could be flooded in the event of dam failure due to an earthquake or other catastrophe. Dam failure inundation maps are reviewed and approved by the California Office of Emergency Services (OES). Sellers of real estate within inundation zones are required to disclose this information to prospective buyers.

[California Department of Health Services](#)

The Department of Health Services, Division of Drinking Water and Environmental Management, oversees the Drinking Water Program. The Drinking Water Program regulates public water systems and certifies drinking water treatment and distribution operators. It provides support for small water systems and for improving their technical, managerial, and financial capacity. It provides subsidized funding for water system improvements under the State Revolving Fund (“SRF”) and Proposition 50 programs. The Drinking Water Program also oversees water recycling projects, permits water treatment devices, supports and promotes water system security, and oversees the Drinking Water Treatment and Research Fund for methyl tertiary butyl ether (MTBE) and other oxygenates.



Consumer Confidence Report Requirements

CCR Title 22, Chapter 15, Article 20 requires all public water systems to prepare a Consumer Confidence Report for distribution to its customers and to the Department of Health Services. The Consumer Confidence Report provides information regarding the quality of potable water provided by the water system. It includes information on the sources of the water, any detected contaminants in the water, the maximum contaminant levels set by regulation, violations and actions taken to correct them, and opportunities for public participation in decisions that may affect the quality of the water provided.

California Water Code

California's primary statute governing water quality and water pollution issues with respect to both surface waters and groundwater is the Porter-Cologne Water Quality Control Act of 1970 (Division 7 of the California Water Code) (Porter-Cologne Act). The Porter-Cologne Act grants the SWRCB and each of the RWQCBs power to protect water quality, and is the primary vehicle for implementation of California's responsibilities under the Federal CWA. The Porter-Cologne Act grants the SWRCB and the RWQCBs authority and responsibility to adopt plans and policies, to regulate discharges to surface and groundwater, to regulate waste disposal sites, and to require cleanup of discharges of hazardous materials and other pollutants. The Porter-Cologne Act also establishes reporting requirements for unintended discharges of any hazardous substance, sewage, or oil or petroleum product.

Each RWQCB must formulate and adopt a Water Quality Control Plan (Basin Plan) for its region. The regional plans are to conform to the policies set forth in the Porter-Cologne Act and established by the SWRCB in its State water policy. The Porter-Cologne Act also provides that a RWQCB may include within its regional plan water discharge prohibitions applicable to particular conditions, areas, or types of waste.

State Water Resources Control Board Storm Water Strategy

The Storm Water Strategy is founded on the results of the Storm Water Strategic Initiative, which served to direct the State Water Board's role in storm water resources management and evolve the Storm Water Program by a) developing guiding principles to serve as the foundation of the storm water program, b) identifying issues that support or inhibit the program from aligning with the guiding principles, and c) proposing and prioritizing projects that the Water Boards could implement to address those issues.

The State Water Board staff created a strategy-based document called the Strategy to Optimize Management of Storm Water (STORMS). STORMS includes a program vision, missions, goals, objectives, projects, timelines, and consideration of the most effective integration of project outcomes into the Water Board's Storm Water Program.

Sustainable Groundwater Management Act

SGMA established a framework for sustainable, local groundwater management. SGMA requires groundwater-dependent regions to halt overdraft and bring basins into balanced levels of pumping and recharge. With passage of the SGMA, the DWR launched the Sustainable Groundwater Management Program to implement the law and provide ongoing support to local agencies around the State. The SGMA:

- Establishes a definition of "sustainable groundwater management;"



- Requires that a Groundwater Sustainability Plan be adopted for the most important groundwater basins in California;
- Establishes a timetable for adoption of Groundwater Sustainability Plans;
- Empowers local agencies to manage basins sustainably;
- Establishes basic requirements for Groundwater Sustainability Plans; and
- Provides for a limited State role.

LOCAL

[Water Quality Control Plan \(Basin Plan\) for the Santa Ana River Basin](#)

A Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. The Basin Plan is a resource for the Regional Board and others who use water and/or discharge wastewater in the region that the Basin Plan is designed to cover. Other agencies and organizations involved in environmental permitting and resource management activities also use the Basin Plan. Finally, the Basin Plan provides valuable information to the public about local water quality issues.

The Santa Ana Region (Region 8) includes the upper and lower Santa Ana River watersheds, the San Jacinto River Watershed, and several other small drainage areas. The Santa Ana Region covers parts of southwestern San Bernardino County, western Riverside County, and northwestern Orange County. The Project Area is located within this region.

[Municipal NPDES Permit Waste Discharge Requirements](#)

On January 29, 2010, the RWQCB adopted Order R8-2010-0036 (NPDES No. CAS 618036) Area wide Urban Storm Water Runoff Management Program (MS4 Permit). Order R8-2010-0036 serves as the NPDES permit for San Bernardino County within the Santa Ana Region. The permit covers the land areas in the San Bernardino County Flood Control District jurisdiction, unincorporated areas of San Bernardino County, and incorporated cities of San Bernardino County within the Santa Ana Region. The City of Fontana is included in the MS4 Permit as a permittee under Order R8-2010-0036.

The MS4 Permit requires individual priority projects to prepare and implement a water quality management plan that may include source control BMPs, mitigation measures, and treatment control BMPs.

[San Bernardino County Santa Ana River Watershed Stormwater Resource Plan](#)

The San Bernardino County Santa Ana River Watershed Stormwater Resource Plan (SWRP) is a regional, watershed-based plan for management and improvement of stormwater resources within the Santa Ana River Watershed portion of San Bernardino County. The SWRP establishes stormwater and dry-weather runoff goals and objectives to provide water quality, water supply, flood management, environmental, and community benefits. The SWRP also identifies potential projects to meet the goals and objectives and includes an implementation strategy to implement the projects and programs.

[Chino Basin Management Plan](#)

The 1978 Chino Basin Judgment adjudicated water rights within the Chino Subbasin and established the Chino Basin Watermaster to develop and implement the Optimum Basin Management Program (OBMP).



Water rights in the Chino Basin are held by representatives of three stakeholder groups, called Pools. The three Pools are: the Overlying Agricultural Pool, representing dairymen, farmers, and the State of California; the Overlying Non-agricultural Pool, representing area industries; and the Appropriative Pool, representing local cities, public water districts, and private water companies (Kennedy Jenks, 2021). The court judgment allocates groundwater rights by establishing an annual pumping “safe yield” for each Pool. To the extent that pumping exceeds the share of the safe yield, assessments are levied by the Watermaster to replace the overproduction. The assessments are used to purchase untreated imported water to recharge the groundwater basin. The Judgment established a safe yield of 140,000 AF per year for the entire Basin, which was reset to 131,000 AF per year effective 2021. In compliance with the Judgment, the Chino Basin Watermaster submits an Annual Report to the RWQCB. The Annual Report provides an accounting and audit for the previous year.

Since 2000, the OBMP has been the planning document guiding management of the basin. The Chino Basin Watermaster recently completed the 2020 OBMP Update; environmental review of the 2020 OBMP Update has not yet been completed (Kennedy Jenks, 2021). According to the Chino Basin Watermaster website, the Draft SEIR is anticipated to be recirculated in Spring 2023.

[City of Fontana General Plan](#)

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts associated with hydrology and water quality. Chapter 10, Infrastructure and Green Systems, Chapter 11, Noise and Safety, and Chapter 12, Sustainability and Resilience Elements contain the following goals and policies specific to hydrology and water quality:

Chapter 10 – Infrastructure and Green Systems

- **Goal 1:** Fontana collaborates with public and private agencies for an integrated and sustainable water resource management program.
 - **Policy:** Support initiatives to provide a long-term supply of the right water for the right use through working with regional providers and the One Water One Watershed Plan.
- **Goal 2:** Fontana promotes use of non-potable water for uses where drinking water is not needed.
 - **Policy:** Encourage use of processed water from the IEUA systems using recycled water for all non-drinking water purposes.
 - **Policy:** Promote laundry-to-landscape greywater systems for single-family housing units.
- **Goal 3:** The city continues to have an effective water conservation program.
 - **Policy:** Support landscaping in public and private spaces with drought resistant plants.
 - **Policy:** Continue successful city water conservation programs and partnerships.
- **Goal 4:** The City of Fontana consistently seeks reasonable rates from the city’s drinking water providers.
 - **Policy:** Support City negotiations to keep drinking water rates reasonable for residents and other users.
- **Goal 6:** Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional one water one watershed standards.



- **Policy:** Continue to implement the Water Quality Management Plan for stormwater management that incorporates low-impact and green infrastructure standards.
- **Policy:** Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.

Chapter 11 – Noise and Safety

- **Goal 6:** Injury, loss of life, property damage, and economic and social disruption caused by flood and inundation hazards are minimized in Fontana.
 - **Policy:** The city shall discourage new development in flood-hazard areas and implement mitigation measures to reduce the hazard to existing developments located within the 100- and 500-year flood zones.

Chapter 12 – Sustainability and Resilience

- **Goal 7:** Conservation of water resources with best practices such as drought-tolerant plant species, recycled water, greywater systems, has become a way of life in Fontana.
 - **Policy:** Continue to promote and implement best practices to conserve water.

City of Fontana Municipal Code

Fontana Municipal Code Chapter 23, Article IX, *Preventing Discharge of Pollutants into Storm Drains*, provides requirements for all uses of the City's storm drain system to protect and enhance water quality and implement the requirements of the City's NPDES permit. Pursuant to this chapter, the City requires all development activities subject to the City's NPDES permit to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), which is required to identify proposed structural BMPs and source and treatment control BMPs to infiltrate and/or adequately treat the projected stormwater and urban runoff from the development site.

Chapter 28, Article IV, Section 28-111, *Stormwater Management and Rainwater Retention*, relates to the integration of stormwater BMPs into landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration.

Chapter 9, Article III, *Control of Blowing Sand and Soil Erosion*, adopts the County's dust control measures to minimize water quality-related impacts.

City of Fontana Local Hazard Mitigation Plan

The City's Local Hazard Mitigation Plan (LHMP), identifies hazards, reviews and assesses past disaster occurrences, estimates the probability of future occurrences, and sets goals to mitigate potential risks to reduce or eliminate long-term risk to people and property from natural and man-made hazards. The 2017 LHMP was approved and adopted by City Council on August 14, 2018. The LHMP addresses flood hazards and includes mitigation goals, objectives, and projects related to flood hazards.

5.9.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to hydrology and water quality. A project would result in a significant impact related to hydrology and water quality if it would:



- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality (refer to Impact Statement 5.9-1);
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin (refer to Impact Statement 5.9-2);
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - Result in substantial erosion or siltation on- or off-site (refer to Impact Statement 5.9-3);
 - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (refer to Impact Statement 5.9-3);
 - Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff (refer to Impact Statement 5.9-3); or
 - Impede or redirect flood flows (refer to Section 8.0, *Effects Found Not to be Significant*);
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation (refer to Section 8.0, *Effects Found Not to be Significant*); and/or
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan (refer to Impact Statement 5.9-4).

Based on these standards and significance thresholds and criteria, the Project’s effects have been categorized as either “no impact,” a “less than significant impact,” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a “significant unavoidable impact.”

5.9.5 IMPACTS AND MITIGATION MEASURES

Impact 5.9-1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Impact Analysis:

Construction

The Downtown Core Project does not propose site-specific development projects; however, it does anticipate future development and redevelopment would occur within the Project Area. Future development may involve grading, excavation, removal of vegetation cover, and activities associated with future construction activities that could temporarily increase runoff, erosion, and sedimentation. Construction activities also could result in soil compaction and wind erosion impacts that could adversely affect soils and reduce the revegetation potential at construction sites and staging areas.

As stated, to comply with NPDES Permit regulations, the State of California requires that any construction activity disturbing one acre or more of soil comply with the Construction General Permit. The permit



requires development and implementation of a SWPPP and monitoring plan, which must include erosion-control and sediment-control BMPs that would meet or exceed measures required by the Construction General Permit to control stormwater quality degradation due to potential construction-related pollutants. The Fontana Municipal Code Chapter 23, Article IX requires construction dischargers to comply with the construction activity storm water permit, including development and implementation of a SWPPP; implementation of BMPs as necessary; and preparation or implementation of a Water Quality Management Plan (WQMP) or equivalent as required by the City. The RWQCB would require a project-specific SWPPP to be prepared for each future project that disturbs one acre or larger. The SWPPPs would include project-specific BMPs that are designed to control drainage and erosion. Additionally, Chapter 9, Article III adopts the County's dust control measures to minimize water quality-related impacts. Therefore, the proposed project would not violate any water quality standards or waste discharge requirements, nor would it otherwise substantially degrade surface water or groundwater quality.

Operation

The Project Area is primarily urbanized with limited pervious areas anticipated for development. The Downtown Core Project does not propose site-specific development. Future development activities have the potential to increase impervious areas especially associated with the development of currently undeveloped sites, resulting in increased runoff when compared to existing site conditions. Stormwater runoff may include pollutants such as sediments, nutrients, pesticides, trash, oil and grease, and metals. The San Bernardino County NPDES MS4 Permit and Fontana Municipal Code regulate stormwater discharges within the Project Area, and require the use of BMPs and other control measures to reduce the discharge of pollutants to receiving water bodies.

Municipal Code Chapter 28, Article IV, Section 28-111 relates to the integration of stormwater BMPs into landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration. Existing regulatory requirements that manage water quality include requirements to obtain approval from the RWQCB for NPDES permits, other discharge permits, WQMPs, SWPPPs, and to implement BMPs. Federal, State and local regulations would require individual projects to provide the on-site storm drain infrastructure, including water quality measures, to ensure the stormwater runoff associated with the proposed development would be captured and treated on-site, protecting water quality both on- and off-site. Therefore, implementation of the Project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.



Impact 5.9-2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Impact Analysis: The Project Area is underlain by the Upper Santa Ana Basin, Chino Subbasin. The Chino Subbasin is an adjudicated basin managed by the Chino Basin Watermaster. As indicated in [Section 5.16, *Utilities and Service Systems*](#), potable water in the Project Area is provided by the Fontana Water Company (FWC). According to the FWC 2020 Urban Water Management Plan (UWMP), water supply sources include local groundwater and local and imported surface water. Local groundwater basins include: Chino Basin, an adjudicated basin and the primary groundwater source for FWC; Rialto-Colton Basin, an adjudicated basin; Lytle Basin, an adjudicated basin; and No Man’s Land Basin, which is managed through Rialto-Colton Basin.

The Downtown Core Project anticipates increased development of residential and non-residential uses within the Project Area when compared to existing conditions. Increased development would result in increased demand on water supplies. As indicated in [Section 5.16](#), FWC has confirmed that it is able to provide water utility service to meet the water supply needs anticipated by the proposed Project. Therefore, the Project would not substantially decrease groundwater supplies resulting from increased demand for water associated with future development anticipated by the Downtown Core Project.

The Project Area is primarily urbanized with limited pervious areas anticipated for development. Although future development activities have the potential to increase impervious areas, especially associated with the development of currently undeveloped sites, these areas are limited and do not provide for substantial groundwater recharge within the Project Area. The majority of development activities associated with implementation of the Project would consist of infill and redevelopment on currently urbanized sites. Therefore, the proposed Project would not interfere substantially with groundwater recharge. Further, the Basin is managed by an adjudication and subject to the Judgment managed by the Chino Basin Watermaster. The OBMP includes programs for the long-term management of the Basin. The primary means of ensuring long-term groundwater level maintenance includes careful monitoring to ensure groundwater levels are managed within a safe basin operating range and implementation of water conservation programs. Given that future development associated with implementation of the Downtown Core Project would not appreciably add to the volume of imperious surfaces in the Project Area, this potential impact would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.



Impact 5.9-3: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- **Result in substantial erosion or siltation on- or off-site;**
- **Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; or**
- **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?**

Impact Analysis:

[Erosion and Siltation](#)

Erosion or siltation is known to occur during construction and/or during the post-construction phase if erosion control measures are not used. Erosion or siltation can also occur in the post-construction phase if runoff is not captured and conveyed appropriately. As stated above, future development would be subject to NPDES permit requirements that address the control of erosion and siltation. This includes the Construction General Permit, which requires a SWPPP and the effective implementation of erosion control measures. The Santa Ana RWQCB conducts inspections and enforces the Construction General Permit at construction sites. The Fontana Municipal Code Chapter 23, Article IX requires construction dischargers to comply with the construction activity storm water permit, including development and implementation of a SWPPP; implement BMPs as necessary; and prepare or implement a WQMP or equivalent as required by the City. The SWPPPs would include project-specific BMPs that are designed to control drainage and erosion. Chapter 9, Article III adopts the County's dust control measures to minimize water quality-related impacts.

Development associated with implementation of the Downtown Core Project would also be subject to the post-construction requirements of the MS4 permit. The MS4 Permit requires individual priority projects to prepare and implement a WQMP that may include source control BMPs, mitigation measures, and treatment control BMPs. Discharges that are not authorized by a NPDES permit must be permitted by other means by the Santa Ana RWQCB or SWRCB (e.g., filing a Report of Waste Discharge, Water Quality Certification). Through compliance with existing federal, State, and local regulations, erosion/siltation impacts resulting from Project implementation would be less than significant and no mitigation is required.

[Surface Runoff and Water Quality](#)

As previously described, SBCFCD and the City operate and maintain a network of flood control facilities within the Project Area. Flooding can occur from an increase in impervious surfaces, which increases the volume and speed of runoff. When the volume and speed of runoff are increased, drainage facilities may be unable to handle the flows and capacity could be exceeded. As stated, the Project Area is primarily developed, with limited areas of pervious surfaces. Although future development activities have the potential to slightly increase impervious areas within the Project Area, the majority of development



activities associated with implementation of the Project would consist of infill and redevelopment on currently urbanized sites. Federal, State and local regulations would require individual projects to provide the on-site storm drain infrastructure and any off-site infrastructure improvements to ensure stormwater runoff associated with the proposed development would be adequately captured and conveyed into the City's storm drain system and SBCFCD facilities. Therefore, implementation of the Project would not substantially increase the rate or amount of surface runoff which would result in flooding on- or offsite or create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. Impacts would be less than significant in this regard.

As previously discussed, Fontana Municipal Code Chapter 28, Article IV, Section 28-111 addresses the integration of stormwater BMPs into landscape and grading design plans to minimize runoff and to increase on-site rainwater retention and infiltration. Existing regulatory requirements that manage water quality include requirements to obtain approval from the RWQCB for NPDES permits, other discharge permits, WQMPs, SWPPPs, and to implement BMPs. Through implementation of the General Plan policies and actions, and existing federal, State, and local regulations discussed above, future development within the Project Area would not provide substantial additional sources of polluted runoff and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.9-4: Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impact Analysis: As described above, the local water quality control plan (Basin Plan) is maintained by the Santa Ana RWQCB. The Basin Plan specifies the State's water quality standards (i.e., beneficial uses, water quality objectives, and antidegradation policy) and serves as the basis for the RWQCB's regulatory programs. When permittees and projects comply with the provisions of applicable NPDES permits and water quality permitting, they are consistent with the Basin Plan. Through compliance and implementation of existing regulations, implementation of the Downtown Core Project would not conflict with or obstruct a water quality control plan. Therefore, impacts in this regard would be less than significant.

As described above, the Project Area is located entirely within the Chino Subbasin. In compliance with the Chino Basin Judgment, the Chino Basin Watermaster submits an annual report to the RWQCB. The Basin was designated a very low priority basin in DWR's 2019 SGMA Basin Prioritization report (California Department of Water Resources, 2020). SGMA exempts adjudicated groundwater basins from the requirements of designating a Groundwater Sustainability Agency and developing a Groundwater Sustainability Plan. The Judgment and OBMP together provide for the legal and practical means of ensuring that the waters of the Basin are put to maximum beneficial use. The Downtown Core Project does not propose site-specific development. New development and redevelopment projects associated with implementation of the Downtown Core Project would be subject to the Judgment and OBMP. Therefore, the Downtown Core Project would not conflict with implementation of a sustainable groundwater management plan and impacts would be less than significant.



Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.9.6 CUMULATIVE IMPACTS

Impact Analysis: Cumulative hydrology and water quality impacts associated with implementation of the Downtown Core Project are analyzed based on development within the Project Area and Santa Ana River Watershed, and development served by facilities under the jurisdiction of SBCFCD.

Higher flows resulting from future development in the watershed and within the area served by SBCFCD infrastructure could result in drainage and runoff impacts. Runoff from cumulative development and future development within the Project Area could combine into the same regional conveyance systems. However, development within the Project Area as well as cumulative development projects would be required to provide on-site storm drain infrastructure and any off-site infrastructure improvements to ensure stormwater runoff associated with the proposed development would be adequately conveyed by SBCFCD facilities. Additionally, development of each individual project would be required to comply with the stormwater quality requirements for construction and operation in compliance with federal, State and local regulations. The proposed Project's incremental contribution to runoff and water impacts would be less than significant. As stated, the proposed Project would not appreciably add to the volume of impervious surfaces in the Project Area interfering substantially with groundwater recharge, nor would the Project's demand on water supplies result in a substantial decrease in groundwater supplies. Therefore, the proposed Project's incremental contribution to groundwater supplies and recharge impacts would be less than significant. Further, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Overall, the Project's incremental contribution to cumulative hydrology impacts would be less than cumulatively considerable.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.9.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with hydrology and water quality would occur with the proposed Project.

5.9.8 REFERENCES

California Department of Water Resources, *Bulletin 118 - Update 2003*, October 2003.

California Department of Water Resources, *California's Groundwater Update 2020*, November 2021.

California Department of Water Resources, *Sustainable Groundwater Management Act 2019 Basin Prioritization*, May 2020.

California Department of Water Resources, *Dam Breach Inundation Map Web Publisher*, https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2, accessed November 14, 2022.



City of Fontana, *Fontana Forward: General Plan Update 2015-2035 Draft Environmental Impact Report*, June 2018.

Federal Emergency Management Agency (FEMA), *FEMA's National Flood Hazard Layer (NFHL) Viewer*, <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd&extent=-117.47735819154686,34.070268522757175,-117.39427408510163,34.105810037824384>, accessed November 10, 2022.

Kennedy Jenks, *Inland Empire Utilities Agency: 2020 Urban Water Management Plan*, June 2021.

State Water Resources Control Board, *California 2020-2022 Integrated Report*, May 2022a.

State Water Resources Control Board, *Santa Ana Region - Total Maximum Daily Loads (TMDLs)*, updated October 26, 2022, https://www.waterboards.ca.gov/santaana/water_issues/programs/tmdl/#projects, accessed November 14, 2022b.



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5.10 LAND USE AND PLANNING

5.10.1 PURPOSE

This section identifies existing land use conditions within the Project Area and provides an analysis of potential impacts associated with implementation of the Project. Potential impacts are identified and mitigation measures to address potentially significant impacts are recommended, as necessary.

5.10.2 ENVIRONMENTAL SETTING

EXISTING LAND USE

As indicated in [Table 3-1, *Summary of Existing On-Site Development*](#), the Project Area contains a mix of existing on-site development, including: single- and multi-family residential uses; commercial, office, and industrial uses; public facilities and public parks; and vacant and right-of-way (ROW) land. The Project Area is currently developed with approximately 1.3 million square feet of non-residential uses and 2,020 dwelling units.

GENERAL PLAN AND ZONING

General Plan Land Uses

As indicated in the General Plan Land Use Map and shown in [Figure 3-5, *General Plan Land Use Designations*](#), the following land use designations exist with the Project Area:

Single-Family Residential

The Single-Family Residential (R-SF) designation supports detached single-family housing at densities of 2.1-5 dwelling units per acre (du/ac).

Multi-Family Residential

The Multi-Family Residential (R-MF) designation includes multifamily developments, from duplexes and townhouses to condos and rental apartments, at densities up to 24 du/ac with required amenities.

Walkable Mixed Use Corridor & Downtown

The Walkable Mixed Use Corridor & Downtown (WMXU-1) designation is intended to provide for the creation of areas that allow residents and visitors to walk, bike, and take transit to other uses for work, study, shopping, entertainment, recreation, and civic activities, and to provide compact residential development within walking distance of planned public transit stops and neighborhood shopping areas. Uses include a variety of medium- to high-density residential types, retail and services, office, entertainment, education, civic, and open space. Both vertical and horizontal mixed use is acceptable. Light industrial uses are generally not included, except for conditional allowance of small-scale, artisan-style businesses that operate without adverse urban design and other impacts, such as heavy truck traffic, on neighboring uses. WMXU-1 residential densities range from 24 to 39 du/ac and non-residential uses have a maximum Floor Area Ratio (FAR) of 2.0. The WMXU-1 designation is located along Sierra Avenue, much of Foothill Boulevard, and the segment of Valley Boulevard between Cypress and Palmetto. The



designation was created to cover the half-mile walking distance radii (known as “walksheds”) from planned public transit stops.

Public Facilities

The Public Facilities (P-PF) designation is for properties in public or quasi-public ownership, such as existing schools; the facilities of agencies such as the City, County, water and sewer districts, and fire protection districts; and hospitals and quasi-public institutions.

Recreational Facilities

The Recreational Facilities (P-R) designation includes regional and local parks, and any recreational facility operated by a public or quasi-public agency.

Downtown Area Plan

As indicated in [Section 3.0, *Project Description*](#), and shown in [Figure 3-4, *Downtown Area Plan*](#), a majority of the Project Area is located within the boundary of the Downtown Area Plan. The General Plan Chapter 14, Downtown Area Plan, focuses on the approximately one square mile area around the historic Downtown, centered on the intersection of Sierra Avenue and Arrow Boulevard. The intent of the Downtown Area Plan is to provide a comprehensive vision for the Downtown Area, organized into specific goals, strategies and actions to direct and coordinate the implementation of that vision over time.

Zoning

The Project Area is located within the boundaries of the Form-Based Code (FBC) area. The City of Fontana Zoning District Map identifies the zoning for all parcels within the Project Area as being within the FBC district.

Chapter 30, Article III, *Form-Based Code*, establishes the requirements for all property, including structures, land uses and physical improvements within the boundaries of the FBC area, including that all property subject to the FBC comply with the relevant requirements of the applicable district. Division 4, *Development Standards by Zoning District*, establishes the specific development standards for the 11 zoning districts. The FBC zoning districts within the Project Area include the Retail, Civic, Station Area, Downtown Gateway, Transitional, Multi-Family, Neighborhood, and Sierra Gateway districts.

The Retail District is the commercial core of Fontana and functions as the city center. Uses include a mixture of commercial, retail, entertainment, office and residential. The Civic District consists primarily of civic and institutional uses and active and passive recreation areas. The Station Area District includes the Metrolink station and Omnitrans bus terminal as the primary anchors. This area provides a transition between the retail district, the south Sierra gateway district and Chaffey College. The Downtown Gateway District is primarily intended for commercial retail and personal service uses. New development should incorporate pedestrian elements to help serve as a transition to surrounding land uses. The Transitional District is adjacent to more intense commercial uses providing a transition to more sensitive uses, such as residential. This district includes a mixture of commercial office, retail, personal services, and residential. The Multi-Family District provides higher densities focused along the fringe of the more urban development. New development should incorporate increased density with architectural design and materials that exemplify one of the designated architectural styles. The Neighborhood District is an area primarily developed with single-family detached homes. New development should preserve and



exemplify the character of existing neighborhoods. The Sierra Gateway District is intended to encourage pedestrian-oriented development and land uses. Uses are to include a mix of medium- to high-density residential, retail and services, office, entertainment, education, and open space.

5.10.3 REGULATORY SETTING

STATE

[California General Plan Law](#)

Government Code Section 65300 requires that each county and city adopt a General Plan “for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning.”

The General Plan is a comprehensive long-term plan for the physical development of the county or city and is considered a "blueprint" for development. The General Plan must contain seven state-mandated elements: Land Use, Open Space, Conservation, Housing, Circulation, Noise, and Safety. It may also contain any other elements that the county or city wishes to include. The land use element designates the general location and intensity of designated land uses to accommodate housing, business, industry, open space, education, public buildings and grounds, recreation areas, and other land uses.

The 2017 General Plan Guidelines, established by the Governor’s Office of Planning and Research (OPR) to assist local agencies in the preparation of their general plans, further describe the mandatory land use element as a guide to planners, the general public, and decision makers prescribing the ultimate pattern of development for the county or city.

[Subdivision Map Act](#)

A subdivision is any division of land for the purpose of sale, lease or finance. The State of California Subdivision Map Act (Government Code Section 66410) regulates subdivisions throughout the State. The goals of the Subdivision Map Act are as follows:

- To encourage orderly community development by providing for the regulation and control of the design and improvement of a subdivision with proper consideration of its relationship to adjoining areas.
- To ensure that areas within the subdivision that are dedicated for public purposes will be properly improved by the subdivider so that they will not become an undue burden on the community.
- To protect the public and individual transferees from fraud and exploitation.

The Map Act allows cities flexibility in the processing of subdivisions. The City of Fontana controls this process through the subdivision regulations in the Municipal Code Chapter 26. Regulations ensure that minimum requirements are adopted for the protection of the public health, safety and welfare; and that the subdivision includes adequate community improvements, municipal services, and other public facilities.



LOCAL

[Southern California Association of Governments](#)

Regional planning agencies such as the Southern California Association of Governments (SCAG) recognize that planning issues extend beyond the boundaries of individual cities. Efforts to address regional planning issues such as affordable housing, transportation, and air pollution have resulted in the adoption of regional plans that affect the City of Fontana.

SCAG has evolved as the largest council of governments in the United States, functioning as the Metropolitan Planning Organization (MPO) for six counties (Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial) and 191 cities. The region encompasses an area more than 38,000 square miles. As the designated MPO, the federal government mandates SCAG research and develop plans for transportation, growth management, hazardous waste management, and air quality. As a result, SCAG prepares comprehensive regional plans to address concerns.

SCAG is responsible for the maintenance of a continuous, comprehensive and coordinated planning process resulting in a Regional Transportation Plan (RTP) and a Regional Transportation Improvement Program. SCAG is responsible for development of demographic projections and is also responsible for development of the integrated land use, housing, employment, transportation programs, measures, and strategies for the Air Quality Management Plan.

[Regional Transportation Plan/Sustainable Communities Strategy \(RTP/SCS\)](#)

The passage of California Senate Bill (SB) 375 in 2008 requires that an MPO, such as SCAG, prepare and adopt a Sustainable Communities Strategy (SCS) that sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures, and policies, will reduce greenhouse gas emissions from automobiles and light duty trucks (Government Code Section 65080(b)(2)(B)). The SCS outlines certain land use growth strategies that provide for more integrated land use and transportation planning and maximize transportation investments. The SCS is intended to provide a regional land use policy framework that local governments may consider and build upon.

On September 3, 2020, SCAG's Regional Council approved and fully adopted Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy). Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Connect SoCal outlines more than \$638 billion in transportation system investments through 2045. It was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura.

[Growth Forecasts](#)

SCAG's Forecasting Section is responsible for producing socio-economic estimates and projections at multiple geographic levels and in multiple years. The Forecasting Section develops, refines, and maintains SCAG's regional and small area socio-economic forecasting/allocation models. Adopted 2020 RTP/SCS Growth Forecasts provide population, household and employment data for 2045. The socio-economic estimates and projections are used by federal and State mandated long-range planning efforts such as the



RTP, Air Quality Management Plan, Regional Transportation Improvement Program, and the Regional Housing Needs Assessment. SCAG's Adopted 2020 RTP/SCS Growth Forecasts are used to assess a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint; refer to [Section 6.3, *Growth-Inducing Impacts*](#).

[Intergovernmental Review](#)

SCAG's Intergovernmental Review Section is responsible for performing consistency review of regionally significant local plans, projects, and programs with SCAG's adopted regional plans. The criteria for projects of regional significance are outlined in CEQA Guidelines Sections 15125 and 15206. The proposed Project is considered regionally significant; as such, Project consistency with SCAG's 2020 RTP/SCS policies is analyzed below.

[City of Fontana General Plan](#)

The Fontana Forward 2015-2035 General Plan update was adopted in 2018 to guide future development and provide a strategic framework for decision making based both on the community's vision and goals and on the State's goals for California's long-term development. The General Plan is comprised of 16 chapters or "elements" that include a summary of existing conditions and current trends, the planning process, and goals, policies and actions for different topic areas that will affect the physical and economic development of the City.

General Plan Chapter 14, Downtown Area Plan, focuses on the approximately one square mile area around the historic Downtown, centered on the intersection of Sierra Avenue and Arrow Boulevard. The intent of the Downtown Area Plan is to provide a comprehensive vision for the Downtown Area, organized into specific goals, strategies and actions to direct and coordinate the implementation of that vision over time. As shown in [Figure 3-4](#), a majority of the Project Area is located within the boundary of the Downtown Area Plan.

General Plan Chapter 15, Land Use, Zoning, and Urban Design, sets forth the policy framework for the physical development of Fontana. It is the guide for decision makers on the pattern, distribution, density and intensity of land uses that, over time, will help the city achieve the Fontana vision for the future. The land use map provides the foundation for zoning and designates an intended land use for each parcel of land in the City. For each land use designation, the uses allowed and the standards of dwelling unit density for residential designations (as measured in dwelling units per acre) and building intensity for commercial designations (as measured in Floor Area Ratio) are specified. The General Plan Land Use designations for properties within the Project Area are shown in [Figure 3-5](#).

The Downtown Area Plan and Land Use, Zoning, and Urban Design Elements of the Fontana General Plan contain the following goals and policies potentially relevant to the proposed Project:

[Chapter 14 – Downtown Area Plan](#)

- **Goal:** A Range of New Housing. Provide housing for a broad range of household sizes, types and incomes within the Downtown Area to help support the health and growth of the downtown economy.
 - **Policy:** Encourage mixed-use development within the Downtown and along major corridors.



- **Policy:** Encourage new medium-density housing on vacant and underutilized parcels within the neighborhoods of the Downtown Area.
- **Policy:** Ensure that new infill development is compatible in scale and character with the existing neighborhoods.
- **Policy:** Ensure that transportation and utility infrastructure keeps pace with infill development so that the neighborhood character and quality steadily improves over time.
- **Policy:** Encourage new “in-town” housing types targeted to young people and young families to help attract and retain the next generation of Fontanans.
- **Goal:** Strengthened Connections Between Downtown Core And Major Corridors. Reinvigorate the Foothill and Sierra Corridors with a mix of retail, employment, mixed-use and housing development as an economic engine for the Downtown Area, and as gateways to Downtown.
 - **Policy:** Ensure that future street improvements to Foothill and Arrow Boulevards and Sierra Avenue improve the appearance and pedestrian environment while accommodating traffic flows.
 - **Policy:** In addition to high quality commercial development, encourage housing in appropriate forms along these corridors.
 - **Policy:** Concentrate higher development intensities within a 1/4 mile of planned transit stops, with shared parking arrangements when feasible.
- **Goal:** Center for Education. The area along Sierra Avenue and Merrill Street will become a College District, with a mix of housing and employment surrounding and supporting the growing Chaffey College campus.
 - **Policy:** The City will work collaboratively with the College to attain this goal.
 - **Policy:** Encourage higher density housing on appropriate sites that is targeted to student, faculty and staff.
 - **Policy:** Encourage the formation and growth of start-up and spin-off businesses related to or supported by the College on appropriate sites.

Chapter 15 – Land Use, Zoning, and Urban Design

- **Goal 1:** The Strategic Policy Map and the Future Land Use Map guide land-use decision making.
 - **Policy:** Review citywide land use strategies when considering changes to the land use map.
 - **Policy:** Keep zoning and other regulations up to date and consistent with the Future Land Use Map.
- **Goal 2:** Fontana development patterns support a high quality of life and economic prosperity.
 - **Policy:** Preserve and enhance stable residential neighborhoods.
 - **Policy:** Locate multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation.
 - **Policy:** Locate industrial uses where there is easy access to regional transportation routes.



- **Policy:** Promote interconnected neighborhoods with appropriate transitions between lower intensity and higher intensity land uses.
- **Policy:** Preserve land to achieve an interconnected network of environmentally-sensitive areas, parks, multi-use paths, and recreation areas.
- **Goal 3:** Downtown is a dynamic center of activity, with new housing options, walkable environments, and a mixture of uses attracting residents and visitors.
 - **Policy:** Promote revitalization and redevelopment of older neighborhoods.
 - **Policy:** Encourage infill on vacant and underutilized parcels.
 - **Policy:** Transform downtown into a vibrant local and regional destination.
- **Goal 4:** Compact, walkable, mixed-use centers are located at key locations along corridors to be served by public transit in the future and at intersections where neighborhood retail and diverse housing options can succeed.
 - **Policy:** Promote a land use pattern that provides connections among land uses and a mixture of land uses.
- **Goal 7:** Public and private development meets high design standards.
 - **Policy:** Support high-quality development in design standards and in land use decisions.

[City of Fontana Municipal Code](#)

Zoning regulations provide for the types and densities of residential and other uses permitted in each of the City's zones. Chapter 30 of the Fontana Municipal Code contains the City's Zoning and Development Code (Development Code), which establishes official land use zoning regulations and design guideline for the City of Fontana. Zoning establishes the maximum allowable development in a zone, and includes height limitations and other development standards which together regulate setbacks, building heights, floor area ratios (FAR), open space and parking for each parcel within the City, as applicable.

5.10.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to land use and planning. A project may create a significant environmental impact if it would:

- Physically divide an established community (refer to Impact Statement 5.10-1); and
- Conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (refer to Impact Statement 5.10-2).

Based on these standards and significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a "significant unavoidable impact."



5.10.5 IMPACTS AND MITIGATION MEASURES

Impact 5.10-1: Would the project physically divide an established community?

Impact Analysis: The goal of the Downtown Core Project is to create a vibrant, walkable, mixed-use area with high quality housing and retail options in the Downtown Core Project Area. The Project would accomplish this goal by creating and implementing a new Walkable Mixed-Use Downtown Core (WMXU-3) General Plan land use category and six new FBC districts specific to the Project Area. The new land use category and FBC districts would allow for cohesive infill development in the Downtown Core. The Project would amend the Development Code to incorporate the six new FBC districts, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District. Further, the City is developing the Downtown Fontana Development Guide to provide recommended changes to the FBC, objective development standards, expedited review guidelines, and development impact fee incentives. These standards and guidelines would ensure new development and redevelopment projects would be designed to complement the character of the existing community and neighborhoods and provide connectivity between existing development and new development.

The Project Area planned circulation would provide a more “walkable” environment, designed to incorporate traffic calming measures to reduce traffic speeds, enhance pedestrian safety, and promote walkability of the area, specifically along Sierra Avenue. To enhance the pedestrian experience and promote walkability, the Project proposes to ultimately close a quarter-mile portion of Sierra Avenue to vehicular traffic. The Project does not include any new areas designated for new roadways, infrastructure, or other features that would divide existing communities. Overall, the proposed Downtown Core Project would provide new residential development opportunities and supportive commercial development to support the vision for development consistent with the goals and vision of the Downtown Area Plan. Implementation of the Downtown Fontana Development Guide would further support integration of mixed-use development, infill housing, infrastructure improvements, interconnections and placemaking to further connect uses within the Project Area. Thus, the proposed Project would not physically divide an established community and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.10-2: Would the project conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Impact Analysis:

SCAG REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted 2020 RTP/SCS. SCAG refers to CEQA Guidelines Section 15206, Projects of Statewide, Regional or Areawide Significance, in determining whether a project meets the criteria to be deemed regionally significant.



SCAG's 2020 RTP/SCS provides a framework for regional land use and transportation policy within the SCAG region through the horizon year of 2045. SCAG's 2020 RTP/SCS goals and policies were adopted to help focus future investments on the best-performing projects and strategies to preserve, maintain and optimize the performance of the existing transportation system. The goals of Connect SoCal fall into four core categories: economy, mobility, environment and healthy/complete communities. An analysis of the proposed Project's consistency with the relevant SCAG 2020 RTP/SCS goals adopted for the purpose of avoiding or mitigating an environmental effect is provided in Section 5.7, Greenhouse Gas Emissions, [Table 5.7-4, Project Consistency with the 2020-2045 RTP/SCS](#). As demonstrated in [Table 5.7-4](#), the Downtown Core Project would be consistent with SCAG's regional planning efforts and a less than significant impact would occur in this regard.

FONTANA FORWARD GENERAL PLAN CONSISTENCY

The Project proposes to amend General Plan Chapter 15, Land Use, Zoning, and Urban Design, Table 15.25 and Exhibit 15.10 to include the addition of a new WMXU-3: Walkable Mixed-Use Downtown Core (0.2-2.0 Commercial FAR, 2.1-70 du/ac) land use category. Text modifications would also occur within Chapter 15, Land Use, Zoning, and Urban Design, to incorporate the WMXU-3 land use category. The General Plan Land Use Map would be amended to apply the WMXU-3: Walkable Mixed-Use Downtown Core (0.2-2.0 Commercial FAR, 2.1-70 du/ac) land use category within the Project Area. Implementation of the WMXU-2 land use category would allow for increased residential densities to encourage a variety of housing development at varying income levels within the Project Area. Project implementation would further the goals, policies, and actions of the Downtown Area Plan by providing a stronger residential presence, more support for mixed-uses, streamlined development process, and development incentives exclusive to the Project Area.

The Project also proposes to amend General Plan Chapter 9, Community Mobility and Circulation, including Exhibit 9.2, Hierarchy of Streets in Fontana, to modify the roadway functional class for Nuevo Avenue and Wheeler Avenue and to remove the roadway functional class for Sierra Avenue between Arrow Boulevard and Orange Way; related text modifications would also occur for consistency. Modifications to text and graphics would occur within General Plan Chapter 14, Downtown Area Plan, to be consistent with the proposed modifications to Chapter 9, Community Mobility and Circulation, and Chapter 15, Land Use, Zoning, and Urban Design.

Approval of the proposed amendments to the General Plan would provide consistency with the General Plan.

An analysis of the proposed Project's consistency with the relevant Fontana Forward General Plan policies and actions adopted for the purpose of avoiding or mitigating an environmental effect is provided in [Table 5.10-1, General Plan Consistency](#).



**Table 5.10-1
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
Chapter 4: Community and Neighborhoods	
Goal 3: Archaeological resources are protected and preserved.	
Action A: Continue to ensure that proper protocols are observed in development proposals for sites with potential archaeological significance.	<u>Consistent.</u> As discussed in <u>Section 5.4, Cultural Resources</u> , there are existing historic resources within the Project Area and the potential for previously undiscovered archaeological resources to occur. Future development projects would be required to comply with Mitigation Measures CUL-1, which would ensure evaluation of a project site for historical resources and, if necessary, implementation of mitigation measures to reduce impacts to a level that is less than significant. Therefore, the Project would be consistent with this action.
Goal 5: New housing developments promote walkable neighborhoods with mixed-use amenities and connections to citywide destinations.	
Policy: Support regulations that promote creation of compact and walkable urban village-style design in new developments.	<u>Consistent.</u> The Project would establish the new WMXU-3: Walkable Mixed-Use Downtown Core land use category and apply it within the Project Area. The Project would also amend the Development Code to incorporate six new FBC districts and apply them to the Project Area. Implementation of the Downtown Core Project would provide opportunities for increased residential development and offer more support for mixed-uses within a focused area of the Downtown. The Downtown Fontana Development Guide would provide the development standards and design and architectural regulations that would further encourage and promote a compact and walkable environment. Additionally, the Project Area planned circulation would provide a more “walkable” environment through traffic calming measures, specifically along Sierra Avenue. Therefore, the Project would be consistent with this Policy.
Goal 6: The safe, attractive, and lively central area of the city has new infill development and public improvements.	
Policy: Support revitalization of the central area of the city with an integrated approach, including mixed-use development, infill housing, infrastructure improvements, interconnections and placemaking programs.	<u>Consistent.</u> The Project would, in part, provide increased residential development, mixed-use opportunities, and infill housing in the City’s downtown area. The proposed WMXU-3: Walkable Mixed-Use Downtown Core land use category and six new FBC districts would be applied to the Project Area. The Downtown Fontana Development Guide would provide the development standards and design and architectural regulations that would further encourage and promote interconnections and placemaking within the Project Area. Therefore, the Project would be consistent with this Policy.



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
2021-2029 Housing Element	
Housing Goal 2: A high standard of quality in existing affordable housing stock.	
Housing Policy 2.2: Encourage and promote sustainable, energy efficient design in existing and future residential units.	<u>Consistent.</u> The Project would implement an efficient land use pattern that, in part, provides for increased residential development opportunities and multiple transportation options. The proposed Downtown Core Project would accommodate a mix of residential and non-residential uses, including commercial development, within the Downtown Core and along major corridors within the Project Area, most notably Sierra Avenue. Site-specific development would be required to comply with the latest State Title 24 building energy efficiency standards. Therefore, the Project would be consistent with this Policy.
Housing Policy 2.3: Establish high-quality, environmentally responsible, well designed living environments for Fontana’s residents.	<u>Consistent.</u> Refer to response to General Plan Housing Policy 2.3.
Chapter 7: Conservation, Open Space, Parks and Trails	
Goal 2: Large city parks and open spaces include plantings and natural areas attractive to birds and other wildlife.	
Policy: Use public open space to support wildlife habitat where appropriate.	<u>Consistent.</u> As discussed in <u>Section 5.3, <i>Biological Resources</i></u> , the Project Area is located within an urbanized area and is currently developed with residential and non-residential uses. Existing open space within the Project Area would remain, as no changes to those land uses are proposed. Future development activities associated with implementation of the proposed Project could occur on undeveloped sites anticipated for development that have been revegetated or result in the removal of ornamental vegetation, potentially resulting in impacts to Burrowing Owl or nesting birds. Future development projects would be required to comply with Mitigation Measures BIO-1 and BIO-2, and existing regulatory requirements, which would ensure that protected birds are not adversely affected during construction activities accommodated as part of the Project. Therefore, the Project would be consistent with this Policy.



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
<p>Goal 5: All Fontana residents live within walking or biking distance of a public park, and there are sufficient public parks to serve all areas of the city.</p>	
<p>Policy: Continue to use a minimum standard of 5 acres of public parkland per 1,000 persons.</p>	<p><u>Consistent.</u> As discussed in <u>Section 5.13, Public Services</u>, although the Project does not specifically propose any development projects, including parks, development under the Project could cause an incremental increase in demand for parks in the future, indirectly leading to the construction of new parks and recreation facilities to serve new growth and to meet existing parks and recreation needs. Impacts would be reduced to a less than significant level by the provision of public parkland and private on-site recreational amenities and through the payment of park fees, as established in the Fontana Municipal Code. Therefore, the Project would be consistent with this policy.</p>
<p>Chapter 8: Public and Community Services</p>	
<p>Goal 2: Fontana's Fire Department meets or exceeds state and national benchmarks for protection and responsiveness.</p>	
<p>Action B: Monitor population growth and development to ensure continuing protection through sufficient stations, equipment, training, and resources.</p>	<p><u>Consistent.</u> As discussed in <u>Section 5.13, Public Services</u>, although the Project does not specifically propose any development projects, development accommodated through implementation of the proposed Project would result in additional residential and non-residential uses in the Project Area, which may result in the need for additional Fontana Fire Protection District (FFPD) resources. Future development is assumed to occur over time, and FFPD would continue to regularly monitor fire department resources to ensure that adequate facilities, staffing, and equipment are available to serve existing and future development and population increases. Additionally, the Fontana Municipal Code requires any new development or improvement of real property within the City to pay certain fees for capital improvements necessary to provide fire protection services. Therefore, the Project would be consistent with this Action.</p>



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
Chapter 9: Community Mobility and Circulation	
Goal 1: The City of Fontana has a comprehensive and balanced transportation system with safety and multimodal accessibility the top priority of citywide transportation planning, as well as accommodating freight movement.	
Policy: Provide roadways that serve the needs of Fontana residents and commerce, and that facilitate safe and convenient access to transit, bicycle facilities, and walkways.	<u>Consistent.</u> The Project would implement a land use pattern that promotes multimodal transportation options and would indirectly improve safe and convenient access to transit, bicycle, and pedestrian facilities. Specifically, the Project would establish the new WMXU-3: Walkable Mixed-Use Downtown Core land use category and incorporate six new FBC districts within the Project Area, which is served by existing transit. Additionally, the Project Area planned circulation would provide a more “walkable” environment through traffic calming measures and the ultimate elimination of vehicles, specifically along a portion of Sierra Avenue. The Project’s proposed land uses and Downtown Fontana Development Guide would support implementation of the City’s Active Transportation Plan (ATP), which guides infrastructure improvements towards improving mobility throughout the City through safe, convenient, accessible, and comfortable walking and bicycling linkages. Therefore, the Project would be consistent with this Policy.
Policy: Make safety and multimodal accessibility the top priority of citywide transportation planning.	<u>Consistent.</u> Refer to response to General Plan Chapter 9, Community Mobility and Circulation, Goal 1, first Policy.
Policy: Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2014-2040 Regional Transportation Plan and Sustainable Communities Strategy.	<u>Consistent.</u> Refer to response to General Plan Chapter 9, Community Mobility and Circulation, Goal 1, first Policy.
Goal 2: Fontana’s street network is safe and accessible to all users, especially the most vulnerable such as children, youth, older adults and people with disabilities.	
Policy: When constructing or modifying roadways, design the roadway space for use by all users when feasible, including motor vehicles, buses, bicyclists, mobility devices, and pedestrians, as appropriate for the context of the area.	<u>Consistent.</u> Refer to response to General Plan Chapter 9, Community Mobility and Circulation, Goal 1, first Policy.
Goal 3: Local transit within the City of Fontana is a viable choice for residents, easily accessible and serving destinations throughout the city.	
Policy: Promote concentrated development patterns in coordination with transit planning to maximize service efficiency and ridership.	<u>Consistent.</u> Refer to response to General Plan Chapter 9, Community Mobility and Circulation, Goal 1, first Policy.
Goal 4: Fontana’s neighborhood streets maintain a residential character and support a range of transportation options.	



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
<p>Policy: Balance neighborhood traffic circulation needs with the goal of creating walkable and bike friendly neighborhoods.</p>	<p><u>Consistent.</u> Refer to response to General Plan Chapter 9, Community Mobility and Circulation, Goal 1, first Policy.</p>
<p>Goal 5: Fontana’s commercial and mixed-use areas include a multifunctional street network that ensures a safe, comfortable, and efficient movement of people, goods, and services to support a high quality of life and economic vitality.</p>	
<p>Policy: Encourage mixed use and commercial developments that support walking, bicycling, and public transit use while balancing the needs of motorized traffic to serve such developments.</p>	<p><u>Consistent.</u> The Project would implement a land use pattern that encourages mixed use and commercial developments that support multimodal transportation options. Refer to response to General Plan Chapter 9, Community Mobility and Circulation, Goal 1, first Policy.</p>
<p>Chapter 10: Infrastructure and Green Systems</p>	
<p>Goal 1: Fontana collaborates with public and private agencies for an integrated and sustainable water resource management program.</p>	
<p>Action D: Use an integrated water management approach when working on land use and zoning changes.</p>	<p><u>Consistent.</u> As discussed in <u>Section 5.16, Utilities and Service Systems</u>, the Project is expected to result in increased population and employment growth in the Project Area, and a corresponding increase in the demand for additional water supplies. However, through implementation of existing federal, State, and local regulations and compliance with the General Plan and Municipal Code, the environmental impacts to water supplies would be less than significant. Therefore, the Project would be consistent with this Action.</p>
<p>Action E: Incorporate integrated water management best practices into land use and zoning initiatives including water conservation and recycling as well as permeability and infiltration.</p>	<p><u>Consistent.</u> Refer to response to General Plan Chapter 10, Infrastructure and Green Systems, Goal 1, Action D.</p>
<p>Goal 7: Fontana is an energy-efficient community.</p>	
<p>Policy: Promote renewable energy and distributed energy systems in new development and retrofits of existing development to work towards the highest levels of low-carbon energy-efficiency.</p>	<p><u>Consistent.</u> Future development projects associated with implementation of the proposed Project would be required to comply with Statewide and local measures regarding energy conservation, such as Title 24 building efficiency standards. As discussed in <u>Section 5.7, Greenhouse Gas Emissions</u>, the Project is required to meet the applicable requirements of the 2022 Title 24 Building Energy Efficiency Standards, including installation of rooftop solar panels and additional CALGreen requirements. Mitigation Measure GHG-2 requires future buildings to be constructed to be solar or other clean energy technology compatible and clean energy ready. Each structure greater than 50,000 square feet shall ensure that each structure provides either a solar photovoltaic panel system or other clean energy systems within 2 years of commencing operations where feasible. Therefore, the Project would be consistent with this Policy.</p>



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
Chapter 11: Noise and Safety	
Goal 1: The City of Fontana protects sensitive land uses from excessive noise by diligent planning through 2035.	
Policy: New sensitive land uses shall be prohibited in incompatible areas.	<u>Consistent.</u> The Project would allow for development of residential and commercial uses in an area that is currently developed with similar uses. Future development projects associated with implementation of the proposed Project would be required to comply with Sections 18-61 to 18-67 of the Fontana Municipal Code. In addition, General Plan EIR mitigation measure MM-NOI-1 requires potential noise impacts upon any proposed sensitive uses be identified in Goal 8 of the 2015-2035 General Plan. Therefore, the Project would be consistent with this Policy.
Policy: Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors.	<u>Consistent.</u> Refer to response to General Plan Chapter 11, Noise and Safety, Goal 1, first Policy.
Policy: Where sensitive uses are to be placed along transportation routes, mitigation shall be provided to ensure compliance with state-mandated noise levels.	<u>Consistent.</u> Refer to response to General Plan Chapter 11, Noise and Safety, Goal 1, first Policy.
Policy: Noise spillover or encroachment from commercial, industrial and educational land uses shall be minimized into adjoining residential neighborhoods or noise-sensitive uses.	<u>Consistent.</u> Refer to response to General Plan Chapter 11, Noise and Safety, Goal 1, first Policy.
Goal 3: Fontana’s residents are protected from the negative effects of “spillover” noise.	
Policy: Residential land uses and areas identified as noise-sensitive shall be protected from excessive noise from non-transportation sources including industrial, commercial, and residential activities and equipment.	<u>Consistent.</u> Refer to response to General Plan Chapter 11, Noise and Safety, Goal 1, first Policy. In addition, as discussed in <u>Section 5.11, Noise</u> , future development projects would be required to implement Mitigation Measures NOI-1 and NOI-2, which provides for a noise study to identify potential noise impacts and mitigation measures to reduce noise impacts and procedures for construction activities to reduce impacts related to equipment moving and operation. Therefore, the Project would be consistent with this Policy.
Goal 4: Seismic injury and loss of life, property damage, and other impacts caused by seismic shaking, fault rupture, ground failure, earthquake-induced landslides, and other earthquake-induced ground deformation are minimized in Fontana	
Policy: The City shall monitor development or redevelopment in areas where faults have been mapped through the city.	<u>Consistent.</u> As discussed in <u>Section 5.6, Geology and Soils</u> , there are no major active faults within the Project Area. Therefore, the Project would be consistent with this Policy.



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
Goal 5: Risk to life or limb and property damage resulting from geologic hazards are minimized in Fontana.	
Action A: The City shall continue to take actions to minimize grading and otherwise changing the natural topography, while protecting public safety and reducing the potential for property damage as a result of geologic hazards.	<u>Consistent.</u> As discussed in <u>Section 5.6, <i>Geology and Soils</i></u> , implementation of the Downtown Core Project would provide for development and improvement projects that would involve some land clearing, mass grading, and other ground-disturbing activities. As future development and infrastructure projects are considered by the City, each project would be evaluated for conformance with the CBSC, General Plan, Municipal Code, and other regulations, which would reduce the potential for property damage as a result of geologic hazards. Therefore, the Project would be consistent with this Action.
Goal 6: Injury, loss of life, property damage, and economic and social disruption caused by flood and inundation hazards are minimized in Fontana.	
Policy: The City shall discourage new development in flood-hazard areas and implement mitigation measures to reduce the hazard to existing developments located within the 100- and 500-year flood zones.	<u>Consistent.</u> As discussed in <u>Section 5.9, <i>Hydrology and Water Quality</i></u> , and <u>Section 8.0, <i>Effects Found Not To Be Significant</i></u> , the Project Area is not located within a flood hazard zone. Therefore, the Project would be consistent with this Action.
Goal 8: The potential for hazardous contamination is reduced in the City of Fontana.	
Policy: The City shall strive to reduce the potential for residents, workers, and visitors to Fontana being exposed to hazardous materials and wastes.	<u>Consistent.</u> As discussed in <u>Section 5.8, <i>Hazards and Hazardous Materials</i></u> , Project implementation would enable development of new residential and non-residential uses, the construction and operation of which has the potential to expose the public to hazardous materials. Compliance with established regulatory requirements and regulations, including Mitigation Measures HAZ-1 and HAZ-2 regarding the use and storage of hazardous materials, and Mitigation Measure HAZ-3 requiring preparation of a Phase I Site Assessment, would ensure that risks to residents, workers, and visitors to Fontana associated with implementation of the proposed Project would be less than significant.



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
Chapter 12: Sustainability and Resilience	
Goal 5: Green building techniques are used in new development and retrofits.	
Policy: Promote green building through guidelines, awards and nonfinancial incentives.	<u>Consistent.</u> As discussed in <i>Section 5.7, Greenhouse Gas Emissions</i> , the Project is required to meet the applicable requirements of the 2022 Title 24 Building Energy Efficiency Standards, including installation of rooftop solar panels and additional CALGreen requirements. Mitigation Measures GHG-1, GHG-2 and GHG-3 require green building design features that exceed Title 24 requirements, for future buildings to be solar or other clean energy technology compatible and clean energy ready, and for individual projects with more than ten employees or more than ten company vehicles to submit a GHG Emissions Reductions Plan to reduce GHG emissions by a minimum of 10 percent.
Goal 6: Fontana is a leader energy-efficient development and retrofits.	
Policy: Promote energy-efficient development in Fontana.	<u>Consistent.</u> Refer to response to General Plan Chapter 12, Sustainability, Goal 5, Policy.
Policy: Meet or exceed state goals for energy-efficient new construction.	<u>Consistent.</u> Refer to response to General Plan Chapter 12, Sustainability, Goal 5, Policy.
Chapter 14: Downtown Area Plan	
Goal: A Range of New Housing. Provide housing for a broad range of household sizes, types and incomes within the Downtown Area to help support the health and growth of the downtown economy.	
Policy: Encourage mixed-use development within the Downtown and along major corridors.	<u>Consistent.</u> The Project would establish the new WMXU-3: Walkable Mixed-Use Downtown Core land use category and apply it within the Project Area. This land use category would accommodate a mix of residential and non-residential uses within the Downtown Core and along major corridors within the Project Area, most notably Sierra Avenue.
Policy: Encourage new medium-density housing on vacant and underutilized parcels within the neighborhoods of the Downtown Area.	<u>Consistent.</u> The Project would establish the new WMXU-3: Walkable Mixed-Use Downtown Core land use category and apply it within the Project Area. The WMXU-3 land use category would permit residential densities of 2.1 to 70 dwelling units per acre. The Project would also amend the Development Code to incorporate six new FBC districts and apply them to the Project Area and would include residential development incentives such as density bonuses to encourage the development of housing units within the Downtown Core Project Area.



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
<p>Policy: Ensure that new infill development is compatible in scale and character with the existing neighborhoods.</p>	<p><u>Consistent.</u> The Project would amend the Development Code to incorporate six new FBC districts, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District. Further, the City is developing the Downtown Fontana Development Guide to provide recommended changes to the FBC, objective development standards, expedited review guidelines, and development impact fee incentives. These standards and guidelines would ensure new development and redevelopment projects would be designed to be compatible in scale and character with existing neighborhoods.</p>
<p>Policy: Ensure that transportation and utility infrastructure keeps pace with infill development so that the neighborhood character and quality steadily improves over time.</p>	<p><u>Consistent.</u> The Project Area planned circulation would provide a more “walkable” environment to compliment the mixed-use land use and FBC districts. Project-specific development would be reviewed to ensure adequate infrastructure is in place or provided to serve the proposed development.</p>
<p>Policy: Encourage new “in-town” housing types targeted to young people and young families to help attract and retain the next generation of Fontanans.</p>	<p><u>Consistent.</u> The Project would accommodate a range of housing types and sizes, including those suitable to young people and young families.</p>
<p>Goal: Strengthened Connections Between Downtown Core And Major Corridors. Reinvigorate the Foothill and Sierra Corridors with a mix of retail, employment, mixed-use and housing development as an economic engine for the Downtown Area, and as gateways to Downtown.</p>	
<p>Policy: Ensure that future street improvements to Foothill and Arrow Boulevards and Sierra Avenue improve the appearance and pedestrian environment while accommodating traffic flows.</p>	<p><u>Consistent.</u> The Project Area planned circulation would provide a more “walkable” environment through traffic calming measures, specifically along Sierra Avenue. The Project proposes to ultimately close a quarter-mile portion of Sierra Avenue to vehicular traffic. This would occur in two phases. Phase I (interim condition) would reduce the number of travel lanes on Sierra Avenue from two lanes in each direction to one lane in each direction, convert Wheeler Avenue to a one-way northbound street, and convert Nuevo Avenue to a one-way southbound street. Phase II (the ultimate condition) would close Sierra Avenue between Arrow Boulevard and Orange Way to vehicular traffic, diverting traffic to parallel streets. This section of Sierra Avenue would enhance the pedestrian environment while accommodating traffic flows on parallel streets.</p>



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
<p>Policy: In addition to high quality commercial development, encourage housing in appropriate forms along these corridors.</p>	<p><u>Consistent.</u> The Project would establish the new WMXU-3: Walkable Mixed-Use Downtown Core land use category and apply it within the Project Area. This land use category would accommodate a mix of residential and non-residential uses, including commercial development, within the Downtown Core and along major corridors within the Project Area, most notably Sierra Avenue.</p>
<p>Policy: Concentrate higher development intensities within a 1/4 mile of planned transit stops, with shared parking arrangements when feasible.</p>	<p><u>Consistent.</u> A number of transit stops exist within the Planning Area, including the Metrolink Station. The Project would accommodate higher development intensities by implementing and applying six new FBC districts. Higher development intensities would be located within close proximity to transit stops, particularly in the Sierra Core and Gateway Core FBC districts.</p>
<p>Goal: Center for Education. The area along Sierra Avenue and Merrill Street will become a College District, with a mix of housing and employment surrounding and supporting the growing Chaffey College campus.</p>	
<p>Policy: The City will work collaboratively with the College to attain this goal.</p>	<p><u>Not applicable.</u> Although this policy is not adopted for the “purpose of avoiding or mitigating an environmental effect,” per Appendix G of the CEQA Guidelines, the Project would indirectly support the City’s goal by accommodating a mix of residential and non-residential uses within the area along Sierra Avenue and Merrill Street.</p>
<p>Policy: Encourage higher density housing on appropriate sites that is targeted to student, faculty and staff.</p>	<p><u>Not applicable.</u> This policy is not adopted for the “purpose of avoiding or mitigating an environmental effect,” per Appendix G of the CEQA Guidelines. However, the Project would indirectly support this goal by accommodating a mix of residential and non-residential uses at higher densities within the area along Sierra Avenue and Merrill Street, which may provide housing options for students, faculty, and staff.</p>
<p>Policy: Encourage the formation and growth of start-up and spin-off businesses related to or supported by the College on appropriate sites.</p>	<p><u>Not applicable.</u> This policy is not adopted for the “purpose of avoiding or mitigating an environmental effect,” per Appendix G of the CEQA Guidelines. Nevertheless, the Project would indirectly support this goal by accommodating a mix of residential and non-residential uses within the area along Sierra Avenue and Merrill Street allowing for the growth of start-up and spin-off businesses consistent with the FBC District.</p>



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
Chapter 15, Land Use, Zoning, and Urban Design	
Goal 1: The Strategic Policy Map and the Future Land Use Map guide land-use decision making.	
Policy: Review citywide land use strategies when considering changes to the land use map.	<u>Consistent.</u> Citywide land use strategies were reviewed for consistency with the Project’s proposed land use changes, including consistency with the General Plan Goals, Policies and Actions specific to the Downtown Area.
Policy: Keep zoning and other regulations up to date and consistent with the Future Land Use Map.	<u>Consistent.</u> The Project would amend the Development Code to implement and apply six new FBC districts in order to maintain consistency with the General Plan Land Use Map.
Goal 2: Fontana development patterns support a high quality of life and economic prosperity.	
Policy: Preserve and enhance stable residential neighborhoods.	<u>Consistent.</u> The Project would provide for continuation of existing single-family residential neighborhoods within the Project Area.
Policy: Locate multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation.	<u>Consistent.</u> The Project would apply the new General Plan WMXU-3 land use category and six new FBC districts to the Project Area, which would accommodate additional multi-family development in the mixed-use Downtown Core Project Area, as well as new retail uses within proximity to existing public transportation.
Policy: Promote interconnected neighborhoods with appropriate transitions between lower intensity and higher intensity land uses.	<u>Consistent.</u> The Project would apply the new General Plan WMXU-3 land use category and six new FBC districts to the Project Area. The proposed Fontana Zoning District Map would provide appropriate transitions between lower intensity and higher intensity land uses. In particular, the Mixed-Use Core provides a transition between more intense commercial uses and residential uses.
Policy: Preserve land to achieve an interconnected network of environmentally-sensitive areas, parks, multi-use paths, and recreation areas.	<u>Consistent.</u> The Project would not alter the existing open space and parks land uses within the Project Area, including the Pacific Electric Trail.
Goal 3: Downtown is a dynamic center of activity, with new housing options, walkable environments, and a mixture of uses attracting residents and visitors.	
Policy: Promote revitalization and redevelopment of older neighborhoods.	<u>Consistent.</u> The Project would apply the new General Plan WMXU-3 land use category and six new FBC districts to the Project Area, which would accommodate new development and redevelopment within the Project Area.
Policy: Encourage infill on vacant and underutilized parcels.	<u>Consistent.</u> The Project would apply the new General Plan WMXU-3 land use category and six new FBC districts to the Project Area, which would intensify new development and redevelopment on vacant and underutilized parcels within the Project Area.



**Table 5.10-1 (continued)
General Plan Consistency**

General Plan Policies and Actions	Project Consistency
Policy: Transform downtown into a vibrant local and regional destination.	<u>Consistent.</u> The Project would apply the new General Plan WMXU-3 land use category and six new FBC districts to the Project Area, which would support and encourage transformation of the Project Area into a local and regional destination.
Goal 4: Compact, walkable, mixed-use centers are located at key locations along corridors to be served by public transit in the future and at intersections where neighborhood retail and diverse housing options can succeed.	
Policy: Promote a land use pattern that provides connections among land uses and a mixture of land uses.	<u>Consistent.</u> The Project would apply the new General Plan WMXU-3 land use category and six new FBC districts to the Project Area, which accommodate a mix of residential and non-residential uses. The Project would also modify existing circulation within the Project Area to enhance the pedestrian experience and promote walkability.
Goal 7: Public and private development meets high design standards.	
Policy: Support high-quality development in design standards and in land use decisions.	<u>Consistent.</u> The Project would create and apply six new FBC districts to the Project Area. Individual development projects would be required to comply with the new FBC district development standards as they define the minimum or baseline standards for urban design. The design guidelines further define the desired character and image of development in the Project Area. Development standards, and the design and architectural regulations, address a variety of development regulations including, but not limited to, building facades, roofs, signs, mechanical equipment, landscaping, lighting, plazas, pedestrian walkways and courtyards, and parking.
Source: City of Fontana, <i>Fontana Forward General Plan Update 2015-2035</i> , November 2018.	

FONTANA MUNICIPAL CODE

The Project proposes amendments to the Development Code, Article III, *Form-Based Code*, to incorporate six new FBC districts, described below, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District. Article IV, Zoning Districts, Section 30-405, Section 30-406, and Table No. 30-408 would also be amended to incorporate the Downtown Core and associated land use districts. The Fontana Zoning District Map would be amended to incorporate the Downtown Core.

The Project proposes the following six new FBC districts as shown on [Figure 3-8, Proposed FBC Districts](#):

Civic Core. The Civic Core district would involve a mix of existing and new public uses, including the existing City Hall, Library, and Park spaces. Building heights would be a maximum of 70 feet.



Gateway Core. The Gateway Core district would develop strong gateways along Sierra Avenue and serve as a primary gateway to Downtown Fontana from the north and south. This area would contain a mix of existing and new buildings and would support Downtown commercial uses by encouraging the development of residential units near transit and along major corridors. Building heights would be a maximum of 70 feet with a 55-foot maximum adjacent to street corners, and a 35-foot maximum adjacent to Sierra Avenue. First floor commercial uses would be allowed anywhere in the district, and density bonuses would be provided as an incentive for including optional commercial uses.

Multi-Family Core. The Multi-Family Core district would strengthen the opportunity for higher density multi-family development within the Downtown Core. It would support Downtown commercial uses by encouraging the development of residential units within walking distance. Building heights would be a maximum of 55 feet. Density bonuses would be provided as an incentive for lot assemblages of at least one acre.

Mixed-Use Core. The Mixed-Use Core district would involve a mix of existing and new commercial and residential uses. Buildings built along major corridors would be built to the sidewalk to reinforce the street as a pedestrian-friendly area. Building heights would be a maximum of 55 feet. First floor commercial uses would be allowed anywhere in the district and required on Nuevo Avenue between Orange Avenue and Arrow Boulevard, on Wheeler Avenue between Orange Avenue and Arrow Boulevard, and Arrow Boulevard between Juniper Avenue and Wheeler Avenue. Density bonuses would be provided as an incentive for including optional commercial uses.

Neighborhood Core. The Neighborhood Core district would be largely composed of single-family homes and would allow the development of extra units. This area would provide a transition between the Downtown and the surrounding neighborhoods. Building heights would be a maximum of 40 feet. Density bonuses would be provided as an incentive for lot assemblages of at least one acre.

Sierra Core. The Sierra Core district would reinforce Sierra Avenue between Arrow Boulevard and Orange Way as the core of Downtown Fontana. This area would be enhanced with a pedestrian promenade and public plazas, and provide a variety of entertainment, retail, service, and residential uses within existing and new buildings. Building heights would be a maximum of 70 feet, with a 55-foot maximum adjacent to street corners, and a 35-foot maximum adjacent to Sierra Avenue. First floor commercial uses would be required.

If the Downtown Core Project is approved, subsequent development and infrastructure projects would be required to be consistent with the proposed FBC districts applicable to the specific development site, including permitted land uses, densities and development standards, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District. Future development projects would be reviewed to determine consistency with the City's Development Code. Thus, the proposed Project would not result in conflicts with the City of Fontana Municipal Code and impacts would be less than significant.

Therefore, implementation of the proposed Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Mitigation Measures: No mitigation measures are required.



Level of Significance: Less Than Significant Impact.

5.10.6 CUMULATIVE IMPACTS

Impact Analysis: Development of cumulative projects in the Project Area would be required to mitigate land use impacts on a project-by-project basis. Similar to future development associated with the proposed Project, cumulative development projects would be evaluated for consistency with the project site's General Plan land use designation and zoning; General Plan goals, policies, and actions; and other applicable plans for the purpose of avoiding or mitigating an environmental effect. As analyzed above, the proposed Downtown Core Project would result in less than significant impacts related to land use and relevant planning. The proposed Project, when considered in combination with development within the City, would not result in cumulatively considerable land use impacts.

The land uses that would be allowed under the proposed Project provide opportunities for cohesive new growth at infill locations within existing urbanized areas in the Project Area, but would not create physical division within existing communities. New development and redevelopment projects would be designed to complement the character of existing neighborhoods and provide connectivity between existing development and new development within the cumulative analysis area. The proposed Project does not include any new roadways, infrastructure, or other features that would divide existing communities. The proposed Project's incremental contribution to cumulative land use and planning impacts would be less than cumulatively considerable.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.10.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with land use and planning would occur with the proposed Project.

5.10.8 REFERENCES

Southern California Association of Governments, *Connect SoCal: 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy*, September 3, 2020.



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5.11 NOISE

5.11.1 PURPOSE

This section identifies existing noise conditions within the Project Area and provides an analysis of potential impacts associated with implementation of the Project. This section is primarily based on the *Downtown Core Project – Noise Impact Study*, prepared by MD Acoustics, LLC and dated January 18, 2023; refer to [Appendix D, Noise Study](#).

5.11.2 ENVIRONMENTAL SETTING

FUNDAMENTALS OF NOISE

[Sound, Noise and Acoustics](#)

Sound is a disturbance created by a moving or vibrating source and is capable of being detected by the hearing organs. Sound may be thought of as mechanical energy of a moving object transmitted by pressure waves through a medium to a human ear. For traffic or stationary noise, the medium of concern is air. *Noise* is defined as sound that is loud, unpleasant, unexpected, or unwanted.

[Frequency and Hertz](#)

A continuous sound is described by its *frequency* (pitch) and its *amplitude* (loudness). Frequency relates to the number of pressure oscillations per second. Low-frequency sounds are low in pitch (bass sounding) and high-frequency sounds are high in pitch (squeak). These oscillations per second (cycles) are commonly referred to as Hertz (Hz). The human ear can hear from the bass pitch starting at 20 Hz to the high pitch of 20,000 Hz.

[Sound Pressure Levels and Decibels](#)

The *amplitude* of a sound determines its loudness. The loudness of sound increases or decreases as the amplitude increases or decreases. Sound pressure amplitude is measured in units of micro-Newton per square meter ($\mu\text{N}/\text{m}^2$), also called micro-Pascal (μPa). One μPa is approximately one hundred billionths (0.0000000001) of normal atmospheric pressure. Sound pressure level (SPL or L_p) is used to describe in logarithmic units the ratio of actual sound pressures to a reference pressure squared. These units are called decibels; abbreviated dB.

[Addition of Decibels](#)

Because decibels are on a logarithmic scale, sound pressure levels cannot be added or subtracted by simple plus or minus. When two sounds of equal SPL are combined, they will produce an SPL 3 dB greater than the single SPL. In other words, sound energy that is doubled produces a 3 dB increase. If two sounds differ by approximately 10 dB, the higher sound level is the predominant sound. When combining sound levels, estimates shown in [Table 5.11-1, Decibel Addition](#), may be utilized.



**Table 5.11-1
Decibel Addition**

When Two Decibel Values Differ by:	Add This Amount to Higher Value	Example
0 or 1 dB	3 dB	70+69=73 dB
2 or 3 dB	2 dB	74+71=76 dB
4 to 9 dB	1 dB	66+60=67 dB
10 dB or more	0 dB	65+55=65 dB

Source: Caltrans, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

Human Response to Changes in Noise Levels

In general, the healthy human ear is most sensitive to sounds between 1,000 Hz and 5,000 Hz, and it perceives a sound within that range as being more intense than a sound with a higher or lower frequency with the same magnitude. For purposes of this analysis, as well as with most environmental documents, A-scale weighting is typically used and is reported in terms of the A-weighted decibel (dBA). The A-scale was designed to account for the frequency-dependent sensitivity of the human ear. Typical A-weighted noise levels are shown in Table 5.11-2, Typical Noise Levels.

**Table 5.11-2
Typical Noise Levels**

Common Outdoor Activities	Noise Level (dBA)	Common Indoor
Jet flyover at 1,000 feet	110	Rock Band
Gas lawnmower at 3 feet	100	
Diesel truck at 50 feet at 50 mph	90	Food blender at 3 feet Garbage disposal at 3 feet
Noisy urban area, daytime	80	
Gas lawnmower, 100 feet	70	Vacuum cleaner at 3 feet Normal speech at 3 feet
Commercial area		
Heavy traffic at 300 feet	60	
Quiet urban daytime	50	Large Business Office Dishwasher in next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime		
Quiet rural nighttime	30	Library Bedroom at night, concert hall (background)
	20	
	10	Broadcasting studio
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

Source: Caltrans, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.



Table 5.11-3
Perceived Changes in Noise Levels

Changes in Intensity Level, dBA	Changes in Apparent Loudness
1	Not perceptible
3	Just perceptible
5	Clearly noticeable
10	Twice (or half) as loud

Source: Caltrans, *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

Noise Descriptors

Noise in our daily environment fluctuates over time. Some noise levels occur in regular patterns, others are random. Some noise levels are constant while others are sporadic. Noise descriptors were created to describe the different time-varying noise levels.

A-Weighted Sound Level: The sound pressure level in decibels as measured on a sound level meter using the A-weighted filter network. The A-weighting filter de-emphasizes the very low and very high-frequency components of the sound in a manner similar to the response of the human ear. A numerical method of rating human judgment of loudness.

Ambient Noise Level: The composite of noise from all sources, near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Community Noise Equivalent Level (CNEL): The average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of five (5) decibels to sound levels in the evening from 7:00 PM to 10:00 PM and after the addition of ten (10) decibels to sound levels in the night between 10:00 PM and 7:00 AM.

Decibel (dB): A unit for measuring the amplitude of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micro-pascals.

dBA: A-weighted sound level (see definition above).

Equivalent Sound Level (LEQ): The sound level corresponding to a steady noise level over a given sample period with the same amount of acoustic energy as the actual time-varying noise level. The energy average noise level during the sample period.

Habitable Room: Any room meeting the requirements of the California Building Code or other applicable regulations which is intended to be used for sleeping, living, cooking, or dining purposes, excluding such enclosed spaces as closets, pantries, bath or toilet rooms, service rooms, connecting corridors, laundries, unfinished attics, foyers, storage spaces, cellars, utility rooms, and similar spaces.

L(n): The A-weighted sound level exceeded during a certain percentage of the sample time. For example, L10 in the sound level exceeded 10 percent of the sample time. Similarly, L50, L90, and L99, etc.



Noise: Any unwanted sound or sound which is undesirable because it interferes with speech and hearing, is intense enough to damage hearing, or is otherwise annoying. The State Noise Control Act defines noise as "...excessive undesirable sound...".

Outdoor Living Area: Outdoor spaces that are associated with residential land uses typically used for passive recreational activities or other noise-sensitive uses. Such spaces include patio areas, barbecue areas, jacuzzi areas, etc., associated with residential uses; outdoor patient recovery or resting areas associated with hospitals, convalescent hospitals, or rest homes; outdoor areas associated with places of worship which have a significant role in services or other noise-sensitive activities; and outdoor school facilities routinely used for educational purposes which may be adversely impacted by noise. Outdoor areas usually not included in this definition are: front yard areas, driveways, greenbelts, maintenance areas and storage areas associated with residential land uses; exterior areas at hospitals that are not used for patient activities; outdoor areas associated with places of worship and principally used for short-term social gatherings; and, outdoor areas associated with school facilities that are not typically associated with educational uses prone to adverse noise impacts (for example, school play yard areas).

Percent Noise Levels: See L(n).

Sound Level (Noise Level): The weighted sound pressure level obtained by use of a sound level meter having a standard frequency filter for attenuating part of the sound spectrum.

Sound Level Meter: An instrument, including a microphone, an amplifier, an output meter, and frequency weighting networks for the measurement and determination of noise and sound levels.

Single Event Noise Exposure Level (SENEL): The dBA level which, if it lasted for one second, would produce the same A-weighted sound energy as the actual event.

Tonal Sounds

A pure tone sound is a sound produced at or near a single frequency. Laboratory tests have shown that humans are more perceptible to changes in sound levels of a pure tone. For a noise source to contain a "pure tone," there must be a significantly higher A-weighted sound energy in a given frequency band than in the neighboring bands, thereby causing the noise source to "stand out" against other noise sources. A pure tone occurs if the sound pressure level in the one-third octave band with the tone exceeds the average of the sound pressure levels of the two contiguous one-third octave bands by 5 dB for center frequencies of 500 Hertz (Hz) and above; by 8 dB for center frequencies between 160 and 400 Hz; and by 15 dB for center frequencies of 125 Hz or less.

Sound Propagation

As sound propagates from a source it spreads geometrically. Sound from a small, localized source (i.e., a point source) radiates uniformly outward as it travels away from the source in a spherical pattern. The sound level attenuates at a rate of 6 dB per doubling of distance. The movement of vehicles down a roadway makes the source of the sound appear to propagate from a line (i.e., line source) rather than a point source. This line source results in the noise propagating from a roadway in a cylindrical spreading versus a spherical spreading that results from a point source. The sound level attenuates for a line source at a rate of 3 dB per doubling of distance.



Research has demonstrated that atmospheric conditions can have a significant effect on noise levels when noise receivers are located 200 feet or more from a noise source. Wind, temperature, air humidity, and turbulence can further impact how far sound can travel.

Ground Absorption

As noise propagates from the source, it is affected by the ground and atmosphere. Noise models use hard site (reflective surfaces) and soft site (absorptive surfaces) to help calculate predicted noise levels. Hard site conditions assume no excessive ground absorption between the noise source and the receiver. Soft site conditions such as grass, soft dirt, or landscaping attenuate noise at a rate of 1.5 dB per doubling of distance. When added to the geometric spreading, the excess ground attenuation results in an overall noise attenuation of 4.5 dB per doubling of distance for a line source and 7.5 dB per doubling of distance for a point source.

Sound Attenuation

Noise-related land use issues are typically composed of three basic elements: (1) the noise source, (2) a transmission path, and (3) a receiver.

The appropriate acoustical treatment for a given project should consider the nature of the noise source and the sensitivity of the receiver. When the potential for a noise-related problem is present, either avoidance of the noise-related problem or noise control techniques should be selected to provide an acceptable noise environment for the receiver while remaining consistent with local aesthetic standards and practical structural and economic limits. Fundamental noise control options are described below.

Noise Barriers

Effective noise barriers can reduce noise levels by 10 to 15 dBA, cutting the loudness of traffic noise in half. To achieve that reduction, the barrier must be high enough and long enough to block the line-of-sight of the vehicles on the road. A noise barrier can still achieve up to a 5 dBA noise level reduction when it is tall enough to barely allow a line-of-sight of the vehicles. A noise barrier is most effective when placed close to the noise source or receiver. When the noise barrier is an earthen berm instead of a wall, the noise attenuation can be increased by another 3 dBA.

Setbacks

Noise exposure may be reduced by increasing the setback distance between the noise source and the receiving use. Setback areas can take the form of open space, frontage roads, recreational areas, and storage yards. The available noise attenuation from this technique is limited by the characteristics of the noise source but generally ranges between 4 and 6 dBA.

Site Design

Buildings can be placed on a property to shield other structures or areas affected by noise and to prevent an increase in noise levels caused by reflections. The use of one building to shield another can significantly reduce overall noise control costs, particularly if the shielding structure is insensitive to noise. An example would be placing a detached garage nearest the noise source to shield the house or backyard. Site design should guard against creating reflecting surfaces that may increase onsite noise levels. For example, two buildings placed at an angle facing a noise source may cause noise levels within that angle to increase by



up to 3 dBA. The open end of U-shaped buildings should point away from noise sources for the same reason. Landscaping walls or noise barriers located within a development may inadvertently reflect noise to a noise-sensitive area unless carefully located.

Building Facades

When interior noise levels are of concern in a noisy environment, noise reduction may be obtained through the acoustical design of building facades. Standard construction practices provide a noise reduction of 10 to 15 dBA for building facades with open windows, and a noise reduction of approximately 25 dBA when windows are closed; refer to Table 5.11-4, Noise Reduction Afforded by Common Building Construction. An exterior-to-interior noise reduction of 25 dBA can be obtained by requiring that building design include adequate ventilation systems, which would allow windows facing a noise source to remain closed, even during periods of excessively warm weather.

Where greater noise reduction is required, acoustical treatment of the building facade may be necessary. Reducing relative window area is the most effective control technique, followed by providing acoustical glazing (e.g., thicker glass or increased air space between panes) within frames with low air infiltration rates, using fixed (i.e., non-movable) acoustical glazing, or eliminating windows. Noise transmitted through walls can be reduced by increasing wall mass (e.g., using stucco or brick in lieu of wood siding), or isolating wall members by using double or staggered stud walls, while noise transmitted through doorways can be lessened by reducing door area, using solid-core doors, or sealing door perimeters with suitable gaskets. Noise-reducing roof treatments include using plywood sheathing under roofing materials.

**Table 5.11-4
Noise Reduction Afforded by Common Building Construction**

Construction Type	Typical Occupancy	General Description	Range of Noise Reduction (dB) ¹
1	Residential, Commercial, Schools	Wood frame, stucco, or wood sheathing exterior. Interior drywall or plaster. Sliding glass windows, with windows partially open.	15-20
2	Same as 1 above	Same as 1 above, but with windows closed.	25-30
3	Commercial, Schools	Same as 2 above, but with fixed 0.25-inch plate glass windows.	30-35
4	Commercial, Industrial	Steel or concrete frame, curtain wall, or masonry exterior wall. Fixed 0.25-inch plate glass windows.	35-40

Source: Caltrans, *California Airport Land Use Planning Handbook*, 2002.

Landscaping

While the use of trees and other vegetation is often thought to provide significant noise attenuation, approximately 100 feet of dense foliage – with no visual path extending through the foliage – is required to achieve a 5 dBA attenuation of traffic noise. Thus, the use of vegetation as a noise barrier is not considered a practical method of noise control unless large tracts of dense foliage are part of the existing landscape.



Vegetation can be used, however, to acoustically “soften” intervening ground between a noise source and a receiver, increasing ground absorption of sound, and thus, increasing the attenuation of sound with distance. Planting trees and shrubs also offers aesthetic and psychological value, and it may reduce adverse public reaction to a noise source by removing the source from view, even though noise levels would be largely unaffected.

GROUND-BORNE VIBRATION FUNDAMENTALS

Ground-borne vibrations consist of rapidly fluctuating motions within the ground that have an average motion of zero. The effects of ground-borne vibrations typically only cause a nuisance to people, but at extreme vibration levels, damage to buildings may occur. Although ground-borne vibration can be felt outdoors, it is typically only an annoyance to people indoors where the associated effects of the shaking of a building can be notable. Ground-borne noise is an effect of ground-borne vibration and mainly exists indoors since it is produced from noise radiated from the motion of the walls and floors of a room and may also consist of the rattling of windows or dishes on shelves. Several different methods are used to quantify vibration amplitude.

PPV. Known as the peak particle velocity (PPV) which is the maximum instantaneous peak in vibration velocity, typically given in inches per second.

RMS. Known as root mean squared (RMS) can be used to denote vibration amplitude.

VdB. A commonly used abbreviation to describe the vibration level (VdB) for a vibration source.

Typical human reaction and effect on buildings due to ground-borne vibration is shown in Table 5.11-5, Typical Human Reaction and Effect on Buildings Due to Ground-Borne Vibration.

**Table 5.11-5
Typical Human Reaction and Effect on Buildings Due to Ground-Borne Vibration**

Vibration Level Peak Particle Velocity (PPV)	Human Reaction	Effect on Buildings
0.006–0.019 in/sec	Threshold of perception, possibility of intrusion	Vibrations unlikely to cause damage of any type
0.08 in/sec	Vibrations readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10 in/sec	Level at which continuous vibration begins to annoy people	Virtually no risk of “architectural” (i.e., not structural) damage to normal buildings
0.20 in/sec	Vibrations annoying to people in buildings	Threshold at which there is a risk to “architectural” damage to normal dwelling – houses with plastered walls and ceilings
0.4–0.6 in/sec	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause “architectural” damage and possibly minor structural damage

Source: Caltrans, *Transportation and Construction Vibration Guidance Manual*, September 2013.



Vibration Perception

Typically, developed areas are continuously affected by vibration velocities of 50 VdB or lower. These continuous vibrations are not noticeable to humans whose threshold of perception is around 65 VdB. Outdoor sources that may produce perceptible vibrations are usually caused by construction equipment, steel-wheeled trains, and traffic on rough roads, while smooth roads rarely produce perceptible ground-borne noise or vibration.

The California Department of Transportation has published one of the seminal works for the analysis of ground-borne noise and vibration relating to transportation- and construction-induced vibrations and although the Project is not subject to these regulations, it serves as a useful tool to evaluate vibration impacts.

Vibration Propagation

There are three main types of vibration propagation: surface, compression, and shear waves. Surface waves, or Rayleigh waves, travel along the ground's surface. These waves carry most of their energy along an expanding circular wave front, similar to ripples produced by throwing a rock into a pool of water. P-waves, or compression waves, are body waves that carry their energy along an expanding spherical wave front. The particle motion in these waves is longitudinal (i.e., in a "push-pull" fashion). P-waves are analogous to airborne sound waves. S-waves, or shear waves, are also body waves that carry energy along an expanding spherical wave front. However, unlike P-waves, the particle motion is transverse, or side-to-side and perpendicular to the direction of propagation. As vibration waves propagate from a source, the vibration energy decreases in a logarithmic nature and the vibration levels typically decrease by 6 VdB per doubling of the distance from the vibration source. This drop-off rate can vary greatly depending on the soil, but has been shown to be effective enough for screening purposes, in order to identify potential vibration impacts that may need to be studied through actual field tests.

TRAFFIC NOISE PREDICTION MODEL

The FHWA Traffic Noise Prediction Model (FHWA-RD-77-108) was used to model and compare existing traffic noise levels to projected 2040 noise levels. The FHWA model arrives at the predicted noise level through a series of adjustments to the Reference Energy Mean Emission Level (REMEL). Roadway modeling assumptions utilized for the technical study are provided in Table 8 and Table 9 of the Noise Study provided in [Appendix D](#). The vehicle mix indicates the percentage of automobiles, medium trucks, and heavy trucks for each segment and is presented as auto/medium/heavy.

EXISTING NOISE ENVIRONMENT

General Land Use Noise

Existing land uses within the Project Area primarily include single- and multiple-family residential development, commercial, recreational, and institutional land uses. Noise sources associated with existing land uses include residential maintenance, parking lot noise, heating, and cooling system (HVAC) noise, property maintenance noise, trash truck noise, loading and unloading noise, and recreational noise.



Noise Measurements

Two (2) long-term 24-hour noise measurements and eight (8) short-term 10-minute noise measurements were conducted throughout the Project Area to document the existing noise environment. Noise measurement locations are shown in [Figure 5.11-1, Noise Measurement Location Map](#).

Eight short-term noise measurements (10-minute) were taken in order to document the daytime Leq level at different locations throughout the Project Area. Measured noise levels ranged between 51.3 and 71.2 dBA Leq. Vehicle noise associated with Foothill Boulevard, Arrow Boulevard, Merrill Avenue, and Randall Avenue, and railway noise were the primary sources of ambient noise. Noise measurement results are presented in [Table 5.11-6, Short-Term Noise Measurement Summary](#).

**Table 5.11-6
Short-Term Noise Measurement Summary**

Noise Measurement Location	Approximate Location	Time	A-Weighted Sound Level (dBA)						
			Leq	Lmax	Lmin	L2	L8	L25	L50
ST1	17095 Foothill Blvd.	3:24 PM	67.3	87.6	51.2	73.6	69.4	65.6	60.0
ST2	8212 Bennett Ave.	3:51 PM	69.3	89.0	44.7	79.0	70.6	61.6	54.3
ST3	17004 Arrow Blvd.	11:55 AM	56.3	64.6	49.8	63.4	61.0	56.1	54.0
ST4	16725 Valencia Ave.	2:22 PM	58.5	80.7	44.0	63.3	60.3	55.2	51.2
ST5	8999 Olive St.	2:03 PM	51.3	69.9	43.9	56.4	53.6	51.3	49.4
ST6	9100 Acacia Ave.	12:33 PM	52.2	74.7	38.8	57.2	50.5	44.9	42.6
ST7	9289 Juniper Ave.	1:35 PM	71.2	89.6	51.4	81.0	72.0	68.1	64.6
ST8	17110 Randall Ave.	1:09 PM	67.7	88.6	47.4	74.5	69.1	65.0	62.0

Source: MD Acoustics, LLC, *Fontana Downtown FBC – Noise Impact Study*, January 2023.
Notes:
dBA = A-weighted decibels, Leq = equivalent noise level, Lmax = maximum noise level, Lmin = minimum noise level, Ln = noise level exceeded n percent of the measurement period, 10-minute duration
Noise measurements taken on December 8, 2022.

Two long-term noise measurements (24 consecutive hours) were taken in order to document the Community Noise Equivalent Level (CNEL) at different locations throughout the Project Area. As shown in [Table 5.11-7, Long-Term Noise Measurement Summary](#), the measured CNEL was 71.2 at 40 feet from the centerline of Juniper Avenue and 80.1 dBA at 100 feet from the railroad. The primary noise sources were vehicle traffic and railway noise. [Table 5.11-7](#) also outlines the daytime (7 AM to 7 PM), evening (7 PM to 10 PM), and nighttime (10 PM to 7 AM) Leq levels at each location. These represent the average level over each time period (day/evening/night).



**Table 5.11-7
Long-Term Noise Measurement Summary**

Noise Measurement Location	Approximate Location	Description	A-Weighted Sound Level (dBA)			
			Daytime Leq	Evening Leq	Nighttime Leq	CNEL
LT1	Juniper Ave. near Foothill Blvd.	vehicle noise	66.6	66.8	63.8	71.2
LT2	Sierra Ave. near Metrolink	vehicle noise, rail noise	74.2	75.5	73.1	80.1

Source: MD Acoustics, LLC, *Fontana Downtown FBC – Noise Impact Study*, January 2023.

Notes:
 dBA = A-weighted decibels
 Leq = equivalent noise level
 Lmax = maximum noise level
 Lmin = minimum noise level
 Ln = noise level exceeded n percent of the measurement period
 24-hour duration
 Noise measurements taken December 7-8, 2022.

Existing Noise Modeling

The primary sources of noise within the Project Area are transportation-related noises. Foothill Boulevard and Sierra Avenue, along with other major roadways create ambient noise levels that affect the overall quality of life in the community. Modelled existing noise levels provided in [Table 5.11-8, Existing Exterior Noise Levels Along Roadways](#) and on [Figure 5.11-2, Existing Roadway Noise Level Contours](#), confirm that there are currently sensitive land uses in the Project Area that are exposed to noise levels above 65 dBA CNEL.

It should be noted that the modeled noise contours do not take into account factors such as existing buildings, walls, etc., that may reduce or in some cases, amplify noise sources. Measured noise levels provided in [Tables 5.11-6 and 5.11-7](#), do take into account existing structures as well as other noise sources.

Those areas in the City and the Project Area that currently experience sound levels greater than 65 dBA CNEL are typically near major vehicular traffic corridors. Traffic noise levels typically depend on three factors: (1) the volume of traffic, (2) the average speed of traffic, and (3) the vehicle mix (i.e., the percentage of trucks versus automobiles in the traffic flow). Vehicle noise includes noises produced by the engine, exhaust, tires, and wind generated by taller vehicles. Other factors that affect the perception of traffic noise include the distance from the highway, terrain, heavy vegetation, and natural and structural obstacles. While tire noise from automobiles is generally located at ground level, some truck noise sources may emanate from 12 feet or more above the ground.



**Table 5.11-8
Existing Exterior Noise Levels Along Roadways**

Roadway	Segment Limits	CNEL, dBA @50 ft	Distance to Contour (feet)			
			70 dBA	65 dBA	60 dBA	55 dBA
Arrow Blvd.	Juniper to Rosena	71.0	64	201	636	2,011
Arrow Blvd.	Rosena to Nuevo	69.3	42	134	423	1,337
Arrow Blvd.	Nuevo to Sierra	70.2	52	166	524	1,657
Arrow Blvd.	Sierra to Wheeler	70.1	51	161	509	1,609
Arrow Blvd.	Wheeler to Emerald	69.3	42	134	423	1,337
Arrow Blvd.	Emerald to Mango	69.3	42	134	423	1,337
Ceres Ave.	Nuevo to Sierra	58.1	3	10	32	103
Foothill Blvd.	Juniper to Sierra	73.4	110	348	1,100	3,480
Foothill Blvd.	Sierra to Mango	72.9	98	310	981	3,101
Juniper Ave.	Foothill to Upland	68.4	35	109	346	1,093
Juniper Ave.	Upland to Arrow	67.9	31	97	305	966
Juniper Ave.	Arrow to Valencia	69.0	40	126	400	1,265
Mango Ave.	Foothill to Upland	66.9	24	77	244	773
Mango Ave.	Upland to Valencia	68.2	33	104	330	1,044
Mango Ave.	Valencia to Merrill	67.5	28	89	282	890
Merrill Ave.	Juniper to Mango	70.0	50	159	504	1,593
Nuevo Ave.	Arrow to Valencia	54.9	2	5	15	49
Nuevo Ave.	Valencia to Orange	54.5	1	5	14	45
Orange Way	Nuevo to Sierra	61.6	7	23	72	228
Orange Way	Sierra to Wheeler	59.2	4	13	42	133
Randall Ave.	Juniper to Mango	67.9	31	98	310	981
Sierra Ave.	Foothill to Upland	70.2	53	167	529	1,673
Sierra Ave.	Upland to Arrow	68.6	36	115	365	1,154
Sierra Ave.	Arrow to Valencia	70.3	54	170	539	1,703
Sierra Ave.	Valencia to Orange	69.0	40	125	397	1,254
Sierra Ave.	Orange to Merrill	70.7	59	187	591	1,868
Sierra Ave.	Merrill to Athol	71.8	76	240	757	2,395
Sierra Ave.	Athol to Randall	73.6	115	363	1,149	3,635
Valencia Ave.	Juniper to Sierra	56.9	2	8	24	77
Valencia Ave.	Sierra to Mango	56.0	2	6	20	62
Wheeler Ave.	Arrow to Valencia	54.7	1	5	15	47
Wheeler Ave.	Valencia to Orange	51.3	1	2	7	21

Source: MD Acoustics, LLC, *Fontana Downtown FBC – Noise Impact Study*, January 2023.

Notes:

1. Exterior noise levels calculated at 5-feet above ground.
2. Noise levels calculated from centerline of subject roadway.
3. Contour Distances do not take into account potential noise reduction from existing barriers such as buildings, walls or berms as a worst-case scenario for planning screening purposes. Overall levels are likely lower at sensitive receptors.



[Airport and Aircraft Noise](#)

There are no airports located within the Project Area and the Project Area is not located within any airport noise contours. The closest airport to the Project Area is the Ontario International Airport located approximately eight miles southwest of the Project Area. The noise contours associated with this airport do not encroach into the Project Area.

[Railway Noise](#)

Existing and future developments within 455 feet of the Metrolink rail line may be exposed to levels above 65 dBA CNEL due to rail noise. Developments within 593 feet of a crossing with a horn warning may be exposed to levels above 65 dBA CNEL due to rail noise. The long-term measurement by the rail line (LT2) confirms that levels by the rail are above 65 dBA CNEL under existing conditions.

[Vibration Sources](#)

The main sources of vibration in the Project Area are related to vehicles and construction. Typical roadway traffic, including heavy trucks, rarely generates vibration amplitudes high enough to cause structural or cosmetic damage. However, there have been cases in which heavy trucks traveling over potholes or other discontinuities in the pavement have caused vibration high enough to result in complaints from nearby residents. These types of issues typically can be resolved by smoothing the roadway surface.

Construction activities that produce vibration that can be felt by adjacent land uses include the use of vibratory equipment, large bulldozers, and pile drivers. The primary source of vibration during construction is usually from a bulldozer. A large bulldozer has a peak particle velocity of 0.089 inches per second at 25 feet.

5.11.3 REGULATORY SETTING

FEDERAL

[Noise Control Act of 1972](#)

The Federal Office of Noise Abatement and Control (ONAC) originally was tasked with implementing the Noise Control Act. However, it was eventually eliminated, leaving other federal agencies and committees to develop noise policies and programs. Some examples of these agencies are as follows:

The Department of Transportation (DOT) assumed a significant role in noise control through its various agencies.

The Federal Aviation Agency (FAA) is responsible to regulate noise from aircraft and airports.

The Federal Highway Administration (FHWA) is responsible to regulate noise from the interstate highway system.

The Occupational Safety and Health Administration (OSHA) is responsible for the prohibition of excessive noise exposure to workers.

The federal government advocates that local jurisdictions use their land use regulatory authority to arrange new development in such a way that “noise sensitive” uses are either prohibited from being constructed adjacent to a highway or that the developments are planned and constructed in such a manner that potential noise impacts are minimized.



Since the federal government has preempted the setting of standards for noise levels that can be emitted by the transportation source, the City is restricted to regulating the noise generated by the transportation system through nuisance abatement codes and land use planning.

The intent of a General Plan Noise Element is to set goals to limit and reduce the effects of noise intrusion and to set acceptable noise levels for varying types of land uses. To this end, the City has the authority to set land use noise standards and restrict private activities that generate excessive or intrusive noise. However, it should be recognized that the City does not have the authority to regulate all sources of noise within the City and various other agencies may supersede City authority. The following is a summary of some federal agency requirements that apply to noise within the Project Area.

[Federal Highway Administration](#)

Federal Highway Administration State routes and freeways that run through the City are subject to Federal funding and, as such, are under the purview of the Federal Highway Administration (FHWA). The FHWA has developed noise standards that are typically used for Federally funded roadway projects or projects that require either Federal or Caltrans review. These noise standards are based on Leq and L10 values and are included in Table 5.11-9, FHWA Design Noise Levels.

**Table 5.11-9
FHWA Design Noise Levels**

Activity Category	Description of Category	Design Noise Levels ¹	
		Leq (dBA)	L10 (dBA)
A	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose. Examples include natural parks or wildlife habitats.	57 (exterior)	60 (exterior)
B	Picnic areas, recreation areas, playgrounds, active sports areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.	67 (exterior)	70 (exterior)
C	Developed lands, properties, or activities not included in Categories A or B, above.	72 (exterior)	75 (exterior)
D	Undeveloped lands.	--	--
E	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.	52 (interior)	55 (interior)

Source: FHWA Noise Standard. 23 Code of Federal Regulations 772.
Notes: Either Leq or L10 (but not both) design noise levels may be used on a project.

[U.S. Department of Housing and Urban Development](#)

The Department of Housing and Urban Development (HUD) issues formal requirements related specifically to standards for exterior noise levels along with policies for approving HUD-supported or assisted housing projects in high noise areas. In general, these requirements established three zones. These include:



65 dBA Ldn or less - an acceptable zone where all projects could be approved,

Exceeding 65 dBA Ldn but not exceeding 75 dBA Ldn - a normally unacceptable zone where mitigation measures would be required, and each project would have to be individually evaluated for approval or denial. These measures must provide 5 dBA of attenuation above the attenuation provided by standard construction required in a 65 to 70 dBA Ldn area and 10 dBA of attenuation in a 70 to 75 dBA Ldn area, and

Exceeding 75 dBA Ldn - an unacceptable zone in which projects would not, as a rule, be approved.

[The Federal Interagency Committee on Noise](#)

The Federal Interagency Committee on Noise (FICON) developed guidance for the assessment of project-generated increases in noise levels that consider the ambient noise level. The FICON recommendations are based on studies of the percentage of persons highly annoyed by aircraft noise. These recommendations are often used for different types of environmental noise such as traffic noise. A readily perceptible 5 dBA or greater project-related noise level increase is considered a significant impact when the noise criteria for a given land use is exceeded. In areas where the existing noise levels range from 60 to 65 dBA, a 3 dBA barely perceptible noise level increase is considered significant. When the existing noise levels already exceed 65 dBA, any increase in community noise louder than 1.5 dBA or greater is considered a significant impact, since it likely contributes to an existing noise exposure exceedance.

STATE

[California Department of Health Services](#)

The California Department of Health Services (DHS) Office of Noise Control studied the correlation of noise levels and their effects on various land uses. As a result, the DHS established four categories for judging the severity of noise intrusion on specified land uses. These categories are presented in the State Land Use Compatibility for Community Noise Exposure table. The Fontana General Plan has not adopted these standards and instead uses a threshold of 65 dBA CNEL and 65 dBA Leq for sensitive uses.

[California Building Code](#)

Section 1206.4 of the 2022 California Building Code (Cal. Code Regs., Title 24, Part 2), Chapter 12 (Interior Environment), establishes an interior noise criterion of 45 dBA CNEL in any habitable room. Per California Building Code, Chapter 2 (Definitions), a habitable space is a space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces. This section applies to dwelling and sleeping units.

California Green Building Standards Code (2022), Chapter 5 (Nonresidential Mandatory Measures) Section 5.507.4 (Acoustical Control), applies to all proposed buildings that people may occupy but are not residential dwelling units, with the exception of factories, stadiums, storage, enclosed parking structures, and utility buildings. Buildings must comply with Section 5.507.4.1 or Section 5.507.4.2. Section 5.507.4.1 requires wall and roof-ceiling assemblies exposed to the noise source making up the building, or addition envelope or altered envelope, shall meet a composite Sound Transmission Class (STC) rating of at least 50 or a composite Outdoor to Indoor Transmission Class (OITC) rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when within the 65 CNEL noise contour of an airport, freeway, expressway, railroad, industrial source, or fixed-guideway source. If contours are not available,



buildings exposed to 65 dB Leq(h) must meet a composite STC rating of at least 45 or OITC of 35 with exterior windows of at least STC 40 or OITC 30. Section 5.507.4.2 requires that the interior noise attributable to exterior sources must not exceed 50 dBA Leq(h) during any hour of operation. Section 5.507.4.3 requires that assemblies separating tenant spaces from tenant spaces or public places must have an STC of at least 40.

LOCAL

[City of Fontana General Plan](#)

The Fontana General Plan includes goals, policies, and actions to reduce potential noise impacts. Chapter 11, Noise and Safety Element contains the following goals and policies potentially relevant to the proposed Project:

Chapter 11 – Noise and Safety Element

- **Goal 8:** The City of Fontana protects sensitive land uses from excessive noise by diligent planning through 2035.
 - **Policy:** New sensitive land uses shall be prohibited in incompatible areas.
 - **Policy:** Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors.
 - **Policy:** Where sensitive uses are to be placed along transportation routes, mitigation shall be provided to ensure compliance with state-mandated noise levels.
 - **Policy:** Noise spillover or encroachment from commercial, industrial and educational land uses shall be minimized into adjoining residential neighborhoods or noise-sensitive uses.
- **Goal 9:** The City of Fontana provides a diverse and efficiently operated ground transportation system that generates the minimum feasible noise on its residents through 2035.
 - **Policy:** All noise sections of the State Motor Vehicle Code shall be enforced.
 - **Policy:** Roads shall be maintained such that the paving is in good condition and free of cracks, bumps, and potholes.
 - **Policy:** Noise mitigation measures shall be included in the design of new roadway projects in the city.
- **Goal 10:** Fontana’s residents are protected from the negative effects of “spillover” noise.
 - **Policy:** Residential land uses and areas identified as noise-sensitive shall be protected from excessive noise from non-transportation sources including industrial, commercial, and residential activities and equipment.

[City of Fontana Municipal Code](#)

The City of Fontana's Noise Ordinance consists of Sections 18-61 to 18-67 of the Fontana Municipal Code. The Noise Ordinance is designed to protect people from non-transportation noise sources such as construction activity; commercial, industrial, and agricultural operations; machinery and pumps; and air conditioners. Enforcement of the ordinance ensures that adjacent properties are not exposed to excessive noise from stationary sources. Enforcing the ordinance includes requiring proposed development projects to show compliance with the ordinance, including operating in accordance with noise levels and hours of



operations limits placed on the project site. The City also requires construction activity to comply with established work schedule limits. The ordinance is reviewed periodically for adequacy and amended as needed to address community needs and development patterns.

Section 18-62 states that any noise that disturbs persons of ordinary sensibilities is unlawful. It also outlines the penalties for violating the Noise Ordinance.

Section 18-63 lists specific prohibited noises as they disturb a person of ordinary sensibilities. These sources including horns and signaling devices, sound amplifying equipment, animals, exhausts, vehicle and load defects, loading and unloading activities, construction during the hours of 6PM to 7AM on weekdays and 5PM to 8AM on Saturday, noise near schools, courts, places of worship, and hospitals, transportation of metal pillars, specific construction equipment between 6PM and 7AM, and blowers between the hours of 6PM and 7AM on weekdays and 5PM to 8AM on Saturdays.

Chapter 30, *Zoning and Development Code* (Development Code), includes a number of provisions to protect against excessive noise and vibration.

Section 30-469 outlines residential noise standards for interior and exterior uses. Within a residential zone, no use shall create a noise greater than 65 dB at an exterior use and 45 dB at an interior use. The code does not specify the weighting scale or specific location of the measurement, but generally environmental noise standards are in dBA and taken at the property line of a useable area.

Section 30-470 states that any vibration occurring on a residential property which can be felt beyond the property line is prohibited.

Section 30-542 is similar to Sections 30-469 and 30-470 for noises occurring on industrial properties. Daytime residential levels, however, are limited to 70 dBA at any residential property line and 65 dBA at night at any residential property line. This section also prohibits vibration which can be felt beyond the property line.

Section 30-943(a)(6) outlines noise restrictions for extraction permits including daytime limits of 55 dBA at residential properties, 60 dBA at commercial properties at any time, and 70 dBA at industrial properties at any time. These limits are reiterated in Section 9-62(c)(3)(d)(3).

5.11.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to noise and groundborne vibrations. A project may create a significant environmental impact if it would result in:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (refer to Impact Statement 5.11-1);
- Generation of excessive groundborne vibration or groundborne noise levels (refer to Impact Statement 5.11-2); and/or
- For a project located within the vicinity of a private airstrip land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people



residing or working in the project area to excessive noise (refer to [Section 8.0, *Effects Found Not to be Significant*](#)).

[Transportation Noise Standards](#)

A significant impact would occur if noise levels are increased by 3 dBA or more and result in a future noise level above 65 dBA CNEL in areas with sensitive uses.

[Stationary Noise Standards](#)

Section 30-469 outlines residential noise standards for interior and exterior uses. Within a residential zone, no use shall create a noise greater than 65 dB at an exterior use and 45 dB at an interior use. A significant impact would occur if the Project involves a use within a residential zone that creates a noise greater than 65 dB at an exterior use and 45 dB at an interior use.

[Construction Noise Standards](#)

Construction noise would be significant if construction activities occur outside of the permitted construction hours. Municipal Code Section 18-63 limits construction during the hours of 6PM to 7AM on weekdays and 5PM to 8AM on Saturday.

Construction vibration would be significant if construction activities result in vibration that can be felt beyond the property line.

Based on these standards and significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a "significant unavoidable impact."

5.11.5 IMPACTS AND MITIGATION MEASURES

Impact 5.11-1: Would the project result in the 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?

Impact Analysis: The City is proposing to create a new focused area in the Downtown Core (Project Area) by creating and implementing a new General Plan land use category and six new FBC districts specific to the Project Area. The Project would involve amending General Plan Chapter 9, Community Mobility and Circulation, including Exhibit 9.2, Hierarchy of Streets in Fontana, Chapter 14, Downtown Area Plan, and Chapter 15, Land Use, Zoning, and Urban Design, including establishing a new General Plan land use category, amending the General Plan Land Use Map to apply the new land use category, and amending the Zoning and Development Code, including the Zoning District Map.

The proposed General Plan, General Plan Land Use Map, Zoning District Map, and Zoning and Development Code amendments would apply the new General Plan WMXU-3 land use category and new Zoning and Development Code FBC districts to the Project Area. Although the proposed Project does not involve site-specific development, the intent is to promote additional residential development and



supportive commercial uses and amenities based on the highest residential development and commercial potential that could be built. Further, the Project would allow for the complete closure of Sierra Avenue to vehicular traffic between Arrow Boulevard and Orange Way.

Based on the maximum development potential and existing (on-the-ground) development anticipated to remain, implementation of the Downtown Core Project would allow for new development of approximately 10,920 dwelling units (8,900 units over existing conditions) and new development of approximately 3,992,868 square feet of non-residential uses (2,685,404 square feet over existing conditions).

Transportation Noise Impacts

The primary noise source in the Project Area would continue to be vehicle traffic. Future traffic noise level contours with implementation of the Proposed Project are presented in Figure 5.11-3, 2040 Future Noise Contours With Project. Table 5.11-10, 2040 Future Traffic Noise Levels With Downtown Core Project, shows that future noise levels at a distance of 50 feet from the centerline of studied roadways would range between 58.6 and 73.8 dBA CNEL by the year 2040 with the proposed Project.



**Table 5.11-10
2040 Future Traffic Noise Levels with Downtown Core Project (dBA, CNEL)**

Roadway	Segment Limits	CNEL, dBA @50 ft	Distance to Contour (feet)			
			70 dBA	65 dBA	60 dBA	55 dBA
Arrow Blvd.	Juniper to Rosena	70.7	59	187	591	1,869
Arrow Blvd.	Rosena to Nuevo	69.6	46	144	456	1,441
Arrow Blvd.	Nuevo to Sierra	71.8	75	238	751	2,376
Arrow Blvd.	Sierra to Wheeler	72.2	83	261	826	2,611
Arrow Blvd.	Wheeler to Emerald	68.9	39	123	389	1,229
Arrow Blvd.	Emerald to Mango	70.0	50	157	495	1,565
Ceres Ave.	Nuevo to Sierra	58.6	4	12	37	115
Foothill Blvd.	Juniper to Sierra	73.6	116	365	1,156	3,654
Foothill Blvd.	Sierra to Mango	73.4	109	345	1,092	3,454
Juniper Ave.	Foothill to Upland	68.5	36	113	357	1,127
Juniper Ave.	Upland to Arrow	69.7	47	149	472	1,491
Juniper Ave.	Arrow to Valencia	69.1	41	129	409	1,292
Mango Ave.	Foothill to Upland	67.3	27	85	268	847
Mango Ave.	Upland to Valencia	68.7	37	117	369	1,168
Mango Ave.	Valencia to Merrill	69.6	46	144	455	1,440
Merrill Ave.	Juniper to Mango	70.2	53	167	530	1,675
Nuevo Ave.	Arrow to Valencia	66.1	20	64	203	643
Nuevo Ave.	Valencia to Orange	66.7	23	74	234	740
Orange Way	Nuevo to Sierra	70.1	51	163	514	1,625
Orange Way	Sierra to Wheeler	69.1	40	127	402	1,272
Randall Ave.	Juniper to Mango	67.7	29	92	292	925
Sierra Ave.	Foothill to Upland	70.8	59	188	594	1,879
Sierra Ave.	Upland to Arrow	68.4	35	110	349	1,102
Sierra Ave.	Arrow to Valencia	--	--	--	--	--
Sierra Ave.	Valencia to Orange	--	--	--	--	--
Sierra Ave.	Orange to Merrill	70.4	55	173	548	1,732
Sierra Ave.	Merrill to Athol	72.1	81	255	807	2,551
Sierra Ave.	Athol to Randall	73.8	120	378	1,196	3,783
Valencia Ave.	Juniper to Sierra	59.3	4	13	42	134
Valencia Ave.	Sierra to Mango	58.9	4	12	39	124
Wheeler Ave.	Arrow to Valencia	65.7	18	58	184	583
Wheeler Ave.	Valencia to Orange	64.9	15	49	155	490

Source: MD Acoustics, LLC, *Fontana Downtown FBC – Noise Impact Study*, January 2023.

Notes:

1. Exterior noise levels calculated at 5-feet above ground.
2. Noise levels calculated from centerline of subject roadway.
3. Contour Distances do not take into account potential noise reduction from existing barriers such as buildings, walls or berms as a worst-case scenario for planning screening purposes. Overall levels are likely lower at sensitive receptors.



As shown in [Table 5.11-10](#) and [Figure 5.11-3](#), by the year 2040, existing land uses adjacent to the studied roadways would be exposed to noise levels that exceed the City's exterior standards with implementation of the proposed Project.

[Table 5.11-11](#), *Change in Traffic Noise Along Project Area Roadways (dBA, CNEL at 50 feet)*, shows the change in ambient noise levels under 2040 with Project conditions. Compared to existing traffic noise levels, 2040 with Project traffic volumes are expected to be up to 13.6 dBA CNEL louder than existing ambient noise levels at existing land uses and would result in audible increases in ambient noise along Nuevo Avenue, Orange Way, and Wheeler Avenue.

Traffic noise would be significant if levels are increased by more than 3 dBA to levels above 65 dBA CNEL in areas with sensitive uses. As shown in [Table 5.11-11](#), noise levels along Nuevo Avenue from Arrow Boulevard to Orange Way, Orange Way from Nuevo Avenue to Wheeler Avenue, and Wheeler Avenue from Arrow Boulevard to Valencia Avenue would increase more than 3 dB and would be above 65 dBA CNEL. Sensitive receptors along Nuevo Avenue include single-family residential uses and multifamily residential uses. There are no sensitive uses along Nuevo Avenue from Arrow Boulevard to Valencia Avenue. Sensitive receptors along Orange Way include a park and multifamily residential uses. Sensitive receptors along Wheeler Avenue include single-family residential uses. As noise levels would be increased by more than 3 dBA to levels above 65 dBA CNEL in areas with sensitive uses, implementation of the proposed Project would result in substantial permanent increases in existing noise levels at existing and future sensitive receptors along these segments.

Implementation of the proposed Project would result in significant impacts related to exceedances of the 65 dBA CNEL land use compatibility criteria, as outlined in the actions of General Plan Noise and Safety Element Goal 8, and substantial increases in ambient noise levels, as shown in [Table 5.11-11](#). It is noted that [Table 5.11-11](#) does not include sensitive uses that are further than 50 feet from the centerline and does not consider noise reduction factors such as property line walls. Where existing land uses would be impacted, the impact would be significant and unavoidable as setback distances of existing sensitive receptors are already established.

The use of sound walls or quiet pavements could potentially be employed to reduce these impacts, but neither is a feasible method here. Sound walls already exist in most places within the Project area where they could be effective in reducing noise impacts. Many impacted residential uses along the roadway segments listed above are accessed directly via driveways off the main roadway, meaning any new sound wall along such roadways would require many driveway openings, substantially reducing the noise barrier performance. Additionally, raising the heights of sound walls or constructing new noise barriers would result in encroachment on private property. Raising sound wall heights would likely require enlarging footings, thereby requiring the demolition of existing sound walls. Therefore, the use of new sound walls or modifying sound walls is not practical and is not a feasible method of mitigating the Project's noise impacts.



**Table 5.11-11
Change in Traffic Noise Along Project Area Roadways (dBA, CNEL at 50 feet)**

Roadway	Segment Limits	Existing	2040 With Project	
		CNEL, dBA @50 ft	CNEL, dBA @50 ft	Change in Noise Level
Arrow Blvd.	Juniper to Rosena	71.0	70.7	-0.3
Arrow Blvd.	Rosena to Nuevo	69.3	69.6	0.3
Arrow Blvd.	Nuevo to Sierra	70.2	71.8	1.6
Arrow Blvd.	Sierra to Wheeler	70.1	72.2	2.1
Arrow Blvd.	Wheeler to Emerald	69.3	68.9	-0.4
Arrow Blvd.	Emerald to Mango	69.3	70.0	0.7
Ceres Ave.	Nuevo to Sierra	58.1	58.6	0.5
Foothill Blvd.	Juniper to Sierra	73.4	73.6	0.2
Foothill Blvd.	Sierra to Mango	72.9	73.4	0.5
Juniper Ave.	Foothill to Upland	68.4	68.5	0.1
Juniper Ave.	Upland to Arrow	67.9	69.7	1.9
Juniper Ave.	Arrow to Valencia	69.0	69.1	0.1
Mango Ave.	Foothill to Upland	66.9	67.3	0.4
Mango Ave.	Upland to Valencia	68.2	68.7	0.5
Mango Ave.	Valencia to Merrill	67.5	69.6	2.1
Merrill Ave.	Juniper to Mango	70.0	70.2	0.2
Nuevo Ave.	Arrow to Valencia	54.9	66.1	11.2
Nuevo Ave.	Valencia to Orange	54.5	66.7	12.2
Orange Way	Nuevo to Sierra	61.6	70.1	8.5
Orange Way	Sierra to Wheeler	59.2	69.1	9.8
Randall Ave.	Juniper to Mango	67.9	67.7	-0.3
Sierra Ave.	Foothill to Upland	70.2	70.8	0.5
Sierra Ave.	Upland to Arrow	68.6	68.4	-0.2
Sierra Ave.	Arrow to Valencia	70.3	--	--
Sierra Ave.	Valencia to Orange	69.0	--	--
Sierra Ave.	Orange to Merrill	70.7	70.4	-0.3
Sierra Ave.	Merrill to Athol	71.8	72.1	0.3
Sierra Ave.	Athol to Randall	73.6	73.8	0.2
Valencia Ave.	Juniper to Sierra	56.9	59.3	--
Valencia Ave.	Sierra to Mango	56.0	58.9	3.0
Wheeler Ave.	Arrow to Valencia	54.7	65.7	11.0
Wheeler Ave.	Valencia to Orange	51.3	64.9	13.6

Source: MD Acoustics, LLC, Fontana Downtown FBC – Noise Impact Study, January 2023.

Notes:

1. Existing and Future traffic volumes compiled from the traffic study prepared for the Project (Kittelson & Associates, Inc. Dec 2022).
2. An impact would occur if the Project increased the roadway segment level by 3 dB or more (an audible difference) and resulting in a future level above 65 dBA CNEL. Significant Impacts are in bold.



Quiet pavements have been used to mitigate traffic noise and are typically assumed to provide a 3 to 5 dBA reduction. Although quiet pavement would likely reduce some of the noise impacts outlined in the previous tables to a less than significant level, noise impacts would remain significant as the introduction of quiet pavements would not reduce all of the impacted roadway segments to a level that would be less than significant due to the magnitude of the traffic noise increases that would occur with the proposed Project. Additionally, widespread repaving of Project Area streets with quiet pavements would be extremely expensive. Given the marginal benefit that the use of quiet pavement would provide, relative to its cost, it is not considered to be a feasible form of mitigation given the circumstances. As there are no feasible noise reduction measures for the potential of significant noise exposure to existing sensitive land uses that can be identified at this time, traffic noise impacts to existing sensitive land uses associated with Project implementation would be significant and unavoidable.

Stationary Noise Sources

Stationary noise would be significant if stationary noise levels exceed the levels outlined in the Fontana Municipal Code. Implementation of the Project could result in the future development of land uses that generate noise levels in excess of applicable City noise standards for non-transportation noise sources as outlined in the Fontana Municipal Code. While the Project does not explicitly propose any new noise-generating uses, the Land Use Map includes mixed-use land use designations, which may result in new noise sources. Specific development projects and the details of future noise-generating land uses that may be located in the City in the future are not known at this time. Additionally, noise from existing stationary sources, as identified in [Section 5.11.2, *Environmental Setting*](#), would continue to impact noise-sensitive land uses in the vicinity of the noise sources.

While no specific development projects are proposed under the Project, changes in land use may allow for more intensive noise-generating uses in closer proximity to noise-sensitive uses. Where this occurs, detailed noise studies would be required to ensure that noise control measures are implemented into the project design. Such measures could include the redesign of stationary noise sources away from sensitive uses, construction of sound walls or berms between noise generating uses and sensitive uses, using buildings to create additional buffer distance and screening, or other site design measures to ensure that non-transportation (stationary) noise sources do not cause exterior noise levels to exceed allowable standards at sensitive receptors. Future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measure MM-NOI-1 (incorporated herein as NOI-1), which requires a noise study be performed prior to issuance of a grading permit and mitigation implemented if noise levels exceed 65 dBA. Compliance with Mitigation Measure NOI-1 would reduce stationary noise impacts to a less than significant level.

Construction Noise and Vibration

The degree of construction noise may vary for different development projects associated with implementation of the proposed Project and also vary depending on the construction activities. Noise levels associated with construction activities vary depending on the different phases of construction. Construction must occur between the times of 7AM and 6PM on weekdays and 8AM to 5PM on Saturdays per Section 18-63(b)(7) of the Fontana Municipal Code. There are no specific limits for noise levels during those times.



The Environmental Protection Agency (EPA) has compiled data regarding the noise-generated characteristics of typical construction activities. The data is presented in Table 5.11-12, *Typical Construction Noise Levels*. These noise levels would diminish rapidly with distance from the construction site at a rate of 6 dBA per doubling of distance. For example, a noise level of 86 dBA measured 50 feet from the noise source would reduce to 80 dBA at 100 feet. At 200 feet from the noise source, the noise level would reduce to 74 dBA. At 400 feet, the noise source would reduce by another 6 dBA to 68 dBA.

**Table 5.11-12
Typical Construction Noise Levels**

Equipment Powered by Internal Combustion Engines	
Type	Noise Levels (dBA) at 50 Feet
Earth Moving	
Compactors (Rollers)	73 - 76
Front Loaders	73 - 84
Backhoes	73 - 92
Tractors	75 - 95
Scrapers, Graders	78 - 92
Pavers	85 - 87
Trucks	81 - 94
Materials Handling	
Concrete Mixers	72 - 87
Concrete Pumps	81 - 83
Cranes (Movable)	72 - 86
Cranes (Derrick)	85 - 87
Stationary	
Pumps	68 - 71
Generators	71 - 83
Compressors	75 - 86
Impact Equipment	
Saws	71 - 82
Vibrators	68 - 82
Source: MD Acoustics, LLC, <i>Fontana Downtown FBC – Noise Impact Study</i> , January 2023	
Notes:	
Source: Reference Noise Levels from the Environmental Protection Agency (EPA)	

Construction noise would be significant if construction occurs outside of the hours specified in Section 18-63(7) of the Fontana Municipal Code. The potential impact is site-specific and depends on the construction equipment used and distance to adjacent sensitive receptors. Implementation of the proposed Project could result in short-term noise impacts associated with construction activities. Two types of short-term noise impacts could occur during construction activities, on-site and off-site.

Construction crew commute and the transport of construction equipment and materials to the site for the proposed Project would incrementally increase noise levels on access roads leading to the site. Truck traffic associated with individual project construction would be limited to within the permitted construction hours as listed in the City's Municipal Code. Although there would be a relatively high single-event noise exposure potential at a maximum of 87 dBA L_{max} at 50 ft from passing trucks, causing possible



short-term intermittent annoyances, the effect on ambient noise levels would be less than 1 dBA when averaged over one hour or 24 hours. In other words, the changes in noise levels over 1 hour or 24 hours attributable to passing trucks would not be perceptible to the normal human ear. Therefore, short-term construction-related impacts associated with worker commute and equipment transport on local streets leading to the specific project site would result in a less than significant impact on noise-sensitive receptors along the access routes.

The site preparation phase of on-site construction activities, which includes grading and paving, tends to generate the highest noise levels since the noisiest construction equipment is earthmoving equipment. Earthmoving equipment includes excavating machinery such as backhoes, bulldozers, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 or 4 minutes at lower power settings. Site-specific construction activities associated with future development is expected to require the use of scrapers, bulldozers, motor graders, and water and pickup trucks. The maximum noise level generated by each scraper is assumed to be approximately 87 dBA L_{max} at 50 feet from the scraper in operation. Each bulldozer would also generate approximately 85 dBA L_{max} at 50 feet. The maximum noise level generated by the sound sources with equal strength increases the noise level by 3 dBA. Noise reduction potential would be project and site-specific. Future construction activities associated with implementation of the proposed Project would be required to implement Mitigation Measure NOI-1 and General Plan EIR mitigation measure MM-NOI-2 (incorporated herein as Mitigation Measure NOI-2). Mitigation Measure NOI-1 requires future development projects within 200 feet of a sensitive use prepare a noise study that addresses the potential impacts upon off-site sensitive uses due to construction. Further, Mitigation Measure NOI-2 provides procedures for construction activities to reduce impacts related to equipment moving and operation. Compliance with Mitigation Measures NOI-1 and NOI-2 and Section 18-63(7) of the Fontana Municipal Code during construction associated with site-specific projects would reduce noise impacts from on-site construction activities to a less than significant level.

Conclusion

With the exception of traffic noise on existing noise-sensitive uses along identified roadway segments, which would result in a significant unavoidable impact, the Project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Area in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies with the implementation of Mitigation Measures NOI-1 and NOI-2.

Mitigation Measures:

NOI-1: Prior to issuance of a grading permit, a developer shall contract for a site-specific noise study for a parcel within 200 feet of a sensitive use as identified within Goal 8 of the 2015-2035 General Plan. The noise study shall be performed by an acoustic consultant experienced in such studies, and the consultant's qualifications and methodology to be used in the study must be presented to City staff for consideration. The site-specific acoustic study shall specifically identify potential noise impacts upon any proposed sensitive uses, as well as potential project impacts upon off-site sensitive uses due to construction, stationary and mobile noise sources. Mitigation shall be



required if noise levels exceed 65 dBA, as identified in Goal 8 of the 2015-2035 General Plan (General Plan EIR MM-NOI-1, updated).

NOI-2: To reduce impacts related to heavy construction equipment moving and operating on site during project construction, grading, demolition, and paving prior to issuance of grading permits, the applicant shall ensure that the following procedures are followed:

Construction equipment, fixed or mobile, shall be properly outfitted and maintained with feasible noise-reduction devices to minimize construction generated noise.

Laydown and construction vehicle staging areas shall be located away from noise sensitive land uses if feasible.

Stationary noise sources such as generators shall be located away from noise sensitive land uses, if feasible.

Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow surrounding property owners to contact the job superintendent 24 hours a day to report noise and other nuisance-related issues, if necessary. The point of contact shall be available 24 hours a day, 7 days a week and have authority to commit additional assets to control dust after hours, on weekends, and on holidays. In the event that the City of Fontana receives a pattern of noise complaints, appropriate corrective actions shall be implemented, such as on-site noise monitoring during construction activities, and a report of the action shall be provided to the reporting party (General Plan EIR MM-NOI-2).

Level of Significance: Significant and Unavoidable Impact.

Impact 5.11-2: Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?

Impact Analysis: The main sources of vibration in the Project Area are related to vehicles and construction and railway vibration. Typical roadway traffic, including heavy trucks, rarely generates vibration amplitudes high enough to cause structural or cosmetic damage. However, there have been cases in which heavy trucks traveling over potholes or other discontinuities in the pavement have caused vibration high enough to result in complaints from nearby residents. These types of issues typically can be resolved by smoothing the roadway surface

Construction activities that produce vibration that can be felt by adjacent land uses include the use of vibratory equipment, large bulldozers, and pile drivers. The primary sources of vibration during construction are usually vibratory rollers and large bulldozers. As shown in Table 5.11-13, *Vibration Source Levels for Construction Equipment*, a vibratory roller has a peak particle velocity (inches/second) of 0.21 and a large bulldozer has a peak particle velocity of 0.089 (inches per second) at 25 feet. The use of pile driving equipment can generate a peak particle velocity of 1.5 (inches per second) depending on the size and model.



**Table 5.11-13
Vibration Source Levels for Construction Equipment**

Equipment	Peak Particle Velocity	Approximate Vibration Level
	(inches/second) at 25 feet	LV (VdB) at 25 feet
Pile driver (impact)	1.518 (upper range)	112
	0.644 (typical)	104
Pile driver (sonic)	0.734 upper range	105
	0.170 typical	93
Clam shovel drop (slurry wall)	0.202	94
Hydromill	0.008 in soil	66
(slurry wall)	0.017 in rock	75
Vibratory Roller	0.21	94
Hoe Ram	0.089	87
Large bulldozer	0.089	87
Caisson drill	0.089	87
Loaded trucks	0.076	86
Jackhammer	0.035	79
Small bulldozer	0.003	58

Source: Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

The California Department of Transportation has published one of the seminal works for the analysis of ground-borne noise and vibration relating to transportation- and construction-induced vibrations and, although the Project is not subject to these regulations, it serves as a useful tool to evaluate vibration impacts. Table 5.11-14, *Human Response to Transient Vibration*, provides maximum PPV levels (inches/second) to be used to determine the typical human response to transient vibration. When evaluated in light of the estimated groundborne vibration levels presented in Table 5.11-13, it can be determined that construction activities in the Project Area have the potential to result in significant impacts related to groundborne vibration associated with construction activities. However, projects must ensure that vibration levels comply with Section 30-470 and 30-543 of the Fontana Municipal Code, which require vibration levels to be imperceptible beyond adjacent residential property lines. Additionally, implementation of Mitigation Measure NOI-2 would help to achieve this requirement by providing procedures for construction activities to reduce impacts related to equipment moving and operation.



Table 5.11-14
Human Response to Transient Vibration

PPV (in/sec)	Human Response
2.0	Severe
0.9	Strongly perceptible
0.24	Distinctly perceptible
0.035	Barely perceptible
<i>Source: California Department of Transportation and Construction Vibration Guidance Manual, April 2020.</i>	
<i>Note: transient sources create a single isolated vibration event, such as blasting or drop balls. Continuous/frequent intermittent sources include impact pile drivers, pogo-stick compactors, crack-and-seat equipment, vibratory pile drivers, and vibratory compaction equipment.</i>	

Construction vibration would be significant if vibration can be felt beyond the property line per Section 30-470 and 30-543 of the Fontana Municipal Code. Mitigation Measure NOI-1 requires noise studies be performed in the Project Area, and these studies would ensure that construction vibration levels are below perceptible levels. Mitigation Measure NOI-2 provides additional procedures for construction activities that would reduce impacts related to equipment moving and operation. Compliance with Mitigation Measures NOI-1 and NOI-2, and federal, State, and local regulations would reduce the generation of groundborne vibration or groundborne noise levels to a less than significant level.

Mitigation Measures: Refer to Mitigation Measures NOI-1 and NOI-2.

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

5.11.6 CUMULATIVE IMPACTS

Impact Analysis: Table 5.11-15, Change in Traffic Noise With and Without Proposed Project (dBA, CNEL at 50 feet), shows the cumulative noise levels associated with traffic on the local roadway network with and without implementation of the proposed Project and the estimated noise level increases which may occur under cumulative conditions.

As shown in Table 5.11-15, cumulative conditions under Project implementation would contribute to an exceedance of the City’s transportation noise standards and would result in significant increases in traffic noise levels at existing sensitive receptors. Similarly, growth and development anticipated without the proposed Project would result in increased traffic on roadways within the Project Area, which would cause an increase in traffic noise when compared to existing conditions. The associated increase in traffic noise would impact existing uses that occur within the Project Area under both With Project and Without Project conditions. Project traffic noise on existing noise-sensitive uses along identified roadway segments within the Project Area would result in a significant unavoidable cumulative impact.



Table 5.11-15
Change in Traffic Noise With and Without Proposed Project (dBA, CNEL at 50 feet)

Roadway	Segment Limits	Existing	2040 With Project		2040 Without Project	
		CNEL, dBA @50 ft	CNEL, dBA @50 ft	Change in Noise Level	CNEL, dBA @50 ft	Change in Noise Level
Arrow Blvd.	Juniper to Rosena	71.0	70.7	-0.3	71.1	0.1
Arrow Blvd.	Rosena to Nuevo	69.3	69.6	0.3	70.0	0.7
Arrow Blvd.	Nuevo to Sierra	70.2	71.8	1.6	70.9	0.7
Arrow Blvd.	Sierra to Wheeler	70.1	72.2	2.1	70.4	0.4
Arrow Blvd.	Wheeler to Emerald	69.3	68.9	-0.4	69.6	0.3
Arrow Blvd.	Emerald to Mango	69.3	70.0	0.7	70.1	0.8
Ceres Ave.	Nuevo to Sierra	58.1	58.6	0.5	58.6	0.5
Foothill Blvd.	Juniper to Sierra	73.4	73.6	0.2	74.0	0.5
Foothill Blvd.	Sierra to Mango	72.9	73.4	0.5	73.6	0.7
Juniper Ave.	Foothill to Upland	68.4	68.5	0.1	68.5	0.1
Juniper Ave.	Upland to Arrow	67.9	69.7	1.9	69.7	1.8
Juniper Ave.	Arrow to Valencia	69.0	69.1	0.1	69.1	0.1
Mango Ave.	Foothill to Upland	66.9	67.3	0.4	67.3	0.4
Mango Ave.	Upland to Valencia	68.2	68.7	0.5	68.1	-0.1
Mango Ave.	Valencia to Merrill	67.5	69.6	2.1	68.4	0.9
Merrill Ave.	Juniper to Mango	70.0	70.2	0.2	70.2	0.1
Nuevo Ave.	Arrow to Valencia	54.9	66.1	11.2	55.7	0.8
Nuevo Ave.	Valencia to Orange	54.5	66.7	12.2	55.2	0.7
Orange Way	Nuevo to Sierra	61.6	70.1	8.5	66.4	4.8
Orange Way	Sierra to Wheeler	59.2	69.1	9.8	58.6	-0.6
Randall Ave.	Juniper to Mango	67.9	67.7	-0.3	68.0	0.0
Sierra Ave.	Foothill to Upland	70.2	70.8	0.5	71.3	1.1
Sierra Ave.	Upland to Arrow	68.6	68.4	-0.2	69.3	0.7
Sierra Ave.	Arrow to Valencia	70.3	--	--	71.1	0.8
Sierra Ave.	Valencia to Orange	69.0	--	--	69.9	0.9
Sierra Ave.	Orange to Merrill	70.7	70.4	-0.3	71.8	1.1
Sierra Ave.	Merrill to Athol	71.8	72.1	0.3	72.6	0.8
Sierra Ave.	Athol to Randall	73.6	73.8	0.2	74.2	0.6
Valencia Ave.	Juniper to Sierra	56.9	59.3	--	60.2	3.4
Valencia Ave.	Sierra to Mango	56.0	58.9	3.0	59.9	4.0
Wheeler Ave.	Arrow to Valencia	54.7	65.7	11.0	55.5	0.8
Wheeler Ave.	Valencia to Orange	51.3	64.9	13.6	52.7	1.4

Source: MD Acoustics, LLC, *Fontana Downtown FBC – Noise Impact Study*, January 2023.

Notes:

- Existing and Future traffic volumes compiled from the traffic study prepared for the Project (Kittelson & Associates, Inc. Dec 2022).
- An impact would occur if the Project increased the roadway segment level by 3 dB or more (an audible difference) and resulting in a future level above 65 dBA CNEL. Significant Impacts are in bold.



Implementation of land use planning and policies and actions can minimize cumulative noise impacts related to stationary sources by avoiding the placement of noise generating equipment near noise-sensitive land uses and where unavoidable, include design measures to the degree practicable, such as building location and orientation, building design features, placement of noise-generating equipment away from sensitive receptors, shielding of noise-generating equipment, placement of noise-tolerant features between noise sources and sensitive receptors, and use of noise-minimizing materials, to avoid violating the noise criteria. Compliance with Mitigation Measure NOI-1 would reduce cumulative noise impacts from stationary noise sources to a less than significant level.

Short-term construction noise and vibration is a localized activity and would affect only land uses that are immediately adjacent to a specific project site. Each construction project would have to comply with the local noise ordinance and Mitigation Measures NOI-1 and NOI-2, which provides for a noise study to address potential impacts due to construction activities and procedures for construction activities to reduce impacts related to equipment moving and operation. Thus, a less than significant cumulative impact would occur.

Mitigation Measures: Refer to Mitigation Measures NOI-1 and NOI-2.

Level of Significance: Significant and Unavoidable Impact.

5.11.7 SIGNIFICANT UNAVOIDABLE IMPACTS

Project implementation would result in a significant and unavoidable project and cumulatively considerable impact relative to transportation noise. All other noise impacts associated with implementation of the Downtown Core Project would be less than significant.

If the City of Fontana approves the Downtown Core Project, the City will be required to make findings in accordance with CEQA Guidelines Section 15091 and prepare a Statement of Overriding Considerations for consideration by the City's decisionmakers in accordance with CEQA Guidelines Section 15093.

5.11.8 REFERENCES

California Department of Transportation (Caltrans), *Transportation and Construction Vibration Guidance Manual*, September 2013.

California Department of Transportation (Caltrans), *Technical Noise Supplement to the Traffic Noise Analysis Protocol*, September 2013.

Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment Manual*, September 2018.

MD Acoustics, LLC, *Downtown FBC Districts – Noise Impact Study*, January 2023.

DOWNTOWN CORE PROJECT


Figure 5.11-1.


Noise Measurement Location Map

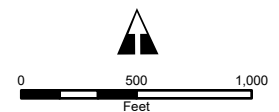
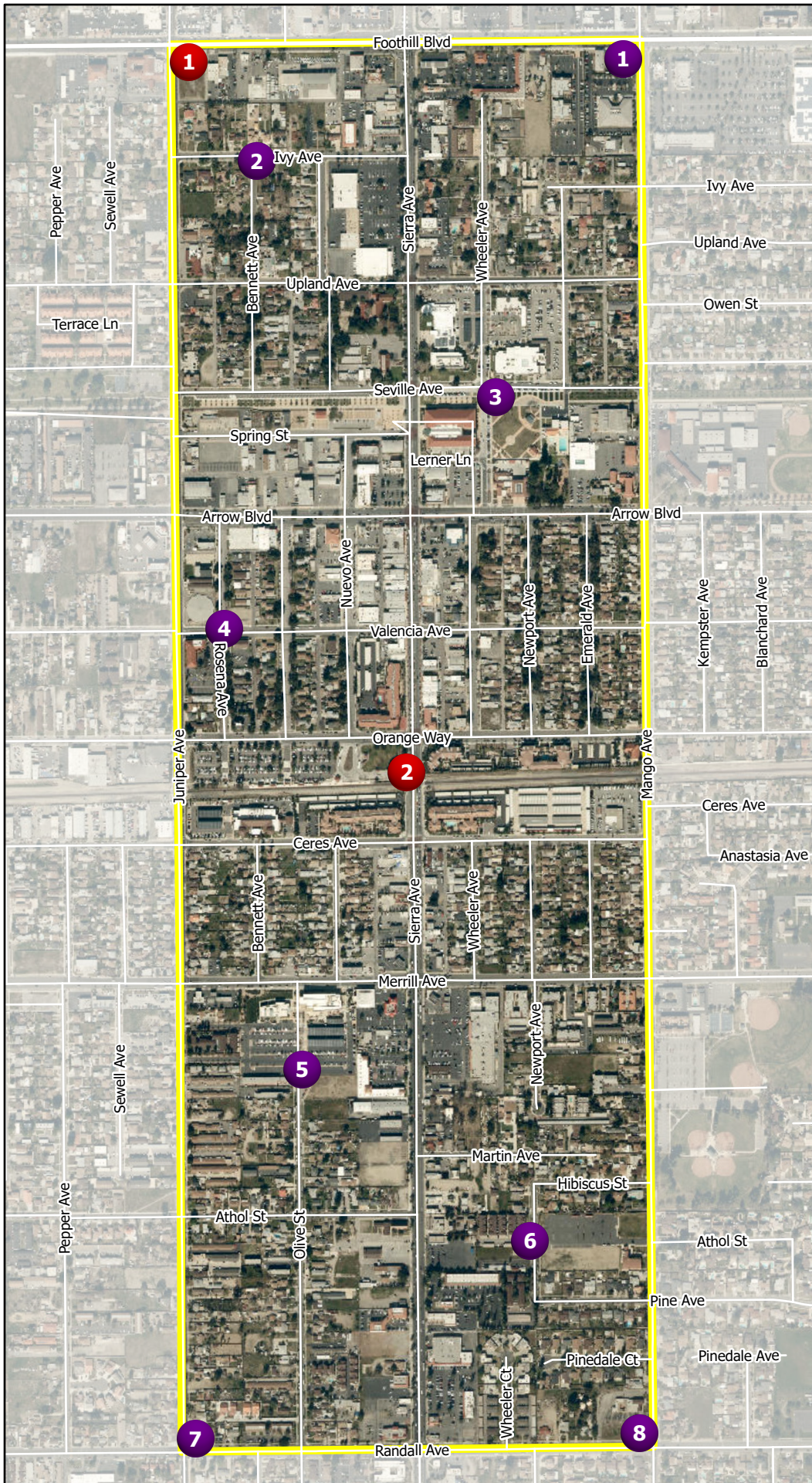
Legend

 Project Area

Noise Measurement Locations

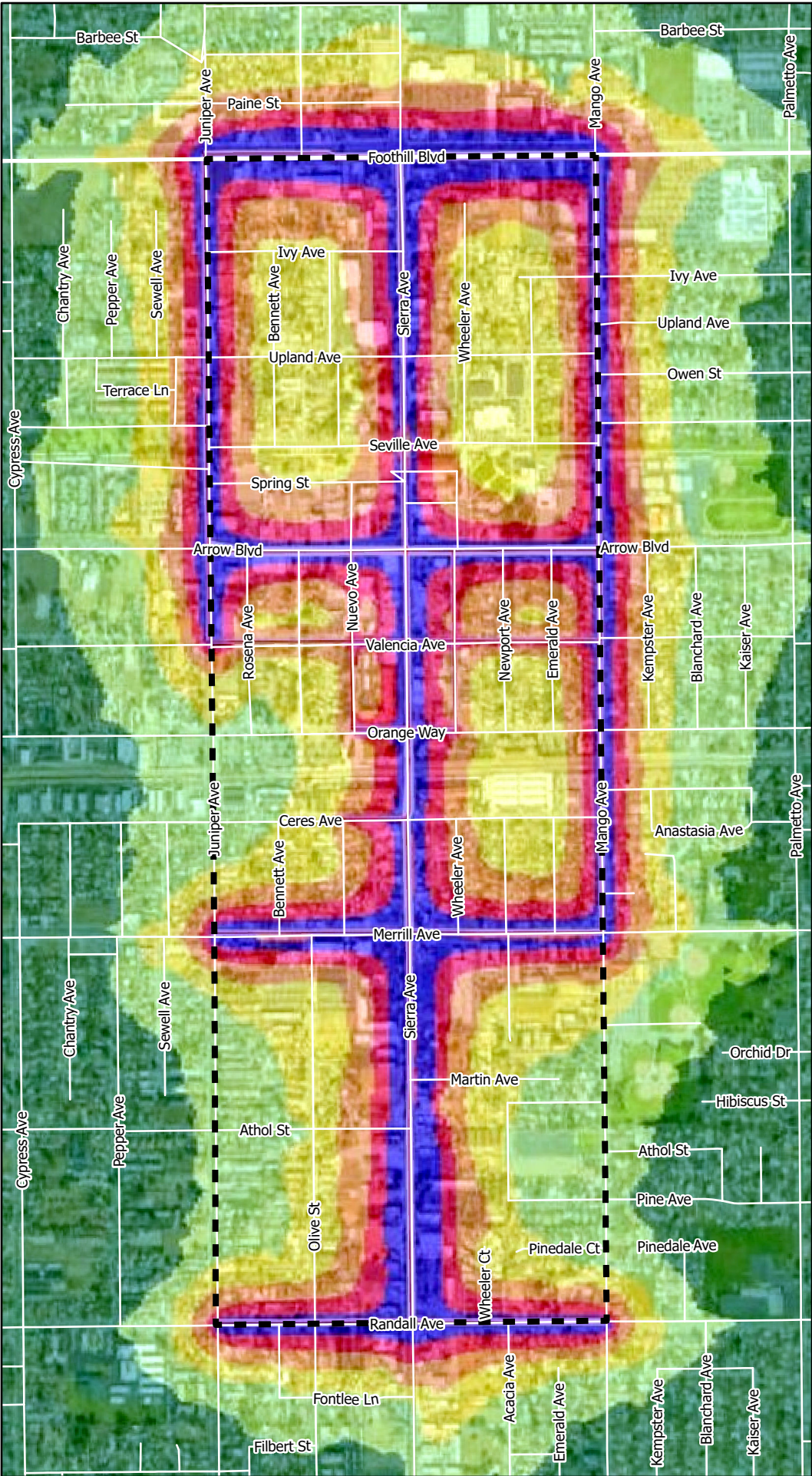
 Short-Term Measurement (10-minute)

 Long-Term Measurement (24-hour)



DOWNTOWN CORE PROJECT

Figure 5.11-2.
Existing Roadway Noise Level Contours

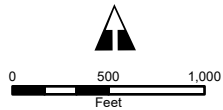


Legend

Project Area

Levels in dB(A)

- < 45
- 45 - 50
- 50 - 55
- 55 - 60
- 60 - 65
- >= 65

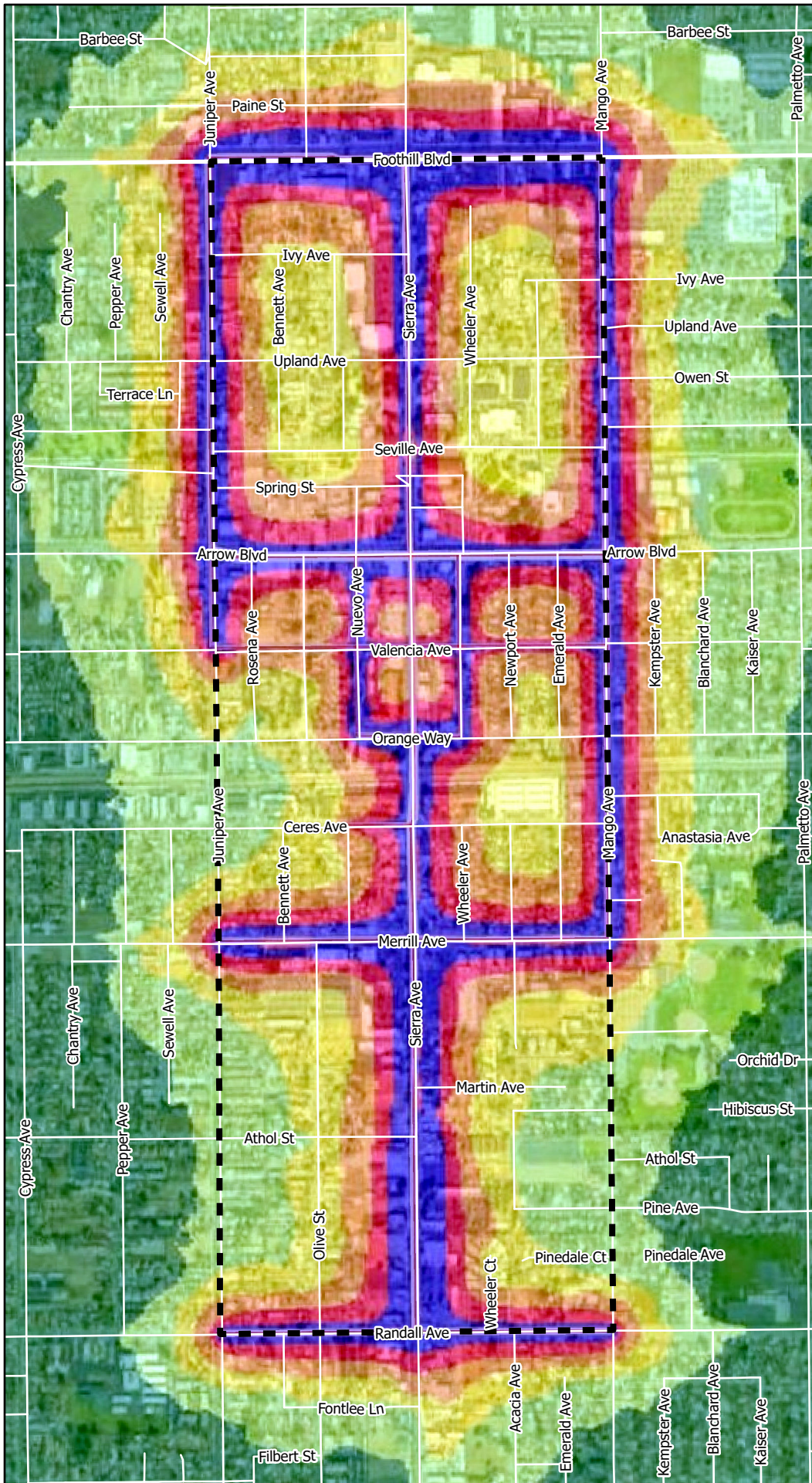


Sources: USGS National Map Roads; MD Acoustics. Map date: January 17, 2023.

DOWNTOWN CORE PROJECT

Figure 5.11-3.

2040 Future Noise Contours with Project

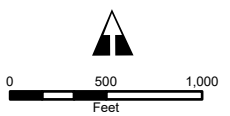


Legend

Project Area

Levels in dB(A)

- < 45
- 45 - 50
- 50 - 55
- 55 - 60
- 60 - 65
- >= 65





5.12 POPULATION AND HOUSING

5.12.1 PURPOSE

This section identifies the existing regulatory and environmental conditions related to population and housing within the City of Fontana and Project Area, as applicable, and provides an analysis of potential impacts associated with Project implementation.

5.12.2 ENVIRONMENTAL SETTING

POPULATION AND HOUSEHOLD GROWTH

The Inland Empire region, including San Bernardino County, has been one of the fastest-growing regions in Southern California over the past two decades. This growth has been driven in part by the relative affordability and availability of land in Riverside and San Bernardino counties, making it an attractive place to build new housing. Table 5.12-1, *Historic Population Trends (2010 – 2020)*, shows the historical population and household growth trends for the City of Fontana and San Bernardino County from 2010 to 2020 according to the U.S. Census. The existing (2022) population in the City is 212,809 according to 2022 California Department of Finance estimates.

**Table 5.12-1
Historic Population Trends (2010 – 2020)**

Category	City of Fontana			San Bernardino County		
	2010 ¹	2020 ²	% Change	2010 ¹	2020 ²	% Change
Total Population	196,069	208,393	6.3%	2,035,210	2,181,654	7.2%
Source:						
1. U.S. Census Bureau, <i>Census 2010</i> .						
2. U.S. Census Bureau, <i>Census 2020</i> .						

For the City, the Southern California Association of Governments (SCAG) projects a 35.9 percent population growth between 2016 and 2045, from 211,000 to 286,700 people, growing at a greater rate compared to the County (31.5 percent); refer to Table 5.12-2, *SCAG Growth Forecasts (2016-2045)*. Conversely, employment growth in the City is forecast to grow at a lower rate than that of the County (32.5 percent versus 38.9 percent).

It is important to note that the SCAG projections, which are compiled using a number of sources including adopted plans, historical trends, and interviews with local jurisdictions, tend to be more accurate on a regional level than on a local or city level. It is likely that through a combination of market changes, catalytic projects, land use direction in the General Plan, and other factors, the City could capture either more or less of expected regional growth than forecasted by SCAG.



**Table 5.12-2
SCAG Growth Forecasts (2016-2045)**

Description	2016	2045	% Change
City of Fontana			
Population	211,000	286,700	35.9%
Households	51,500	77,800	51.1%
Employment	56,700	75,100	32.5%
San Bernardino County			
Population	2,141,000	2,815,000	31.5%
Households	630,000	875,000	38.9%
Employment	791,000	1,064,000	34.5%
Source: Southern California Council of Governments, <i>Demographics and Growth Forecast Technical Report</i> , adopted September 3, 2020.			

HOUSING UNITS

Similar to the region overall, the housing stock in Fontana consists primarily of single-family detached homes. This home type makes up 80.3 percent of all housing units in the City, which is a higher proportion than in the County (70.7 percent). The City’s proportion of single-family attached units is 2.3 percent, which is lower than the County (4.0 percent). The City’s proportion of units within multifamily buildings is 15.3 percent; in comparison, similar unit types make up 19.9 percent of housing in San Bernardino County. The breakdown of unit types is shown in [Table 5.12-3, Existing Housing Supply Mix](#).

**Table 5.12-3
Existing Housing Supply Mix**

Category	City of Fontana		San Bernardino County	
	Count	Percent	Count	Percent
Single-family Detached units	42,983	80.3%	445,867	70.7%
Single-family Attached units	1,246	2.3%	25,178	4.0%
Multi-family units	8,147	15.3%	125,372	19.9%
Mobile home	1,134	2.1%	34,216	5.4%
Total Housing Units	53,510	100%	630,633	100%
Vacant Rate	2,051	3.8%	8,5538	13.6%
Source: American Community Survey, <i>2018 American Community Survey 5-Year Estimates</i> .				

As indicated in [Table 5.12-3](#), the City’s housing stock as of 2018 was an estimated 53,510 housing units. The total number of existing dwelling units (2022) within the City is 57,483 according to 2022 California Department of Finance estimates. As indicated in [Section 3.0, Project Description](#), approximately 2,020 dwelling units are located within the Project Area, comprised of 896 single-family and 1,124 multi-family units.

Vacancy rates are a measure of general availability of housing. They also indicate how well the types of available units meet the housing market demand. The availability of vacant housing units provides households with choices of type and price to accommodate their specific needs. Low vacancy rates can result in higher prices, limited choices, and settling with inadequate housing. It may also contribute to



overcrowding. A vacancy rate between 4.0 and 6.0 is considered “healthy.” As indicated in [Table 5.12-3](#), the City’s 2018 vacancy rate was 3.8 percent, which is much lower than the County’s vacancy rate of 13.6 percent. The lower vacancy rate in Fontana suggests there may not be enough housing units to meet housing demand; consequently, residents may have difficulty finding housing within their price range.

EMPLOYMENT

Like many cities in San Bernardino County, Fontana functions primarily as a bedroom community, with the majority of residents commuting out of the City for work. As shown in [Table 5.12-4, Labor Force Participation and Unemployment](#), Fontana has a labor force participation rate of 66.3 percent among residents aged 16 and older, and an unemployment rate of 7.4 percent. Fontana’s unemployment rate is lower than the whole of San Bernardino County. There are approximately 55,448 jobs within the City as of 2017 (SCAG, 2019).

**Table 5.12-4
Labor Force Participation and Unemployment**

Category	City of Fontana	San Bernardino County
Population 16 years and over	156,500	1,628,558
In labor force	103,825	989,158
Labor Force Participation Rate	66.3%	60.7%
Employment/Population Ratio	61.3%	54.8%
Unemployment Rate	7.4%	8.8%
Mean travel time to work (minutes)	33.7	31.4
Source: U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates.		

There are approximately 3,156 jobs within the Project Area as of 2016 (Kittelson and Associates, 2022).

5.12.3 REGULATORY SETTING

STATE

[Regional Housing Needs Assessment \(RHNA\)](#)

State law requires that jurisdictions provide their fair share of regional housing needs. The State of California Department of Housing and Community Development (HCD) is mandated to determine the State-wide housing need. In cooperation with HCD, local governments and Councils of Governments (COGs) are charged with making a determination of the existing and projected housing needs as a share of the State-wide housing need of their city or region.

The Regional Housing Needs Assessment (RHNA) quantifies the housing need by income group within each jurisdiction during specific planning periods. The RHNA is incorporated into local General Plans. The RHNA allows communities to anticipate growth, so that collectively the region can grow in ways that enhance quality of life, improve access to jobs, promote transportation mobility, and address social equity and fair share housing needs. The 6th Cycle Final RHNA Allocation Plan was adopted by the SCAG Regional Council on March 4, 2021 and covers the planning period from October 15, 2021 to October 15, 2029. [Table 5.12-5, Fontana 6th Cycle Regional Housing Needs Allocation](#), shows the City’s 6th Cycle RHNA for the 2021-2029 planning period.



Table 5.12-5
Fontana 6th Cycle Regional Housing Needs Allocation

Income Level	Dwelling Unit Allocation
Very-low income	5,109
Low income	2,950
Moderate income	3,035
Above-moderate income	6,425
Total	17,519
Source: Southern California Council of Governments, <i>SCAG 6th Cycle Final RHNA Allocation Plan</i> , July 1, 2021.	

LOCAL

Southern California Association of Governments

Regional planning agencies such as SCAG recognize that planning issues extend beyond the boundaries of individual cities. Efforts to address regional planning issues such as affordable housing, transportation, and air pollution have resulted in the adoption of regional plans that affect the City of Fontana.

SCAG has evolved as the largest council of governments in the United States, functioning as the Metropolitan Planning Organization (MPO) for six counties (Los Angeles, Orange, San Bernardino, Riverside, Ventura and Imperial) and 191 cities. The region encompasses an area more than 38,000 square miles. As the designated MPO, the federal government mandates SCAG research and develop plans for transportation, growth management, hazardous waste management, and air quality. As a result, SCAG prepares comprehensive regional plans to address these concerns.

SCAG is responsible for the maintenance of a continuous, comprehensive and coordinated planning process resulting in a Regional Transportation Plan (RTP) and a Regional Transportation Improvement Program. SCAG is responsible for development of demographic projections and is also responsible for development of the integrated land use, housing, employment, transportation programs, measures, and strategies for the Air Quality Management Plan.

Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)

The passage of California Senate Bill (SB) 375 in 2008 requires that an MPO, such as SCAG, prepare and adopt a Sustainable Communities Strategy (SCS) that sets forth a forecasted regional development pattern which, when integrated with the transportation network, measures, and policies, will reduce greenhouse gas emissions from automobiles and light duty trucks (Government Code Section 65080(b)(2)(B)). The SCS outlines certain land use growth strategies that provide for more integrated land use and transportation planning and maximize transportation investments. The SCS is intended to provide a regional land use policy framework that local governments may consider and build upon.

On September 3, 2020, SCAG’s Regional Council approved and fully adopted Connect SoCal (2020-2045 Regional Transportation Plan/Sustainable Communities Strategy). Connect SoCal is a long-range visioning plan that builds upon and expands land use and transportation strategies established over several planning cycles to increase mobility options and achieve a more sustainable growth pattern. Connect SoCal outlines more than \$638 billion in transportation system investments through 2045. It was prepared



through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino and Ventura.

Growth Forecasts

SCAG's Forecasting Section is responsible for producing socio-economic estimates and projections at multiple geographic levels and in multiple years. The Forecasting Section develops, refines, and maintains SCAG's regional and small area socio-economic forecasting/allocation models. Adopted 2020 RTP/SCS Growth Forecasts provide population, household, and employment data for 2045. The socio-economic estimates and projections are used by federal and State mandated long-range planning efforts such as the RTP, Air Quality Management Plan, Regional Transportation Improvement Program, and the Regional Housing Needs Assessment. SCAG's Adopted 2020 RTP/SCS Growth Forecasts are used to assess a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint; refer to Section 6.3, *Growth Inducing Impacts*.

City of Fontana General Plan

The Fontana Forward 2015-2035 General Plan update was adopted in 2018 to guide future development and provide a strategic framework for decision making based both on the community's vision and goals and on the State's goals for California's long-term development. The General Plan is comprised of 16 chapters or "elements" that include a summary of existing conditions and current trends, the planning process, and goals, policies and actions for different topic areas that will affect the physical and economic development of the City.

As indicated in the General Plan EIR, implementation of Fontana Forward would accommodate 70,560 households, a population of 315,852, and total employment of 99,129 throughout the planning horizon. The focus for growth in the General Plan Update is in the Downtown Core of the City and "Livable Corridors" as described in Chapter 14 - Downtown Area Plan. These Livable Corridors are envisioned for Sierra Avenue from Baseline to I-10, Foothill Blvd through the entire City, and Valley Boulevard for several blocks east and west of Sierra Boulevard. The two corresponding zoning categories for these corridors are Walkable-Mixed Use, or "WMXU." WMXU-1 allows residential densities ranging from 24 to 39 dwelling units (du) per acre and non-residential uses have a maximum Floor Area Ratio of 2.0. WMXU-2 with residential densities range from 12 to 24 du per acre, and non-residential uses up to a Floor Area Ratio (FAR) of 1.0.

The General Plan Housing Element was prepared pursuant to State law and provides planning guidance in meeting the housing needs identified in SCAG's RHNA. The Housing Element identifies and plans for the City's existing and projected housing needs; it contains a detailed outline and work program of the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing for a sustainable future (City of Fontana, 2022). The City adopted the 6th Cycle Housing Element Update (2021-2029) on February 8, 2022.

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts associated with population and housing. Chapter 13, Economy, Education, and Workforce Development, Chapter 14, Downtown Area Plan, and Chapter 15, Land Use, Zoning, Urban Design, and Housing Elements of the Fontana General Plan contain the following goals and policies potentially relevant to the proposed Project:



Chapter 13 – Economy, Education, and Workforce Development

- **Goal 3:** Plan Fontana as a “complete community” with a balance of diverse neighborhoods, amenities, services, and infrastructure that supports a qualified workforce and attracts business.
 - **Policy:** Strengthen community institutions and development patterns that provide a high quality of life and that correspond to the values of the millennial generation—the majority of workers starting in 2016.
 - **Policy:** Ensure that essential support services, such as child care, enable workers to seek and maintain employment.
 - **Policy:** Seek partnerships with other governmental agencies to provide planning and funding resources to build infrastructure necessary to support new development
- **Goal 4:** Revitalize Fontana’s downtown and Sierra Avenue corridor to provide an attractive area for new businesses to locate and create a lively center of government, education, medical care, arts, culture and entertainment, restaurants and new housing.
 - **Policy:** Implement a comprehensive Downtown Area Plan (Chapter 14 in this General Plan).
 - **Policy:** Establish a position for a downtown manager with the experience needed to implement the Downtown Plan.
 - **Policy:** Work with the education and medical institutions downtown to maximize their positive presence.
 - **Policy:** Promote initiatives to attract housing in the downtown vicinity for households of all types as a way to support new retail, restaurant, and entertainment options in downtown.

Chapter 14 – Downtown Area Plan

- **Goal:** A Range of New Housing. Provide housing for a broad range of household sizes, types and incomes within the Downtown Area to help support the health and growth of the downtown economy.
 - **Policy:** Encourage mixed-use development within the Downtown and along major corridors.
 - **Policy:** Encourage new medium-density housing on vacant and underutilized parcels within the neighborhoods of the Downtown Area.
 - **Policy:** Ensure that new infill development is compatible in scale and character with the existing neighborhoods.
 - **Policy:** Ensure that transportation and utility infrastructure keeps pace with infill development so that the neighborhood character and quality steadily improves over time.
 - **Policy:** Encourage new “in-town” housing types targeted to young people and young families to help attract and retain the next generation of Fontanans.
- **Goal:** Strengthened Connections Between Downtown Core And Major Corridors. Reinvigorate the Foothill and Sierra Corridors with a mix of retail, employment, mixed-use and housing development as an economic engine for the Downtown Area, and as gateways to Downtown.



- **Policy:** Ensure that future street improvements to Foothill and Arrow Boulevards and Sierra Avenue improve the appearance and pedestrian environment while accommodating traffic flows.
- **Policy:** In addition to high quality commercial development, encourage housing in appropriate forms along these corridors.
- **Policy:** Concentrate higher development intensities within a 1/4 mile of planned transit stops, with shared parking arrangements when feasible.
- **Goal:** Center for Education. The area along Sierra Avenue and Merrill Street will become a College District, with a mix of housing and employment surrounding and supporting the growing Chaffey College campus.
 - **Policy:** The City will work collaboratively with the College to attain this goal.
 - **Policy:** Encourage higher density housing on appropriate sites that is targeted to student, faculty and staff.
 - **Policy:** Encourage the formation and growth of start-up and spin-off businesses related to or supported by the College on appropriate sites.

Chapter 15 – Land Use, Zoning, and Urban Design

- **Goal 1:** The Strategic Policy Map and the Future Land Use Map guide land-use decision making.
 - **Policy:** Review citywide land use strategies when considering changes to the land use map.
 - **Policy:** Keep zoning and other regulations up to date and consistent with the Future Land Use Map.
- **Goal 2:** Fontana development patterns support a high quality of life and economic prosperity.
 - **Policy:** Preserve and enhance stable residential neighborhoods.
 - **Policy:** Locate multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation.
 - **Policy:** Locate industrial uses where there is easy access to regional transportation routes.
 - **Policy:** Promote interconnected neighborhoods with appropriate transitions between lower intensity and higher intensity land uses.
 - **Policy:** Preserve land to achieve an interconnected network of environmentally-sensitive areas, parks, multi-use paths, and recreation areas.
- **Goal 3:** Downtown is a dynamic center of activity, with new housing options, walkable environments, and a mixture of uses attracting residents and visitors.
 - **Policy:** Promote revitalization and redevelopment of older neighborhoods.
 - **Policy:** Encourage infill on vacant and underutilized parcels.
 - **Policy:** Transform downtown into a vibrant local and regional destination.



- **Goal 4:** Compact, walkable, mixed-use centers are located at key locations along corridors to be served by public transit in the future and at intersections where neighborhood retail and diverse housing options can succeed.
 - **Policy:** Promote a land use pattern that provides connections among land uses and a mixture of land uses.

2021-2029 Housing Element

- **Housing Goal 1:** Adequate housing to meet the needs of all residents in Fontana.
 - **Housing Policy 1.1:** Establish a range of rental and for sale housing opportunities in the city.
 - **Housing Policy 1.2:** Maintain an adequate land inventory to accommodate the City's Regional Housing Needs allocation for the years 2021 to 2029.
 - **Housing Policy 1.3:** Promote the development and access to housing affordable to all income levels in Fontana.
- **Housing Goal 2:** A high standard of quality in existing affordable housing stock.
 - **Housing Policy 2.1:** Conserve the existing housing stock and preserve housing opportunities for Fontana's residents.
- **Housing Goal 3:** Housing development that is not affected by governmental constraints.
 - **Housing Policy 3.2:** Facilitate the development of quality housing that is affordable to all income levels and residents of Fontana through flexible development standards.
- **Housing Goal 4:** Affirmatively further fair housing in Fontana.
 - **Housing Policy 4.1:** Enhance opportunities for affordable housing for all segments of Fontana's population.

[City of Fontana Municipal Code](#)

Zoning regulations provide for the types and densities of residential and other uses permitted in each of the City's zones. Chapter 30 of the Fontana Municipal Code contains the City's Zoning and Development Code, which establishes official land use zoning regulations and design guidelines for the City of Fontana. Zoning establishes the maximum allowable development in a zone, and includes height limitations and other development standards which together regulate setbacks, building heights, floor area ratios (FAR), open space and parking for each parcel within the City, as applicable.

5.12.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to population and housing. A significant impact related to population and housing would occur if the project would:

- 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) (refer to Impact Statement 5.12-1); and



- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere (refer to Impact Statement 5.12-2).

Based on these standards and significance thresholds and criteria, the Project’s effects have been categorized as either “no impact,” a “less than significant impact,” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a “significant unavoidable impact.”

5.12.5 IMPACTS AND MITIGATION MEASURES

Impact 5.12-1: Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure?)

Impact Analysis: The City currently has 57,483 dwelling units, 212,809 residents, and 55,448 jobs. The proposed Project accommodates future growth in the Project Area by creating and implementing a new land use category and six new FBC districts. As described in Section 3.0, *Project Description*, and summarized in Table 3-2, *Proposed Project Development Potential*, Project implementation could yield a net change over existing conditions of an additional 8,900 dwelling units and 2,685,404 square feet of non-residential uses. This new growth may increase the City’s population by approximately 33,731 residents (based on the 2022 California Department of Finance estimated household size of 3.79 persons per household). Implementation of the proposed Project would also provide additional employment opportunities for approximately 6,852 employees (Kittelson and Associates, 2022).

Given the historical and current population, housing, and employment trends, growth in the City, as well as the entire state, is inevitable. The primary factors that account for population growth are natural increase and net migration. Other factors that affect growth include the cost of housing, the location of jobs, the economy, the climate, and transportation. As discussed above, the Inland Empire region, including San Bernardino County, has been one of the fastest-growing regions in Southern California over the past two decades. This growth has been driven in part by the relative affordability and availability of land in Riverside and San Bernardino counties, making it an attractive place to build new housing. While these factors would likely result in growth in the City, including the Project Area, growth would continue to occur based primarily on the demand of the housing market and demand for new non-residential uses. The Project Area is an urbanized area and existing development is served by existing roads, infrastructure, and public services. Further, the area surrounding the Project Area is developed. There is the potential for infrastructure improvements within and surrounding the Project Area associated with site-specific development and overall development growth; however, the Project would not require the extension of roads or other infrastructure into an area that is not already served.

Potential impacts associated with substantial unplanned population growth in an area are also assessed based on a project’s consistency with adopted plans that have addressed growth management from a local and regional standpoint. As indicated above, the General Plan EIR anticipates the General Plan to accommodate 70,560 households, a population of 315,852, and total employment of 99,129 throughout the planning horizon. More specifically, the focus for growth in the General Plan is in the Downtown Core and “Livable Corridors” as described in General Plan Chapter 14 – Downtown Area Plan. Thus, population



growth within the Downtown Core Project has been anticipated by the General Plan. The current General Plan would allow for a Project Area population of 36,077 persons based on the residential development potential of 9,519 units and 3.79 persons per household. In comparison, the proposed Project would allow for a Project Area population of 42,842 persons based on the residential development potential of 11,304 units. Although the proposed Project would provide for increased population growth within the Project Area when compared to the current General Plan, the proposed Project is intended to implement the goals and policies of the General Plan and accommodate the City's fair share of statewide housing needs, which are allocated by SCAG, based on regional numbers provided by the HCD on a regular basis (every five to eight years). As described above, the City of Fontana 2021-2029 Housing Element was adopted February 8, 2022 and accommodates the City's share of the regional housing need for the 2021-2029 RHNA period of 17,519 units. The City's 2021-2029 Housing Element identifies the existing Project Area, as accommodating a portion of City's Low-, Very-Low-, and Above-Moderate-income RHNA allocation. The Project is anticipated to yield an additional 8,900 dwelling units, 33,731 residents, and 6,852 employees over existing conditions. The population and employment growth anticipated as a result of Project implementation is within the overall City's growth projections of the Fontana Forward General Plan and SCAG's RHNA allocation. Thus, the Project would be within the population projections anticipated and planned for by the City's General Plan and would not induce substantial unplanned population growth in the area.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.12-2: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Impact Analysis: As indicated in [Section 3.0](#), the Project Area contains a mix of existing on-site development, including approximately 1.3 million square feet of non-residential uses and 2,020 dwelling units. The Project does not propose the removal of any existing housing within the Project Area. The proposed Project would accommodate a mix of new residential and non-residential development in more dense and sustainable patterns. The Project would create and implement the new WMXU-3: Walkable Mixed-Use Downtown Core land use category and six new FBC districts within the Project Area, which would support higher-density residential and mixed-use development within the Project Area. As most of the new development would occur through infill and new mixed-use development on underdeveloped parcels, it is not anticipated that substantial numbers of housing or people would be displaced. Although the Project Area contains existing residential uses, the development in these areas is anticipated to remain or redevelop gradually with residential and mixed-use residential uses at higher densities. Future development projects may propose the removal of some existing housing in order to accommodate new development. However, Project implementation is projected to increase the overall number of dwelling units in the Project Area by approximately 8,900 units over existing conditions, providing additional housing to serve the diverse needs of the community at various socioeconomic levels. Thus, the proposed Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.



Level of Significance: Less Than Significant Impact.

5.12.6 CUMULATIVE IMPACTS

Impact Analysis: The proposed General Plan, General Plan Land Use Map, Zoning District Map, and Zoning and Development Code amendments would apply the new General Plan WMXU-3 land use category and new Zoning and Development Code FBC districts to the Project Area, which would provide opportunities for new housing and associated population growth. Additionally, the Project would allow for increased non-residential development, resulting in employment growth within the area. The proposed Project combined with cumulative development would combine to directly increase the City and region's population and housing. The Project is anticipated to yield an additional 8,900 dwelling units, 33,731 residents, and 6,852 employees over existing conditions. The population and employment growth anticipated as a result of Project implementation is within the City's growth projections of the Fontana Forward General Plan and SCAG's RHNA allocation. Thus, the Project would be within the population projections anticipated and planned for by the City's General Plan and would not induce substantial unplanned population growth in the area.

The proposed Project would support the General Plan goals and policies to guide growth and development to the Downtown. Further, the Project would provide the residential densities needed to provide opportunities for new housing projects at varying income levels to serve the needs of the community, consistent with the City's Housing Element. Future development within the Project Area would further support the General Plan policies and actions intended to encourage mixed-use development within the Downtown and along major corridors; encourage new medium-density housing on vacant and underutilized parcels within the neighborhoods of the Downtown Area; locate multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation; transform downtown into a vibrant local and regional destination; and facilitate the development of quality housing that is affordable to all income levels and residents of Fontana through flexible development standards. Thus, the Project would not induce substantial unplanned population growth.

Lastly, the Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. Therefore, the proposed Project's incremental contribution to cumulative population and housing impacts would be less than cumulatively considerable.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.12.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with population and housing would occur with the proposed Project.

5.12.8 REFERENCES

California Department of Finance (DOF), *E-5 Population & Housing Estimates for Cities, Counties, and the State: January 2021-2022, with 2020 Benchmark*,



<https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2021/>, accessed November 16, 2022.

City of Fontana, *6th Cycle Housing Element Update (2021-2029)*, February 2022.

Kittelson and Associates, *Fontana Downtown Core Project Transportation Study*, December 22, 2022.

Southern California Council of Governments (SCAG), *Local Profiles Report 2019: Profile of the City of Fontana*, May 2019.



5.13 PUBLIC SERVICES AND RECREATION

5.13.1 PURPOSE

This section identifies the existing public services and recreation facilities available within the Project Area and provides an analysis of potential impacts associated with Project implementation.

5.13.2 ENVIRONMENTAL SETTING

FIRE PROTECTION AND EMERGENCY SERVICES

The Fontana Fire Protection District (FFPD) provides emergency, preventive, and administrative services across 52.4 square miles within City limits and the sphere of influence (SOI) through a contract with the San Bernardino County Fire Department (City of Fontana, 2018). There are seven fire stations, an administrative office, and a fire prevention office serving the City. Department staffing at the seven fire stations includes 33 full time fire suppression employees consisting of eight fire captains, eight fire engineers, nine firefighter medics, three firefighter paramedics, and five firefighters (City of Fontana, 2022). Station 71 is located within the Project Area at 16980 Arrow Boulevard. Station 71 is equipped with one medic engine, one medic truck, and one squad vehicle, and is staffed with two captains, two engineers, three firefighter medics, and one firefighter (City of Fontana, 2022a).

An eighth fire station, located 16615 Casa Grande Avenue, is currently under construction and anticipated to be completed by Spring 2023 (City of Fontana, 2022b; City of Fontana, 2021). The new fire station is intended to improve response times in the northern area of the City. As part of the Fire District Master Plan, the new station will help meet the goal of response times that are less than five minutes within the District 90 percent of the time.

Fire Hazards

According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone Maps, the Project Area is not located within a Very High Fire Hazard Severity Zone. Portions of the northern and southern border of the City, both located approximately three miles from the Project Area, are within a designated Very High Fire Hazard Severity Zone (CAL FIRE, 2022).

Emergency Management and Response

The City of Fontana Emergency Management Program is a function of the City Manager's Office in cooperation with the San Bernardino County Fire, Office of Emergency Services (City of Fontana, 2022c). City personnel prepare for disaster situations by developing effective plans, conducting training and exercises, and ensuring facilities and equipment are ready for response. The City of Fontana Emergency Management Program utilizes the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). Both SEMS and NIMS are emergency management systems that provide a consistent template for all levels of government, non-governmental organizations, and the private sector to work together to prevent, protect against, respond to, recover from, and mitigate the effects of incidents, regardless of their cause, size, location, or complexity.



The City is a participant in the San Bernardino County Operational Area Coordinating Council. The San Bernardino County Fire, Office of Emergency Services provides Emergency Management services to the City of Fontana through the provision of an Emergency Services Officer (ESO). This ESO is responsible for the development of the City’s disaster plans, disaster training and exercise program, and oversight of the City’s Emergency Operations Center.

LAW ENFORCEMENT

The Fontana Police Department (FPD) provides police protection services to the City, including the Project Area. The FPD station is located within the Project Area at 17005 Upland Avenue. According to the FPD, there are currently 188 sworn officers providing law enforcement services (City of Fontana, 2022d).

SCHOOLS

According to the Fontana General Plan, two public school districts serve most of the City of Fontana: Fontana Unified School District (FUSD) and the Etiwanda School District (pre-K to 8). In addition to these two school districts, small areas of Fontana are covered by the Colton Joint Unified School District (southeast Fontana); the Chaffey Joint Union High School District (northern Fontana), and the Rialto School District (northeast).

The Project Area is located within the service boundaries of FUSD, which serves most of the City and had an enrollment of 35,101 students in the 2021-22 academic year (Ed-Data, 2022). Enrollment has been trending consistently downward since at least 2011-12, when enrollment was 40,592. The FUSD operates 46 schools, including 30 elementary schools; seven middle schools; five high schools and two continuation high schools; one adult school; and two online schools (FUSD, 2022a).

Schools that serve the Project Area include: Randall Pepper Elementary School; Palmetto Elementary School; Date Elementary School; South Tamarind Elementary School; Oleander Elementary School; Juniper Elementary School; Fontana Middle School; Truman Middle School; Fontana High School; and Jurupa Hills High School (FUSD, 2022b).

As described in the FUSD Developer Fee Justification Study for Residential and Commercial/Industrial Development prepared in June 2022, the FUSD capacity to house students in permanent structures is based on an inventory of 1,672 permanent classrooms being “loaded” at the District’s standard of 25 students per classroom for TK-3 students; 32 students per classroom for Grades 4 through 6; 34 students per classroom for grades seven through 12; 15 students per classroom for its Special Education non-severe students; and 9 students per classroom for Special Education severe students (EH&A, 2022). The results indicate that while there is a surplus of 390 seats across all school levels, there is a shortage of permanent capacity at the elementary school level of 1,474 seats; refer to Table 5.13-1, *Fontana Unified School District Existing School Capacity*.



**Table 5.13-1
Fontana Unified School District Existing School Capacity**

School Level	2021-22 Facilities Capacity ¹	2021-22 Student Enrollment ²	Surplus/(Shortage) of Permanent Capacity
Elementary School	14,310	15,784	(1,474)
Middle School	7,373	7,187	186
High School	13,742	12,064	1,678
<i>Total</i>	<i>35,425</i>	<i>35,035</i>	<i>390</i>
Source: EH&A, <i>Developer Fee Justification Study for Residential & Commercial/Industrial Development prepared for the Fontana Unified School District Board of Trustees (Public Review Draft)</i> , June 22, 2022. Notes: 1. Represents permanent capacity (i.e., does not include portable classrooms). 2. Unofficial enrollment per Fontana Unified School District.			

As indicated in [Table 5.13-1](#), capacities at FUSD elementary school facilities are not adequate to accommodate the existing student population, with a shortage of 1,474 seats. The middle and high school facilities have adequate capacity to accommodate existing student populations with a remaining capacity of 1,864 seats.

PARKS AND RECREATION

The City of Fontana maintains over 40 parks, sports facilities, and community centers (City of Fontana, 2022e). According to Fontana General Plan Conservation, Open Space, Parks and Trails Element, there are approximately 1,196.3 acres of land in the City for park and recreation use. As noted in the Fontana General Plan, the City also counts 25 percent of the school lands available through joint use agreements with Fontana Unified School District and the Colton Joint Unified School District as usable recreation areas, resulting in an additional 163 acres (City of Fontana, 2018). Therefore, the City has approximately 1,359.3 acres of park and recreation land.

LIBRARIES

Library services in the City are provided by the San Bernardino County Library System, which operates the Fontana Lewis Library & Technology Center at 8437 Sierra Avenue and the Kaiser Branch Library at 11155 Almond Avenue (San Bernardino County Library, 2022).

5.13.3 REGULATORY SETTING

STATE

[California Building Code & California Fire Code](#)

The California Building Code is a compilation of building standards, including fire safety standards for new buildings, which are provided in the California Fire Code. The California Fire Code is Chapter 9 of Title 24 of the California Code of Regulations. The California Fire Code provides regulations for safeguarding life and property from fire and explosion hazards derived from the storage, handling, and use of hazardous substances, materials, and devices. The provisions of this code apply to construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance,



removal, and demolition of every building or structure or any appurtenance connected or attached to such building structures throughout the state.

[California Constitution Article XIII, Section 35](#)

Section 35 of Article XIII of the California Constitution at subdivision (a)(2) provides: “The protection of public safety is the first responsibility of local government and local officials have an obligation to give priority to the provision of adequate public safety services.” Section 35 of Article XIII of the California Constitution was adopted by the voters in 1993 under Proposition 172. Proposition 172 directed the proceeds of a 0.50 percent sales tax to be expended exclusively on local public safety services. California Government Code Sections 30051-30056 provide rules to implement Proposition 172. Section 30056 mandates that cities are not allowed to spend less of their own financial resources on their combined public safety services in any given year compared to the 1992-93 fiscal year. An agency is required to use Proposition 172 to supplement its local funds used on fire protection services, as well as other public safety services. In *City of Hayward v. Board of Trustee of California State University* (2015) 242 Cal. App. 4th 833, the court found that Section 35 of Article XIII of the California Constitution requires local agencies to provide public safety services, including fire protection, emergency medical services, and police protection services.

[California Occupational Safety and Health Administration](#)

In accordance with California Code of Regulations, Title 8, Sections 1270, Fire Prevention, and 6773, Fire Protection and Fire Equipment, the California Occupational Safety and Health Administration has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials; fire hose size requirements; restrictions on the use of compressed air; requirements for access roads; and guidelines for testing, maintaining, and using all firefighting and emergency medical equipment.

[Mutual Aid Agreements of the California Emergency Services Act](#)

The California Disaster and Civil Defense Master Mutual Aid Agreement, as provided by the California Emergency Services Act, provides statewide mutual aid between and among local jurisdictions and the state. The statewide mutual aid system exists to ensure that adequate resources, facilities, and other supports are provided to jurisdictions whenever resources prove to be inadequate for a given situation. Each jurisdiction controls its own personnel and facilities but can give and receive help whenever needed.

[Senate Bill 50 & Proposition 1A](#)

Senate Bill (SB) 50, the Leroy F. Greene School Facilities Act of 1998, was signed into law on August 27, 1998. It placed a \$9.2 billion state bond measure (Proposition 1A), which includes grants for modernization of existing schools and construction of new schools, on the ballot for the November 3, 1998, election. Proposition 1A was approved by voters, thereby enabling SB 50 to become fully operative. Under SB 50, a program for funding school facilities largely based on matching funds was created. The construction grant provides funding on a 50/50 state and local match basis, while the modernization grant provides funding on a 60/40 basis. Districts unable to provide some, or all, of the local match requirement may meet financial hardship provisions and are potentially eligible for additional state funding.



In addition, SB 50 allows governing boards of school districts to establish fees to offset costs associated with school facilities made necessary by new development in their district. Pursuant to SB 50, FUSD collects development fees for new construction within its district boundaries. Currently, FUSD collects the maximum new school construction facility fee at a rate of \$4.79 per square foot of new residential construction, \$0.78 per square foot of commercial/industrial construction, \$0.78 per square foot of senior housing, \$0.75 per square foot of community shopping center, \$0.66 per square foot of industrial parks/warehousing, \$0.03 per square foot of rental/self-storage, and \$0.56 per square foot of hospitality/lodging (FUSD, 2022c). Payment of these fees is required prior to issuance of building permits. Pursuant to California Government Code Section 65995, the payment of these fees by a developer serves to fully mitigate all potential project impacts on school facilities.

[California Education Code](#)

Library facilities and services are subject to the rules and regulations of the California Education Code and governance of the State Board of Education. Traditionally, the state has passed legislation for the funding of local and public schools and provided the majority of monies to fund education in the state. To assist in providing facilities to serve students generated from new development projects, the state passed Assembly Bill (AB) 2926 in 1986, allowing school districts to collect impact fees from developers of new residential, commercial, and industrial developments. Section 65996 of the California Government Code designates Section 17620 of the Education Code (the mitigation fees authorized by Senate Bill 50) and Section 65970 of the Government Code to be the exclusive method for considering and mitigating development impacts on school facilities.

[Mitigation Fee Act](#)

The California Mitigation Fee Act, Government Code Sections 66000, et seq., allows cities to establish fees which would be imposed upon development projects for the purpose of mitigating the impact that the development projects have upon the City's ability to provide specified public facilities. In order to comply with the Mitigation Fee Act, the City must follow four primary requirements: 1) Make certain determinations regarding the purpose and use of a fee and establish a nexus or connection between a development project or class of project and the public improvement being financed with the fee; 2) Segregate fee revenue from the General Fund in order to avoid commingling of capital facilities fees and general funds; 3) For fees that have been in the possession of the City for five years or more and for which the dollars have not been spent or committed to a project, the City must make findings each fiscal year describing the continuing need for the money; and 4) Refund any fees with interest for developer deposits for which the findings noted above cannot be made.

[California Public Park Preservation Act of 1971](#)

The California Public Park Preservation Act is the primary measure for protecting and preserving parkland in California. The legislation states that "No city, city and county, county, public district, or agency of the state, including any division department or agency of the state government, or public utility, shall acquire any real property, which property is in use as a public park at the time of such acquisition, for the purposes of utilizing such property for any non-park purpose, unless the acquiring entity pays or transfers to the legislative body of the entity operating the park sufficient compensation or land, or both."



Quimby Act

The Quimby Act of 1975, (California Government Code § 66477), commonly called the “Quimby Act”, allows a city or county to pass an ordinance that requires, as a condition of approval of a subdivision, either the dedication of land, the payment of a fee in lieu of dedication, or a combination of both for park and recreational purposes allows a city or county to require a maximum parkland dedication standard of 3 acres of parkland per 1,000 residents for new subdivision development unless the jurisdiction can demonstrate that the amount of existing neighborhood and community parkland exceeds that limit. In accordance with Section 66477, a jurisdiction may establish a parkland dedication standard based on its existing parkland ratio, provided required dedications do not exceed 5 acres per 1,000 persons.

LOCAL

City of Fontana General Plan

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts to public services and recreation. Chapter 7, Conservation, Open Space, Parks and Trails, and Chapter 8, Public and Community Services Elements contain the following goal and policies potentially relevant to the proposed Project:

Chapter 7 – Conservation, Open Space, Parks and Trails

- **Goal 4:** The city of Fontana has a no-net-loss policy for public parkland.
 - **Policy:** Establish legal requirements for replacement, when any city-owned park land listed in the California Protected Lands database is transferred to other uses, with land of equivalent environmental, recreational, or aesthetic value.
- **Goal 5:** All Fontana residents live within walking or biking distance of a public park, and there are sufficient public parks to serve all areas of the city.
 - **Policy:** Establish park access by walking and biking as a criterion for locating parks and for design of active transportation networks.
 - **Policy:** Continue to use a minimum standard of 5 acres of public parkland per 1,000 persons.
 - **Policy:** Pursue park development where parkland is insufficient.

Chapter 8 – Public and Community Services

- **Goal 1:** Fontana's crime rate continues to be below state and county rates.
 - **Policy:** Continue the Police Department’s successful community policing programs.
 - **Policy:** Provide appropriate security for new amenities, such as trails and parks.
 - **Policy:** Support Police Department needs for staff and technology to keep up with population growth and contemporary policing methods.
 - **Policy:** Promote and enhance use of anti-crime design strategies and programs.
- **Goal 2:** Fontana's Fire Department meets or exceeds state and national benchmarks for protection and responsiveness.



- **Policy:** Continue the City’s successful partnership with the San Bernardino County Fire Department.
- **Goal 3:** Fontana has modern, well-maintained public facilities that meet the needs of residents of all ages, businesses, and government.
 - **Policy:** Support development of a City facilities master plan and use an asset-management system for all City property.
 - **Policy:** Support initiatives to reduce energy costs in public facilities.
 - **Policy:** Develop an “Aging in Fontana” plan to prepare to serve an increasing number of senior citizens.

City of Fontana Municipal Code

Fontana Municipal Code Sections 5-8 and 5-9 provide for police capital facilities fees and library capital facilities fees to be paid by the owners of all new or expanded development of real property in the City. Chapter 10, Article IX establishes a method pursuant to Government Code Section 65970 et seq., whereby a school district which operates an elementary or high school may finance interim school facilities if conditions of overcrowding exist. Per Fontana Municipal Code Section 11-2, any new development or improvement of real property within the City is subject to the imposition of fees for capital improvements necessary to provide fire protection services. Municipal Code Chapter 21, Article IV specifies the requirements that must be met by new development in order to comply with the requirements of Government Code Sections 66477 et seq. and 66000 et seq. for the provision of necessary park and recreational facilities for the City. Chapter 30 (Zoning and Development Code), Article V, Division 2, *Development Policies*, requires that all residential development projects must have proof that adequate school facilities are or will be available to accommodate the students generated by the project in accordance with State law.

City of Fontana Development Impact Fees

The City of Fontana requires the payment of development impact fees (DIFs) to offset the impacts of new developments on public services and facilities, including fire, police, parks, and library facilities. Fees were most recently updated on May 10, 2022 (Resolution 2022-034) (City of Fontana, 2022f).

5.13.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to public facilities and recreation. A significant impact will occur if implementation of the proposed Project will:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:
 - Fire Protection (refer to Impact Statement 5.13-1);
 - Police Protection (refer to Impact Statement 5.13-2);



- Schools (refer to Impact Statement 5.13-3);
- Other Public Facilities (refer to Impact Statement 5.13-4); and
- Parks (refer to Impact Statement 5.13-5);
- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated (refer to Impact Statement 5.13-5); and
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment (refer to Impact Statement 5.13-5).

Based on these standards and significance thresholds and criteria, the Project’s effects have been categorized as either “no impact,” a “less than significant impact,” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a “significant unavoidable impact.”

5.13.5 IMPACTS AND MITIGATION MEASURES

Impact 5.13-1: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- **Fire Protection**

Impact Analysis: Development accommodated through implementation of the proposed Project would result in additional residential and non-residential uses in the Project Area. Based on the anticipated growth, as described in Section 3.0, Project Description, and summarized in Table 3-2, Proposed Project Development Potential, Project implementation could yield a net change over existing conditions of an additional 8,900 dwelling units and 2,685,404 square feet of non-residential uses.

Future development may result in the need for additional FFPD resources (i.e., additional staffing, equipment, expanded/new facilities). At this time, it is unknown whether FFPD would need to expand or construct new facilities to meet the demand of future development in the Project Area. Future development is assumed to occur over time; thus, any increase in demand for fire protection services would occur gradually as additional development and associated population growth is added to the Project Area. FFPD would continue to regularly monitor fire department resources to ensure that adequate facilities, staffing, and equipment are available to serve existing and future development and population increases. Further, as development occurs, a proportional increase in property tax, charges for FFPD services, and other funding sources would increase and offset impacts of new development on FFPD’s existing resources in the City and Project Area. Fontana Municipal Code Section 11-2, requires any new development or improvement of real property within the City to pay certain fees for capital improvements necessary to provide fire protection services.



Additionally, new development that could occur under the proposed Project would be required to comply with all applicable California Fire Code requirements for construction, access, water mains, fire flows, and hydrants. Individual project development plans would be reviewed by FFPD to determine specific fire requirements (e.g., fire flow capacities, emergency access, fuel modification plans) applicable to the specific development and to ensure compliance with these requirements. The Fontana General Plan also includes goals, policies, and actions to ensure that fire protection and emergency services are provided in a timely fashion, are adequately funded, and that new development funds its fair share of services.

As previously stated, new fire facilities would potentially be needed to serve growth accommodated through Project implementation. The environmental effect of providing fire protection services is associated with the physical impacts of providing new and expanded facilities. The specific impacts of providing new and expanded facilities cannot be determined at this time, as the Project does not propose or authorize development, nor does it designate specific sites for new or expanded public facilities. However, the facilities would be primarily provided on sites with land use designations that allow such uses and the environmental impacts of constructing and operating the facilities would likely be similar to those associated with new development, redevelopment, and infrastructure projects under the Project. Any future development would be required to comply with regulations, policies, and standards included in the Fontana General Plan and Municipal Code, and would be subject to CEQA review as appropriate. Therefore, impacts related to the provision of fire protection services are less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.13-2: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- **Police Protection**

Impact Analysis: Development accommodated through implementation of the proposed Project would result in additional residential and non-residential uses in the Project Area, which would increase demand for police protection services provided by FPD. Based on the anticipated growth, as described in [Section 3.0](#), and summarized in [Table 3-2](#), Project implementation could yield a net change over existing conditions of an additional 8,900 dwelling units and 2,685,404 square feet of non-residential uses.

Additional facilities, personnel, and equipment may be required to maintain adequate levels of police protection within the City and Project Area. Development accommodated through Project implementation is expected to occur gradually over time; thus, any increase in demand for police protection services would similarly occur gradually as additional development and associated population growth is added to the Project Area, which also depends on the economic market demands. As individual projects are proposed within the Project Area, FPD service levels and staffing requirements would be evaluated on an annual basis to determine if additional staffing and/or facilities would be required. Further, as development occurs, a proportional increase in property tax, charges for FPD services, and



other funding sources would increase and offset impacts of new development on FPD's existing resources in the City and Project Area. Fontana Municipal Code Section 5-8 provides for police capital facilities fees to be paid by the owners of all new or expanded development of real property in the City. The Fontana General Plan also includes goals, policies, and actions to ensure that police protection services are provided in a timely fashion, are adequately funded, and that new development funds its fair share of services.

The environmental effect of providing police protection services is associated with the physical impacts of providing new and expanded facilities. The specific impacts of providing new and expanded facilities cannot be determined at this time, as the Project does not propose or authorize development, nor does it designate specific sites for new or expanded public facilities. If new police facilities are needed to serve growth associated with future development, the facilities would most likely be provided on sites with land use designations that allow such uses and the environmental impacts of constructing and operating the facilities would likely be similar to those associated with new development, redevelopment, and infrastructure projects under the Project. Any future development would be required to comply with regulations, policies, and standards included in the Fontana General Plan and Municipal Code, and would be subject to CEQA review as appropriate. Therefore, impacts related to the provision of police protection services are less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.13-3: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- **Schools**

Impact Analysis: Development accommodated under the Project would result in additional residential uses with the potential of school-aged children. Based on the anticipated growth, as described in in [Section 3.0](#), and summarized in [Table 3-2](#), Project implementation could yield a net change over existing conditions of an additional 8,900 dwelling units.

Implementation of the Project would lead to new population growth within the Project Area, which would increase the demand for schools and school facilities in the City. The Project Area is primarily served by the FUSD, which serves students grades K-12. The FUSD operates 46 schools, including 30 elementary schools; seven middle schools; five high schools and two continuation high schools; one adult school; and two online schools (FUSD, 2022a). Schools that serve the Project Area include: Randall Pepper Elementary School; Palmetto Elementary School; Date Elementary School; South Tamarind Elementary School; Oleander Elementary School; Juniper Elementary School; Fontana Middle School; Truman Middle School; Fontana High School; and Jurupa Hills High School.



School districts typically use student generation factors to determine the potential number of students that would be generated by the amount of residential development in order to accurately anticipate the needs for new/expanded facilities. Table 5.13-2, Fontana Unified School District Student Generation Rates, identifies the number of potential students that would be generated from development anticipated by buildout of the proposed Project.

**Table 5.13-2
Fontana Unified School District Student Generation Rates**

School Level	Student Generation Factor	Proposed Net Increase Dwelling Units	Total Students Generated ¹	Existing Excess/ (Shortage) Capacity	Able to Accommodate Project?
Elementary School	0.1905	8,900	1,695	(1,474)	No
Middle School	0.0704	8,900	627	186	No
High School	0.1303	8,900	1,160	1,678	Yes
Total	0.3912	8,900	3,482	390	No

Source: EH&A, *Developer Fee Justification Study for Residential & Commercial/Industrial Development prepared for the Fontana Unified School District Board of Trustees (Public Review Draft)*, June 22, 2022.

Notes:
1. Rounded to the nearest whole number.

Based on FUSD’s student generation rates, residential development accommodated under the proposed Project would generate approximately 3,482 students (1,695 elementary school students, 627 middle school students, and 1,160 high school students). As shown in Table 5.13-2, FUSD does not currently have excess capacity at the elementary or middle school levels, or have excess capacity overall. The high schools have an excess capacity of 518 seats, but as shown, that capacity is not sufficient for future growth associated with buildout of the Project. However, the projected student generation assumes full buildout of the Project Area, which would occur over time based on market conditions. Based on the conservative assumption that buildout of the Project Area would occur as proposed, and all 8,900 residential units would attend schools within the FUSD, FUSD would not have capacity to adequately accommodate the increase in student population. Therefore, new facilities would need to be created, or existing facilities would need to be expanded, to accommodate for future population growth. As mentioned above, there is already a shortage of permanent capacity at existing FUSD facilities which necessitate the construction of new facilities or expansion of existing facilities.

The exact location of future development and associated student generation is currently unknown. However, future development projected within the Project is anticipated to occur gradually and would be largely based on market demand. Thus, any increase in demand for school services would occur gradually as additional development occurs in the Project Area. School districts assess development impact fees against residential and non-residential development to mitigate impacts resulting from the increase in demand for school related services. Pursuant to SB 50, payment of fees to the applicable school district is considered full mitigation for project impacts, including impacts related to 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, or other performance objectives for schools. Therefore, individual development projects



accommodated under the proposed Project would be required to pay the statutory fees, so that school facilities can be constructed/expanded, if necessary, at the nearest sites to accommodate the impact of project-generated students, reducing impacts to a less than significant level. Additionally, Fontana Municipal Code Chapter 10, Article IX establishes a method pursuant to Government Code Section 65970 et seq., whereby a school district which operates an elementary or high school may finance interim school facilities if conditions of overcrowding exist, and Chapter 30 (Zoning and Development Code), Article V, Division 2, *Development Policies*, requires that all residential development projects must have proof that adequate school facilities are or will be available to accommodate the students generated by the project in accordance with State law. The Fontana General Plan also includes goals, policies, and actions to ensure that public facilities, including schools, are provided in a timely fashion, are adequately funded, and that new development funds its fair share of services.

The environmental effect of providing school services is associated with the physical impacts of providing new and expanded facilities. The specific impacts of providing new and expanded facilities cannot be determined at this time, as the Project does not propose or authorize development of new or expanded school facilities. If the school districts serving the Project Area determine that new school facilities are needed to serve growth associated with future development anticipated by the Project, the schools would most likely be provided on sites with land use designations that allow such uses and the environmental impacts of constructing and operating the facilities would likely be similar to those associated with new development, redevelopment, and infrastructure projects under the Project. Any future development under the Project would be required to comply with regulations, policies, and standards included in the Fontana General Plan and Municipal Code, and development of school facilities would be subject to CEQA review as appropriate. Therefore, impacts related to the provision of schools are less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.13-4: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- **Libraries & Other Facilities**

Impact Analysis: Development accommodated under the proposed Project would result in additional residents and businesses in the City, which could increase the demand for public services, including library services. Library services in Fontana are provided by the San Bernardino County Library System, which operates the Fontana Lewis Library & Technology Center at 8437 Sierra Avenue and the Kaiser Branch Library at 11155 Almond Avenue.

Future development accommodated by the Project may result in the need for additional library resources (i.e., additional staffing, equipment, expanded/new facilities) in the City. At this time, it is unknown whether the San Bernardino County Library System would need to expand or construct new facilities to meet the demand of future development in the Project Area. Future development is assumed to occur



over time; thus, any increase in demand for library services would occur gradually as additional development and associated population growth is added to the Project Area. Fontana Municipal Code Section 5-9 provides for library capital facilities fees to be paid by the owners of all new or expanded development of real property in the City.

The environmental effect of providing library services is associated with the physical impacts of providing new and expanded facilities. The specific impacts of providing new and expanded library facilities cannot be accurately determined at this time. However, the proposed Project does assume some development of public facilities uses could occur within the Civic Core district; the impacts of which have been addressed within this Draft EIR. Any future development of library facilities or other public facilities to serve demand associated with implementation of the proposed Project would be required to comply with regulations, policies, and standards included in the Fontana General Plan and Municipal Code, and would be subject to CEQA review as appropriate. Therefore, impacts related to the provision of other facilities, including library services, are less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.13-5: Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

- Parks

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

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

Impact Analysis: Development accommodated through implementation of the proposed Project would result in additional residential and non-residential uses in the Project Area, which would increase demand for parks and recreational facilities. Based on the anticipated growth, as described in [Section 3.0](#), summarized in [Table 3-2](#), Project implementation could yield a net change over existing conditions of an additional 8,900 dwelling units and 2,685,404 square feet of non-residential uses. As described in [Section 5.12, Population and Housing](#), an additional 33,731 people are expected to be added to the population as a result of Project implementation. These new residents are expected to use park and recreational facilities, and this additional use may result in greater demands on parks and recreational facilities in the City such that deterioration of these facilities could occur or be accelerated. The additional demand on existing parks and recreational facilities would increase the need for maintenance and improvements. These improvements could have environmental impacts, although the exact impacts cannot be determined at this time since the potential improvements are currently unknown.



According to Fontana General Plan, there are approximately 1,196.3 acres of land in the City for park and recreation use. As noted in the Fontana General Plan, the City also counts 25 percent of the school lands available through joint use agreements with Fontana Unified School District and the Colton Joint Unified School District as usable recreation areas, resulting in an additional 163 acres (City of Fontana, 2018). Therefore, the City has approximately 1,359.3 acres of park and recreation land.

The provision of new parks and recreation facilities would reduce the potential for adverse impacts and physical deterioration of existing parks and recreation facilities, by providing additional facilities to accommodate the demand for parks and recreation facilities. These new facilities would be provided at a pace and in locations appropriate to serve new development, as required to maintain the City adopted standard for park space acreage at five acres for every 1,000 residents. Table 5.13-3, Required Parkland Dedication, shows the required parkland dedication to meet the City’s standard of five acres per 1,000 people.

**Table 5.13-3
Required Parkland Dedication**

Existing Conditions (2022)				Downtown Core Project	
Population	Parkland Acreage	Required Parkland	Parkland Surplus (acres)	Net Population Growth	Required Parkland
212,809	1,359.3	1,064.0	+295.3	+33,731	1,232.7

As shown in Table 5.13-3, development under the Project could indirectly lead to the construction of new parks and recreation facilities to serve new growth and to meet existing parks and recreation needs. The Project does not specifically propose any development projects, including parks. As a result, site-specific physical impacts of future park development and construction cannot be determined until future projects are brought forward for review. As future parks and recreation projects are considered by the City, each project will be evaluated for conformance with the General Plan, Municipal Code, and other applicable regulations. Parks and recreation projects would also be analyzed for potential environmental impacts, consistent with the requirements of CEQA.

Although implementation of the proposed Project would cause an incremental increase in demand for parks in the future, this increase would be further reduced to a less than significant level by the provision of public parkland and private on-site recreational amenities and through the payment of park fees, as established in the Fontana Municipal Code Chapter 21, Article IV, which specifies the requirements that must be met by new development in order to comply with the requirements of Government Code Sections 66477 et seq. and 66000 et seq. for the provision of necessary park and recreational facilities for the City. Compliance with the Municipal Code would ensure parks and recreational facilities would not be overused to the point of substantial deterioration.

It is anticipated that any new parks or recreational facilities that may be constructed in the future would be primarily provided on sites with land use designations that allow such uses and the environmental impacts of constructing and operating the parks and recreational facilities would likely be similar to those associated with new development, redevelopment, and infrastructure projects under the Project. Any



future development under the Project would be required to comply with regulations, policies, and standards included in the Fontana General Plan and Municipal Code, and would be subject to CEQA review as appropriate. Therefore, impacts to parks and recreational facilities associated with implementation of the Project would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.13.6 CUMULATIVE IMPACTS

Impact Analysis: Development associated with implementation of the Downtown Core Project would result in additional residential and non-residential uses in the Project Area and associated increase in the demand for public services, as well as parks and recreation facilities. As the demand for public services and recreation increases, new or expanded service structures (e.g., offices, maintenance and administrative buildings, schools, parks, fire facilities, libraries, etc.) may be needed to provide for adequate staffing, equipment, and appropriate facilities to serve growth within the Project Area.

As with specific projects resulting from implementation of the Project, cumulative development would be subject to all applicable State and local policies and regulations in place for public services and recreational facilities. Payment of applicable impact fees, and ongoing revenues that would come from property taxes, sales taxes, and other revenues generated by the future projects, would ensure that the City maintains acceptable service ratios and facilities within the Project Area and the City. Therefore, the proposed Project's incremental contribution to cumulative public services and recreational facilities impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.13.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with public services and recreation would occur as a result of Project implementation.

5.13.8 REFERENCES

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San Bernardino County Library, *Library Locations and Hours*, <https://sbclib.org/library-locations/>,
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5.14 TRANSPORTATION

5.14.1 PURPOSE

This section describes the existing physical and operational conditions for the transportation system and provides an analysis of potential impacts associated with implementation of the proposed Downtown Core Project. The impact analysis examines the roadway, transit, bicycle, and pedestrian components of the Project Area's transportation system. This section is based on the *Fontana Downtown Core Project Transportation Study*, prepared by Kittelson & Associates, Inc., dated January 16, 2023, and included as Appendix E, *Transportation Analysis*, of this Draft EIR.

Under Senate Bill 743 as of July 1, 2020, local agencies may no longer rely on roadway/intersection delay and capacity-based analyses for California Environmental Quality Act (CEQA) purposes, but rather, agencies must analyze transportation impacts utilizing vehicle miles travelled (VMT), which measures the number of vehicle trips generated by a project and their average distance of travel to and from a project. These are calculated and assessed as rates (e.g., per capita for residential projects or per employee for commercial projects). This is a change from the prior method of analyzing transportation impacts, which measured travel time delay at intersections and roadway segments, assessed with a Level-of-Service (LOS) grade from LOS A to LOS F. Travel delay as measured by LOS is no longer a CEQA-related topic and is not discussed in this EIR.

5.14.2 ENVIRONMENTAL SETTING

EXISTING ROADWAY NETWORK

The Project Area is supported by a network of core regional streets, including Foothill Boulevard, Sierra Avenue, Arrow Boulevard, Juniper Avenue, Merrill Avenue, Mango Avenue, Randall Avenue, and several smaller connecting streets that provide local connectivity. On-street parallel parking is generally allowed on both sides of the road. Within the boundaries of the Downtown Area Plan, there are generally sidewalks, in good condition, on both sides of the road.

Local Roadways

Key streets within the Project Area include:

Foothill Boulevard: an east-west major highway with two travel lanes in each direction. The corridor serves as the north gateway to the Downtown area. Within the Project Area boundaries, a raised center median helps divide the roadway. It is also designated by Caltrans as one of the City's main truck routes.

Arrow Boulevard: an east-west primary highway with two travel lanes in each direction. The corridor is primarily characterized by a mix of commercial uses and vacant parcels and serves as one of the key corridors that links the westside and eastside neighborhoods together. A raised center median helps divide the roadway. It is also designated by Caltrans as one of the City's main truck routes.

Orange Way: an east-west primary highway with a total of three travel lanes. It provides direct connections to local transit facilities, in particular the Fontana Metrolink Station. Double yellow lines help divide the roadway. To the west of Sierra Avenue, bike lanes are generally on both sides of the road.



Ceres Avenue: an east-west primary highway with one travel lane in each direction. The corridor is primarily characterized by single-family residential units and provides residents access to the Downtown Core (as specified in the General Plan Downtown Area Plan). Double yellow lines help divide the roadway. To the east of Sierra Avenue, sidewalks are only located on the north side of the road.

Merrill Avenue: an east-west primary highway with two travel lanes in each direction. Acting as the southern gateway to the Downtown Area, the corridor provides direct access to Chaffey College and local bus routes. The corridor is characterized by a mix of commercial and residential uses. East of Wheeler Avenue, sidewalks appear only on the south side. Double yellow lines help divide the roadway.

Randall Avenue: an east-west primary highway with two travel lanes in each direction. Residential uses are primarily along the roadway. The corridor also serves as a bike route. Double yellow lines help divide the roadway. There are sidewalks buffered by landscaping on some segments along Randall Avenue.

Juniper Avenue: a north-south primary highway with one travel lane in each direction. Commercial uses are along the corridor north of Ceres Avenue. Residential uses are along the corridor south of Ceres Avenue. Double yellow lines help divide the roadway.

Sierra Avenue: a north-south major highway with two travel lanes in each direction. It is the primary roadway through the City's Downtown Area connecting visitors, residents, and employees to residential neighborhoods, major commercial areas, and industrial centers. It also provides direct access to the Interstate 10 (I-10), Interstate 15 (I-15), and Interstate 210 (I-210) freeways. A raised median helps divide the roadway.

Mango Avenue: a north-south primary highway with two travel lanes in each direction. The roadway is primarily surrounded by residential uses and provides direct access to local parks and schools such as Veterans Park and Fontana Middle School. Double yellow lines help divide the roadway. South of Merrill Avenue, sidewalks start to become buffered by landscape.

BICYCLE FACILITIES

Existing bicycle facilities in the Project Area include:

- The 6.4-mile regional Pacific Electric Trail (PET), which is the only fully dedicated and buffered bike path in the Project Area and allows for multi-use travel;
- Class II bike lanes along Orange Way and Juniper Avenue; and
- Class III bike routes along segments of Sierra Avenue, Foothill Boulevard, and Arrow Boulevard.

TRANSIT SERVICE

Omnitrans

Omnitrans is the primary transit service provider for the City of Fontana. As of August 2022, Omnitrans routes 10, 14, 15, 19, 61, 66, 67, 82, and 312 operate within the Project Area. All routes mentioned serve as a transit connection for the Fontana Metrolink Station. A summary of each route is provided in [Table 5.14-1, Existing Omnitrans Fixed-Route System](#).



**Table 5.14-1
Existing Omnitrans Fixed-Route System**

Route Number	Route Path Description Within Project Area	Operational Days	Service Frequency
10	East-west travel via Orange Way North-south travel via Juniper Avenue	Monday - Sunday	60 min
14	North-south travel via Sierra Avenue	Monday - Sunday	20 - 30 min
15	East-west travel via Merrill Avenue North-south travel via Sierra Avenue	Monday - Sunday	60 min
19	North-south travel via Sierra Avenue	Monday - Sunday	60 min
61	North-south travel via Sierra Avenue	Monday - Sunday	20 - 30 min
66	East-west travel via Orange Way North-south travel via Juniper Avenue	Monday - Sunday	20 - 50 min
67	North-south travel via Sierra Avenue	Monday - Friday	60 min
82	East-west travel via Orange Way North-south travel via Juniper Avenue and Sierra Avenue	Monday - Sunday	60 - 65 min
312	East-west travel via Arrow Boulevard North-south travel via Nuevo Avenue and Sierra Avenue	Monday - Sunday	60 min
Sources: Omnitrans, accessed October 17, 2022.			

Within the Project Area, there are approximately 30 bus stops with an additional seven serving the Fontana Metrolink Station. Outside of Sierra Avenue, most bus stops are lacking at least one of the following amenities: shelter, benches, lighting, and shading.

Omnitrans also offers a curb-to curb ADA service, called OmniAccess, for qualified applicants whose physical or cognitive limitations prevent them from using regular Omnitrans fixed-route services. OmniAccess complements the existing fixed-route services by serving within a buffer of 0.75-mile of an existing bus route. The OmniAccess service is available during the same operational times as its fixed-route service. OmniAccess riders are required to make reservations for trips or arrange a subscription service for recurring trips.

[Metrolink](#)

Metrolink provides rail passenger service within the Los Angeles metropolitan region. The San Bernardino Line, which stops at the Fontana Metrolink Station, runs between Downtown Los Angeles and San Bernardino. Metrolink operates approximately 34 passenger trains daily through the Fontana Metrolink Station. It operates daily from 4:00 AM to 12:00 AM with a frequency of 20-30 minutes during weekday morning and afternoon peak periods and 60-120 minute on weekday off-peak periods and weekends. Morning trains are primarily westbound trains (Los Angeles Union Station) whereas afternoon trains are more frequently eastbound trains (Downtown San Bernardino).



The Fontana Metrolink station is accessible through Sierra Avenue and Orange Way. The station serves as a regional transit hub for Omnitrans and has stops for the following bus routes: 10, 14, 15, 19, 61, 66, 67, 82, and 312.

[City of Fontana Transportation Program](#)

The City's Transportation Program is designed as a demand-response/ride-sharing program for local senior citizens (55 and older) and medically disabled residents of the City of Fontana. This service transports residents within City limits to doctor's offices, Fontana Community Senior Center, hospitals, shopping centers, and fitness facilities. Services are available Monday through Friday 8:00 AM - 5:00 PM.

PEDESTRIAN FACILITIES

Most crosswalks within the Project Area are located at signalized or stop-controlled intersections on the arterial and collector roads. They are generally standard crosswalks and on all four approaches. Mango Avenue is missing a west-leg crossing at Merrill Avenue and Randall Avenue. Arrow Boulevard and Wheeler Avenue is missing an east-leg crossing. Skewed crossings are common along principal arterials and cause longer pedestrian crossing times and distances.

5.14.3 REGULATORY SETTING

FEDERAL

[Americans With Disabilities Act](#)

The Americans with Disabilities Act of 1990 (ADA) provides comprehensive rights and protections to individuals with disabilities. The goal of the ADA is to assure equality of opportunity, full participation, independent living, and economic self-sufficiency. To implement this goal, the United States Access Board has created accessibility guidelines for public rights-of-way. The guidelines address various issues, including roadway design practices, slope and terrain issues, pedestrian access to streets, sidewalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

[Federal Highway Administration](#)

The Federal Highway Administration (FHWA) is a federal agency that focuses on national highway programs. FHWA administers and manages federal highway programs and establishes national standards. The FHWA publishes the Manual on Uniform Traffic Control Devices (MUTCD) which specifies the standards for street markings, traffic signals, and street signs in the United States. The California Department of Transportation (Caltrans) developed the California MUTCD based on the FHWA MUTCD.

STATE

[California Department of Transportation](#)

The California Department of Transportation (Caltrans) is the primary State agency responsible for transportation issues. One of its duties is the construction and maintenance of the State highway system. Caltrans has established standards for roadway traffic flow and developed procedures to determine if State-controlled facilities require improvements. For projects that may physically affect facilities or require access to a state highway, Caltrans requires encroachment permits before such activity may be undertaken. For projects that would not physically affect facilities but may influence traffic flow and levels



of services at such facilities, Caltrans may recommend measures to mitigate the traffic impacts of such projects.

[Assembly Bill 32, Senate Bill 32, and Senate Bill 375](#)

On June 1, 2005, Governor Schwarzenegger signed Executive Order (EO) S-3-05. The goal of this EO is to reduce California's GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the 2020 and 3) 80 percent below the 1990 levels by the year 2050. EO-S-20-06 establishes responsibilities and roles of the Secretary of Cal/EPA and State agencies in climate change.

In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that CARB create a plan, which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." EO S-20-06 further directs State agencies to begin implementing AB 32, including the recommendations made by the State's Climate Action Team.

On December 11, 2008, CARB adopted its *Climate Change Scoping Plan* (Scoping Plan), which functions as a roadmap of CARB's plans to achieve GHG reductions in California required by Assembly Bill (AB) 32 through subsequently enacted regulations. The Scoping Plan contains the main strategies California will implement to reduce carbon dioxide-equivalent (CO₂e) emissions by 169 million metric tons (MMT), or approximately 30 percent, from the State's projected 2020 emissions level of 596 MMT of CO₂e under a business-as-usual scenario. (This is a reduction of 42 MMT CO₂e, or almost 10 percent, from 2002–2004 average emissions, but requires the reductions in the face of population and economic growth through 2020.) The Scoping Plan also breaks down the amount of GHG emissions reductions CARB recommends for each emissions sector of the State's GHG inventory. The Scoping Plan calls for the largest reductions in GHG emissions to be achieved by implementing the following measures and standards:

- Improved emissions standards for light-duty vehicles (estimated reductions of 31.7 MMT CO₂e);
- The Low-Carbon Fuel Standard (15.0 MMT CO₂e);
- Energy efficiency measures in buildings and appliances and the widespread development of combined heat and power systems (26.3 MMT CO₂e); and
- A renewable portfolio standard for electricity production (21.3 MMT CO₂e).

CARB updated the Scoping Plan in 2013 (*First Update to the Scoping Plan*) and again in 2017. The 2013 Update built upon the initial Scoping Plan with new strategies and recommendations, and also set the groundwork to reach the long-term goals set forth by the State. Successful implementation of existing programs (as identified in previous iterations of the Scoping Plan) has allowed California to meet the 2020 target. The 2017 Update expands the scope of the plan further by focusing on the strategy for achieving the State's 2030 GHG target of 40 percent emissions reductions below 1990 levels (to achieve the target codified into law by SB 32), and substantially advances toward the State's 2050 climate goal to reduce GHG emissions by 80 percent below 1990 levels.

The 2017 Update relies on the preexisting programs paired with an extended, more stringent Cap-and-Trade Program, to deliver climate, air quality, and other benefits. The 2017 Update identifies new



technologically feasible and cost-effective strategies to ensure that California meets its GHG reduction goals.

CARB adopted the 2022 Scoping Plan Update (2022 Scoping Plan) on December 15, 2022. The 2022 Scoping Plan Update assesses progress towards the SB 32 GHG reduction target of at least 40 percent below 1990 emissions by 2030, while laying out a path to achieving carbon neutrality no later than 2045 and a reduction in anthropogenic emissions by 85 percent below 1990 levels.

SB 375 (Stats. 2008, ch. 728) (SB 375) was built on AB 32. SB 375's core provision is a requirement for regional transportation agencies to develop a Sustainable Communities Strategy (SCS) in order to reduce GHG emissions from passenger vehicles. The SCS is one component of the existing Regional Transportation Plan (RTP).

The SCS outlines the region's plan for combining transportation resources, such as roads and mass transit, with a realistic land use pattern, in order to meet a State target for reducing GHG emissions. The strategy must take into account the region's housing needs, transportation demands, and protection of resource and farmlands.

Additionally, SB 375 modified the State's Housing Element Law to achieve consistency between the land use pattern outlined in the SCS and the Regional Housing Needs Assessment allocation. The legislation also substantially improved cities' and counties' accountability for carrying out their housing element plans.

Finally, SB 375 amended CEQA (Pub. Resources Code, Section 21000 et seq.) to ease the environmental review of developments that help reduce the growth of GHG emissions.

[California Complete Streets Act of 2008 \(AB 1358\)](#)

Originally passed in 2008, California's Complete Streets Act took effect in 2011 and requires local jurisdictions to plan for land use transportation policies that reflect a "complete streets" approach to mobility. "Complete streets" comprises a suite of policies and street design guidelines which provide for the needs of all road users, including pedestrians, bicyclists, transit operators and riders, children, the elderly, and the disabled. From 2011 onward, any local jurisdiction—county or city—that undertakes a substantive update of the circulation element of its general plan must consider "complete streets" and incorporate corresponding policies and programs. In 2010, OPR released guidelines for compliance with this legislation which provide direction on how circulation elements can best plan for a variety of travel modes such as transit, walking, bicycling, and freight.

[Senate Bill 743](#)

On September 27, 2013, Senate Bill (SB) 743 was signed into law. Previously, CEQA transportation analyses of individual projects were focused on the determination of impacts in the circulation system in terms of roadway capacity at specific locations, mostly located in proximity to a project site. SB 743 has fundamentally changed transportation impact analysis as part of CEQA compliance. These changes include the elimination of auto delay, LOS, and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant. Further, parking impacts are not considered significant impacts on the environment for select development projects within infill areas with nearby frequent transit service.



SB 743 was passed to promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses.

OPR published the Technical Advisory on Evaluating Transportation Impacts in CEQA (December 2018) to provide recommendations for jurisdictions to apply VMT metrics and thresholds compliant with SB 743. OPR's advisory includes recommendations pertaining to screening criteria, metrics, and significant impact thresholds. OPR's recommendations are not binding, and lead agencies ultimately have the discretion to set or apply their own significance thresholds, provided they are based on significant evidence.

For land use and transportation projects, SB 743-compliant CEQA analysis became mandatory on July 1, 2020. The City of Fontana identified methodologies and thresholds to evaluate transportation impacts using VMT metrics from land use and transportation projects, which are discussed below.

REGIONAL

[Southern California Association of Governments](#)

The Southern California Association of Governments (SCAG) is a federally designated MPO and is made up of six counties and 191 cities. SCAG develops long-range regional transportation plans including sustainable communities strategies and growth forecast components, regional transportation improvement programs, regional housing needs allocations, and a portion of the South Coast Air Quality Management Plans.

SCAG adopted its most recent Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), Connect SoCal, in September 2020. Connect SoCal is a long-range visioning plan that provides a vision for the region's future and includes over 4,000 transportation projects. The plan is supported by a combination of transportation and land use strategies that help the region achieve state greenhouse gas emission reduction goals.

[San Bernardino County Transportation Authority](#)

The San Bernardino County Transportation Authority (SBCTA), formerly known as the San Bernardino Associated Governments (SANBAG), is responsible for cooperative regional planning and furthering an efficient multi-modal transportation system countywide. The SBCTA administers Measure I, the half-cent transportation sales tax approved by county voters in 1989, and supports freeway construction projects, regional and local road improvements, train and bus transportation, railroad crossings, call boxes, ridesharing, congestion management efforts, and long-term planning studies.

[San Bernardino Countywide Transportation Plan](#)

SBCTA developed the County's Countywide Transportation Plan (CTP), which was updated in 2021. The plan serves as the County's input into SCAG's RTP/SCS. The purpose of the CTP is to lay out a strategy for long-term investment in and management of the County's transportation system. Key issues addressed by the CTP include transportation funding, congestion relief, economic competitiveness, system preservation and operations, transit system interconnectivity, air quality, sustainability, and GHG emission reductions. The CTP has developed a set of strategies to address issues such as air quality, goods movement, sustainability, and active transportation.



[San Bernardino County Non-Motorized Transportation Plan](#)

SBCTA released the most recent update of the San Bernardino County Non-Motorized Transportation Plan in June 2018. SBCTA serves in an advisory role, including identifying projects on the regional network, providing advisory support for project development, supporting local education and safety efforts, encouraging the incorporation of nonmotorized facilities into general and specific plans, and working to identify grant opportunities. The plan includes goals to develop an integrated plan and identify sources of funds to implement that plan to promote increased bicycle and pedestrian access, increased travel by cycling and walking, routine accommodation in transportation and land use planning, and improved bicycle and pedestrian safety. The plan lays out design guidelines, bikeway and pedestrian system recommendations, implementation strategies and priorities, and funding opportunities. It points out that local jurisdictions are ultimately responsible for implementing projects included in the plan.

[Short Range Transit Plan](#)

SBCTA developed a Short Range Transit Plan (SRTP) to help guide transit service improvements in the region over the next five years. The SRTP identifies transit service plans and help prioritize major capital improvement projects for the region's transit needs. Goals of the SRTP include connectivity between the various transit agencies in the County, facilitating transit travel between regions of the County and between the County and surrounding counties, and cost-effective accessibility programs for seniors and persons with disabilities. The SRTP was released in December 2016.

[Long Range Transit Plan](#)

SBCTA developed a Long Range Transit Plan (LRTP) to address the County's current and future travel challenges and create a transportation system that can increase the role of transit in the future. The LRTP establishes a transit vision for the next 25 years, prioritizes goals and projects for transit growth, and prioritizes connecting land use and transportation strategies. The LRTP developed four alternatives: Baseline (with existing transit services), Plan (existing transit and currently planned improvements), Vision (existing transit, planned improvements, and rapid bus and rail), and Sustainable Land Use (redistributing growth to transit corridors and creating Transit Oriented Developments at station areas). The SRTP was released in April 2010.

[San Bernardino Countywide Points of Interest Pedestrian Plan](#)

SBCTA developed a Countywide Points of Interest Pedestrian Plan to assist member agencies with the development of tools and guidelines for identifying and prioritizing pedestrian improvements. The project's goals include connecting various SBCTA member agencies and synchronizing project planning and implementation, given that each agency has varying pedestrian accommodations, capital improvement programs, and maintenance regimes.

[Congestion Management Program for San Bernardino County](#)

The Congestion Management Program (CMP) for San Bernardino County, published and periodically updated by SBCTA, defines a network of state highways and arterials in the County and provides guidelines regarding LOS standards, impact criteria, and a process for mitigation of impacts on CMP facilities in the County. The CMP was last updated in June 2016. Based on SBCTA's CMP, the level-of-service (LOS)



standard for the regional CMP roadway system is E for all segments and intersections. Within the Project Area, Sierra Avenue and Foothill Boulevard are part of the County’s CMP Road System.

LOCAL

[City of Fontana General Plan](#)

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts to transportation-related impacts. Chapter 9, Community Mobility and Circulation, and Chapter 14, Downtown Area Plan Elements contain the following goals and policies potentially relevant to the proposed Project:

Chapter 9 – Community Mobility and Circulation

Goal 1: The City of Fontana has a comprehensive and balanced transportation system with safety and multimodal accessibility the top priority of citywide transportation planning, as well as accommodating freight movement.

- **Policy:** Provide roadways that serve the needs of Fontana residents and commerce, and that facilitate safe and convenient access to transit, bicycle facilities, and walkways.
- **Policy:** Make safety and multimodal accessibility the top priority of citywide transportation planning.
- **Policy:** Apply the six “E’s” of the Safe Routes to School program to transportation planning and implementation—Encouragement, Education, Engineering, Enforcement, Evaluation, and Equity.
- **Policy:** Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2014-2040 Regional Transportation Plan and Sustainable Communities Strategy.

Goal 2: Fontana’s street network is safe and accessible to all users, especially the most vulnerable such as children, youth, older adults and people with disabilities.

- **Policy:** When constructing or modifying roadways, design the roadway space for use by all users when feasible, including motor vehicles, buses, bicyclists, mobility devices, and pedestrians, as appropriate for the context of the area.
- **Policy:** Support designated truck routes that avoid negative impacts on residential and commercial areas while accommodating the efficient movement of trucks on designated truck routes and arterial streets.

Goal 3: Local transit within the City of Fontana is a viable choice for residents, easily accessible and serving destinations throughout the city.

- **Policy:** Maximize the accessibility, safety, convenience, and appeal of transit service and transit stops.
- **Policy:** Promote concentrated development patterns in coordination with transit planning to maximize service efficiency and ridership.

Goal 4: Fontana’s neighborhood streets maintain a residential character and support a range of transportation options.



- **Policy:** Balance neighborhood traffic circulation needs with the goal of creating walkable and bike friendly neighborhoods.
- **Policy:** Develop and implement Best Practice Street Design standards for new residential street development projects.

Goal 5: Fontana’s commercial and mixed-use areas include a multifunctional street network that ensures a safe, comfortable, and efficient movement of people, goods, and services to support a high quality of life and economic vitality.

- **Policy:** Provide a transportation network that is compatible with the needs of commerce and those who live, work and shop in mixed-use areas.
- **Policy:** Encourage mixed use and commercial developments that support walking, bicycling, and public transit use while balancing the needs of motorized traffic to serve such developments.

Goal 6: The city has attractive and convenient parking facilities for both motorized and non-motorized vehicles that fit the context.

- **Policy:** Provide the right amount of motor vehicle and bicycle parking in commercial and employment centers to support vibrant economic activity.
- **Policy:** Encourage approaches that reduce the overall number of new parking spaces that must be provided on-site for new development.

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

- **Policy:** Lead and participate in initiatives to manage regional traffic.
- **Policy:** Coordinate with regional agencies and Caltrans to participate in regional efforts to maintain transportation infrastructure in Fontana.
- **Policy:** Participate in the efforts of the Southern California Association of Governments (SCAG) to coordinate transportation planning and services that support greenhouse gas reductions.
- **Policy:** Participate in the efforts by Caltrans to reduce congestion and improve traffic flow on area freeways.

Chapter 14 – Downtown Area Plan

Chapter 14, Downtown Area Plan, provides a comprehensive vision for the City’s Downtown Area. The plan specifies goals, strategies and actions that aid in the implementation of the vision over time. The Downtown Area Plan divides the Downtown area into three primary districts: Downtown Core, Gateway Corridors, and In-Town Neighborhoods. Each district has their own set of goals as laid out below:

- **Downtown Core:** primary area consisting of retail, transit, and civic destinations for the general public
 - Livable public realm that consist of street network, parks, and other publicly accessible open spaces along with public and civic buildings and facilities



- Buildings that accommodate a lively mix of uses that contribute to Downtown’s envisioned character with beautiful facades, pedestrian-oriented frontages, warm lighting, and artistic signage
- Activity-rich downtown that offer a wide range of commercial and civic amenities that attract people to the Downtown center
- User-friendly district parking that are conveniently located, clearly marked, easy to find, and adequate for the public needs
- Clear branding and wayfinding system for the area that’ll help the growing multi-use district compete with suburban shopping centers and entertainment districts
- **Gateway Corridors: carrying large volumes of people into the Downtown Core**
 - Foothill Boulevard will be transformed into highly-visible gateways that are designed to direct visitors into the Downtown Core
 - South Sierra Avenue will include new mixed-use development, streetscape improvements, and branding and wayfinding signage along Sierra
 - Organized corridor infill with commercial, mixed-use, and housing of various forms and intensities in and around Downtown
- **In-Town Neighborhoods: enhancing neighborhoods near the Downtown Core**
 - Shady streets and open spaces that are pedestrian friendly and create a nice walkable environment
 - Neighborhood-scale blocks that connect together conveniently for all road users
 - Neighborhood-scale buildings that provide a degree of privacy for residents, improving safety and security

[Fontana Active Transportation Plan](#)

The City of Fontana developed and approved an Active Transportation Plan (ATP) in 2017 to guide infrastructure improvements towards improving mobility throughout the City through safe, convenient, accessible, and comfortable walking and bicycling linkages. The following goals are the most relevant to the Downtown Area Plan:

- Increase and improve pedestrian and bicyclist access to employment centers, schools, transit, recreation facilities, and other community destinations through the City
- Improve safety through the design and maintenance of sidewalks, streets, intersections, and other roadway improvements such as signage, striping, lighting, wayfinding, and landscaping
- Improve the quality, operation, and integrity of the pedestrian and bicycle network infrastructure and facilities that allows for convenient and direct connections throughout the City

Within the Project Area, the ATP includes new planned bike facilities on Foothill Boulevard, Arrow Boulevard, Valencia Avenue, Orange Way, Ceres Avenue, and Sierra Avenue.

[City of Fontana Municipal Code](#)

City of Fontana Municipal Code Chapter 17, *Motor Vehicles and Traffic*, contains ordinances for traffic administration; operation of motor vehicles; stopping, standing and parking; loading and unloading;



pedestrians and bicycles; truck routes; funding of air pollution reduction programs; and illegal street racing.

[City of Fontana Traffic Impact Analysis Guidelines](#)

The City of Fontana developed their own traffic impact analysis (TIA) guidelines to consistently assess the traffic impacts generated by development projects on the surrounding transportation network. The TIA guidelines serve as a tool for the City to evaluate the effects a development will have on the City's transportation infrastructure, identify improvements required to maintain the City's Level of Service (LOS) standards and address Section XVII (Transportation) of Appendix G of the California Environmental Quality Act (CEQA) Guidelines. The TIA guidelines include requirements to determine the analysis study area, analyses scenarios, and analyses processes. Finally, the TIA guidelines include recommendations for determining VMT impact thresholds and mitigation requirements for various land use projects.

5.14.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to transportation. A significant transportation impact would occur if the Project would:

- Conflict with an applicable plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities (refer to Impact Statement 5.14-1);
- Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) (refer to Impact Statement 5.14-2);
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment) (refer to Impact Statement 5.14-3); and/or
- Result in inadequate emergency access (refer to Impact Statement 5.14-4).

VEHICLE MILES TRAVELED THRESHOLDS

The City's VMT significant impact thresholds for land use plans are:

- **Project Threshold:** a significant impact would occur if the VMT per service population for the land use plan exceeds 15 percent below the countywide average VMT per service population. This provides a comparison to the countywide average VMT per service population. Service population is defined as the sum of resident population and employees working in the City (Fontana residents who also work in Fontana are counted twice).
- **Cumulative Threshold:** a significant impact would occur if the Project caused total daily VMT within the City to be higher than the No Project alternative under cumulative conditions. In other words, if within the City the Project causes an increase in VMT compared to the No Project alternative a significant impact would occur. This would indicate if the Project changes VMT within the City network.



Cumulative conditions are measured for the General Plan horizon year (2040). VMT is calculated using the SBTAM travel demand model. The model output includes total VMT, which includes vehicle trips for all trip purposes, and VMT per service population (population plus employment).

Based on these standards and significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a "significant unavoidable impact."

5.14.5 IMPACTS AND MITIGATION MEASURES

Impact 5.14-1: Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?

Impact Analysis: A conflict could occur if the proposed Project would preclude the ability of Fontana to implement its goals or policies. For the purpose of this analysis, the Project could result in a significant impact if it results in a conflict with any adopted City of Fontana programs, plans, ordinances, and policies.

ROADWAYS

The Project proposes to modify the existing circulation within the Project Area specific to Nuevo Avenue, Wheeler Avenue, and Sierra Avenue. As described in Section 3.0, *Project Description*, General Plan Chapter 9, Community Mobility and Circulation, Exhibit 9.2, Hierarchy of Streets in Fontana, would be amended to modify the roadway functional class for Nuevo Avenue and Wheeler Avenue and to remove the roadway functional class for Sierra Avenue between Arrow Boulevard and Orange Way. The proposed street closure and associated pedestrian improvements would help to implement several City policies, as noted below. A local transportation analysis is being prepared to evaluate the performance of the circulation system so that intersections and roadways are designed to accommodate future traffic volumes.

PEDESTRIAN AND BICYCLE TRAVEL

The City's ATP describes the related policies necessary to ensure that pedestrian and bicycle facilities are safe and effective for Fontana residents, employees and visitors. Using the ATP as a guide, significant impacts to these facilities would occur when a plan or project:

- creates a hazardous condition that currently does not exist for pedestrians and bicyclists, or otherwise interferes with pedestrian accessibility; or
- conflicts with an existing or planned pedestrian or bicycle facility; or
- conflicts with policies related to bicycle and pedestrian facilities as adopted by the City of Fontana for its respective facilities.

The Project would enhance the pedestrian experience by providing a more walkable and denser environment. It would also close a quarter-mile portion of Sierra Avenue to vehicular traffic. Within the Project Area, the City of Fontana's ATP includes new planned bike facilities on Foothill Boulevard, Arrow Boulevard, Valencia Avenue, Orange Way, Ceres Avenue, and Sierra Avenue. The Project would close a quarter-mile segment of Sierra Avenue to traffic while still allowing for a Class I bike path on that segment. The Project would also allow for Class 2 bike lanes on Valencia Avenue and Orange Way to provide for



east-west bicycle traffic in the area. The Project is consistent with the goals and policies of Fontana’s ATP by focusing on land use development near high-quality transit service and implementing Complete Streets improvements that would enhance the safety and attractiveness of bicycle and pedestrian travel. The development would be fully consistent with local and regional policies for reducing VMT and greenhouse gas emissions as well as improving transportation safety.

TRANSIT

Generally, a plan/project causes a significant impact to transit facilities and services if an element of it conflicts with existing or planned transit services. The evaluation of transit facilities shall consider if:

- a plan or project creates demand for public transit services above the capacity that is provided or planned;
- a plan or project or related mitigation disrupts existing transit services or facilities;
- a plan or project or related mitigation conflicts with an existing or planned transit facility; or
- a plan or project or related mitigation conflicts with transit policies adopted by the City of Fontana for its respective facilities.

The Downtown Core Project would provide for increased activity adjacent to existing bus and rail transit services and be consistent with regional plans to provide service improvements and increase ridership on those services. The proposed plans would not conflict with transit policies adopted by the City of Fontana or San Bernardino County for their respective facilities.

CONCLUSION

The City has numerous policies supporting complete streets and to promote use of transit and active transportation. The proposed Project would not conflict with policies, plans, or programs regarding roadways, bicycle, pedestrian, or transit facilities or the performance or safety of those facilities. The Project would support the implementation of policies and programs to provide new and improved facilities to support multi-modal transportation and access within the Project Area. Impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.14-2: Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Impact Analysis: Consistent with the City’s TIA Guidelines, a project may be screened out of a detailed VMT analysis if one of the four following conditions apply:

- Development is located in a transit priority area
- Development is located in a low VMT generating area
- Development is considered to be a low VMT generating project type
- Development generates net daily trips less than 500 average daily trips (ADT)



The Project as a whole does not meet any of screening criteria above. While most of the Project is located within a transit priority area, it is not entirely located within a transit priority area, and therefore cannot be screened out as a whole.

For projects that are not screened out, a detailed VMT analysis and forecast through the SBTAM model should be conducted to determine if the project will result in a significant VMT impact. A project would result in a significant project-generated VMT impact if:

- **Project Threshold:** the project’s VMT per service population exceeds 15 percent below the existing countywide average VMT per service population.
- **Cumulative Threshold:** the project causes total daily VMT within the City to be higher than the no project alternative under cumulative conditions.

Table 5.14-2, *Project Area VMT*, summarizes the VMT results under existing, 2040 without Project, and 2040 with Project conditions.

**Table 5.14-2
Project Area VMT**

Units	Existing ¹	2040 Without Project ²	2040 With Project
San Bernadino County			
VMT per Service Population	38.62	35.13	35.11
Impact Threshold (15% below regional average)	32.82	32.82	32.82
Total Project VMT			
Total VMT	320,765	884,989	983,134
VMT per Service Population	30.00	20.13	19.29
Exceeds Threshold?	NO	-	NO
Source: Kittelson and Associates, 2022.			
Notes:			
1. Existing conditions correspond to the model base year 2016 conditions.			
2. 2040 Without Project corresponds to 2040 conditions under currently adopted plans consisting of the adopted General Plan network and land use; assumes allowable land use buildout with existing zoning.			

As shown in Table 5.14-2, future conditions with the proposed Project would result in decreased VMT per service population in comparison to both existing conditions and 2040 Without Project conditions.

- The VMT per service population with the Project would be 36 percent lower than existing conditions.
- The VMT per service population with the Project would be four percent lower than 2040 Without Project conditions.

The reductions from the existing (base) year to the future year indicate that future development anticipated by the proposed Project, in particular planned mixed-use development, would provide more opportunities for Fontana residents and employees to access jobs and services within shorter distances. The shorter trip distances reduce VMT by vehicles, and also increase the likelihood that trips would be



made by non-auto modes such as bicycling and walking. Improved transit service and accessibility to transit also help to reduce VMT even as travel activity increases.

Implementation of the Project would result in reductions in VMT per service population compared to existing conditions and would not exceed the impact threshold. Therefore, the Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) and the impact of the Project would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.14-3: Would the project substantially increase hazards due to geometric design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Impact Analysis: Buildout of the Project would involve the alteration, intensification, and redistribution of land uses in the Project Area. Hazards are typically assessed at the individual project level when an actual design and construction of a circulation facility is proposed. Potential impacts associated with future development projects would be analyzed and evaluated in detail through the City review process for those individual projects. The City's design and construction standards and specifications provide for coordinated and standardized development of City facilities, including roadways. The standards apply to, regulate, and guide the design and preparation of plans, and the construction of streets, highways, alleys, drainage, traffic signals, site access, and related public improvements. As individual projects would undergo review for approval and construction and would have to meet design guidelines, potential safety design hazards associated with future site-specific development projects would be addressed and result in less than significant impacts.

The proposed modifications to Sierra Avenue in the area between Orange, Arrow, Wheeler and Nuevo that would consist of roadway and intersection modifications that would affect all modes of travel. These improvements are currently under concept-level review. Prior to implementation, these improvements would be subject to a detailed review and future consideration by the City's Public Works engineering staff. An evaluation of the roadway alignments, intersection geometrics, and traffic control features would be conducted at the project design level. Roadway improvements would have to be made in accordance with the City's circulation plan and roadway design guidelines and meet design guidelines in the California Manual of Uniform Traffic Control Devices and the Caltrans Roadway Design Manual. In addition, the City of Fontana General Plan Community Mobility and Circulation Element includes goals, policies, and actions to improve the safety of all users of the transportation system in the City, including ensuring all streets, intersections, and parking areas are designed with safety and all users in mind; working with Metrolink to increase safety at train crossings, including improving gate technology, grade separation, and signal coordination; and implementing access-management techniques in commercial and mixed-use areas that allow for smooth traffic flow while creating a safe environment for non-motorized users. Overall, implementation of the Downtown Core Project would not result in hazardous conditions.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.



Impact 5.14-4: Would the project result in inadequate emergency access?

Impact Analysis: The proposed Downtown Core Project would provide for increased residential and non-residential uses within the Project Area. Additionally, the Project proposes roadway modifications that would ultimately close a quarter-mile portion of Sierra Avenue to vehicular traffic. This would occur in two phases. Phase I (interim condition) would reduce the number of travel lanes on Sierra Avenue from two lanes in each direction to one lane in each direction, convert Wheeler Avenue to a one-way northbound street, and convert Nuevo Avenue to a one-way southbound street. Phase II (the ultimate condition) would close Sierra Avenue between Arrow Boulevard and Orange Way to vehicular traffic, diverting traffic to parallel streets.

Implementation of the proposed Project would not result in inadequate emergency access. Emergency access associated with future site-specific development would be analyzed and evaluated in detail through the City review process for those individual projects. As described in Section 5.13, *Public Services and Recreation*, the Fontana Fire Protection District (FFPD) provides fire and emergency response service to the City of Fontana, including the Project Area. Future development within the Downtown Core would be required to comply with applicable City codes and regulations pertaining to emergency response and evacuation plans maintained by the City police and fire departments. The City's emergency access standards would apply to all development proposed under the proposed Project.

The ultimate closure of a quarter-mile portion of Sierra Avenue to vehicular traffic would not result in inadequate emergency access. Closure of a portion of Sierra Avenue would also involve the conversion of Wheeler Avenue to a one-way northbound street, and Nuevo Avenue to a one-way southbound street, providing continued emergency access within the area. Further, the proposed closure and ultimate design of Sierra Avenue would be reviewed by the FFPD to ensure that adequate emergency access would be maintained within the area.

The City has adopted the current edition of the California Fire Code and access for emergency vehicles would be required to be incorporated into project design. Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Primary access to all major roads would be maintained during construction of future developments within the Project Area. As part of the site review process, future development projects would be reviewed for adequate infrastructure and access as well as consistency with adopted emergency and evacuation plans in order to ensure adequate emergency access would be provided. Therefore, Project implementation would not result in inadequate emergency access and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.



5.14.6 CUMULATIVE IMPACTS

Impact Analysis:

CIRCULATION SYSTEM

As discussed, the Project proposes to modify specific roadways within the Project Area. The proposed modifications are within the interior of the Project Area and would not combine with other potential roadway modifications that may be proposed by development outside of the Project Area. Any proposed roadway modifications within the City would be analyzed and designed to ensure operation of the City's circulation system is consistent with the General Plan Community Mobility and Circulation Element.

The Project would enhance the pedestrian experience by providing a more walkable and denser environment and would continue to allow for implementation of the City's ATP specific to bicycle and pedestrian facilities. The Project is consistent with the goals and policies of Fontana's ATP by focusing on land use development near high-quality transit service and implementing Complete Streets improvements which would enhance the safety and attractiveness of bicycle and pedestrian travel. Cumulative development within the City would be reviewed for consistency with the City's ATP to ensure implementation of the ATP would not be impeded by development and that proposed pedestrian and bicycle facilities comply with the ATP.

The Downtown Core Project would provide for increased activity adjacent to existing bus and rail transit services and be consistent with regional plans to provide service improvements and increase ridership on those services. Cumulative development within the City would also be reviewed to ensure it would not conflict with existing transit services.

Overall, the proposed Project would not conflict with policies, plans, or programs regarding roadways, bicycle, pedestrian, or transit facilities or the performance or safety of those facilities. The Project would support the implementation of policies and programs to provide new and improved facilities to support multi-modal transportation and access within the Project Area. Cumulative development within the City would also be reviewed to ensure that proposed development would not conflict with the City's policies, plans, and programs related to the circulation system. The proposed Downtown Core Project's incremental contribution to cumulative circulation impacts would be less than cumulatively considerable.

VMT

A significant cumulative VMT impact would occur if there were a net increase in total regional VMT under horizon year 2040 conditions. The total VMT within the City's boundaries was calculated under the Cumulative (2040) condition without and with implementation of the Project; refer to [Table 5.14-3, VMT Within Fontana City Boundary](#). The Cumulative VMT within the City under No Project conditions is 5,456,350. The Cumulative VMT with the proposed Project would be 5,484,250. Therefore, the Project (under maximum development potential) would result in a citywide VMT increase of 27,900. This corresponds to a 0.51 percent increase in the total VMT compared to the No Project scenario.



**Table 5.14-3
VMT Within the Fontana City Boundary**

Units	Existing ¹	2040 Without Project ²	2040 With Project
Total VMT	3,832,922	5,456,350	5,484,250
Source: Kittelson and Associates, 2022.			
Notes:			
1. Existing conditions correspond to the model base year 2016 conditions. 2. 2040 Without Project corresponds to 2040 conditions under currently adopted plans consisting of the adopted General Plan network and land use; assumes allowable land use buildout with existing zoning.			

To offset the 27,900 VMT increase with the Project, it would be necessary to reduce the cumulative VMT generated by the Project. Under horizon year 2040, the Project would generate 989,134 total VMT (including travel both within and outside the Fontana city boundary). As such, the VMT within the Project Area would need to be reduced by 2.8 percent to address the 27,900 increase in VMT with the Project.

It should be noted that the SBTAM travel demand model used to estimate the Project’s VMT impacts does not fully account for effects of the pedestrian, bicycle, and transit environment enhancements proposed as part of the Project, which would promote pedestrian and bicycle travel and the use of transit. The majority of the Project Area is within a Transit Priority Area and the Project would provide for a mix of existing and new buildings, with the development of new residential units near transit and along major corridors.

To assess the reduction in VMT with features of the Project, potential VMT reductions have been identified from the California Air Pollution Control Officers Association (CAPCOA) *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity*, published in December 2021 (CAPCOA’s Handbook). The Project would primarily consist of transit-oriented development (TOD), consistent with the definition in CAPCOA’s Handbook. CAPCOA’s Handbook defines TOD projects as “built in compact, walkable areas that have easy access to public transit, ideally in a location with a mix of uses, including housing, retail offices, and community facilities. Project site residents, employees, and visitors would have easy access to high-quality public transit, thereby encouraging transit ridership and reducing the number of single-occupancy vehicle trips.

For example, CAPCOA Measure T-3, Provide Transit-Oriented Development has been shown to reduce car use and encourage use of transit, which can reduce VMT from between 6.9 to 31 percent. Assuming the lower range reduction, the Project would have a daily VMT reduction of 67,836 (6.9% of 983,134). A reduction of this magnitude due to the Project features would result in less VMT compared to 2040 No Project conditions.

The proposed improvements to the transportation network and the new land uses associated with the Project would be consistent with Measure T-3, and therefore could expect to have a reduction of in excess of 27,900 VMT. Applying this reduction to the Cumulative Project-level VMT analysis indicates that the Project would not result in an increase in the regional VMT. Therefore, the Project’s incremental contribution to cumulative VMT would not be cumulatively consideration and impacts would be less than significant.



HAZARDS AND EMERGENCY ACCESS

Site-specific development associated with Project implementation and cumulative development projects would be evaluated through the City's review process to ensure compatibility of uses, including consistency with General Plan goals, policies, and actions and compliance with the City's Municipal Code. Individual development, including any proposed roadways or roadway modifications, would be required to adhere to the City's design and construction standards and specifications related to public improvements to ensure hazard conditions would not occur. The proposed Project would not result in a cumulative contribution to an increase in hazards and impacts would be less than significant.

Implementation of the proposed Project would not result in inadequate emergency access. Emergency access associated with future site-specific development would be analyzed and evaluated in detail through the City review process for those individual projects. Similarly, cumulative development projects would be reviewed to ensure adequate emergency access is provided in compliance with applicable City codes and regulations.

The Project's proposed roadway modifications, resulting in the ultimate closure of a quarter-mile portion of Sierra Avenue to vehicular traffic would not result in inadequate emergency access. Closure of a portion of Sierra Avenue would also involve the conversion of Wheeler Avenue to a one-way northbound street, and Nuevo Avenue to a one-way southbound street, providing continued emergency access within the area. Further, the proposed closure and ultimate design of Sierra Avenue would be reviewed by the FFPD to ensure that adequate emergency access would be maintained within the area. As stated, the proposed modifications are within the interior of the Project Area and would not combine with other potential roadway modifications that may be proposed by development outside of the Project Area. Any proposed roadway modifications within the City would be analyzed and designed to ensure operation of the City's circulation system is consistent with the General Plan Community Mobility and Circulation Element. Therefore, the proposed Project would not result in a cumulative contribution to inadequate emergency access and impacts would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.14.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with transportation would occur with the proposed Project.

5.14.8 REFERENCES

Kittelson & Associates, Inc., *Fontana Downtown Core Project Transportation Study*, January 2023.



5.15 TRIBAL CULTURAL RESOURCES

5.15.1 PURPOSE

This section discusses tribal cultural resources within the Project Area, and provides an analysis of potential impacts associated with implementation of the Project. This section is based primarily on the Fontana Forward: General Plan Update 2015-2035 Draft Environmental Impact Report (State Clearinghouse No. 016021099) (City of Fontana, 2018).

5.15.2 ENVIRONMENTAL SETTING

ETHNOHISTORIC OVERVIEW

During the Ethnohistoric period two groups claimed this area as their use area. These were the Gabrielino and the Serrano. Both of these groups trace their ancestry through artifacts, oral history, and cultural traditions to the San Bernardino County areas. The Gabrielino territory lies mainly to the west and the Serrano to the east from the City but the boundary is broad and undefined, allowing for interaction and trade between the groups. Both groups practiced a hunting-gathering subsistence strategy and both were decimated by disease and forceful eviction as more settlers discovered the rich valleys of historic San Bernardino County.

Gabrielino

The group that inhabited much of southern California from the Pacific Coast near present day Los Angeles, including three of the Channel Islands and, into the current San Bernardino County area were historically referred to by association with the San Gabriel Mission. The name was spelled Gabrieliño or Gabrieleño and although there is little evidence that they used a general name to define their cultural groups they most likely identified by the community or area they were from. Today various groups prefer the designation of Tongva or Kizh, rather than Gabrielino. This section will use the name Tongva for this group. The Tongva territory encompassed a vast area that covered an area of more than 2,500 square miles (Bean and Smith 1978, McCawley 1996). At European contact, the tribe consisted of more than 5,000 people living in various settlements throughout the region. The Tongva are considered to have been one of the wealthiest tribes and they appear to have greatly influenced tribes they traded with.

The Tongva practiced hunting and gathering economy and at the time of Spanish contact, as early as 1542 for coastal groups with the Cabrillo expedition, with plant foods playing a significant part of the Tongva diet. Seeds were parched then ground and cooked as mush in various combinations according to availability and personal preferences. Plant foods would be eaten raw or cooked and would also be dried for storage. Bulbs, roots, and tubers were dug in the spring and summer and usually eaten fresh. Various teas were made from flowers, fruits, stems, and roots for medicinal cures as well as beverages. The principal game animals were deer, rabbit, jackrabbit, woodrat, mice, ground squirrels, antelope, quail, dove, ducks, and other birds. Predators were largely avoided as food, as were tree squirrels and most reptiles. Houses were domed, circular structures that were thatched with tule or similar materials. The coastal Tongva groups are renowned for their workmanship of steatite and these artifacts were highly prized. Common everyday steatite items were often decorated with inlaid shell or carvings reflecting the intricately developed skill of the creator.



Serrano

The Serrano, like the Tongva, occupied large areas of land that included the City. Their territory was as diverse as the Tongva and included the San Gabriel and San Jacinto Mountains and the Mojave and Colorado Desert. Historically, they have been referred to as Desert Serrano and Mountain Serrano. The name Serrano, given the group by the Spanish, means “mountain dwellers”. Serrano who lived at Yuhaviat, near present day Big Bear Lake, were called the Yuhaviatam, People of the Pines.

The Serrano practiced a hunting and gathering economy with an expansive variety of subsistence choices ranging from the valleys and desert to the mountains. Plant food would have included honey mesquite, acorn, pinyon, yucca, berries, and chia seeds. The cultural area of the Serrano would have allowed deer, pronghorn, and bighorn sheep as well as small game such as rabbits, birds, and aquatic life from the Mojave and Santa Ana Rivers. The desert and mountain Serrano would share resources to supplement their local supplies. The Serrano used willow and yucca fiber to build dome-shaped homes, called a Kiic, that measured 12-14-feet across. Yucca fiber, along with deergrass, and juncus were used to weave magnificent baskets durable enough to hold water and hot stones and to boil water.

The Serrano, called kuko'mkar or qaqa'yvit by the Tongva, were able to avoid many of the disrupting influences of Spanish settlers and the California Mission system until 1819 when an asistencia, a mission outpost, was built in the what is now known as Redlands. After this time and until the secularization in 1834, many Serrano were forcibly removed from their homelands to missions. In 1866 militia forces killed many Serrano men, women, and children in a 32-day campaign. A Yuhaviatam tribal leader named Santos Manuel safely led the remaining Yuhaaviatam from their mountain homelands to valley floor. The San Manuel Reservation, and associated San Manuel Band of Mission Indians, are named in honor of this heroic leader.

TRIBAL CULTURAL RESOURCES

As discussed in [Section 5.4, *Cultural Resources*](#), over 80 previously recorded prehistoric and historic-era archaeological sites have been identified in the City. Prehistoric sensitivity in Fontana is mostly concentrated in the southern and northern portions of the City. A cluster of prehistoric sites was previously identified in the southern portion of the City and has been interpreted by archaeologists to be the remains of an important Native American village with associated campsites and habitation sites nearby. The majority of the prehistoric sites within the City represent evidence of Native American food-processing activity, such as bedrock milling features, which are common to the area. All of the prehistoric sites previously identified are clustered along the foothills of the San Gabriel Mountains and the Jurupa Hills.

NATIVE AMERICAN CONSULTATION

A Sacred Lands File (SLF) search was requested from the Native American Heritage Commission (NAHC) on November 21, 2022. NAHC's response stated the SLF search had been completed with positive results and included a list of Native American individuals or tribal organizations that may have knowledge of cultural resources within or near the Project site.

The City of Fontana conducted Native American consultations under Senate Bill (SB) 18 (Chapter 905, Statutes of 2004), which requires local governments to consult with Tribes prior to making certain



planning decisions and requires consultation and notice for a general and specific plan adoption or amendments in order to preserve, or mitigate impacts to, cultural places that may be affected. In addition to SB 18 consultation, the City conducted tribal consultations under the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21080.3.1 subdivisions (b), (d) and (e)), also known as Assembly Bill (AB) 52, which requires consulting for projects within the City of Fontana's jurisdiction and within the traditional territory of the Tribal Organizations who have previously requested AB 52 consultations with the City.

On November 30, 2022, December 12, 2022, and December 20, 2022, the City of Fontana sent letters via certified mail to Native American individuals and/or Tribal Organizations in compliance with AB 52 and SB 18; refer to [Appendix F, Tribal Consultation/Correspondence](#). The City received a response from one tribe, the Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians). The Yuhaaviatam of San Manuel Nation (YSMN) noted the Project Area exists within Serrano ancestral territory and is of interest to the Tribe.

5.15.3 REGULATORY SETTING

FEDERAL

[National Historic Preservation Act](#)

Enacted in 1966 and amended in 2000, the National Historic Preservation Act (NHPA) declared a national policy of historic preservation and instituted a multifaceted program, administered by the Secretary of the Interior, to encourage the achievement of preservation goals at federal, State, and local levels. The NHPA authorized the expansion and maintenance of the National Register of Historic Places (NRHP), established the position of State Historic Preservation Officer (SHPO) and provided for the designation of State Review Boards, set up a mechanism to certify local governments to carry out the purposes of the NHPA, assisted Native American tribes to preserve their cultural heritage, and created the Advisory Council on Historic Preservation (ACHP).

[Section 106 Process](#)

Through regulations associated with the NHPA, an impact to a cultural resource would be considered significant if government action would affect a resource listed in or eligible for listing in the NRHP. The NHPA codifies a list of cultural resources found to be significant within the context of national history, as determined by a technical process of evaluation. Resources that have not yet been placed on the NRHP, and are yet to be evaluated, are afforded protection under the Act until shown not to be significant.

Section 106 of the NHPA and its implementing regulations (36 Code of Federal Regulations Part 800) state that for a cultural resource to be determined eligible for listing in the NRHP, the resource must meet specific criteria associated with historic significance and possess certain levels of integrity of form, location, and setting. The criteria for listing on the NRHP are applied within an analysis when there is some question as to the significance of a cultural resource. The criteria for evaluation are defined as the quality of significance in American history, architecture, archeology, engineering, and culture. This quality must be present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it is significant under one or more of the following criteria:



- Criterion A: It is associated with events that have made a significant contribution to the broad patterns of our history; or
- Criterion B: It is associated with the lives of persons significant in our past; or
- Criterion C: It embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- Criterion D: It has yielded, or may be likely to yield, information important in prehistory or history.

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

The Section 106 evaluation process does not apply to projects undertaken under City environmental compliance jurisdiction. However, should the undertaking require funding, permits, or other administrative actions issued or overseen by a Federal agency, analysis of potential impacts to cultural resources following the Section 106 process would likely be necessary. The Section 106 process typically excludes cultural resources created less than 50 years ago unless the resource is considered highly significant from the local perspective. Finally, the Section 106 process allows local concerns to be voiced and the Section 106 process must consider aspects of local significance before a judgment is rendered.

STATE

California Environmental Quality Act

CEQA requires a lead agency determine whether a project may have a significant effect on historical resources (Public Resources Code Section 21084.1). A historical resource is a resource listed in, or determined to be eligible for listing, in the CRHR, a resource included in a local register of historical resources, or any object building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (State CEQA Guidelines, Section 15064.5[a][1-3]).

A resource is considered historically significant if it meets any of the following criteria:

- 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- 2) Is associated with the lives of persons important in our past;
- 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- 4) Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, if it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (Public Resources Code Section 21083.2[a], [b], and [c]). Public Resources Code Section 21083.2(g) defines a unique archaeological resource as an archaeological



artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

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

[California Register of Historical Resources \(CRHR\)](#)

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

[Public Resources Code Section 5097 \(Related to Cultural Resources\)](#)

California Public Resources Code (PRC) Section 5097 addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the California Native American Heritage Commission (NAHC) to resolve disputes regarding the disposition of such remains. It has been incorporated into Section 15064.5(e) of the CEQA Guidelines.

The NAHC, created in statute in 1976 (Chapter 1332, Statutes of 1976), is a nine-member body whose members are appointed by the Governor. The NAHC identifies, catalogs, and protects Native American cultural resources -- ancient places of special religious or social significance to Native Americans and known ancient graves and cemeteries of Native Americans on private and public lands in California. The NAHC is also charged with ensuring California Native American tribes’ accessibility to ancient Native American cultural resources on public lands, overseeing the treatment and disposition of inadvertently discovered Native American human remains and burial items, and administering the California Native American Graves Protection and Repatriation Act (CalNAGPRA), among many other powers and duties. (NAHC)

PRC Sections 5097.9 through 5097.991 establish that no public agency or private party using or occupying public property (or operating on under a public license, permit, grant, lease or contract made after July 1, 1977) shall in any manner interfere with the free expression or exercise of Native American religion as provided in the U.S. Constitution and the California Constitution. It also prohibits such agencies and parties from causing severe or irreparable damage to any Native American sanctified cemetery, place of worship,



religious or ceremonial site or sacred shrine located on public property, except on a clear and convincing showing that the public interest and necessity so require it.

These sections also establish the state's NAHC. The NAHC is tasked with working to ensure the preservation and protection of Native American human remains, associated grave goods and cultural resources. Towards this end, the NAHC has a strategic plan for assisting the public, development communities, local and federal agencies, educational institutions and California Native Americans to better understand problems relating to the protection and preservation of cultural resources and to serve as a tool to resolve these problems. In 2006, PRC Sections 5097.91 and 5097.98 were amended by Assembly Bill 2641 to authorize the NAHC to bring legal action when necessary to prevent damage to Native American burial grounds or places of worship. It also established more specific procedures to be implemented in the event that Native American remains are discovered.

[California Health and Safety Code \(Sections 7050.5, 7051, and 7054\)](#)

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

[Senate Bill 18](#)

Signed into law in 2004, Senate Bill (SB) 18 requires that cities and counties notify and consult with California Native American Tribes about proposed local land use planning decisions for the purpose of protecting traditional tribal cultural sites. Cities and counties must provide general and specific plan amendment proposals to California Native American Tribes that have been identified by the Native American Heritage Commission as having traditional lands located within the city's boundaries. If requested by the Native American Tribes, the city must also conduct consultations with the tribes prior to adopting or amending their general and specific plans.

[Assembly Bill 52 \(Gatto, 2014\)](#)

On September 25, 2014, Governor Brown signed AB 52. In recognition of California Native American tribal sovereignty and the unique relationship of California local governments and public agencies with California Native American tribal governments, and respecting the interests and roles of project proponents, of the stated goals of AB 52 are the following:

- 1) Recognize that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities.
- 2) Establish a new category of resources in CEQA called "tribal cultural resources" that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation.
- 3) Establish examples of mitigation measures for tribal cultural resources that uphold the existing mitigation preference for historical and archaeological resources of preservation in place, if feasible.



- 4) Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated. Because CEQA calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources.
- 5) In recognition of their governmental status, establish a meaningful consultation process between California Native American tribal governments and lead agencies, respecting the interests and roles of all California Native American tribes and project proponents, and the level of required confidentiality concerning tribal cultural resources, at the earliest possible point in CEQA environmental review process, so that tribal cultural resources can be identified, and culturally appropriate mitigation and mitigation monitoring programs can be considered by the decision making body of the lead agency.
- 6) Recognize the unique history of California Native American tribes and uphold existing rights of all California Native American tribes to participate in, and contribute their knowledge to, the environmental review process pursuant to CEQA.
- 7) Ensure that local and tribal governments, public agencies, and project proponents have information available, early in CEQA environmental review process, for purposes of identifying and addressing potential adverse impacts to tribal cultural resources and to reduce the potential for delay and conflicts in the environmental review process.
- 8) Enable California Native American tribes to manage and accept conveyances of, and act as caretakers of, tribal cultural resources.
- 9) Establish that a substantial adverse change to a tribal cultural resource has a significant effect on the environment.

AB 52 establishes a tribal consultation procedure designed to incorporate tribal knowledge into the CEQA environmental review and decision-making processes. Under AB 52, California tribes have the ability to establish, through a formal notice letter, a standing request to consult with a lead agency regarding any proposed project subject to CEQA in the geographic area with which the tribe is traditionally and culturally affiliated. Within 14 days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency must provide formal notification to the designated contact or tribal representative of traditionally and culturally affiliated California Native American tribes that have requested notice. Notice to the tribes must include a brief project description, the project location, and the lead agency's contact information. A tribe then has 30 days to request consultation. If the tribe does not respond in that period or writes to decline consultation, the lead agency has no further obligation. If the tribe requests consultation, the lead agency must begin the consultation within 30 days and prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for that proposed project.

LOCAL

[City of Fontana General Plan](#)

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts to tribal cultural resources. Chapter 4, Community and Neighborhoods Element of the Fontana General Plan contains the following goals and policies potentially relevant to the proposed Project:



Chapter 4 – Community and Neighborhoods

- **Goal 1:** The integrity and character of historic structures, cultural resources sites and overall historic character of the city of Fontana is maintained and enhanced.
 - **Policy:** Coordinate City programs and policies to support preservation goals.
 - **Policy:** Support and promote community-based historic preservation initiatives.
 - **Policy:** Designate local historic landmarks.
 - **Policy:** Provide appropriate tools to review changes that may detract from historic integrity and character.
- **Goal 2:** Residents’ and visitors’ experiences of Fontana are enhanced by a sense of the city’s history.
 - **Policy:** Enhance public awareness of Fontana’s unique historical and cultural legacy and the economic benefits of historic preservation in Fontana.
 - **Policy:** Support creation of the Fontana Historical Museum.
- **Goal 3:** Cultural and archaeological resources are protected and preserved.
 - **Policy:** Collaborate with state agencies to protect cultural and archaeological resources.

5.15.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to tribal cultural resources. A project may create a significant environmental impact if it would:

- 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:
 - Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k) (refer to Impact Statement 5.15-1); or
 - A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe (refer to Impact Statement 5.15-1).

Based on these standards and significance thresholds and criteria, the Project’s effects have been categorized as either “no impact,” a “less than significant impact,” or a “potentially significant impact.” Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a “significant unavoidable impact.”



5.15.5 IMPACTS AND MITIGATION MEASURES

Impact 5.15-1: 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:

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

Impact Analysis: As described in [Section 5.4, *Cultural Resources*](#), over 80 previously recorded prehistoric and historic-era archaeological sites have been identified in the City. Prehistoric sensitivity in Fontana is mostly concentrated in the southern and northern portions of the City. All of the prehistoric sites previously identified are clustered along the foothills of the San Gabriel Mountains and the Jurupa Hills, outside of the Project Area.

Prehistoric archaeological sites and isolates are tribal cultural resources; additionally, plants and other natural resources, as well as geographic locations can also be a tribal cultural resource. Grading of original in situ soils could expose buried tribal cultural resources and features including sacred sites. Prehistoric sensitivity in Fontana is mostly concentrated in the southern and northern portions of the City, outside of the Project Area. Although the Downtown Core area is primarily urbanized and has experienced extensive ground-disturbance, there is the potential that tribal cultural resources could occur below the surface. While the Downtown Core Project does not directly propose site-specific development with the potential to directly impact a tribal cultural resource, future development within the Project Area could cause a substantial adverse change in the significance of a tribal cultural resource. This is considered a potentially significant impact.

According to the General Plan EIR, the City of Fontana is located within the Tongva and Serrano traditional use area. At the time of publication of the Draft EIR, one tribe, the YSMN contacted the City in response to the City's correspondence notifying Native American individuals and/or Tribal Organizations of the proposed Project in compliance with AB 52 and SB 18. The YSMN noted that the Project Area exists within Serrano ancestral territory and is therefore of interest to the Tribe. The YSMN further stated that due to the nature and location of the proposed Project, and given their Cultural Resources Management (CRM) Department's present state of knowledge, YSMN does not have any concerns with the Project's implementation, as planned at this time. YSMN requests mitigation measures be made part of the Project regarding the potential discovery of cultural resources during Project activities.



The Fontana General Plan contains goals, policies, and actions to identify and protect cultural resources within the City, including tribal cultural resources. In addition, future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measure MM-CUL-1 (incorporated as Mitigation Measure CUL-1; refer to [Section 5.4, *Cultural Resources*](#)), which requires a qualified archaeologist to perform a number of tasks prior to construction activities, including conducting a field survey for historical resources within portions of the project site not previously surveyed if evidence suggests the potential for resources to exist. In addition, future development associated with implementation of the proposed Project would be required to implement General Plan EIR mitigation measures MM-CUL-2 and MM-CUL-3 (incorporated as Mitigation Measures CUL-2; refer to [Section 5.4, *Cultural Resources*](#) and herein as Mitigation Measure TCR-1). Mitigation Measure CUL-2 would ensure that if any prehistoric archaeological resources are encountered before or during grading, the developer shall retain a qualified archaeologist to monitor construction activities and to take appropriate measures to protect or preserve them for study. Additionally, Mitigation Measure CUL-2 has been updated to include implementation of TCR-1 in the event Native American cultural resources are discovered. Mitigation Measure TCR-1 would require that in the event Native American cultural resources are discovered during construction for future development, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find; that the archaeologist, in coordination with the City/project applicant, contact YSMN, as well as other Native American tribal entities, of any pre-contact and/or historic-era cultural resources discovered during project implementation, and prepare a cultural resources Monitoring and Treatment Plan if the find is determined to be significant. The Monitoring and Treatment Plan would provide for a Native American monitor for the remainder of project activities associated with ground disturbance and for archaeological/cultural documents be supplied to the applicant and City of Fontana Planning Department for dissemination to YSMN and other Tribe(s) determined to have cultural affiliation.

Subsequent development within the Project Area would be required to comply with existing federal, State, and local regulations, including the Fontana General Plan and Mitigation Measures CUL-1, CUL-2, and TCR-1, which would reduce potential impacts to tribal cultural resources to less than significant.

Mitigation Measures: In addition to Mitigation Measure TCR-1, refer to Mitigation Measures CUL-1 and CUL-2:

TCR-1: Site-specific development projects shall implement the following:

- In the event Native American cultural resources are discovered during construction for future development, 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 site outside of the buffered area may continue during this assessment period;
- The archaeologist, in coordination with the applicant and City of Fontana Planning Department, shall contact the Yuhaaviatam of San Manuel National Cultural Resources Department (YSMN), as well as any other Native American tribal entity (as determined by a qualified archaeologist meeting Secretary of Interior standards) of any pre-contact and/or historic-era cultural resources discovered during project implementation. The Tribe(s) shall 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, a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN and any other Tribe determined to have cultural affiliation to the area, and all subsequent finds shall be subject to this Plan. A copy of the Plan shall be provided to the City of Fontana Planning Department. The Plan shall identify how Tribal Cultural Resources will be recovered and retained. This Plan shall allow for a monitor to be present that represents YSMN and/or other Tribe(s) determined to have cultural affiliation for the remainder of project activities associated with ground disturbance, should YSMN or another Tribe(s) elect to place a monitor on-site; determined to have cultural affiliation to be present for the remainder of project activities associated with ground disturbance;

- Any and all archaeological/cultural documents created as part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and City of Fontana Planning Department for dissemination to YSMN and other Tribe(s) determined to have cultural affiliation. (General Plan EIR MM-CUL-3, updated)

Level of Significance: Less Than Significant Impact with Mitigation Incorporated.

5.15.6 CUMULATIVE IMPACTS

Impact Analysis: Tribal cultural resource impacts are site specific and generally do not combine to result in cumulative impacts. Construction of the individual development projects associated with implementation of the Downtown Core Project may result in the discovery and removal of tribal cultural resources. The Fontana General Plan policies and actions, as well as federal, State, and local regulations, including required mitigation measures, would reduce the risk to tribal cultural resources in the region. As discussed above, site-specific development with the potential to impact tribal cultural resources would require a resource assessment and coordination with the tribes to determine the potential for tribal cultural resources and identification of mitigation measures to reduce potential impacts associated with the proposed development. Adherence to existing federal, State and local regulations would avoid and/or minimize a cumulative loss of tribal cultural resources. Therefore, the Project's incremental contribution to cumulative tribal cultural resource impacts would be less than cumulatively considerable.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.15.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with tribal cultural resources would occur with the proposed Project.

5.15.8 REFERENCES

City of Fontana, *Fontana Forward: General Plan Update 2015-2035 Draft Environmental Impact Report*, June 2018.



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5.16 UTILITIES AND SERVICE SYSTEMS

5.16.1 PURPOSE

The purpose of this section is to identify the existing regulatory and environmental setting related to utilities and service systems that serve the Project Area and assess potential environmental impacts that could result from Project implementation. Utilities and service systems addressed in this section include water, wastewater (sewer), solid waste, electricity, natural gas, and telecommunications facilities; stormwater is discussed in [Section 5.9, *Hydrology and Water Quality*](#).

5.16.2 ENVIRONMENTAL SETTING

WATER

The Project Area is served by the Fontana Water Company (FWC), a division of the San Gabriel Valley Water Company (West Yost Associates, 2021). The FWC 2020 Urban Water Management Plan (UWMP) was prepared in accordance with the California Urban Water Management Planning Act, Water Code Sections 10610 through 10657. The UWMP includes an assessment of past and future water supplies and demands, evaluation of the future reliability of water supplies, water conservation and water management activities, discussion of water recycling activities, contingency planning for water shortages, and evaluation of distribution system water losses.

According to the 2020 UWMP, FWC's service area encompasses approximately 52 square miles in the San Bernardino Valley. FWC is responsible for providing water utility service to a population of about 237,000 people within its certificated service area (as of 2020). These jurisdictional boundaries include most of the City of Fontana (including the Project Area), portions of the Cities of Rialto and Rancho Cucamonga, and unincorporated areas of San Bernardino County. FWC's water supply sources include local groundwater and local and imported surface water. Local groundwater basins include: Chino Basin, an adjudicated basin and the primary groundwater source for FWC; Rialto-Colton Basin, an adjudicated basin; Lytle Basin, an adjudicated basin; and No Man's Land Basin, which is managed through Rialto-Colton Basin. Local surface water from Lytle Creek and untreated imported State Water Project surface water from the Inland Empire Utilities Agency (IEUA) and San Bernardino Valley Municipal Water District (SBVMWD) is treated at FWC's Summit Surface Water Treatment Plant (Summit Plant). FWC's pumping, transmission, and treatment facilities include groundwater wells with a total pumping capacity of approximately 41,000 gallons per minute (gpm); reservoirs with a total useable storage capacity of approximately 33.81 million gallons of water; the Summit Plant, which can treat up to 29 million gallons per day (MGD); interconnections to IEUA and SBVMWD; and approximately 690 miles of pipelines to transport water.

The 2020 UWMP's Table 7-4, Table 7-5, and Table 7-6 concludes that FWC's supplies are expected to meet demands in normal, single dry, and multiple dry year conditions through 2045; see [Table 5.16-1, *FWC Service Reliability Assessment for Normal, Single Dry, and Multiple Dry Years*](#).



Table 5.16-1

FWC Service Reliability Assessment for Normal, Single Dry, and Multiple Dry Years

Demand and Supply Projections (acre-feet)	2025	2030	2035	2040	2045
<i>Normal Year</i>					
Supply Totals	45,593	46,909	48,665	50,442	51,943
Demand Totals	45,593	46,909	48,665	50,442	51,943
Difference	0	0	0	0	0
<i>Single Dry Year</i>					
Total Water Demand	34,006	34,987	36,297	37,623	38,742
Post-Conservation Demand	34,006	34,987	36,297	37,623	38,742
Total Supplies	0	0	0	0	0
<i>Multiple Dry Years (Year 1)</i>					
Total Water Demand	42,886	44,124	45,776	47,447	48,859
Post-Conservation Demand	42,886	44,124	45,776	47,447	48,859
Total Supplies	0	0	0	0	0
<i>Multiple Dry Years (Year 2)</i>					
Total Water Demand	41,415	42,610	44,206	45,820	47,183
Post-Conservation Demand	41,415	42,610	44,206	45,820	47,183
Total Supplies	0	0	0	0	0
<i>Multiple Dry Years (Year 3)</i>					
Total Water Demand	34,074	35,057	36,369	37,697	38,819
Post-Conservation Demand	34,074	35,057	36,369	37,697	38,819
Total Supplies	0	0	0	0	0
<i>Multiple Dry Years (Year 4)</i>					
Total Water Demand	34,006	34,987	36,297	37,623	38,742
Post-Conservation Demand	34,006	34,987	36,297	37,623	38,742
Total Supplies	0	0	0	0	0
<i>Multiple Dry Years (Year 5)</i>					
Total Water Demand	36,526	37,580	38,987	40,411	41,613
Post-Conservation Demand	36,526	37,580	38,987	40,411	41,613
Total Supplies	0	0	0	0	0
Source: West Yost Associates, 2020 Urban Water Management Plan, 2021.					

According to the UWMP, water use projections for 2025 to 2045 are based on a usage of 165 gallons per capita per day (West Yost Associates, 2021). As indicated in [Section 3.0, Project Description](#), approximately 2,020 dwelling units are located within the Project Area. Based on the 2022 California Department of Finance estimated household size of 3.79 persons per household, the Project Area’s existing population is approximately 7,656 people. Therefore, existing water use within the Project Area is approximately 1.26 MGD, or approximately 1,415 acre-feet per year (AFY).

As indicated in the General Plan EIR, much of the City’s anticipated growth is directed to areas in and around the urban core of the City where water delivery infrastructure already exists. The General Plan EIR does not anticipate the need for major water infrastructure to serve growth anticipated by the General Plan, besides maintenance over time and service extension to new service areas.



WASTEWATER

The City owns Fontana's wastewater collection system of over 400 miles of sanitary sewer lines, ranging in size from 4-inches to 48-inches in diameter (CDM Smith, 2013). Wastewater treatment services in the Project Area are provided by IEUA, a regional wastewater treatment agency that provides sewage utility services to the City of Fontana and six other contracting agencies under the Chino Basin Regional Sewage Service Contract (IEUA, 2022a). Wastewater from the Project Area is diverted to the San Bernardino Avenue Lift Station and then to the IEUA Regional Water Reclamation Plant No. 4 (RP-4) (CDM Smith, 2013). RP-4, located in the City of Rancho Cucamonga, has a treatment capacity of up to 14 MGD and currently treats the liquid portion of an average influent wastewater flow of approximately 10 MGD (IEUA, 2022b). Based on Section 23-316 of the City's Municipal Code, which calculates sewer connection charges based upon 270 gallons per residential equivalent dwelling unit, the Project Area currently generates approximately 545,400 gallons per day of residential wastewater. Based on the General Plan EIR's wastewater generation factors (Table 5.12-8) of 10.76 gallons per acre per day for commercial and industrial uses and 5.38 gallons per acre per day for public facilities uses, the Project Area currently generates approximately 282.9 gallons per day of non-residential wastewater. Therefore, the Project Area currently generates approximately 0.5 MGD of wastewater.

Local sanitary sewer pipes ranging from 8- to 18-inches are located adjacent to the Project Area. The City's Sanitary Sewer Master Plan identifies capacity deficiencies and recommended improvements to the sewer system within the City. The Sanitary Sewer Master Plan identified 2.07 miles of deficient sewers within the City under the build-out scenario, however, no deficiencies were identified within the Project Area (CDM Smith, 2013).

SOLID WASTE

Burrtec Waste Industries provides solid waste and recycling collection services to the City, including the Project Area (City of Fontana, 2022). Waste from Fontana is disposed of at a number of solid waste facilities, with the majority of waste disposed at the Mid-Valley Sanitary Landfill (CalRecycle, 2022a). The City generated approximately 172,682 tons of solid waste in 2019, with approximately 70 percent of that waste hauled to the Mid-Valley Sanitary Landfill, located in Rialto, California. The facility is located on 498.00 acres, 408.00 of which are used for disposal (CalRecycle, 2022b). At this time, Mid-Valley Sanitary Landfill has an expected closure date of 2045. The Mid-Valley Sanitary Landfill has a maximum permitted capacity of 101,300,000 cubic yards, with a remaining capacity of 61,219,377 cubic yards as of 2019.

ELECTRICAL POWER, NATURAL GAS, AND TELECOMMUNICATIONS

Electrical power to the area is provided by Southern California Edison (SCE) (City of Fontana, 2022). Electricity service is provided by a network of overhead and underground transmission lines. SCE obtains electricity from various generating sources that utilize natural gas, fossil fuels, hydroelectric sources, nuclear energy, and renewable resources, such as solar and wind (SCE, 2022). Natural gas service in the area is provided by Southern California Gas Company (SoCalGas) (City of Fontana, 2022). Various companies provide telecommunications within the City, including AT&T, Spectrum, and Frontier (HighSpeedInternet.com, 2022). SCE, SoCalGas, and local telecommunications companies operate and maintain transmission and distribution infrastructure in the Project Area. Existing electrical transmission lines and an electrical substation owned by SCE are located adjacent to the Project Area, along Juniper



Avenue (California Energy Commission, 2022). A natural gas transmission line and high pressure distribution line owned and operated by SoCalGas traverse the Project Area (SoCalGas, 2022). Existing telecommunications infrastructure includes telecommunication lines within and adjacent to the Project Area.

5.16.3 REGULATORY SETTING

Refer to [Section 5.9, *Hydrology and Water Quality*](#) for a discussion of the regulatory setting specific to stormwater.

FEDERAL

Water

[Federal Safe Drinking Water Act of 1974](#)

The Safe Drinking Water Act authorizes the U.S. Environmental Protection Agency (USEPA) to set national health-based standards for drinking water to protect against both naturally-occurring and man-made contaminants that may be found in drinking water. The USEPA, states, and water systems then work together to make sure that these standards are met. Originally, the Safe Drinking Water Act focused primarily on treatment as the means of providing safe drinking water at the tap. The 1996 amendments greatly enhanced the existing law by recognizing source water protection, operator training, funding for water system improvements, and public information as important components of safe drinking water. This approach ensures the quality of drinking water by protecting it from source to tap. The Safe Drinking Water Act applies to every public water system in the United States.

Wastewater

[Federal Clean Water Act \(33 USC Sections 1251, Et Seq.\)](#)

The Clean Water Act's (CWA) primary goals are to restore and maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations, including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, antidegradation policy, nonpoint-source discharge programs, and wetlands protection. The USEPA has delegated the responsibility for administration of CWA portions to state and regional agencies. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality.

Solid Waste

[Resource Conservation and Recovery Act of 1976](#)

The Resource Conservation and Recovery Act (RCRA) of 1976 (Title 40 of the Code of Federal Regulations), Part 258 contains regulations for municipal solid waste landfills and requires states to implement their own permitting programs incorporating the Federal landfill criteria. The Federal regulations address the



location, operation, design (liners, leachate collection, run-off control, etc.), groundwater monitoring, and closure of landfills.

STATE

Water

[State of California Water Recycling Act](#)

Enacted in 1991, the Water Recycling Act established water recycling as a state priority. The Water Recycling Act encourages municipal wastewater treatment districts to implement recycling programs to reduce local water demands.

[California Code of Regulations, Title 22, Division 4, Chapter 3 Water Recycling Criteria](#)

California regulates the wastewater treatment process and use of recycled water pursuant to CCR Title 22, Division 4, Chapter 3, Water Recycling Criteria. According to these regulations, recycled water to be used for irrigation of public areas must be filtered and disinfected to tertiary standards.

[California Code of Regulations, Title 22, Chapter 15, Article 20, Consumer Confidence Report](#)

California requires all public water systems to prepare a Consumer Confidence Report for distribution to its customers and to the Department of Health Services. The Consumer Confidence Report provides information regarding the quality of potable water provided by the water system. It includes information on the sources of the water, any detected contaminants in the water, the maximum contaminants levels set by regulation, violations and actions taken to correct them, and opportunities for public participation in decisions that may affect the quality of the water provided.

[California Department of Health Services](#)

The Department of Health Services, Division of Drinking Water and Environmental Management, oversees the Drinking Water Program. The Drinking Water Program regulates public water systems and certifies drinking water treatment and distribution operators. It provides support for small water systems and for improving their technical, managerial, and financial capacity. It provides subsidized funding for water system improvements under the State Revolving Fund and Proposition 50 programs. The Drinking Water Program also oversees water recycling projects, permits water treatment devices, supports and promotes water system security, and oversees the Drinking Water Treatment and Research Fund for methyl tert-butyl ether and other oxygenates.

[California Urban Water Management Planning Act](#)

The California Urban Water Management Planning Act (California Water Code [CWC] Division 6, Part 2.6, §§10610-10656) addresses several State policies regarding water conservation and the development of water management plans to ensure the efficient use of available supplies. The California Urban Water Management Planning Act also requires water suppliers to prepare an UWMP every five years to identify short-term and long-term water demand management measures to meet growing water demands during normal, dry, and multiple-dry years. Specifically, municipal water suppliers that serve more than 3,000 customers or provide more than 3,000 AFY of water must adopt an UWMP.



Senate Bill 610

Water Code Sections 10610 to 10656 require water suppliers to prepare an UWMP to promote water demand management and efficient use in their service areas. UWMPs are included with the environmental document for specified projects. Concerning water supply, the Water Code requires preparation of a Water Supply Assessment for certain projects. The Water Code requires that a Water Supply Assessment be prepared for any “project” which would consist of one or more of the following:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects specified above; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.

Senate Bill 221

Senate Bill 221 (SB 221) amended State law, effective January 1, 2002, to improve the link between information on water supply availability and land use at the tentative map preparation phase of a project. SB 610 and SB 221 are companion measures which seek to:

- Promote more collaborative planning between local water suppliers and cities and counties;
- Require detailed information regarding water availability be provided to city and county decision-makers prior to approval of specific large development projects;
- Require that this detailed information be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects; and
- Recognize local control and decision making regarding the availability of water for projects and the approval of projects.

SB 221 pertains only to residential projects and establishes the relationship between the Water Supply Assessment prepared for a project and the project approval under the Subdivision Map Act. Accordingly, the proposed Project is not subject to SB 221.

Water Efficiency Standards

CCR Title 24 contains the CBSC, including the California Plumbing Code (Part 5), which promotes water conservation. CCR Title 20 addresses public utilities and energy and includes appliance efficiency



standards that promote water conservation. In addition, a number of California laws listed below require water-efficient plumbing fixtures in structures:

- CCR Title 20 Section 1604(g) establishes efficiency standards that give the maximum flow rate of all new showerheads, lavatory faucets, sink faucets, and tub spout diverters.
- CCR Title 20 Section 1606 prohibits the sale of fixtures that do not comply with established efficiency regulations.
- CCR Title 24 Sections 25352(i) and (j) address pipe insulation requirements, which can reduce water used before hot water reaches equipment or fixtures. Insulation of water- heating systems is also required.
- Health and Safety Code Section 17921.3 requires low-flush toilets and urinals in virtually all buildings.

[California Green Building Standards Code](#)

The 2022 California Green Building Standards (CALGreen) Code sets standards for new buildings and development projects with the purpose of improving public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in several categories, including but not limited to, water efficiency and conservation. The 2022 CALGreen Code includes several amendments to the 2019 CALGreen Code, including new voluntary prerequisites for builders to choose from, such as battery storage system controls and heat pump space, and water heating, to encourage building electrification. Local jurisdictions also retain the administrative authority to exceed the CALGreen standards. The 2022 CALGreen Code went into effect Statewide on January 1, 2023.

[Solid Waste](#)

[California Integrated Waste Management Act of 1989 \(AB 939\)](#)

The Integrated Solid Waste Management Act of 1989 (AB 939) (California Public Resources Code Section 40050 et seq.) established an integrated waste management system that focuses on source reduction, recycling, composting, and land disposal of waste. AB 939 requires every city and county in California to divert 50 percent of its waste from landfills whether through waste reduction, recycling, or other means. Compliance with AB 939 is measured in part by comparing solid waste disposal rates for a jurisdiction with target disposal rates. Actual rates at or below target rates are consistent with AB 939. AB 939 also requires California counties to show 15 years of disposal capacity for all jurisdictions in the county or show a plan to transform or divert its waste.

[Assembly Bill 341](#)

Assembly Bill 341 (AB 341), which took effect on July 1, 2012, was designed to help meet California's recycling goal of 75 percent by the year 2020. AB 341 made "...a legislative declaration that it is the policy goal of the state that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020..." AB 431 requires a business, defined to include a commercial or public entity that generates more than 4 cubic yards (CY) of commercial solid waste per week or a multifamily residential dwelling of 5 units or more to arrange for recycling services. Such business/residential



development must: 1) source separate recyclable materials from the solid waste they are discarding, and either self-haul or arrange for separate collection of the recyclables; and 2) subscribe to a service that includes mixed waste processing that yields diversion results comparable to source separation.

[Assembly Bill 1826](#)

Assembly Bill 1826 (AB 1826) (California Public Resources Code Sections 42649.8 et seq.) requires recycling of organic matter by businesses generating such wastes in amounts over certain thresholds. AB 1826 also requires that local jurisdictions implement an organic waste recycling program to divert organic waste generated by businesses and multi-family developments that consist of five or more units.

[Electricity, Natural Gas, and Telecommunications](#)

[California Electrical Code](#)

The California Electrical Code is codified in Title 24, CCR, Part 3. The Electrical Code contains regulations including, but not limited to, electrical materials, electrical wiring, overcurrent protection, grounding, and installation.

LOCAL

[Inland Empire Utilities Agency Sewer System Management Plan](#)

IEUA is a regional wastewater treatment agency that provides wastewater services to the City under the Chino Basin Regional Sewage Service Contract (IEUA, 2022a). The goal of the IEUA Sewer System Management Plan (SSMP), adopted April 2019, is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system.

[Chino Basin Management Plan](#)

The 1978 Chino Basin Judgment adjudicated water rights within the Chino Subbasin and established the Chino Basin Watermaster to develop and implement the Optimum Basin Management Program (OBMP). Water rights in the Chino Basin are held by representatives of three stakeholder groups, called Pools. The three Pools are: the Overlying Agricultural Pool, representing dairymen, farmers, and the State of California; the Overlying Non-agricultural Pool, representing area industries; and the Appropriative Pool, representing local cities, public water districts, and private water companies (Kennedy Jenks, 2021). The court judgment allocates groundwater rights by establishing an annual pumping “safe yield” for each Pool. To the extent that pumping exceeds the share of the safe yield, assessments are levied by the Watermaster to replace the overproduction. The assessments are used to purchase untreated imported water to recharge the groundwater basin. The Judgment established a safe yield of 140,000 AFY for the entire Basin, which was reset to 131,000 AFY effective 2021. In compliance with the Judgment, the Chino Basin Watermaster submits an Annual Report to the RWQCB. The Annual Report provides an accounting and audit for the previous year.

Since 2000, the OBMP has been the planning document guiding management of the basin. The Chino Basin Watermaster recently completed the 2020 OBMP Update; a Supplemental EIR is anticipated to be recirculated in mid-2023.



City of Fontana General Plan

The Fontana General Plan includes goals, policies, and actions to reduce potential impacts to utilities and service systems. Chapter 10, Infrastructure and Green Systems, and Chapter 12, Sustainability and Resilience Elements of the Fontana General Plan contain the following goals and policies potentially relevant to the proposed Project:

Chapter 10 – Infrastructure and Green Systems

- **Goal 1:** Fontana collaborates with public and private agencies for an integrated and sustainable water resource management program.
 - **Policy:** Support initiatives to provide a long-term supply of the right water for the right use through working with regional providers and the One Water One Watershed Plan.
- **Goal 2:** Fontana promotes use of non-potable water for uses where drinking water is not needed.
 - **Policy:** Encourage use of processed water from the IEUA systems using recycled water for all non-drinking water purposes.
 - **Policy:** Promote laundry-to-landscape greywater systems for single-family housing units.
- **Goal 3:** The city continues to have an effective water conservation program.
 - **Policy:** Support landscaping in public and private spaces with drought resistant plants.
 - **Policy:** Continue successful city water conservation programs and partnerships.
- **Goal 4:** The City of Fontana consistently seeks reasonable rates from the city’s drinking water providers.
 - **Policy:** Support City negotiations to keep drinking water rates reasonable for residents and other users.
- **Goal 5:** Fontana collaborates closely with the Inland Empire Utilities Agency to promote innovative and resource-efficient systems and reduce sewer fees.
 - **Policy:** Support and participate in IEUA programs that help Fontana be more resource-efficient.
 - **Policy:** Support incorporation of greywater systems in new developments.
- **Goal 6:** Fontana has a stormwater drainage system that is environmentally and economically sustainable and compatible with regional one water one watershed standards.
 - **Policy:** Continue to implement the Water Quality Management Plan for stormwater management that incorporates low-impact and green infrastructure standards.
 - **Policy:** Promote natural drainage approaches (green infrastructure) and other alternative non-structural and structural best practices to manage and treat stormwater.
- **Goal 7:** Fontana is an energy-efficient community.
 - **Policy:** Promote renewable energy and distributed energy systems in new development and retrofits of existing development to work towards the highest levels of low-carbon energy-efficiency.



- **Goal 8:** All residences, businesses, and institutions have a dependable, environmentally safe means to dispose of solid waste.
 - **Policy:** Continue to use best practices for environmentally safe collection, transport and disposal of hazardous wastes.
 - **Policy:** Continue to maximize landfill capacity by supporting recycling innovations, such as organic waste recycling for compost.

Chapter 12 – Sustainability and Resilience

- **Goal 7:** Conservation of water resources with best practices such as drought-tolerant plant species, recycled water, greywater systems, has become a way of life in Fontana.
 - **Policy:** Continue to promote and implement best practices to conserve water.

City of Fontana Municipal Code

Water

Fontana Municipal Code Chapter 31, *Water Service*, establishes water service and connection charges for areas where the City of Fontana supplies retail domestic water service. These charges are to be used for the acquisition, construction, reconstruction, replacement, maintenance, and operation of water facilities, as well as the purchase of water supplies. Chapter 5, Article XVIII, *California Green Building Standards Code*, adopts Part 11 of Title 24 of the California Code of Regulations (CALGreen), which provides building and landscaping standards related to water efficiency and conservation. Chapter 30 (Zoning and Development Code), Article X, *General Landscape Requirements*, establishes landscaping requirements and design guidelines, including landscape and irrigation plans that incorporate water-efficiency standard design.

Stormwater

See Section 5.9, *Hydrology and Water Quality* for a list of applicable regulations related to stormwater runoff.

Wastewater

Fontana Municipal Code Chapter 23, *Sewers and Sewage Disposal*, regulates sewer connections within the City. Article I, *In General*, requires residential, commercial, industrial and public/institutional buildings to connect to the public sewer system, provided the public sewer is within 200 feet of the nearest point of the building. Article II, *Industrial Waste*, sets forth uniform requirements for all users of the City wastewater collection and treatment system; provides for regulation through issuance of permits to certain industrial users and enforcement of general requirements for the other users; and authorizes monitoring and enforcement activities and user reporting, and provides for the setting of fees for the equitable distribution of costs for sewer service. Article IV, *Permits*, requires issuance of a sewer connection permit and payment of applicable fees prior to connection to the public sewer system. Article V, *Fees, Charges and Billing*, and Article VIII, *Financing of Facilities*, provides for sewer connection and facilities expansion fees.



Solid Waste

Fontana Municipal Code Chapter 24, *Solid Waste and Recycling*, includes provisions to comply with State law on solid waste management, including management of organic waste and recyclable materials.

5.16.4 SIGNIFICANCE CRITERIA AND THRESHOLDS

Appendix G of the California Environmental Quality Act (CEQA) Guidelines contains the Initial Study Environmental Checklist, which includes questions related to utilities and service systems. A project would result in a significant impact related to utilities and service systems if it would:

- Require or result in the relocation or construction of new or expanded facilities, the construction or relocation of which could cause significant environmental effects (refer to Impact Statement 5.16-1):
 - Water facilities (refer to Impact Statement 5.16-1);
 - Wastewater facilities (refer to Impact Statement 5.16-2);
 - Stormwater facilities (refer to Impact Statement 5.16-3);
 - Electrical power, natural gas, and telecommunications facilities (refer to Impact Statement 5.16-4);
- Not have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years (refer to Impact Statement 5.16-1);
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments (refer to Impact Statement 5.16-2);
- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals (refer to Impact Statement 5.16-5);
- Not comply with federal, state, and local management and reduction statutes and regulations related to solid waste (refer to Impact Statement 5.16-5).

Based on these standards and significance thresholds and criteria, the Project's effects have been categorized as either "no impact," a "less than significant impact," or a "potentially significant impact." Mitigation measures are recommended for potentially significant impacts. If a potentially significant impact cannot be reduced to a less than significant impact through the application of mitigation, it is categorized as a "significant unavoidable impact."



5.16.5 IMPACTS AND MITIGATION MEASURES

Impact 5.16-1: Would the Project require or result in the relocation or construction of new or expanded water facilities, the construction or relocation of which could cause significant environmental effects?

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

Impact Analysis: The proposed Project accommodates future growth in the Project Area by creating and implementing a new land use category and six new FBC districts. As described in Section 3.0, *Project Description*, and summarized in Table 3-2, *Proposed Project Development Potential*, Project implementation could yield a net change over existing conditions of an additional 8,900 dwelling units and 2,685,404 square feet of non-residential uses. This new growth may increase the City's population by approximately 33,731 residents (based on the 2022 California Department of Finance estimated household size of 3.79 persons per household).

Water Conveyance Facilities

As discussed above, water service in the Project Area is provided by the FWC. The Project is expected to result in increased population and employment growth in the Project Area, which could require new or expanded water infrastructure. New or expanded water infrastructure required to serve future site-specific development would be located within areas that are already developed and serviced by the FWC. Additionally, the FWC confirmed that the Project is entirely within the FWC service area; that distribution system piping and storage capacity for domestic water purposes exists for current demands in the Project Area; and that FWC is able to provide all water utility service to meet the water supply needs of the Project (FWC, 2022).

Since no specific development projects are proposed as part of the Project, the environmental effects from constructing or expanding facilities are unknown at this time. All water infrastructure construction activities associated with future development would be subject to compliance with existing local, State, and federal laws, ordinances, and regulations, which would ensure impacts are reduced to less than significant levels. The City and FWC would continue to ensure adequate water distribution facilities are available to serve future development. Fontana Municipal Code Chapter 31, *Water Service*, establishes water service and connection charges for areas where the City of Fontana supplies retail domestic water service. These charges would pay for the relocation or construction of new or expanded water facilities. Implementation of existing regulations and compliance with the General Plan and Municipal Code would reduce impacts associated with the relocation or construction of new or expanded water facilities to a level that is less than significant.

Water Demand and Supply

The Project is expected to result in increased population and employment growth in the Project Area, and a corresponding increase in the demand for additional water supplies. As discussed above, water service in the Project Area is provided by the FWC. FWC's 2020 UWMP indicates that FWC can meet projected water demands under normal, dry, and multiple dry water years through 2045 based on a service population of 281,020 (West Yost Associates, 2021). Based on FWC's water demand generation factor of



165 gallons per capita per day, the Project would increase water demand within the Project Area to approximately 6.83 MGD (7,649 AFY), an increase of 5.57 MGD (6,234 AFY) over existing conditions. As indicated in Section 5.12, *Population and Housing*, the General Plan EIR anticipates approximately 70,560 households and a population of 315,852 throughout the planning horizon. The City currently has approximately 57,483 dwelling units and 212,809 residents. Therefore, the projected 8,900 dwelling units and 33,731 new residents associated with Project implementation have been anticipated and planned for in the General Plan. As UWMPs are informed by the General Plans and General Plan land use designations, the projected population growth associated with Project implementation has been accounted for in the 2020 UWMP. Additionally, the FWC confirmed that the Project is entirely within the FWC service area; that distribution system piping and storage capacity for domestic water purposes exists for current demands in the Project Area; and that FWC is able to provide all water utility service to meet the water supply needs of the Project (FWC, 2022).

For future qualifying projects, a Water Supply Assessment would be required pursuant to SB 610. The Water Supply Assessment discerns whether the expected demand from the development being proposed has been accounted for in the forecasted demands in the most recent UWMP. A Written Verification of Supply per SB 221 is prepared as a condition of approval for a subdivision map of 500 units or more. Considered a fail-safe mechanism to provide sufficient evidence that adequate water supplies are available before construction begins, the Written Verification of Supply is also prepared/adopted by the water supplier and approved by the land use authority. Depending on the project, one or both of these analyses may be required. Development proposals that may not warrant a Water Supply Assessment and/or Written Verification of Supply, but meet the definition of a project under CEQA, would still require an analysis of sufficient water supplies in the CEQA process.

The Fontana General Plan includes goals, policies, and actions directed toward water conservation. These actions would result in reduced water consumption on a per capita basis that would help offset the increased demand from additional residential and non-residential uses. The Fontana Municipal Code Chapter 31, *Water Service*, establishes water service and connection charges for areas where the City of Fontana supplies retail domestic water service. These charges would pay for the purchase of additional water supplies, as necessary. The Municipal Code also contains provisions to reduce water consumption. Chapter 5, Article XVIII, *California Green Building Standards Code*, adopts Part 11 of Title 24 of the California Code of Regulations (CALGreen), which provides building and landscaping standards related to water efficiency and conservation. Chapter 30 (Zoning and Development Code), Article X, *General Landscape Requirements*, establishes landscaping requirements and design guidelines, including landscape and irrigation plans that incorporate water-efficiency standard design. Through implementation of existing federal, State, and local regulations and compliance with the General Plan and Municipal Code, the environmental impacts to water supplies would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.



Impact 5.16-2: Would the Project require or result in the relocation or construction of new or expanded wastewater facilities, the construction or relocation of which could cause significant environmental effects?

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

Impact Analysis: As stated, Project implementation could yield a net change over existing conditions of an additional 8,900 dwelling units and 2,685,404 square feet of non-residential uses. This new growth may increase the City's population by approximately 33,731 residents.

[Wastewater Conveyance Facilities](#)

In regard to wastewater, future development associated with Project implementation is expected to result in increased population and employment growth within the Project Area, and thus, an overall increase in demand on the existing sewer system associated with increased sewage flows. Based on Section 23-316 of the City's Municipal Code, which calculates sewer connection charges based upon 270 gallons per residential equivalent dwelling unit, growth associated with Project implementation would generate an additional 2,403,000 gallons per day of residential wastewater within the Project Area. Based on the General Plan EIR's wastewater generation factors (Table 5.12-8) of 10.76 gallons per acre per day for commercial and industrial uses and 5.38 gallons per acre per day for public facilities uses, growth associated with Project implementation would generate an additional 332 gallons per day of non-residential wastewater. Therefore, growth associated with Project implementation would generate an additional 2.4 MGD of wastewater within the Project Area, an increase of 1.9 MGD over the Project Area's existing conditions.

The Project Area is urbanized and contains existing sewer infrastructure. As indicated in the 2013 Sanitary Sewer Master Plan, there are no deficient sewer facilities within the City in the Existing and Intermediate scenarios, but the Build-out scenario is estimated to have 2.07 miles of deficient sewers. No deficient sewers were identified within the Project Area. The City is currently in the process of updating the 2013 Sanitary Sewer Master Plan. As part of the update, the adequacy of existing sewers based on the City's existing Land Use Map will be studied and recommended improvements identified for deficient areas. The update is anticipated to be completed prior to consideration of the proposed Downtown Core Project. According to the City of Fontana Engineering Department, a separate study is anticipated for the Project Area that will serve as a management plan for new or expanded sewers within the Project Area.

The Project does not include specific development proposals; therefore, the environmental effects of future wastewater collection systems are unknown at this time. Future developments would be reviewed by the City, during site plan review in order to determine if sufficient local and trunk sewer capacity exists to serve the specific development, in accordance with Fontana Municipal Code Chapter 23 Article IV, *Permits*. The Fontana General Plan includes goals, policies, and actions related to water conservation measures, which would serve to reduce the per capita demand over historical levels due to diversion (graywater, recycled water), and reductions in water use from conservation efforts. Additionally, Fontana Municipal Code Article V, *Fees, Charges and Billing*, and Article VIII, *Financing of Facilities*, provides for sewer connection and facilities expansion fees. The implementation of existing regulations and



compliance with the General Plan and Municipal Code would reduce impacts associated with the relocation or construction of new or expanded wastewater facilities to a level that is less than significant.

Wastewater Treatment

As discussed above, wastewater from the Project Area is diverted to the San Bernardino Avenue Lift Station and then to the IEUA Regional Water Reclamation Plant No. 4 (RP-4) (CDM Smith, 2013). RP-4 has a treatment capacity of up to 14 MGD and currently treats the liquid portion of an average influent wastewater flow of approximately 10 MGD (IEUA, 2022b). The facility currently has capacity to serve the Project Area. As indicated above, growth associated with Project implementation would generate an additional 2.4 MGD of wastewater within the Project Area, an increase of 1.9 MGD over the Project Area's existing conditions. Therefore, there is sufficient capacity to treat additional wastewater generated by Project implementation.

As noted above, the Project enables additional development but does not include specific development proposals. At the time future projects are proposed, they would require a separate environmental review and compliance with regulations in existence at that time to ensure adequate wastewater treatment capacity exists. The Fontana General Plan includes goals, policies, and actions related to water conservation measures, which would serve to reduce the per capita demand over historical levels due to diversion (graywater, recycled water), and reductions in water use from conservation efforts. Fontana Municipal Code Article V, *Fees, Charges and Billing*, and Article VIII, *Financing of Facilities*, provides for sewer connection and facilities expansion fees. Additionally, IEUA charges monthly wastewater sewer fees, as well as sewer connection fees, in order to maintain and expand wastewater services, including wastewater treatment. The implementation of existing federal, State, and local regulations and compliance with the Fontana General Plan and Municipal Code would ensure adequate wastewater treatment capacity and impacts would be less than significant.

Mitigation Measures: No mitigation is required.

Level of Significance: Less Than Significant Impact.

Impact 5.16-3: Would the Project require or result in the relocation or construction of new or expanded stormwater facilities, the construction or relocation of which could cause significant environmental effects?

Impact Analysis: As discussed in Section 3.0, Project Description, the Project Area contains a mix of existing on-site development, with a small amount (approximately 12.07 acres or 2.5 percent of the Project Area) consisting of vacant land. The Project Area is generally developed; areas of impervious surfaces currently exist throughout the Planning area. Further, the Project Area is served by existing stormwater drainage and conveyance facilities. The proposed Project accommodates future growth in the Project Area by creating and implementing a new land use category and six new FBC districts, and could result in increased areas of impervious surfaces throughout the Project Area, resulting in the need for additional or expanded stormwater drainage, conveyance and retention infrastructure.

As described in Section 5.9, the San Bernardino Flood Control District (SBCFCD) is responsible for operations and maintenance of the regional flood control facilities, while the City is responsible for the local drainage system, detention basins, and storm drain lines that connect to the regional facilities. The



Project Area is primarily developed, with limited areas of pervious surfaces. Although future development activities have the potential to slightly increase impervious areas within the Project Area, the majority of development activities associated with implementation of the Project would consist of infill and redevelopment on currently urbanized sites. Therefore, implementation of the Project would not substantially increase the rate or amount of surface runoff. Federal, State and local regulations would require individual projects to provide necessary on-site storm drain infrastructure and any off-site infrastructure improvements. The specific impacts of providing new and expanded drainage facilities cannot be determined at this time, as the Project does not propose or approve any specific development project nor does it designate specific sites for new or expanded public facilities.

Stormwater drainage and conveyance facilities would be evaluated at the project-level in association with subsequent development projects. However, the facilities would be primarily provided on sites with land use designations that allow such uses and the environmental impacts of constructing and operating the facilities would likely be similar to those associated with new development, redevelopment, and infrastructure projects under the proposed Project. As future development and infrastructure projects are considered by the City, each project will be evaluated for conformance with the General Plan, Municipal Code, and other applicable regulations. Subsequent development and infrastructure projects would also be analyzed for potential environmental impacts, consistent with the requirements of CEQA. As such, this is a less than significant impact and no additional mitigation is required.

The implementation of existing regulations and compliance with the Fontana General Plan and Municipal Code would reduce impacts associated with the relocation or construction of new or expanded stormwater facilities to a level that is less than significant.

Mitigation Measures: No mitigation is required.

Level of Significance: Less Than Significant Impact.

Impact 5.16-4: Would the Project require or result in the relocation or construction of new or expanded electrical, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Impact Analysis: In regard to electrical, natural gas, and telecommunication services, the Project Area is within the service areas of SCE, SoCalGas, and various telecommunication providers. The Project Area is generally developed and existing electrical, natural gas, and telecommunications infrastructure exists within the Project Area. New growth accommodated under the proposed Project would require increased electrical, natural gas, and telecommunications services, potentially resulting in the new construction or relocation of facilities. The environmental effects of future expansions of electrical, natural gas, and telecommunication facilities would be evaluated with each development proposal and would require a separate environmental review, as required, related to the construction and operation of new electrical, natural gas, and telecommunications infrastructure. Future implementing projects under the Project would have to coordinate with each utility provider to establish service, provide any necessary extensions of facilities, and comply with regulations in existence at that time. As future development and infrastructure projects are considered by the City, each project would be evaluated for conformance with the General Plan, Municipal Code, and other applicable regulations. The implementation of existing regulations and compliance with the Fontana General Plan and Municipal Code would reduce impacts



associated with the relocation or construction of new or expanded electrical, natural gas, and telecommunications facilities to a level that is less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

Impact 5.16-5: Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Would the Project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact Analysis: Future development as contemplated under the proposed Project could yield a net change over existing conditions of an additional 8,900 dwelling units and 2,685,404 square feet of non-residential uses. This new growth may increase the City's population by approximately 33,731 residents. The City of Fontana has achieved a disposal rate of 4.7 pounds per day (PPD) per resident in 2020 (CalRecycle, 2022c). Assuming these disposal rates remain constant throughout the life of the Project, the new growth under Project buildout would result in a net increase of approximately 158,535.7 PPD of solid waste over existing conditions, which equals 79.3 net TPD or 28,932.8 net tons of solid waste per year.

The Project Area's projected increase in solid waste generation is within the permitted capacity of Mid-Valley Sanitary Landfill. As noted previously, the majority (70 percent) of solid waste disposed from the City of Fontana in 2019 went to the Mid-Valley Sanitary Landfill. Another 11 percent went to the El Sobrante Landfill (19,222 tons) and nine percent went to the Badlands Sanitary Landfill (15,392 tons) (CalRecycle, 2022a). Other landfills that received relatively small amounts of waste from the City in 2019 include:

- Antelope Valley Public Landfill (5 tons);
- Barstow Sanitary Landfill (2 tons);
- Chiquita Canyon Sanitary Landfill (18 tons);
- Clean Harbors Buttonwillow LLC (19 tons);
- Frank R. Bowerman Sanitary LF (30 tons);
- Lamb Canyon Sanitary Landfill (299 tons);
- Landers Sanitary Landfill (5 tons);
- Olinda Alpha Landfill (54 tons);
- San Timoteo Sanitary Landfill (108 tons);
- Simi Valley Landfill & Recycling Center (35 tons); and
- Victorville Sanitary Landfill (48 tons).

Mid-Valley Sanitary Landfill has a remaining capacity of 61,219,377 cubic yards as of 2019 and has enough projected capacity to serve residents and businesses until approximately 2045. The City's increase in solid waste generation as a result of increased development in the Project Area is within the daily permitted capacity of the Mid-Valley Sanitary Landfill. Conservatively assuming the Mid-Valley Sanitary Landfill reaches full capacity, future solid waste would be distributed to the other landfills serving the City.



Additionally, all development within the City would be required to comply with waste reduction and recycling requirements, including the Fontana Municipal Code Chapter 24, that aim to reduce the amount of solid waste being diverted to the landfill.

As described above, the Fontana Municipal Code, Chapter 24 establishes mandatory solid waste and recycling collection to comply with the requirements of AB 939 and AB 341. As permitted by AB 939, the City authorizes a private solid waste franchisee (i.e., Burrtec Waste Industries) to handle the City's solid waste and cooperate in the preparation of solid waste disposal characterization studies and the preparation of waste stream audits. Burrtec Waste Industries and the City work together to submit information to meet the reporting requirements of AB 939, or any other law or regulation, to reach the solid waste and recycling goals mandated by the AB 939.

Through the implementation of existing regulations and compliance with the General Plan and Municipal Code, the Project would comply with regulations related to solid waste and would not exceed the permitted capacity of the landfill serving the City; therefore, this is a less than significant impact.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.16.6 CUMULATIVE IMPACTS

Impact Analysis: Development associated with implementation of the Downtown Core Project along with other cumulative projects would increase demand for water, wastewater, stormwater, solid waste, electrical, natural gas, and telecommunications services within the Project Area.

WATER

Cumulative water impacts are analyzed in terms of impacts to FWC's supplies and facilities. Development associated with implementation of the Downtown Core Project along with other cumulative projects would increase demand for water services within the FWC service area. It is required that every urban water supplier assess the reliability to provide water service to its customers under normal, dry, and multiple dry water years. As indicated above, FWC can meet projected water demands for the City and Project Area under normal, dry, and multiple dry water years through 2045. Further, this increased demand for water infrastructure would be located within areas that are already developed and serviced by the FWC. Additionally, the FWC confirmed that the Project is entirely within the FWC service area; that distribution system piping and storage capacity for domestic water purposes exists for current demands in the Project Area; and that FWC is able to provide all water utility service to meet the water supply needs of the Project (FWC, 2022).

Future development projects associated with implementation of the Downtown Core Project Update would be evaluated by the City on a project-by-project basis to determine potential impacts to water supplies and infrastructure. The continued assessment of individual projects for impacts to the water supply system would assure projects would only be approved if adequate water supplies exist at the time of their implementation. All future development would be subject to all applicable federal, State, and local laws, ordinances, and regulations in place for water supply and infrastructure. Further, new development would be required to pay all applicable connection fees and ongoing user fees related to the provision of



water services. Therefore, implementation of the Downtown Core Project would not result in cumulatively considerable water supply and infrastructure impacts.

WASTEWATER

Development associated with implementation of the Downtown Core Project along with other cumulative projects would increase demand for wastewater services within the sewer service area. As discussed above, wastewater from the Project Area is diverted to the San Bernardino Avenue Lift Station and then to the IEUA Regional Water Reclamation Plant No. 4 (RP-4) (CDM Smith, 2013). RP-4 has a treatment capacity of up to 14 MGD and currently treats the liquid portion of an average influent wastewater flow of approximately 10 MGD. Therefore, sufficient capacity exists to meet additional wastewater flows associated with Project implementation. The Project does not include specific development proposals; individual development projects would be required to verify that existing capacity exists to convey and treat the potential wastewater generated with the new development. At the time future wastewater facilities are proposed, they would require a separate environmental review and compliance with regulations in existence at that time would address potential environmental impacts related to the construction and operation of new wastewater facilities. All future development would be subject to all applicable federal, State, and local laws, ordinances, and regulations in place for wastewater services. Further, new development would be required to pay all applicable sewer connection fees and ongoing user fees related to the provision of wastewater services. Therefore, cumulative impacts to wastewater services and facilities would be less than significant.

STORMWATER

As discussed above, the Project Area is generally developed with impervious surfaces and served by existing stormwater drainage and conveyance facilities. Development associated with implementation of the Downtown Core Project along with other cumulative projects has the potential to result in increased areas of impervious surfaces, resulting in increased demand for stormwater services within the Project Area. The Downtown Core Project does not include specific development proposals; therefore, the environmental effects of future storm water drainage facilities are unknown at this time. At the time future stormwater facilities are proposed, they would require a separate environmental review and compliance with regulations in existence at that time would address potential environmental impacts related to the construction and operation of new stormwater facilities. Further, future development would be subject to all applicable federal, State, and local laws, ordinances, and regulations in place for stormwater drainage and conveyance facilities. Therefore, cumulative impacts to stormwater services and facilities would be less than significant.

SOLID WASTE

Development associated with implementation of the Downtown Core Project along with other cumulative projects would increase demand for solid waste collection and disposal services. The City of Fontana, along with cities and County lands in the surrounding area, would continue to use common landfill resources, thereby gradually reducing the capacity of local landfills.

As noted above, the Project does not include specific development proposals; however, the increase in solid waste generation due to future individual and cumulative development projects together could significantly impact solid waste resources. Individual development projects and related cumulative



projects would be required to meet current recycling goals, reducing the amount of solid waste requiring disposal at landfills. Future developments would be reviewed on a project-by-project basis and solid waste impacts would be evaluated based on existing and planned disposal facilities and capacities available at that time.

In addition, all future development would be required to comply with the mandatory commercial and multifamily recycling requirements of AB 341, thus reducing the amount of landfill waste. Therefore, the contribution of the Downtown Core Project to cumulative impacts associated with increased solid waste would be less than significant.

ELECTRIC POWER, NATURAL GAS, AND TELECOMMUNICATIONS

Development associated with implementation of the Downtown Core Project along with other cumulative projects would increase demand for electrical, natural gas, and telecommunications services within the Project Area. As noted above, the Project does not include specific development proposals; individual development projects would be required to verify that electric power, natural gas, and telecommunications usage generated with the new development would not create significant environmental impacts. Therefore, the contribution of the Project to cumulative impacts associated with increased electric power, natural gas, and telecommunications would be less than significant.

Mitigation Measures: No mitigation measures are required.

Level of Significance: Less Than Significant Impact.

5.16.7 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts associated with utilities and service systems would occur with the proposed Project.

5.16.8 REFERENCES

California Department of Finance (DOF), *E-5 Population & Housing Estimates for Cities, Counties, and the State: January 2021-2022, with 2020 Benchmark*, <https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2021/>, accessed November 16, 2022.

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6.0 OTHER CEQA CONSIDERATIONS

Pursuant to CEQA Guidelines Section 15126.2, Consideration and Discussion of Significant Environmental Effects, an EIR is required to consider: (a) The Significant Environmental Effects of the Proposed Project; (b) Energy Impacts; (c) Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented; (d) Significant Irreversible Environmental Changes Which Would be Caused by the Proposed Project Should it be Implemented; and (e) Growth-Inducing Impact of the Proposed Project.

In response to CEQA Guidelines, Section 15162.2 (a), Significant Environmental Effects of the Proposed Project and Section 15162 (c), Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented, are considered and identified in [Section 5.0, *Environmental Analysis*](#), of this EIR. Energy Impacts, pursuant to CEQA Guidelines Section 15162.2 (b), are analyzed in [Section 5.5, *Energy*](#).

6.1 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE CAUSED BY THE PROPOSED PROJECT SHOULD IT BE IMPLEMENTED

According to CEQA Guidelines Sections 15126(c) and 15126.2(d), an EIR is required to address any significant irreversible environmental changes that could occur should the proposed Project be implemented. As stated in CEQA Guidelines Section 15126.2(d):

“Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter likely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.”

Determining whether the proposed Project would result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed such that there would be little possibility of restoring them. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

CONSUMPTION OF NONRENEWABLE RESOURCES

The environmental impacts associated with implementation of the Downtown Core Project are analyzed in [Section 5.0](#). Future development would consume limited, slowly renewable and non-renewable resources. This consumption would occur during each individual project’s construction phase and would continue throughout its operational lifetime.

Construction associated with future development would require a commitment of resources that would include: (1) building materials; (2) fuel and operational materials/resources; and (3) the transportation of goods and persons to and from individual development sites. Construction would also require the consumption of resources that are not renewable or which may renew so slowly as to be considered non-renewable. These resources would include the following construction supplies: lumber and other forest



products; aggregate materials used in concrete and asphalt; metals; and water. Fossil fuels such as gasoline and oil would also be consumed to power construction vehicles and equipment.

The operational activities of new development associated with implementation of the Downtown Core Project would consume resources which would be similar to those currently consumed within the City (i.e., energy resources such as electricity and natural gas, petroleum-based fuels required for vehicle-trips, fossil fuels, and water). Fossil fuels would represent the primary energy source associated with both construction and ongoing operation, and the existing, finite supplies of these natural resources would be incrementally reduced. Future development operations would occur in accordance with California Code of Regulations (CCR) Title 24, Part 6, which sets forth conservation practices that would limit energy consumption. Nonetheless, the proposed Project's energy requirements would represent a long-term commitment of essentially non-renewable resources.

Construction activities associated with implementation of the Downtown Core Project could release hazardous materials into the environment through reasonably foreseeable upset and accident conditions; refer to [Section 5.8, *Hazards and Hazardous Materials*](#). All potential demolition, grading, and excavation activities would be subject to the established regulatory framework to ensure that hazardous materials are not released into the environment. Compliance with the established regulatory framework and mitigation measures would protect against a significant and irreversible environmental change resulting from the accidental release of hazardous materials.

In addition, there is the potential that individual future development projects would use and store limited amounts of potentially hazardous materials typical; refer to [Section 5.8](#). All future development activities requiring the routine use, storage, transport, or disposal of hazardous materials would be subject to all applicable federal, State, and local regulations and standards in place for hazardous materials. Compliance with these regulations and standards would protect against significant and irreversible environmental changes due to the accidental release of hazardous materials.

In conclusion, future construction and operations would result in the irretrievable commitment of limited, slowly renewable, and nonrenewable resources, which would limit the availability of these resource quantities for future generations or for other uses during the life of the individual developments. It is noted that the continued use of such resources would be on a relatively small scale in a regional context.

IRRETRIEVABLE COMMITMENTS/IRREVERSIBLE PHYSICAL CHANGES

Implementation of the Downtown Core Project would result in a commitment of land uses designated for the foreseeable future. Land use and development consistent with the Downtown Core Project would result in irretrievable commitments by designating land for development that is more intense, in some instances, than current designations allow. Development would physically change the environment in terms of aesthetics, air emission, noise, and traffic. These physical changes are irreversible after development occurs. Therefore, the Downtown Core Project would result in changes in land use within the Project Area that would commit future generations to these uses.

The Downtown Core Project would support the General Plan goals and policies to guide growth and development to the Downtown. Construction and operation of future development projects associated with Project implementation would result in the irretrievable commitment of limited, slowly renewable, and nonrenewable resources that would limit the availability of these resource quantities for future



generations or for other uses during the life of the Project. However, the Project Area is an urbanized area and already uses such resources. Additionally, the continued use of such resources would be on a relatively small scale and consistent with regional and local growth forecasts in the area. As such, although irreversible environmental changes would result from the Project, such changes would not be considered significant.

6.2 GROWTH INDUCING IMPACTS OF THE PROPOSED PROJECT

Section 15126.2(e) of the CEQA Guidelines requires that an EIR evaluate the growth-inducing impacts of a proposed project. A growth-inducing impact is defined by the CEQA Guidelines as:

“The way in which a proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment..”

The State CEQA Guidelines do not provide specific criteria for evaluating growth inducement. Growth-inducing impacts fall into two general categories: direct or indirect. Direct growth-inducing impacts are generally associated with new residences or businesses that could induce population growth directly. Indirect growth-inducing impacts provide urban services, such as the extension of roads or other infrastructure, to an undeveloped area that could induce population growth indirectly.

In general, a project may foster spatial, economic, or population growth in a geographic area if it results in any of the following:

- Removal of an impediment to growth (e.g., establishment of an essential public service and provision of new access to an area);
- Fostering of economic expansion or growth (e.g., changes in revenue base and employment expansion);
- Fostering of population growth (e.g., construction of additional housing), either directly or indirectly;
- Establishment of a precedent-setting action (e.g., an innovation, a change in zoning and general plan amendment approval); or
- Development of or encroachment on an isolated or adjacent area of open space (being distinct from an infill project).

Should a project meet any one of the above-listed criteria, it may be considered growth inducing. Generally, growth-inducing projects are either located in isolated, undeveloped, or underdeveloped areas, necessitating the extension of major infrastructure such as sewer and water facilities or roadways, or encourage premature or unplanned growth. Note that the CEQA Guidelines require an EIR to “discuss



the ways” a project could be growth inducing and to “discuss the characteristics of some projects that may encourage...activities that could significantly affect the environment.” However, the CEQA Guidelines do not require that an EIR predict (or speculate) specifically where such growth would occur, in what form it would occur, or when it would occur. The answers to such questions require speculation, which CEQA discourages (refer to CEQA Guidelines Section 15145).

In accordance with the CEQA Guidelines and based on the above-listed criteria, the project’s potential growth-inducing impacts are evaluated below.

Removal of an Impediment to Growth: The Project Area and surrounding area are fully developed and urbanized. Transportation and infrastructure exists to serve the range of residential and non-residential uses within the surrounding area. The Project does not introduce new roadways or new or significantly expanded infrastructure that would provide for additional development within the surrounding area. Potential infrastructure improvements associated with future site-specific development would not remove obstacles to growth since the Project Area and surrounding area are already served by existing utility providers and potential improvements would be to serve the specific development being proposed. As the Project would not establish an essential public service or provide new access to an area, the proposed Project would not be considered growth-inducing.

Economic Expansion or Growth: In addition to residential uses, the Project anticipates the development of commercial uses within the Project Area. The construction of future development projects would result in construction-related jobs. However, construction activities and durations would vary depending upon the specific development and would be temporary in respect to each individual development site and therefore, would not be considered growth-inducing.

Project operations would introduce new residents and jobs to the Project Area. Implementation of the Downtown Core Project would consist of infill development at greater residential densities and non-residential intensities with the intent to introduce a variety of housing options and supportive commercial uses that bring people to the Downtown Area. Potential residents and employees would be closer to existing transit, as well as civic and commercial uses. Residents and employees would seek shopping, entertainment, employment, and other economic opportunities in the City and surrounding area. This could create an increased demand for goods and services that would encourage the creation of new businesses or the expansion of existing businesses. Although economic growth is anticipated within the Project Area, significant economic growth resulting in the potential to significantly affect the environment is not anticipated as the surrounding area is urbanized.

Population Growth: A project could induce population growth in an area either directly or indirectly. More specifically, the development of new residences or businesses could induce population growth directly, whereas the extension of roads or other infrastructure could induce population growth indirectly. The Project Area is located within the Downtown area of the City, which is an urbanized area served by existing roads, transit, and infrastructure. The Project does not involve the extension of roads or infrastructure into undeveloped areas; refer to the “Removal of an Impediment to Growth” discussion above.

As analyzed in Section 5.12, *Population and Housing*, Project implementation could yield a net change over existing conditions of an additional 8,900 dwelling units and 2,685,404 square feet of non-residential uses. This new growth may increase the City’s population by approximately 33,731 residents (based on



the 2022 California Department of Finance estimated household size of 3.79 persons per household). Implementation of the proposed Project would also provide additional employment opportunities for approximately 6,852 employees (Kittelson and Associates, 2022).

The proposed Project would provide for increased population growth within the Project Area when compared to the current General Plan. However, the proposed Project is intended to implement the goals and policies of the General Plan and accommodate the City's fair share of statewide housing needs, which are allocated by the Southern California Association of Governments (SCAG), based on regional numbers provided by the State of California Department of Housing and Community Development (HCD) on a regular basis (every five to eight years). The City of Fontana 2021-2029 Housing Element was adopted February 8, 2022 and accommodates the City's share of the regional housing need for the 2021-2029 RHNA period of 17,519 units. The City's 2021-2029 Housing Element identifies the existing Project Area, as accommodating a portion of City's Low-, Very-Low-, and Above-Moderate-income RHNA allocation. The Project is anticipated to yield an additional 8,900 dwelling units, 33,731 residents, and 6,852 employees over existing conditions. The population and employment growth anticipated as a result of Project implementation is within the overall City's growth projections of the Fontana Forward General Plan and SCAG's RHNA allocation.

Although the Project involves unplanned population growth anticipated by the General Plan for the Project Area, the environmental impacts of the potential unplanned population growth are evaluated, planned for, and mitigated as part of the Project throughout this EIR. The Project would not result in land use changes, nor implement any new policies that could induce substantial unplanned population or employment growth within other areas of the City or region. The Project is in an urban area with existing infrastructure that can support future infill development and the potential physical environmental impacts of such improvements are analyzed in [Section 5.16, *Utilities and Service Systems*](#). No additional infrastructure improvements (e.g., roadways and utilities) would be implemented that could indirectly induce population growth elsewhere in the City.

Establishment of a Precedent-Setting Action: The proposed Project would accommodate future growth in the Downtown Core Project Area by creating and implementing a new General Plan land use category and six new FBC districts specific to the Project Area. The Project would involve amending the General Plan, amending the General Plan Land Use Map, and amending the Zoning and Development Code, including the Zoning District Map, as described in [Section 3.0, *Project Description*](#). The proposed approvals would only regulate future land development within the Project Area through the implementation of the requirements of the FBC districts and would not induce growth within the surrounding area. Further, implementation of the Project would not establish a procedure that would make future General Plan or zoning amendments more likely. Discretionary projects within the City would also be subject to environmental review on a project-by-project basis and Project implementation would not involve a precedent-setting action that could significantly impact the environment.

Development or Encroachment of Open Space: As stated, the Project Area is located within an urbanized area of the City. Park and open space resources include Miller Park, within the Civic Area, Santa Fe Park, adjacent to the Metrolink Station, and a portion of the Pacific Electric Trail (PET), an east-west multi-use regional trail, located south of Seville Avenue. The Project does not propose modifications to these existing resources and would not result in encroachment into these areas. The Project would not be



growth-inducing with respect to development or encroachment into an isolated or adjacent area of an existing open space.



7.0 ALTERNATIVES TO THE PROPOSED PROJECT

7.1 INTRODUCTION

Section 15126.6 of the CEQA Guidelines requires the identification and evaluation of a range of reasonable alternatives designed to feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. In addition, CEQA requires a comparative evaluation of the merits of the alternatives.

Pursuant to Section 15126.6(f)(1) of the CEQA Guidelines, factors that may be taken into account when addressing the feasibility of alternatives include site suitability, economic viability, availability of infrastructure, general plan consistency, other plan or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent). Although these factors do not present a strict limit on the scope of reasonable alternatives to be considered, they help establish the context in which “the rule of reason” is measured against when determining an appropriate range of alternatives sufficient to establish and foster meaningful public participation and informed decision-making.

7.2 ALTERNATIVES CONSIDERED IN THIS EIR

FACTORS GUIDING SELECTION OF ALTERNATIVES

A Notice of Preparation (NOP) was circulated to the public and a public scoping meeting was held during the public review period to solicit recommendations for a reasonable range of alternatives to the proposed project. No specific alternatives were recommended by commenting agencies or the general public during the NOP public review and comment period.

An EIR must only discuss in detail an alternative that is capable of feasibly attaining most of the basic objectives associated with an action, while at the same time avoiding or substantially lessening any of the significant effects associated with the proposed project. As described in [Section 3.0, *Project Description*](#), the following objectives have been identified for the proposed Project:

- Provide for new residential development opportunities in order to meet the goals of the SB 2 Planning Grant.
- Establish FBC districts that encourage housing and supporting commercial development.
- Create and apply a new land use category to the Project Area to provide consistency and allow for development at the densities and intensities needed to implement the FBC districts.
- Enhance the pedestrian experience and promote walkability, by ultimately closing a quarter-mile portion of Sierra Avenue to vehicular traffic.
- Provide objective development standards that would facilitate permitting of housing projects.
- Create a Downtown Fontana Development Guide to serve as a "how-to" guide for the development community so that the City can realize its vision for the Downtown.
- Implement the following goals, policies, and/or actions from the General Plan:



- Support regulations that promote creation of compact and walkable urban village-style design in new developments (Chapter 4: Community and Neighborhoods).
- Support revitalization of the central area of the city with an integrated approach, including mixed-use development, infill housing, infrastructure improvements, interconnections and placemaking programs that create great public amenities (Chapter 4: Community and Neighborhoods).
- Continue to ensure excellent management of non-single-family housing (Chapter 4: Community and Neighborhoods).
- Make land use decisions that support walking, bicycling, and public transit use, in alignment with the 2016-2040 Regional Transportation Plan and Sustainable Communities Strategy (Chapter 9: Community, Mobility and Circulation).
- Encourage a mix of uses in the downtown core, appealing to a wide range of customer types, with a focus on families (Chapter 14: Downtown Area Plan).
- Encourage mixed-use development within the Downtown and along major corridors (Chapter 14: Downtown Area Plan).
- Encourage new “in-town” housing types targeted to young people and young families to help attract and retain the next generation of Fontanans (Chapter 14: Downtown Area Plan).
- Ensure that future street improvements to Foothill and Arrow Boulevards and Sierra Avenue improve the appearance and pedestrian environment while accommodating traffic flows (Chapter 14: Downtown Area Plan).
- Locate multi-family development in mixed-use centers, preferably where there is nearby access to retail, services, and public transportation (Chapter 15: Land Use, Zoning, and Urban Design).
- Promote interconnected neighborhoods with appropriate transitions between lower-intensity and higher-intensity land uses (Chapter 15: Land Use, Zoning, and Urban Design).
- Promote revitalization and redevelopment of downtown and older neighborhoods in the central area of the city (Chapter 15: Land Use, Zoning, and Urban Design).
- Transform downtown into a vibrant local and regional destination (Chapter 15: Land Use, Zoning, and Urban Design).
- Promote a land use pattern that provides connections among land uses and a mixture of land uses (Chapter 15: Land Use, Zoning, and Urban Design).
- Support high-quality development in design standards and in land use decisions (Chapter 15: Land Use, Zoning, and Urban Design).

SIGNIFICANT AND UNAVOIDABLE IMPACTS

The Downtown Core Project would result in the following significant and unavoidable impacts, which are described in [Sections 5.1](#) through [5.16](#):



Air Quality

- The Project could result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- The Project could result in ROG, NO_x, CO, PM₁₀, and PM_{2.5} operational emissions that would be significant and unavoidable.
- Implementation of the proposed Project as a whole would result in a significant and unavoidable impact concerning Local Significance Thresholds (LSTs) during operational activities.
- Project implementation would result in a cumulatively considerable contribution to significant cumulative air quality impacts during operational activities.

Greenhouse Gas Emissions

- Project implementation would generate greenhouse gas emissions that would not satisfy the Greenhouse Gas reduction targets established by federal and State law and may have a significant effect on the environment.
- Project implementation would contribute to global climate change through a cumulatively considerable contribution of greenhouse gases. The Project would result in a cumulatively considerable and significant adverse GHG emissions impact.

Noise

- Project implementation would result in substantial permanent increases in existing transportation noise levels at sensitive receptors.
- Project traffic noise on existing noise-sensitive uses along identified roadway segments within the Project Area would result in a significant unavoidable cumulative impact.

All other impacts are less than significant or can be reduced to a less than significant level with adherence to the regulatory requirements and implementation of identified mitigation measures. This section considers alternatives that could otherwise avoid or minimize these significant and unavoidable impacts. A description of each alternative and a comparative environmental evaluation of the impacts identified for the proposed Project is provided below.

An EIR must identify an “environmentally superior” alternative and where the No Project Alternative is identified as environmentally superior, the EIR is then required to identify as environmentally superior an alternative from among the others evaluated. Each alternative’s environmental impacts are compared to the proposed Project and determined to be environmentally superior, inferior, or neutral. However, as stated above, only those impacts found to be significant and unavoidable for the proposed Project are used in making the final determination of whether an alternative is environmentally superior or inferior to the proposed Project.

ALTERNATIVES TO THE PROPOSED PROJECT

Two alternatives to the proposed Project were considered based on the analysis performed to identify the environmental effects of the proposed Project. The alternatives analyzed in this EIR include the following:



Alternative 1: No Project/Existing General Plan

As required by CEQA Guidelines Section 15126.6(e), under Alternative 1, the City would not implement the Downtown Core Project. The Fontana General Plan and Zoning and Development Code would continue to be implemented. No changes to the General Plan or Zoning and Development Code, including General Plan text and Land Use Map amendments, or amendments to the Zoning and Development Code and Zoning District Map, would occur. This Alternative assumes that ultimate development of the Fontana General Plan would occur and increased residential development opportunities in the Downtown Core Project Area in order to meet the goals of the SB 2 Planning Grant and accommodate a portion of the City’s Low-, Very-Low-, and Above-Moderate-income RHNA allocation as identified in the Fontana 2021-2029 Housing Element would not occur.

Alternative 2: Reduced Growth

Alternative 2 would implement the Downtown Core Project, but at residential densities and nonresidential intensities lower than those reflected in the proposed Downtown Core Project. For comparison, it is assumed that this Alternative would result in a 59 percent decrease in the number of multifamily units, resulting in a 56 percent decrease in the Project Area’s population by 2040, and a 56 percent decrease in the number of employees by 2040 when compared to the proposed Project; refer to Table 7-1, Growth Potential By Alternative (2040). This Alternative was developed to reduce the severity of potential impacts related to air quality, greenhouse gas emissions and noise, as overall development of residential and commercial uses within the Downtown Core would be less than what could under the proposed Project.

7.3 ENVIRONMENTAL ANALYSIS

A summary of the potential growth, including population growth, housing units, and jobs for the Project and each Alternative is shown in Table 7-1.

**Table 7-1
Growth Potential By Alternative (2040)**

Alternatives	Population ¹	Housing Units		Jobs (Employment) ²
		Single Family ²	Multi Family ²	
Proposed Project	42,842	677	10,627	10,008
Alternative 1: No Project/Existing General Plan	36,077	706	8,813	9,515
Alternative 2: Reduced Growth	18,999	677	4,336	4,369
Source:				
1. Based on 3.79 persons per household, California Department of Finance (DOF), <i>E-5 Population & Housing Estimates for Cities, Counties, and the State: January 2021-2022, with 2020 Benchmark</i> , May 2022.				
2. Kittelson and Associates, Fontana Downtown Core Project Transportation Study, January 16, 2023.				

The alternatives analysis provides a summary of the relative impact level of significance associated with each alternative for each of the environmental issue areas analyzed in this EIR. Following the analysis of each alternative, Table 7-4, Comparison of Alternatives, summarizes the comparative effects of each alternative with the proposed Project.



The primary difference between the proposed Project and Alternative 2 is that Alternative 2 would result in approximately 6,291 fewer housing units and 23,843 fewer residents within the Project Area when compared to the proposed Project; refer to [Table 7-3, *Alternative 2: Reduced Growth Alternative Compared to the Proposed Project.*](#)

ALTERNATIVE 1 – NO PROJECT/EXISTING GENERAL PLAN

Under Alternative 1, the City would not implement the Downtown Core Project. The Fontana General Plan and Zoning and Development Code would continue to be implemented. No changes to the General Plan or Zoning and Development Code, including General Plan text and Land Use Map amendments, or amendments to the Zoning and Development Code and Zoning District Map, would occur. This Alternative assumes that ultimate development of the Fontana General Plan would occur and increased residential development opportunities in the Downtown Core Project Area in order to meet the goals of the SB 2 Planning Grant and accommodate a portion of the City’s Low-, Very-Low-, and Above-Moderate-income RHNA allocation as identified in the Fontana 2021-2029 Housing Element would not occur.

Alternative 1 would result in the continuation of existing conditions and new growth would be allowed as envisioned under the General Plan and Zoning and Development Code, with land uses required to be consistent with the existing General Plan Land Use Map as shown on [Figure 3.5](#) and zoning as shown on [Figure 3.6](#) in [Section 3.0](#). [Table 7-2, *Alternative 1: No Project Alternative Compared to the Proposed Project,*](#) compares the assumed development potential associated with the existing General Plan and the proposed Project 2040 buildout.

**Table 7-2
Alternative 1: No Project/Existing General Plan Compared to the Proposed Project**

Alternative	Population ¹	Housing Units		Jobs (Employment) ²	Jobs Per Housing Unit
		Single Family ²	Multi Family ²		
Alternative 1: No Project/Existing General Plan	36,077	706	8,813	9,515	1.00
Downtown Core Project (Proposed Project)	42,842	677	10,627	10,008	0.89
Difference	-6,765	29	-1,814	-493	--
Source: 1. . Based on 3.79 persons per household, California Department of Finance (DOF), <i>E-5 Population & Housing Estimates for Cities, Counties, and the State: January 2021-2022, with 2020 Benchmark</i> , May 2022. 2. Kittelson and Associates, Fontana Downtown Core Project Transportation Study, January 16, 2023.					

As shown in [Table 7-2](#), Alternative 1 would result in less development within the Project Area compared to the proposed Project. Under Alternative 1, the existing General Plan policy framework would continue to be in effect, which would constitute a status quo approach to land use regulation in the Project Area.

The goal of the Downtown Core Project is to create a vibrant, walkable, mixed-use area with high quality housing and retail options in the Downtown Core Project Area. The Project would accomplish this goal by creating and implementing a new Walkable Mixed-Use Downtown Core (WMXU-3) General Plan land use category and six new FBC districts specific to the Project Area. The new land use category and FBC districts



would allow for cohesive infill development in the Downtown Core. The Project would amend the Development Code to incorporate the six new FBC districts, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District. Further, the City is developing the Downtown Fontana Development Guide to provide recommended changes to the FBC, objective development standards, expedited review guidelines, and development impact fee incentives. These standards and guidelines would ensure new development and redevelopment projects would be designed to complement the character of the existing community and neighborhoods and provide connectivity between existing development and new development. The Project Area planned circulation would provide a more “walkable” environment, designed to incorporate traffic calming measures to reduce traffic speeds, enhance pedestrian safety, and promote walkability of the area, specifically along Sierra Avenue. To enhance the pedestrian experience and promote walkability, the Project proposes to ultimately close a quarter-mile portion of Sierra Avenue to vehicular traffic.

Alternative 1 would not implement the new WMXU-3 General Plan land use category and six new FBC districts within the Project Area. This Alternative would not develop the Downtown Fontana Development Guide, and standards and guidelines would not be implemented to ensure new development and redevelopment projects would be designed to complement the character of the existing community and neighborhoods and provide connectivity between existing development and new development. This Alternative would continue with the existing circulation described in the General Plan and would not ultimately close a quarter-mile portion of Sierra Avenue to vehicular traffic.

Aesthetics

As described in [Section 5.1, Aesthetics](#), impacts related to Aesthetics were found to be less than significant. Both the Downtown Core Project and No Project/Existing General Plan Alternative would provide for increased development within the Project Area that would result in densification of the Project Area. However, Alternative 1 would result in decreased densities and intensities in the Project Area when compared to the Downtown Core Project. Future projects under both development scenarios would be subject to applicable Municipal Code requirements. Although buildout of Alternative 1 would result in 1,785 fewer dwelling units in the Project Area and 493 fewer jobs, overall the Project Area would experience significant development compared to existing conditions which would change the character and image of the area under both Alternative 1 and the proposed Project.

Future development associated with Alternative 1 and the proposed Project would result in new development and intensification of existing urban uses that may interfere with existing scenic views of the San Gabriel Mountains and Jurupa Hills. Views of the San Gabriel Mountains and Jurupa Hills are primarily provided from along Sierra Avenue and within the northernmost and southernmost portions of the Project Area. Under both Alternative 1 and the proposed Project, buildings would be limited to heights of 35 feet adjacent to Sierra Avenue. Further, under the proposed Project a 55-foot maximum height would be maintained adjacent to street corners within the Gateway Core and Sierra Core, which primarily comprise the areas along Sierra Avenue and Foothill Boulevard. Since these are the areas wherein views of the San Gabriel Mountains and Jurupa Hills are primarily provided, the height limitations would assist in maintaining these long-range views from the Project Area. Alternative 1 would allow for heights of 40



to 70 feet depending upon the building type along Foothill Boulevard. Similar to the proposed Project the height limits imposed on Sierra Avenue would assist in maintaining long-range scenic views within the Project Area.

Development under either Alternative 1 or the proposed Project would be guided by the guiding principles established in General Plan Chapter 14, Downtown Area Plan. The Project would amend the General Plan to introduce the WMXU-3: Walkable Mixed-Use Downtown Core land use category, which supports a density of 2.1-70 dwelling units per acre (du/ac) and 0.2-2.0 Commercial FAR, and to apply the new land use category to a majority of the Project Area. The new WMXU-3 land use designation would encourage residential development within the Project Area by providing opportunities for higher density residential development to meet the goals of the SB 2 Planning Grant and to implement the General Plan goals, policies, and actions. Although Alternative 1 would allow for less residential densities and development, it would continue to implement the General Plan goals, policies, and actions related to infill development, providing mixed and supportive land uses, revitalizing the Downtown Area, supporting increased activity, increasing connectivity and providing improved amenities and design that encourages walking, bicycling, transit, and other opportunities that reduce motor vehicle trips.

Alternative 1 would also continue to be guided by Zoning and Development Code Chapter 30, Article III, *Form-Based Code*, which establishes development standards by the existing zoning districts. The proposed Project would amend Zoning and Development Code Chapter 30 to incorporate the six new FBC districts, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District.

Under both Alternative 1 and the proposed Project, the Fontana Development Code provides for project-specific design review of future development proposals within the City, including the Project Area, which would ensure that development is consistent with the General Plan goals, policies, and actions and the specific FBC district development standards. Neither Alternative 1 nor the proposed Project would conflict with applicable zoning and other regulations governing scenic quality. As such, Alternative 1 would be neither environmentally superior nor inferior to the Downtown Core Project.

[Agriculture and Forestry Resources](#)

As described in [Section 8.0, *Effects Found Not To Be Significant*](#), the Downtown Core Project would result in no impacts to agriculture and forestry resources. Like the Downtown Core Project, Alternative 1 would accommodate development generally in the same areas, and these areas are, for the most part, already urbanized. Given that no agriculture and forestry resources would be impacted by the proposed Project, impacts associated with Alternative 1 would be the same and no impacts would occur. As such, Alternative 1 would be neither environmentally superior nor inferior to the Downtown Core Project.

[Air Quality](#)

As described in [Section 5.2, *Air Quality*](#), construction and operation of future developments would occur within close proximity to sensitive receptors, and there is the potential for localized emissions to exceed regulatory levels. The following significant impacts related to air quality have been identified:



- The Project could result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.
- The Project could result in ROG, NO_x, CO, PM₁₀, and PM_{2.5} operational emissions that would be significant and unavoidable.
- Implementation of the proposed Project as a whole would result in a significant and unavoidable impact concerning Local Significance Thresholds (LSTs) during operational activities.
- Project implementation would result in a cumulatively considerable contribution to significant cumulative air quality impacts during operational activities.

When compared to Alternative 1, the Downtown Core Project provides more opportunities for trip internalization and increased opportunities for walking and bicycling due to the proposed mix of higher density residential and commercial development. Future development under both Alternative 1 and the proposed Project would be required to adhere to the same policy guidance and local, State, and regional air quality measures. Although Alternative 1 would allow for slightly less development (1,785 fewer housing units and 493 fewer jobs), resulting in a corresponding reduction in construction emissions, operational emissions, and potential reductions in overall traffic volumes, impacts to air quality would continue to be significant and unavoidable, similar with the proposed Project. Additionally, Alternative 1 would result in a slightly higher VMT per service population when compared to the proposed Project. As such, Alternative 1 would be considered neither environmentally superior nor inferior to the Downtown Core Project.

Biological Resources

The Project Area is generally urbanized and developed with residential and non-residential uses. As described in [Section 5.3, *Biological Resources*](#), the Downtown Core Project does not include any specific development proposals and would not result in significant direct impacts to existing biological resources. However, subsequent development and redevelopment activities associated with implementation of the proposed Project could occur on undeveloped sites that have been revegetated or result in the removal of ornamental vegetation, potentially resulting in direct impacts to Burrowing Owl or nesting birds. Future development associated with implementation of the proposed Project would be required to implement Mitigation Measures BIO-1 and BIO-2 (General Plan EIR MM-BIO-1 and MM-BIO-2). Mitigation Measure BIO-1 requires that for sites containing suitable habitat, a qualified biologist conduct a pre-construction survey prior to ground disturbing or vegetation disturbing activities to determine the presence or absence of burrowing owl within the proposed area of impact and appropriate actions if occupied burrows are discovered. Mitigation Measure BIO-2 provides an alternative if avoidance of clearing of vegetation and removal of trees is not feasible between non-nesting (or non-breeding) season for nesting birds to ensure their protection. Compliance with Mitigation Measures BIO-1 and BIO-2, the Migratory Bird Treaty Act, and the California Fish and Game Code, would ensure that protected birds are not adversely affected during construction activities accommodated as part of the Downtown Core Project and impacts would be reduced to less than significant.

Alternative 1 would result in similar development patterns and a similar development footprint as the Downtown Core Project. The existing General Plan Land Use Map does not designate any open space within the Project Area. As with the proposed Project, incorporation of Mitigation Measures BIO-1 and



BIO-2 would reduce potential impacts to Burrowing Owl or nesting birds to less than significant. The potential impacts to biological resources under the Downtown Core Project and Alternative 1 would remain the same. As such, Alternative 1 would be neither environmentally superior nor inferior to the Downtown Core Project.

Cultural Resources

As described in Section 5.4, *Cultural Resources*, while the Downtown Core Project does not directly propose site-specific development with the potential to directly impact cultural resources, future development associated with implementation of the Downtown Core Project could cause a substantial adverse change in the significance of known or unknown historic or archaeological resources. Mitigation Measure CUL-1 (General Plan EIR MM-CUL-1, updated) would ensure evaluation of a project site for historical resources and, if necessary, implementation of mitigation measures to reduce impacts to a level that is less than significant. Mitigation Measure CUL-2 (General Plan EIR MM-CUL-2, updated) would ensure that if any prehistoric archaeological resources are encountered before or during grading, the developer shall retain a qualified archaeologist to monitor construction activities and take appropriate measures to protect or preserve them for study. Compliance with existing federal, State, and local regulations, including the General Plan and implementation of Mitigation Measures CUL-1 and CUL-2, would reduce potential impacts to cultural resources to less than significant.

Alternative 1 would result in similar development patterns and a similar development footprint as the Downtown Core Project. As with the proposed Project, incorporation of Mitigation Measures CUL-1 and CUL-2 would reduce potential impacts to historical resources and archaeological resources to less than significant. The impact under Alternative 1 would remain the same compared to the proposed Project. As such, Alternative 1 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Energy

As described in Section 5.5, *Energy*, Project implementation would use energy resources for the operation of buildings (electricity and natural gas), for on-road vehicle trips (e.g., gasoline and diesel fuel), and from off-road construction activities (e.g. diesel fuel) associated with the Project. Future development projects associated with implementation of the proposed Project would be in compliance with all applicable federal, State, and local regulations regulating energy usage. Energy use impacts associated with the implementation of the Downtown Core Project would be less than significant.

Alternative 1 would result in similar development patterns and a similar development footprint as the Downtown Core Project. While land uses and development under Alternative 1 would be required to adhere to the same local, State, and regional measures regulating energy usage as the Downtown Core Project, the decrease in residential units and non-residential building square footage, and the corresponding reduction in electricity and gas for the operation of buildings, diesel fuel for off-road construction activities, and potential reductions in gasoline due to a decrease in the overall traffic volumes would result in reductions in energy usage under Alternative 1 when compared to the proposed Project. As such, Alternative 1 would be considered environmentally superior to the Downtown Core Project.



Geology and Soils

As described in [Section 5.6, *Geology and Soils*](#), it is possible that undiscovered paleontological resources could be encountered during future ground-disturbing activities within the Project Area. Future development associated with implementation of the Downtown Core Project would be required to implement Mitigation Measures GEO-1 and GEO-2 (General Plan EIR MM-CUL-4, updated and MM-CUL-5, respectively). Mitigation Measure GEO-1 would require a qualified paleontologist conduct a pre-construction field survey of any project site that is underlain by older alluvium. The paleontologist shall submit a report of findings that provides specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Should mitigation monitoring of paleontological resources be recommended for a specific project, the project would be required to implement Mitigation Measure GEO-2, which would require the program to assign a paleontological monitor to the site full-time during the interval of earth-disturbing activities; cease earth-disturbing activities should fossils be found; curate for documentation and transfer recovered fossils to an appropriate depository; and submit a report to the City and San Bernardino County Museum. With implementation of Mitigation Measures GEO-1 and GEO-2, potential impacts to paleontological resources associated with future development anticipated by the Downtown Core Project would be reduced to less than significant.

Alternative 1 would result in similar development patterns as the Downtown Core Project. Since the Project Area is the same under both development scenarios, similar physical constraints related to geology and soils exist. The potential for new development to expose people or structures to adverse effects associated with seismic ground shaking and geologic instabilities would be similar under this Alternative and the Downtown Core Plan. As with the proposed Project, incorporation of Mitigation Measures GEO-1 and GEO-2 would reduce potential impacts to paleontological resources to less than significant. Further, new development would be required to comply with the California Building Code and applicable Municipal Code requirements. As such, Alternative 1 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Greenhouse Gas Emissions

As described in [Section 5.7, *Greenhouse Gas Emissions*](#), although the proposed Project would be required to comply with regulations imposed by the State of California and the SCAQMD aimed at the reduction of air pollutant emissions, the proposed Project as a whole would generate emissions beyond the identified threshold for residential and commercial land uses, and as such, would have a cumulatively significant and unavoidable adverse impact. The Project would be required to implement mitigation measures GHG-1 (General Plan EIR MM-GHG-1, updated), GHG-2, and GHG-3.

When compared to Alternative 1, the Downtown Core Project provides for slightly more development and more opportunities for trip internalization and increased opportunities for walking and bicycling due to the proposed mix of higher density residential and commercial development. Future development under both Alternative 1 and the proposed Project would be required to adhere to the same policy guidance and local, State, and regional air quality measures as the Downtown Core Project. Although Alternative 1 would allow for slightly less development (1,785 fewer housing units and 493 fewer jobs), resulting in a corresponding reduction in construction and operational GHG emissions, the amount and mix of development would result in higher VMT per service population than the proposed Project. Impacts



associated with GHG emissions would be significant and unavoidable with implementation of both Alternative 1 and the proposed Project. Thus, Alternative 1 would be considered neither environmentally superior nor inferior to the Downtown Core Project.

Hazards and Hazardous Materials

As described in [Section 5.8, *Hazards and Hazardous Materials*](#), the Downtown Core Project does not include any specific development proposals; however, future development has the potential to expose people or structures to adverse effects associated with hazardous materials. Future development associated with implementation of the Downtown Core Project would be required to implement Mitigation Measures HAZ-1 and HAZ-2 (General Plan EIR MM-HAZ-1, updated and MM-HAZ-3, respectively). Mitigation Measure HAZ-1 would require that new proposed facilities involved in the production, use, storage, transport or disposal of hazardous materials be located a safe distance from land uses that may be adversely impacted by such activities, and that new sensitive facilities would not be located near existing sites that use, store, or generate hazardous materials. Mitigation Measure HAZ-2 would require all businesses that handle hazardous materials above the reportable quantity to submit an inventory of the hazardous materials that they manage to the San Bernardino County Fire Department Hazardous Materials Division in coordination with the Fontana Fire Protection District. Implementation of Mitigation Measures HAZ-1 and HAZ-2 and compliance with federal, State, and local regulations would ensure a less than significant impact with regards to hazards and hazardous materials.

Similar to the Downtown Core Project, Alternative 1 would result in additional urban uses including commercial, residential, and mixed-use and public facility development. As with the proposed Project, incorporation of Mitigation Measures HAZ-1 and HAZ-2 would reduce potential impacts from hazards and hazardous materials to less than significant. The potential for new development to expose people or structures to adverse effects associated with hazards and hazardous materials would be similar under this Alternative and the Downtown Core Plan. As such, Alternative 1 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Hydrology and Water Quality

As described in [Section 5.9, *Hydrology and Water Quality*](#), implementation of the Downtown Core Project would result in less than significant impacts related to Hydrology and Water Quality.

While this Alternative would result in less dense and intense development compared to the Downtown Core Project, all new development would be subject to applicable stormwater and water quality requirements per the Santa Ana Regional Water Quality Control Board (RWQCB). This variation in intensity and land use designation changes would not substantially alter impacts from or to flooding, water quality, or on groundwater supplies because existing federal, State, and local regulations would apply to guard against flood hazards, water quality contamination, or impact on groundwater supplies. Potential hydrology and water quality impact for this Alternative, like the proposed Project, would be less than significant.

Alternative 1 would result in slightly reduced development of housing units and non-residential square feet when compared to the Downtown Core Project. Compared to the Downtown Core Project, the potential water quality impacts related to construction and operation would be similar. As described in [Section 5.9](#), implementation of the Downtown Core Project would not result in construction, or long-term



impacts to surface water quality from urban stormwater runoff. Future development under all alternatives would also be required to submit a SWPPP with BMPs to the RWQCB and comply with all storm water sewer system (MS4) requirements. It would be expected that impacts related to water quality would be similar under Alternative 1 as compared to the Downtown Core Project. As such, Alternative 1 would be neither environmentally superior nor inferior to the Downtown Core Project.

Land Use and Planning

The proposed Downtown Core Project and Alternative 1 are long-range land use plans. As described in [Section 5.10, *Land Use and Planning*](#), all impacts related to land use and planning were found to be less than significant under the Downtown Core Update. As described previously, the Downtown Core Update would amend the Fontana General Plan and Zoning and Development Code, including General Plan text and Land Use Map amendments, and amendments to the Zoning and Development Code and Zoning District Map. Under Alternative 1, the existing Land Use Element and land use designations would continue to guide development of the Downtown Core Project Area. However, this Alternative would not achieve the core objectives of the Downtown Core Project to meet the goals of the SB 2 Planning Grant and accommodating a portion of the City's Low-, Very-Low-, and Above-Moderate-income RHNA allocation as identified in the Fontana 2021-2029 Housing Element. In addition, the Downtown Core Project would allow for greater consistency with applicable State and regional plans related to the provision of housing options at varying densities and income levels within an area served by transit, retail, and services to provide opportunities to reduce VMT and associated GHG emissions when compared to Alternative 1. As such, Alternative 1 would be considered environmentally inferior to the Downtown Core Project.

Mineral Resources

As described in [Section 8.0](#), the Downtown Core Project would result in no impacts relating to mineral resources. Like the Downtown Core Project, Alternative 1 would accommodate development generally in the same areas, and these areas are, for the most part, already urbanized. Given that no mineral resources would be impacted by the proposed Project, impacts associated with Alternative 1 would be the same and would remain less than significant. As such, Alternative 1 would be neither environmentally superior nor inferior to the Downtown Core Project.

Noise

As described in [Section 5.11, *Noise*](#), while the Downtown Core Project does not directly propose site-specific development, future development associated with implementation of the Downtown Core Project could generate additional noise from construction and operational activities associated with future projects. Mitigation Measure NOI-1 (General Plan EIR MM-NOI-1, updated) requires a noise study be performed prior issuance of a grading permit and mitigation implemented if noise levels exceed 65 dBA. Mitigation Measure NOI-2 (General Plan EIR MM-NOI-2) provides procedures for construction activities to reduce impacts related to equipment moving and operation. With the exception of traffic noise on existing noise-sensitive uses along identified roadway segments, which would result in a significant unavoidable impact, the Project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Area in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies with the implementation of Mitigation Measures NOI-1 and NOI-2.



Alternative 1 would result in similar development patterns and a similar development footprint as the Downtown Core Project. Although Alternative 1 would allow for slightly less development (1,785 fewer housing units and 493 fewer jobs), resulting in a corresponding reduction in construction and operational noise, similar to the proposed Project, it would result in substantial permanent increases in existing transportation noise levels at sensitive receptors on a project and cumulative level. As such, Alternative 1 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Population and Housing

As described in [Section 5.12, *Population and Housing*](#), population and employment growth anticipated as a result of Project implementation is within the City's growth projections of the Fontana Forward General Plan and regional plans. The Downtown Core Project would result in less than significant impacts related to population and housing.

As shown in [Table 7-2](#), Alternative 1 would allow for 1,785 fewer residential units which would result in 6,765 fewer residents compared to the Downtown Core Project. As, Alternative 1 would provide for development consistent with the City's adopted General Plan, it would be consistent with City and regional growth projections. As such, this Alternative would be considered neither environmentally superior nor inferior to the Downtown Core Project.

Public Services and Recreation

As described in [Section 5.13, *Public Services and Recreation*](#), the Downtown Core Project would result in less than significant impacts relating to public services and recreation. New development would place increased demands on public services such as police, fire, schools, parks, libraries, and other governmental services. Compliance with the Fontana General Plan and Municipal Code would require payment of impact fees to the City and other public agencies to ensure that additional development allowed does not have adverse impacts on these services and agencies.

Under Alternative 1, the development area and development types would remain similar, however, there would be fewer jobs, dwelling units, and population when compared to the Downtown Core Project. Thus, impacts to public services (the demand for police, fire and other public services) would be slightly reduced. Overall, Alternative 1 would have a slightly reduced impact to public services when compared to the proposed Project. As such, Alternative 1 would be considered environmentally superior to the Downtown Core Project.

Transportation

As described in [Section 5.14, *Transportation*](#), transportation impacts associated with implementation of the Downtown Core Project would be less than significant. The proposed Project would not conflict with policies, plans, or programs regarding roadways, bicycle, pedestrian, or transit facilities or the performance or safety of those facilities. The Project would support the implementation of policies and programs to provide new and improved facilities to support multi-modal transportation and access within the Project Area. Similarly, Alternative 1 would provide for increased density and development within the Project Area and would not conflict with policies, plans, or programs regarding roadways, bicycle, pedestrian, or transit facilities or the performance or safety of those facilities.



The proposed Downtown Core Project would result in a VMT per service population below the County threshold. Alternative 1 would also result in a VMT per service population below the County threshold. However, when compared to the Project, Alternative 1 would result in a higher VMT per service population. Part of this reduction is attributed to the increasingly balanced mix of residential and employment opportunities within the Downtown Core Project. As such, Alternative 1 would be considered environmentally inferior to the Downtown Core Project.

Tribal Cultural Resources

As described in [Section 5.15, *Tribal Cultural Resources*](#), while the Downtown Core Project does not directly propose site-specific development with the potential to directly impact tribal cultural resources, future development associated with implementation of the Downtown Core Project could cause a substantial adverse change in the significance of known or unknown tribal cultural resources. Future development within the Project Area would be required to implement Mitigation Measure CUL-1 (General Plan EIR MM-CUL-1, updated), which requires a qualified archaeologist to perform a number of tasks prior to construction activities, including conducting a field survey for historical resources within portions of the project site not previously surveyed if evidence suggests the potential for resources to exist. In addition, future development would be required to implement Mitigation Measure CUL-2 and TCR-1 (General Plan EIR MM-CUL-2 and MM-CUL-3, updated). Mitigation Measure CUL-2 would ensure that if any prehistoric archaeological resources are encountered before or during grading, the developer shall retain a qualified archaeologist to monitor construction activities and to take appropriate measures to protect or preserve them for study. Additionally, Mitigation Measure CUL-2 has been updated to include implementation of TCR-1 in the event Native American cultural resources are discovered. Mitigation Measure TCR-1 requires that in the event Native American cultural resources are discovered during construction for future development, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find; that the City/project applicant initiate consultation between the appropriate Native American tribal entity and transfer cultural resources investigations to the appropriate Native American entity as soon as possible; and that a Native American Monitor from the appropriate Native American entity is utilized where deemed appropriate or required by the City, during initial ground disturbing activities, cultural resource surveys and/or cultural resource excavations. Compliance with existing federal, State, and local regulations, including the General Plan and implementation of Mitigation Measures CUL-1, CUL-2, and TCR-1 would reduce potential impacts to tribal cultural resources to less than significant.

Alternative 1 would result in similar development patterns and a similar development footprint as the Downtown Core Project. As with the proposed Project, incorporation of Mitigation Measures CUL-1, CUL-2, and TCR-1 would reduce potential impacts to tribal cultural resources to less than significant. The potential impact to tribal cultural resources under Alternative 1 would remain the same compared to the proposed Project. As such, Alternative 1 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Utilities and Service Systems

As described in [Section 5.16, *Utilities and Service Systems*](#), the Downtown Core Project would result in less than significant impacts relating to utilities and service systems. New development under either Alternative 1 or the proposed Project would place increased demands on utilities. Under Alternative 1,



the Project Area would be developed with similar development patterns and uses as the Downtown Core Project; however, the overall residential and non-residential development would be less. Therefore, overall demand on utilities and service systems would be slightly less when compared to the proposed Project. However, both Alternative 1 and the proposed Project would likely require the construction or expansion of new utilities to serve the site-specific development that is being proposed. The quantity of infrastructure installed would not be substantially reduced, as the Project Area is urbanized and contains existing utilities infrastructure. The potential environmental effects associated with infrastructure projects would be similar under Alternative 1 and the proposed Project. Similarly, storm drainage runoff under Alternative 1 would be approximately the same when compared to the proposed Project, due to the general development footprint remaining the same for this alternative when compared to the Downtown Core Project. Since demand for utilities would be slightly less under Alternative 1 due to the lower densities and associated development potential, Alternative 1 would be considered environmentally superior to the Downtown Core Project.

Wildfire

As described in [Section 8.0, *Effects Found Not To Be Significant*](#), the Project area is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; the Downtown Core Project would result in no impacts related to wildfire. Like the Downtown Core Project, Alternative 1 would accommodate development generally in the same areas, and these areas are, for the most part, already urbanized. Given that the Project Area is not located in an area of high fire hazard potential, impacts associated with Alternative 1 would be the same and no impacts would occur. As such, Alternative 1 would be neither environmentally superior nor inferior to the Downtown Core Project.

Ability To Meet The Project Objectives

The No Project/Existing General Plan Alternative would not attain the Project's fundamental objectives, which include providing for new residential development opportunities in order to meet the goals of the SB 2 Planning Grant; establish FBC districts that encourage housing and supporting commercial development; create and apply a new land use category for the Project Area to provide consistency and allow for development at the densities and intensities needed to implement the FBC districts; enhance the pedestrian experience and promote walkability, by ultimately closing a quarter-mile portion of Sierra Avenue to vehicular traffic; providing objective development standards that would facilitate permitting of housing projects; and creating a Downtown Fontana Development Guide to serve as a "how-to" guide for the development community so that the City can realize its vision for the Downtown.

ALTERNATIVE 2 – REDUCED GROWTH

Under Alternative 2, the City would implement the Downtown Core Project, but at residential densities and nonresidential intensities lower than those reflected in the proposed Downtown Core Project. For comparison, it is assumed that this Alternative would result in a 59 percent decrease in the number of multifamily units and a 56 percent decrease in the number of employees by 2040 when compared to the proposed Project; refer to [Table 7-1, *Growth Potential By Alternative \(2040\)*](#). This would result in a 56 percent decrease in the Project Area's population by 2040 when compared to the proposed Project. This Alternative was developed to reduce the severity of potential impacts related to air quality, greenhouse gas emissions and noise, as overall development of residential and commercial uses within the Downtown Core would be less than what could under the proposed Project.



Table 7-3, *Alternative 2: Reduced Growth Alternative Compared to the Proposed Project*, compares the assumed development potential associated with the Reduced Growth Alternative and the proposed Project 2040 buildout.

**Table 7-3
Alternative 2: Reduced Growth Alternative Compared to the Proposed Project**

Alternative	Population ¹	Housing Units		Jobs (Employment) ²	Jobs Per Housing Unit
		Single Family ²	Multi Family ²		
Alternative 2: No Project/Existing General Plan	18,999	677	4,336	4,369	0.87
Downtown Core Project (Proposed Project)	42,842	677	10,627	10,008	0.89
Difference	-23,843	0	-6,291	-5,639	--
Source: 1. . Based on 3.79 persons per household, California Department of Finance (DOF), <i>E-5 Population & Housing Estimates for Cities, Counties, and the State: January 2021-2022, with 2020 Benchmark</i> , May 2022. 2. Kittelson and Associates, Fontana Downtown Core Project Transportation Study, January 16, 2023.					

Alternative 2 would implement the Downtown Core Project, including amending the General Plan and Zoning and Development Code, in order to create and implement a new General Plan land use category and six new FBC districts specific to the Project Area; however, the amount of development would be reduced. As shown in [Table 7-3](#), Alternative 2 would result in approximately 6,291 fewer housing units and 23,843 fewer residents within the Project Area when compared to the proposed Project. Employment opportunities would be decreased under this alternative, with approximately 5,639 fewer jobs created within the Project Area when compared to the proposed Project.

Aesthetics

As described in [Section 5.1, Aesthetics](#), impacts related to Aesthetics were found be less than significant. Both the Downtown Core Project and Reduced Growth Alternative would provide for increased development within the Project Area that would result in densification of the Project Area. However, Alternative 2 would result in decreased densities and intensities in the Project Area when compared to the Downtown Core Project. Future projects under both development scenarios would be subject to applicable Municipal Code requirements. Although buildout of Alternative 2 would result in 6,291 fewer dwelling units in the Project Area and 5,639 fewer jobs, overall the Project Area would experience significant development compared to existing conditions which would change the character and image of the area under both Alternative 2 and the proposed Project.

Future development associated with Alternative 2 and the proposed Project would result in new development and intensification of existing urban uses that may interfere with existing scenic views of the San Gabriel Mountains and Jurupa Hills. Views of the San Gabriel Mountains and Jurupa Hills are primarily provided from along Sierra Avenue and within the northernmost and southernmost portions of the Project Area. Under both Alternative 2 and the proposed Project, buildings would be limited to heights of 35 feet adjacent to Sierra Avenue and a 55-foot maximum height would be maintained adjacent to street corners within the Gateway Core and Sierra Core. Since these are the areas wherein views of the



San Gabriel Mountains and Jurupa Hills are primarily provided, the height limitations would assist in maintaining these long-range views from the Project Area.

Development under either Alternative 2 or the proposed Project would be guided by the guiding principles established in General Plan Chapter 14, Downtown Area Plan and the proposed Downtown Fontana Development Guide. The Project and Alternative 2 would amend the General Plan to introduce the WMXU-3: Walkable Mixed-Use Downtown Core land use category, which supports a density of 2.1-70 dwelling units per acre (du/ac) and 0.2-2.0 Commercial FAR, and to apply the new land use category to a majority of the Project Area. The new WMXU-3 land use designation would encourage residential development within the Project Area by providing opportunities for higher density residential development to meet the goals of the SB 2 Planning Grant and to implement the General Plan goals, policies, and actions. Although Alternative 2 anticipates less development, it would continue to implement the General Plan goals, policies, and actions related to infill development, providing mixed and supportive land uses, revitalizing the Downtown Area, supporting increased activity, increasing connectivity and providing improved amenities and design that encourages walking, bicycling, transit, and other opportunities that reduce motor vehicle trips. Similar to the proposed Project, Alternative 2 would amend Zoning and Development Code Chapter 30 to incorporate the six new FBC districts, including permitted land uses, increased densities and development standards by zoning district, building types, frontage types, general regulations, design and architectural regulations, private open space types, and public open space standards specific to each new FBC District.

Under both Alternative 2 and the proposed Project, the Fontana Development Code provides for project-specific design review of future development proposals within the City, including the Project Area, which would ensure that development is consistent with the General Plan goals, policies, and actions and the specific FBC district development standards. Neither Alternative 2 nor the proposed Project would conflict with applicable zoning and other regulations governing scenic quality. As such, Alternative 2 would be neither environmentally superior nor inferior to the Downtown Core Project.

Agriculture and Forestry Resources

As described in [Section 8.0, *Effects Found Not To Be Significant*](#), the Downtown Core Project would result in no impacts to agriculture and forestry resources.

Alternative 2 would result in similar development patterns in the Project Area, which is already urbanized. Given that no agriculture and forestry resources would be impacted by the proposed Project, impacts associated with Alternative 2 would be the same and no impacts would occur. As such, Alternative 2 would be neither environmentally superior nor inferior to the Downtown Core Project.

Air Quality

As described in [Section 5.2, *Air Quality*](#), construction and operation of future developments would occur within close proximity to sensitive receptors, and there is the potential for localized emissions to exceed regulatory levels. The following significant impacts related to air quality have been identified:

- The Project could result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.



- The Project could result in ROG, NO_x, CO, PM₁₀, and PM_{2.5} operational emissions that would be significant and unavoidable.
- Implementation of the proposed Project as a whole would result in a significant and unavoidable impact concerning Local Significance Thresholds (LSTs) during operational activities.
- Project implementation would result in a cumulatively considerable contribution to significant cumulative air quality impacts during operational activities.

Both Alternative 2 and the Downtown Core Project would provide opportunities for trip internalization and increased opportunities for walking and bicycling due to the proposed mix of higher density residential and commercial development. Future development under both Alternative 2 and the proposed Project would be required to adhere to the same policy guidance and local, State, and regional air quality measures. Alternative 2 would result in less development when compared to the proposed Project, resulting in fewer construction-related emissions. Overall, construction-related emissions would be less than significant under Alternative 2, including for NO_x, which would be significant under the proposed Project without mitigation. Similar to the proposed Project, implementation of Alternative 2 would be required to implement all Air Quality mitigation measures (refer to [Section 5.2](#)).

Under the proposed Project, operations would exceed the numerical thresholds of significance established by the SCAQMD for emissions of all ROG, NO_x, CO, PM₁₀, and PM_{2.5}. In comparison, Alternative 2 would exceed the numerical thresholds of significance established by the SCAQMD for emissions of all ROG during the summer, and ROG and NO_x, during the winter. Both the Project and Alternative 2 would be required to implement all Air Quality mitigation measures (refer to [Section 5.2](#)). Compared to the proposed Project, Alternative 2 would result in fewer operational emissions and with the exception of ROG and NO_x, all emissions would be below significance thresholds.

Although construction emissions at nearby sensitive receptors would be less under Alternative 2, both the proposed Project and Alternative 2 would result in a less than significant impact concerning localized significance thresholds during construction activities. Under the proposed Project the maximum daily emissions of pollutants during operations of future developments could exceed the localized significance thresholds for operation emissions for PM₁₀ and PM_{2.5}. The maximum daily emissions of pollutants during operations of future developments associated with implementation of Alternative 2 would not exceed the localized significance thresholds.

Conclusion

Both Alternative 2 and the Downtown Core Project provide opportunities for trip internalization and increased opportunities for walking and bicycling due to the proposed mix of higher density residential and commercial development. While land uses and development under Alternative 2 would be required to adhere to the same policy guidance and local, State, and regional air quality measures as the Downtown Core Project, the decrease in residential units and non-residential building square footage, and the corresponding reduction in construction emissions, operational emissions, and potential reductions in overall traffic volumes would result in reductions in air emissions under Alternative 2 when compared to the proposed Project. As such, Alternative 2 would be considered environmentally superior to the Downtown Core Project.



Biological Resources

The Project Area is generally urbanized and developed with residential and non-residential uses. As described in [Section 5.3, *Biological Resources*](#), the Downtown Core Project does not include any specific development proposals and would not result in significant direct impacts to existing biological resources. However, subsequent development and redevelopment activities associated with implementation of the proposed Project could occur on undeveloped sites that have been revegetated or result in the removal of ornamental vegetation, potentially resulting in direct impacts to Burrowing Owl or nesting birds. Future development associated with implementation of the proposed Project would be required to implement Mitigation Measures BIO-1 and BIO-2 (General Plan EIR MM-BIO-1 and MM-BIO-2). Mitigation Measure BIO-1 requires that for sites containing suitable habitat, a qualified biologist conduct a pre-construction survey prior to ground disturbing or vegetation disturbing activities to determine the presence or absence of burrowing owl within the proposed area of impact and appropriate actions if occupied burrows are discovered. Mitigation Measure BIO-2 provides an alternative if avoidance of clearing of vegetation and removal of trees is not feasible between non-nesting (or non-breeding) season for nesting birds to ensure their protection. Compliance with Mitigation Measures BIO-1 and BIO-2, the Migratory Bird Treaty Act, and the California Fish and Game Code, would ensure that protected birds are not adversely affected during construction activities accommodated as part of the Downtown Core Project and impacts would be reduced to less than significant.

Alternative 2 would result in similar development patterns and a similar development footprint as the Downtown Core Project. The existing General Plan Land Use Map does not designate any open space within the Project Area. As with the proposed Project, incorporation of Mitigation Measures BIO-1 and BIO-2 would reduce potential impacts to Burrowing Owl or nesting birds to less than significant. The impact to biological resources under the Downtown Core Project and Alternative 2 would remain the same. As such, Alternative 2 would be neither environmentally superior nor inferior to the Downtown Core Project.

Cultural Resources

As described in [Section 5.4, *Cultural Resources*](#), while the Downtown Core Project does not directly propose site-specific development with the potential to directly impact cultural resources, future development associated with implementation of the Downtown Core Project could cause a substantial adverse change in the significance of known or unknown historic or archaeological resources. Mitigation Measure CUL-1 (General Plan EIR MM-CUL-1, updated) would ensure evaluation of a project site for historical resources and, if necessary, implementation of mitigation measures to reduce impacts to a level that is less than significant. Mitigation Measure CUL-2 (General Plan EIR MM-CUL-2, updated) would ensure that if any prehistoric archaeological resources are encountered before or during grading, the developer shall retain a qualified archaeologist to monitor construction activities and take appropriate measures to protect or preserve them for study. Compliance with existing federal, State, and local regulations, including the General Plan and implementation of Mitigation Measures CUL-1 and CUL-2, would reduce potential impacts to cultural resources to less than significant.

Alternative 2 would result in similar development patterns and a similar development footprint as the Downtown Core Project. As with the proposed Project, incorporation of Mitigation Measures CUL-1 and CUL-2 would reduce potential impacts to historical resources and archaeological resources to less than



significant. The impact under Alternative 2 would remain the same compared to the proposed Project. As such, Alternative 2 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Energy

As described in [Section 5.5, *Energy*](#), Project implementation would use energy resources for the operation of buildings (electricity and natural gas), for on-road vehicle trips (e.g., gasoline and diesel fuel), and from off-road construction activities (e.g. diesel fuel) associated with the Project. Future development projects associated with implementation of the proposed Project would be in compliance with all applicable federal, State, and local regulations regulating energy usage. Energy use impacts associated with the implementation of the Downtown Core Project would be less than significant.

Alternative 2 would result in similar development patterns and a similar development footprint as the Downtown Core Project. While land uses and development under Alternative 2 would be required to adhere to the same local, State, and regional measures regulating energy usage as the Downtown Core Project, the decrease in residential units and non-residential building square footage, and the corresponding reduction in electricity and gas for the operation of buildings, diesel fuel for off-road construction activities, and potential reductions in gasoline due to a decrease in the overall traffic volumes would result in reductions in energy usage under Alternative 2 when compared to the proposed Project. As such, Alternative 2 would be considered environmentally superior to the Downtown Core Project.

Geology and Soils

As described in [Section 5.6, *Geology and Soils*](#), it is possible that undiscovered paleontological resources could be encountered during future ground-disturbing activities within the Project Area. Future development associated with implementation of the Downtown Core Project would be required to implement Mitigation Measures GEO-1 and GEO-2 (General Plan EIR MM-CUL-4, updated and MM-CUL-5, respectively). Mitigation Measure GEO-1 would require a qualified paleontologist conduct a pre-construction field survey of any project site that is underlain by older alluvium. The paleontologist shall submit a report of findings that provides specific recommendations regarding further mitigation measures (i.e., paleontological monitoring) that may be appropriate. Should mitigation monitoring of paleontological resources be recommended for a specific project, the project would be required to implement Mitigation Measure GEO-2, which would require the program to assign a paleontological monitor to the site full-time during the interval of earth-disturbing activities; cease earth-disturbing activities should fossils be found; curate for documentation and transfer recovered fossils to an appropriate depository; and submit a report to the City and San Bernardino County Museum. With implementation of Mitigation Measures GEO-1 and GEO-2, potential impacts to paleontological resources associated with future development anticipated by the Downtown Core Project would be reduced to less than significant.

Alternative 2 would result in similar development patterns as the Downtown Core Project. Since the Project Area is the same under both development scenarios, similar physical constraints related to geology and soils exist. The potential for new development to expose people or structures to adverse effects associated with seismic ground shaking and geologic instabilities would be similar under this Alternative and the Downtown Core Plan. As with the proposed Project, incorporation of Mitigation Measures GEO-1 and GEO-2 would reduce potential impacts to paleontological resources to less than significant. Further,



new development would be required to comply with the California Building Code and applicable Municipal Code requirements. As such, Alternative 2 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Greenhouse Gas Emissions

As described in [Section 5.7, *Greenhouse Gas Emissions*](#), although the proposed Project would be required to comply with regulations imposed by the State of California and the SCAQMD aimed at the reduction of air pollutant emissions, the proposed Project as a whole would generate emissions beyond the identified threshold for residential and commercial land uses, and as such, would have a cumulatively significant and unavoidable adverse impact. The Project would be required to implement mitigation measures GHG-1 (General Plan EIR MM-GHG-1, updated), GHG-2, and GHG-3, as well as all Air Quality mitigation measures (refer to [Section 5.2](#)). It is noted that when compared to existing conditions, the proposed Downtown Core Project would provide for more residential and commercial development in proximity to each other, as well as in proximity to transit. Further, Project implementation would provide for a denser urban environment with improved amenities that support active (non-motorized) transportation opportunities within the Project Area. When compared to the existing General Plan land use plan for the Project Area, the proposed Downtown Core Project would result in a four percent reduction in VMT per service population. The Project would also be consistent with plans and policies designed to achieve the State's GHG reduction goals and the RTP/SCS.

Potential future development associated with implementation of the Alternative 2 would generate GHGs during the construction and operational phases. Similar to the proposed Project, the primary source of construction-related GHGs with implementation of Alternative 2 would result from emissions of CO₂ associated with individual development projects' construction and worker vehicle trips. Additionally, site-specific development would likely require demolition and grading, and would also include site preparation, paving building construction, and architectural coating phases. The operational phase of future development associated with Alternative 2 would generate GHGs primarily from the individual development's operational vehicle trips and building energy (electricity and natural gas) usage. Operational GHG emissions combined with construction-related GHG emissions associated with implementation of Alternative 2 would be less than the proposed Project; however, they would exceed the SCAQMD's proposed GHG threshold. Thus, similar to the proposed Project, Alternative 2 has the potential to result in a cumulatively considerable impact with respect to GHG emissions. Similar to the proposed Project, Alternative 2 would be required to implement mitigation measures GHG-1 (General Plan EIR MM-GHG-1, updated), GHG-2, and GHG-3, as well as all Air Quality mitigation measures (refer to [Section 5.2](#)).

Similar to the proposed Project, Alternative 2 would provide for more residential and commercial development in proximity to each other, as well as in proximity to transit when compared to existing conditions. Alternative 2 would provide for a denser urban environment with improved amenities that support active (non-motorized) transportation opportunities within the Project Area. However, when compared to the proposed Project, although Alternative 2 would not exceed the VMT per service population threshold, the VMT per service population would be greater under Alternative 2. Like the proposed Project, Alternative 2 would be consistent with the stated goals of the RTP/SCS. Similarly, Alternative 2 would also be consistent with the stated goals of the RTP/SCS



Conclusion

When compared to the proposed Project, Alternative 2 would provide fewer opportunities for trip internalization and opportunities for walking and bicycling due to the reduced development potential. While land uses and development under Alternative 2 would be required to adhere to the same policy guidance and local, State, and regional air quality measures as the Downtown Core Project, the decrease in residential units and non-residential building square footage, and the corresponding reduction in construction emissions, operational emissions, and potential reductions in overall traffic volumes would result in reductions in greenhouse gas emissions under Alternative 2 when compared to the proposed Project. As such, Alternative 2 would be considered environmentally superior to the Downtown Core Project.

Hazards and Hazardous Materials

As described in [Section 5.8, *Hazards and Hazardous Materials*](#), the Downtown Core Project does not include any specific development proposals; however, future development has the potential to expose people or structures to adverse effects associated with hazardous materials. Future development associated with implementation of the Downtown Core Project would be required to implement Mitigation Measures HAZ-1 and HAZ-2 (General Plan EIR MM-HAZ-1, updated and MM-HAZ-3, respectively). Mitigation Measure HAZ-1 would require that new proposed facilities involved in the production, use, storage, transport or disposal of hazardous materials be located a safe distance from land uses that may be adversely impacted by such activities, and that new sensitive facilities would not be located near existing sites that use, store, or generate hazardous materials. Mitigation Measure HAZ-2 would require all businesses that handle hazardous materials above the reportable quantity to submit an inventory of the hazardous materials that they manage to the San Bernardino County Fire Department Hazardous Materials Division in coordination with the Fontana Fire Protection District. Implementation of Mitigation Measures HAZ-1 and HAZ-2 and compliance with federal, State, and local regulations would ensure a less than significant impact with regards to hazards and hazardous materials.

Similar to the Downtown Core Project, Alternative 2 would result in additional urban uses including commercial, residential, and mixed-use and public facility development. As with the proposed Project, incorporation of Mitigation Measures HAZ-1 and HAZ-2 would reduce potential impacts from hazards and hazardous materials to less than significant. The potential for new development to expose people or structures to adverse effects associated with hazards and hazardous materials would be similar under this Alternative and the Downtown Core Plan. As such, Alternative 2 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Hydrology and Water Quality

As described in [Section 5.9, *Hydrology and Water Quality*](#), implementation of the Downtown Core Project would result in less than significant impacts related to Hydrology and Water Quality.

While this Alternative would result in less dense and intense development compared to the Downtown Core Project, all new development would be subject to applicable stormwater and water quality requirements per the Santa Ana Regional Water Quality Control Board. This variation in development density and intensity would not substantially alter impacts from or to flooding, water quality, or on groundwater supplies because existing federal, State, and local regulations would apply to guard against



flood hazards, water quality contamination, or impact on groundwater supplies. Potential hydrology and water quality impacts associated with Alternative 2, like the proposed Project, would be less than significant.

Alternative 2 would result in slightly reduced development of housing units and non-residential square feet when compared to the Downtown Core Project; however, potential water quality impacts related to construction and operation would be similar. As described in [Section 5.9](#), implementation of the Downtown Core Project would not result in construction, or long-term impacts to surface water quality from urban stormwater runoff. Future development under all alternatives would also be required to submit a SWPPP with BMPs to the RWQCB and comply with all storm water sewer system (MS4) requirements. It would be expected that impacts related to water quality would be similar under Alternative 2 as compared to the proposed Project. As such, Alternative 2 would be neither environmentally superior nor inferior to the Downtown Core Project.

[Land Use and Planning](#)

The proposed Downtown Core Project is a long-range land use plan. As described in [Section 5.10](#), [Land Use and Planning](#), all impacts related to land use and planning were found to be less than significant under the Downtown Core Update. The proposed Project and Alternative 2 would amend the Fontana General Plan and Zoning and Development Code, including General Plan text and Land Use Map amendments, and amendments to the Zoning and Development Code and Zoning District Map. Alternative 2 would allow for development at similar densities as the proposed Project, but development within each FBC District would not occur to the maximum development potential. Similar to the Project, Alternative 2 would provide for consistency with applicable State and regional plans. As such, Alternative 2 would be considered neither environmentally superior nor inferior to the Downtown Core Project.

[Mineral Resources](#)

As described in [Section 8.0](#), the Downtown Core Project would result in no impacts relating to mineral resources. Like the Downtown Core Project, Alternative 2 would accommodate development generally in the same areas, and these areas are, for the most part, already urbanized. Given that no mineral resources would be impacted by the proposed Project, impacts associated with Alternative 2 would be the same and would remain less than significant. As such, Alternative 2 would be neither environmentally superior nor inferior to the Downtown Core Project.

[Noise](#)

As described in [Section 5.11](#), [Noise](#), while the Downtown Core Project does not directly propose site-specific development, future development associated with implementation of the Downtown Core Project could generate additional noise from construction and operational activities associated with future projects. Mitigation Measure NOI-1 (General Plan EIR MM-NOI-1, updated) requires a noise study be performed prior issuance of a grading permit and mitigation implemented if noise levels exceed 65 dBA. Mitigation Measure NOI-2 (General Plan EIR MM-NOI-2) provides procedures for construction activities to reduce impacts related to equipment moving and operation. With the exception of traffic noise on existing noise-sensitive uses along identified roadway segments, which would result in a significant unavoidable impact, the Project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project Area in excess of standards



established in the local general plan or noise ordinance, or applicable standards of other agencies with the implementation of Mitigation Measures NOI-1 and NOI-2.

Alternative 2 would have less development when compared to the proposed Project, resulting in a corresponding reduction in construction and operational noise. However, similar to the proposed Project, Alternative 2 would result in substantial permanent increases in existing transportation noise levels at sensitive receptors on a project and cumulative level. As such, Alternative 2 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Population and Housing

As described in [Section 5.12, *Population and Housing*](#), population and employment growth anticipated as a result of Project implementation is within the City's growth projections of the Fontana Forward General Plan and regional plans. The Downtown Core Project would result in less than significant impacts related to population and housing.

As shown in [Table 7-2](#), Alternative 2 anticipates 6,291 fewer residential units which would result in 23,843 fewer residents compared to the Downtown Core Project. Thus, Alternative 2 would be within City and regional growth projections. Similar to the proposed Project, Alternative 2 would result in less than significant impacts related to population and housing. As such, this Alternative would be considered neither environmentally superior nor inferior to the Downtown Core Project.

Public Services and Recreation

As described in [Section 5.13, *Public Services and Recreation*](#), the Downtown Core Project would result in less than significant impacts relating to public services and recreation. New development would place increased demands on public services such as police, fire, schools, parks, libraries, and other governmental services. Compliance with the Fontana General Plan and Municipal Code would require payment of impact fees to the City and other public agencies to ensure that additional development allowed does not have adverse impacts on these services and agencies.

Under Alternative 2, the development area and development types would remain similar, however, there would be fewer jobs, dwelling units, and population when compared to the Downtown Core Project. Thus, impacts to public services (the demand for police, fire and other public services) would be reduced. Overall, Alternative 2 would have reduced impacts to public services when compared to the proposed Project. As such, Alternative 2 would be considered environmentally superior to the Downtown Core Project.

Transportation

As described in [Section 5.14, *Transportation*](#), transportation impacts associated with implementation of the Downtown Core Project would be less than significant. The proposed Project would not conflict with policies, plans, or programs regarding roadways, bicycle, pedestrian, or transit facilities or the performance or safety of those facilities. The Project would support the implementation of policies and programs to provide new and improved facilities to support multi-modal transportation and access within the Project Area. Similarly, Alternative 2 would provide for increased density and development within the Project Area and would not conflict with policies, plans, or programs regarding roadways, bicycle, pedestrian, or transit facilities or the performance or safety of those facilities.



The proposed Downtown Core Project would result in a VMT per service population below the County threshold. Alternative 2 would also result in a VMT per service population below the County threshold. However, when compared to the Project, Alternative 2 would result in a higher VMT per service population. Part of this reduction is attributed to the increasingly balanced mix of residential and employment opportunities within the Downtown Core Project. As such, Alternative 2 would be considered environmentally inferior to the Downtown Core Project.

Tribal Cultural Resources

As described in [Section 5.15, *Tribal Cultural Resources*](#), while the Downtown Core Project does not directly propose site-specific development with the potential to directly impact tribal cultural resources, future development associated with implementation of the Downtown Core Project could cause a substantial adverse change in the significance of known or unknown tribal cultural resources. Future development within the Project Area would be required to implement Mitigation Measure CUL-1 (General Plan EIR MM-CUL-1, updated), which requires a qualified archaeologist to perform a number of tasks prior to construction activities, including conducting a field survey for historical resources within portions of the project site not previously surveyed if evidence suggests the potential for resources to exist. In addition, future development would be required to implement Mitigation Measure CUL-2 and TCR-1 (General Plan EIR MM-CUL-2 and MM-CUL-3, updated). Mitigation Measure CUL-2 would ensure that if any prehistoric archaeological resources are encountered before or during grading, the developer shall retain a qualified archaeologist to monitor construction activities and to take appropriate measures to protect or preserve them for study. Additionally, Mitigation Measure CUL-2 has been updated to include implementation of TCR-1 in the event Native American cultural resources are discovered. Mitigation Measure TCR-1 requires that in the event Native American cultural resources are discovered during construction for future development, all work in the immediate vicinity of the find shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find; that the City/project applicant initiate consultation between the appropriate Native American tribal entity and transfer cultural resources investigations to the appropriate Native American entity as soon as possible; and that a Native American Monitor from the appropriate Native American entity is utilized where deemed appropriate or required by the City, during initial ground disturbing activities, cultural resource surveys and/or cultural resource excavations. Compliance with existing federal, State, and local regulations, including the General Plan and implementation of Mitigation Measures CUL-1, CUL-2, and TCR-1 would reduce potential impacts to tribal cultural resources to less than significant.

Alternative 2 would result in similar development patterns and a similar development footprint as the Downtown Core Project. As with the proposed Project, incorporation of Mitigation Measures CUL-1, CUL-2, and TCR-1 would reduce potential impacts to tribal cultural resources to less than significant. The potential impact to tribal cultural resources under Alternative 2 would remain relatively similar compared to the proposed Project. As such, Alternative 2 is considered neither environmentally superior nor inferior to the Downtown Core Project.

Utilities and Service Systems

As described in [Section 5.16, *Utilities and Service Systems*](#), the Downtown Core Project would result in less than significant impacts relating to utilities and service systems. New development under either Alternative 2 or the proposed Project would place increased demands on utilities. Under Alternative 2,



the Project Area would be developed with similar development patterns and uses as the Downtown Core Project; however, the overall residential and non-residential development would be less. Therefore, overall demand on utilities and service systems would be less when compared to the proposed Project. However, both Alternative 2 and the proposed Project would likely require the construction or expansion of new utilities to serve the site-specific development that is being proposed. The quantity of infrastructure installed would not be substantially reduced, as the Project Area is urbanized and contains existing utilities infrastructure. The potential environmental effects associated with infrastructure projects would be similar under Alternative 2 and the proposed Project. Similarly, storm drainage runoff under Alternative 2 would be approximately the same when compared to the proposed Project, due to the general development footprint remaining the same for this alternative when compared to the Downtown Core Project. Since demand for utilities would be less under Alternative 2 due to the lower associated development, Alternative 2 would be considered environmentally superior to the Downtown Core Project.

Wildfire

As described in [Section 8.0, *Effects Found Not To Be Significant*](#), the Project area is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; the Downtown Core Project would result in no impacts related to wildfire. Like the Downtown Core Project, Alternative 2 would accommodate development generally in the same areas, and these areas are, for the most part, already urbanized. Given that the Project Area is not located in an area of high fire hazard potential, impacts associated with Alternative 1 would be the same and no impacts would occur. As such, Alternative 2 would be neither environmentally superior nor inferior to the Downtown Core Project.

Ability To Meet The Project Objectives

The Reduced Growth Alternative would attain the Project's fundamental objectives, allow potentially to a lesser extent, including providing for new residential development opportunities in order to meet the goals of the SB 2 Planning Grant; establish FBC districts that encourage housing and supporting commercial development; create and apply a new land use category for the Project Area to provide consistency and allow for development at the densities and intensities needed to implement the FBC districts; enhance the pedestrian experience and promote walkability, by ultimately closing a quarter-mile portion of Sierra Avenue to vehicular traffic; providing objective development standards that would facilitate permitting of housing projects; and creating a Downtown Fontana Development Guide to serve as a "how-to" guide for the development community so that the City can realize its vision for the Downtown.

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed Project.

A comparative analysis of the Downtown Core Project and each of the Project alternatives is provided in [Table 7-4, *Comparison of Alternatives*](#), below. As shown in [Table 7-4](#), Alternative 2 (Reduced Growth



Alternative) is the environmentally superior alternative when looked at in terms of all potential environmental impacts. While it would not completely eliminate the Project’s significant and unavoidable impacts, Alternative 2 would lessen the majority of the environmental impacts associated with the proposed Project. Both alternatives fail to reduce any significant and unavoidable impacts to a less than significant level.

**Table 7-4
Comparison of Alternatives**

Environmental Issue	Alternative 1 (No Project)	Alternative 2 (Reduced Growth)
Aesthetics	=	=
Agricultural Resources	=	=
Air Quality	=*	▽*
Biological Resources	=	=
Cultural Resources	=	=
Energy	▽	▽
Geology and Soils	=	=
Greenhouse Gas Emissions	=*	▽*
Hazards and Hazardous Materials	=	=
Hydrology and Water Quality	=	=
Land Use and Planning	▲	=
Mineral Resources	=	=
Noise	=*	=*
Population and Housing	=	=
Public Services and Recreation	▽	▽
Transportation	▲	▲
Tribal Cultural Resources	=	=
Utilities and Services Systems	▽	▽
Wildfire	=	=
Notes: ▲ Indicates an impact that is greater than the Project (environmentally inferior). ▽ Indicates an impact that is less than the Project (environmentally superior). = Indicates an impact that is equal to the Project (neither environmentally superior nor inferior). * Indicates a significant and unavoidable impact.		



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8.0 EFFECTS FOUND NOT TO BE SIGNIFICANT

An analysis of the proposed Project's effect on specific environmental topic areas, included as part of the Environmental Checklist form presented in the California Environmental Quality Act (CEQA) Guidelines Appendix G, was conducted as part of the preparation of this EIR. During this evaluation, certain impacts of the Project were found to have no impact or have a less than significant impact due to the inability of a project of this scope to create such impacts or the absence of Project characteristics producing effects of this type. The effects determined not to be significant are not required to be included in primary analysis sections of the Draft EIR. In accordance with CEQA Guidelines Section 15128, the following section provides a brief description of potential impacts found to have no impact or a less than significant impact.

AESTHETICS

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

No Impact: There are no scenic highways officially designated by Caltrans within or adjacent to the Project Area, and no roadways within the Project Area are currently eligible for scenic highway designation (Caltrans, 2022). No impact would occur in this regard.

AGRICULTURE AND FORESTRY RESOURCES

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?***

No Impact. The Project Area is located within an urbanized area and is currently developed with a mix of residential and non-residential uses. The Farmland Mapping and Monitoring Program classifies the Project Area as Urban and Built-Up Land (California Department of Conservation, 2022). The Project Area does not contain any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to the Farmland Mapping and Monitoring Program (California Department of Conservation, 2022). Further, the Project Area and surrounding areas are located in an urbanized area that is already disturbed. Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. No impact would occur in this regard.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?***

No Impact. The Project Area is located within an urbanized area and is currently developed with a mix of residential and non-residential uses. The Project area is not being used for any agricultural purposes, nor is the site under a Williamson Act contract. Further, there are no properties within the surrounding area under agricultural production. Therefore, the Project would not conflict with existing zoning for agricultural use or conflict with a Williamson Act contract. No impact would occur in this regard.



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

No Impact. The Project Area is located within the Form-Based Code (FBC) area, and specifically within the Retail, Civic, Station Area, Downtown Gateway, Transitional, Multi-Family, Neighborhood, and Sierra Gateway districts. The Project Area is not zoned for forest land, timberland, or for timberland production. According to the General Plan, no forest land, timberland, or timberland zoned Timberland Production occurs within the City. The Project Area is urbanized and no forest land, timberland, or timberland production areas are located within or adjacent to the Project Area. Thus, the proposed Project would not conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production. No impact would occur in this regard.

- d) ***Would the project result in the loss of forest land or conversion of forest land to non-forest use?***

No Impact. As described above, no forest land is located within the Project Area or surrounding area. The Project Area is developed with residential and non-residential uses within an urbanized area. Thus, the proposed Project would not result in the loss of forest land or conversion of forest land into non-forest use. No impact would occur in this regard.

- e) ***Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?***

No Impact. As described above, no farmland or forest land is located within the Project Area or surrounding area. The Project Area is developed with residential and non-residential uses within an urbanized area. Thus, the proposed Project would not result conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. No impact would occur in this regard.

BIOLOGICAL RESOURCES

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

No Impact. The Project Area is located within an urbanized area and currently developed with residential and non-residential uses. The Project Area consists primarily of developed and/or disturbed land that has been developed, paved, or landscaped, and existing vegetation consists of primarily ornamental and/or nonnative plant species. There are a limited number of non-contiguous undeveloped parcels within the Project Area consisting of disturbed and/or graded areas, some of which may have revegetated with opportunistic weedy species including non-native annual grasses and weedy forbs (City of Fontana, 2018). No riparian habitat or other sensitive natural communities are located on or adjacent to the Project Area (USFWS, 2022). The City's General Plan EIR further substantiates that there are no riparian or sensitive habitats known to occur in the Project Area (City of Fontana, 2018). Therefore, Project implementation would not result in a substantial adverse effect on any riparian habitat or other sensitive natural community.



- c) Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

No Impact. According to the United States Fish and Wildlife Service (USFWS) National Wetlands Inventory, the Project Area does not contain any blue-line streams or wetland habitats (USFWS, 2022). Therefore, Project implementation would not result in a substantial adverse effect on State or federally protected wetlands.

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

No Impact. The Project Area is currently developed and located within an urbanized area. The General Plan EIR identifies wildlife movement as being limited to an east-west orientation along the foothills of the San Gabriel Mountains north of I-15, outside of the Project Area. There are no wetlands or waters within or surrounding the Project Area. Thus, the Project would not interfere with the movement of any native resident or migratory fish. Further, due to the urbanized nature and the lack of quality biological habitat within and immediately surrounding the Project Area, the Project Area does not function as a migratory wildlife corridor and development of the proposed Project would not interfere with the movement of wildlife or impact wildlife corridors or native wildlife nursery sites.

- f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No Impact. The Project Area is urbanized and is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan (City of Fontana, 2018; California Department of Fish and Wildlife, 2019). Thus, the Project would not conflict with any of these plans and no impact would occur.

GEOLOGY AND SOILS

- a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

- 1) 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?**

The Project Area is not located within a mapped Alquist-Priolo Earthquake Fault Zone and there are no known active or potentially active faults on or trending toward the Project Area (California Geological Survey, 2022). Because there are no known faults located on or trending towards the Project Area, the potential for surface rupture within the Project Area is considered very low. The Project would not directly or indirectly expose people or structures to substantial adverse effects related to ground rupture. No impact would occur.



4) Landslides?

The Project Area is relatively flat, as is the immediately surrounding area. Due to the predominant underlying geologic formations and generally flat topography within the City, the Project Area has a low susceptibility to landslides. There are no earthquake-induced landslide seismic hazard zones mapped within the Project Area (California Geological Survey, 2022). Therefore, the probability of seismically-induced landslides occurring within the Project Area is very low. No impact would occur.

e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

As described in [Section 5.16, *Utilities and Service Systems*](#), wastewater treatment services in the Project Area are provided by the Inland Empire Utilities Agency (IEUA). Existing wastewater infrastructure exists throughout the Project Area, which is underlain by sanitary sewer pipes owned by the City. The Fontana Municipal Code would require future development projects within the Project Area to connect to the public sewer system. Future development associated with implementation of the Downtown Core Project would not utilize septic tanks or alternative wastewater systems. No impact would occur.

HAZARDS AND HAZARDOUS MATERIALS

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?*

No Impact. As described in [Section 5.8, *Hazards and Hazardous Materials*](#), the Project Area is not located within an airport land use plan, nor is the Project Area located within two miles of a public airport or public use airport. The closest public airports are the Ontario International Airport, located approximately eight miles southwest of the Project Area, and the Flabob Airport, located approximately seven miles south of the Project Area. The Project Area is not located within an airport influence area within the Ontario International Airport Land Use Compatibility Plan or any other airport land use plan. Thus, the Project would not result in a safety hazard or excessive noise for people residing or working in the Project Area.

g) *Would the Project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

No Impact. According to the CALFIRE Fire Hazard Severity Zone Maps, the Project Area is not located within a Very High Fire Hazard Severity Zone (CALFIRE, 2022). The City's General Plan and Local Hazard Mitigation Plan do not identify the Project Area as being within an area with high fire hazard potential, and the Project Area is not located within the City's Fire Hazard Overlay District. Due to the urbanized nature of the area and the provision of nearby firefighting protection services, implementation of the proposed Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur in this regard.



HYDROLOGY AND WATER QUALITY

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:***

4) ***Impede or redirect flood flows?***

No Impact. The Project Area is not located within close proximity to any streams or rivers and would not result in the alteration of the course of a river or stream. The Project Area is located in an urban area and is developed with residential and non-residential uses. Additionally, according to the National Flood Insurance Program Flood Insurance Rate Map, the Project Area is not located within a flood hazard zone (FEMA, 2022). As such, the Project would not impede or redirect flood flows. No impacts associated with impeding or redirecting flood flows would occur.

d) ***In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?***

No Impact. As described in [Section 5.9, Hydrology and Water Quality](#), the Project area is not located within a flood hazard zone. As such, flood-related hazards are not anticipated at the Project Area. Tsunamis are sea waves that are generated in response to large-magnitude earthquakes, which can result in coastal flooding. Seiches are the oscillation of large bodies of standing water, such as lakes, that can occur in response to ground shaking. The Project Area is approximately 43 miles inland of the Pacific Ocean. Regional dams do not have the potential to inundate the Project Area according to DWR Division of Safety of Dams Dam Breach Inundation Maps. As a result, tsunamis and seiches do not pose hazards due to the Project Area's inland location and lack of nearby bodies of standing water. Therefore, the proposed Project would result in no impacts associated with the release of pollutants due to project inundation.

MINERAL RESOURCES

a) ***Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

b) ***Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?***

No Impact. The State Mining and Geology Board establishes Mineral Resources Zones (MRZs) to designate lands that contain mineral deposits. The Project Area is designated as MRZ-2 by the California Geological Survey (formally known as the California Division of Mines and Geology), indicating that available geologic information indicates that significant mineral deposits are present (California Division of Mines and Geology, 1984). However, there are no active mines located within the Project Area (Division of Mine Reclamation, 2022). The Fontana General Plan does not designate mineral resources zones within the City or Project Area. The Project Area is currently developed with residential and non-residential uses and does not contain mineral resource recovery operations. Therefore, the Project would not result in the loss of availability of a known mineral resource considered of value to the region. No impact would occur in this regard.



NOISE

- c) ***For a project located within the vicinity of a private airstrip 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?***

No Impact. As described in Section 5.8, *Hazards and Hazardous Materials*, the Project Area is not located within an airport land use plan, nor is the Project Area located within two miles of a public airport or public use airport. The closest public airports are the Ontario International Airport, located approximately eight miles southwest of the Project Area, and the Flabob Airport, located approximately seven miles south of the Project Area. The Project Area is not located within an airport influence area within the Ontario International Airport Land Use Compatibility Plan or any other airport land use plan. Thus, the Project would not result in excessive noise for people residing or working in the Project Area.

WILDFIRE

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?***
- b) ***Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?***
- c) ***Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?***
- d) ***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. According to the CALFIRE Fire Hazard Severity Zone Maps, the Project Area is not located within a state responsibility area or classified as a Very High Fire Hazard Severity Zone (CALFIRE, 2022). The City's General Plan and Local Hazard Mitigation Plan do not identify the Project Area as being within an area with high fire hazard potential, and the Project Area is not located within the City's Fire Hazard Overlay District. As the Project is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones, no impact would occur.

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9.0 REPORT PREPARERS

LEAD AGENCY

City of Fontana

8353 Sierra Avenue
Fontana CA, 92335

Patty Nevins, Director of Planning
Rina Leung, Senior Planner
Salvador Quintanilla, Senior Planner
Alejandro Rico, Associate Planner
Gia Kim, Public Works Director/City Engineer
David Hammer, Engineering Manager
Delia Votsch, Contractor

PREPARERS OF THE ENVIRONMENTAL IMPACT REPORT

De Novo Planning Group

180 East Main Street, Suite 108
Tustin, CA 92780

Amanda Tropiano, Principal/Project Manager
Starla Barker, AICP, Principal Planner
Ashley Brodtkin, Senior Planner
Josh Smith, AICP, Senior Planner
Erik Anderson, Associate Planner

Kittelson & Associates, Inc.

750 The City Drive, Suite 410
Orange, CA 92868

Tim Erney, Senior Principal Engineer
Mike Aronson, Principal Engineer
Fernando Sotelo, Associate Engineer

MD Acoustics, LLC

1197 Los Angeles Ave, Ste C-256
Simi Valley, CA 93065

Claire Pincock, INCE-USA
Mike Dickerson, INCE-USA



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