Mitigated Negative Declaration

Design Review Project No. 22-035 (DRP 22-035)
Master Case No. 22-059 (MCN 22-059)

Beech Avenue Logistics Center

Fontana, California

Lead Agency

City of Fontana
8353 Sierra Avenue
Fontana, CA 92335

Public Review Draft | October 2023

California Environmental Quality Act

Mitigated Negative Declaration

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Master Case No. 22-059 (MCN 22-059)

Beech Avenue Logistics Center
Fontana, California

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October 2023

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ACRONYMS, ABBREVIATIONS, AND UNITS OF MEASURE

§	Section
AB	Assembly Bill
AB 32	Assembly Bill 32
AB 939	Assembly Bill 939
AB 1493	Assembly Bill 1493
AIA	Airport Influence Area
ALUCP	Airport Land Use Compatibility Plan
amsl	Above Mean Sea Level
APN	Assessor Parcel Number
AQMP	Air Quality Management Plan
bgs	below the ground surface
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBSC	California Building Standards Code
CCR	California Code of Regulations
CDFW	California Department Fish and Wildlife
CEQA	California Environmental Quality Act
CFGC	California Fish and Game Code
CFS	Cubic Feet per Second
CMP	Congestion Management Program
CNDDB	California Natural Diversity Data Base
CNEL	Community Noise Equivalent Level
CPEP	Clean Power and Electrification Pathway
CO	Carbon Monoxide
CSU	California State University
c.y.	Cubic Yards
dB	decibels
dBA	A-weighted Decibels
dBA L_{eq}	equivalent decibels
DIF	Development Impact Fees
DPM	Diesel Particulate Matter
DTSC	Department of Toxic Substances Control
e.g.	exempli gratia, meaning “for example”
EMFAC	Emission Factors Model
EPA	Environmental Protection Agency
et seq.	et sequentes, meaning "and the following"

ACRONYMS, ABBREVIATIONS, AND UNITS OF MEASURE

FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FFPD	Fontana Fire Protection District
FHSZ	Fire Hazard Severity Zone
FIRM	Flood Insurance Rate Map
FPD	Fontana Police Department
FUSD	Fontana Unified School District
FWC	Fontana Water Company
GCC	Global Climate Change
GHG	Greenhouse Gas
GPD	Gallons per Day
Greene	California Senate Bill 50
HHD	Heavy-heavy duty
HMBEP	Hazardous Materials Business Emergency Plan
I-#	Interstate #
I-L	Light Industrial (General Plan land use designation)
i.e.	that is
IEPR	Integrated Energy Policy Report
IEUA	Inland Empire Utilities Authority
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IS/MND	Initial Study/Mitigated Negative Declaration
kWh	kilowatt-hour
kBTU	thousand British thermal units
lb/day	pounds per day
L_{eq}	Equivalent Continuous Sound Level
LDA	light duty auto
M-1	Light Industrial (City of Fontana Zoning Map designation)
MATES IV	Multiple Air Toxics Exposure Study
MBTA	Migratory Bird Treaty Act
MEIR	Maximally Exposed Individual Receptor
MEISC	Maximally Exposed Individual School Child
MEIW	Maximally Exposed Individual Worker
MHD	Medium-heavy duty
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
MRZ-3	Mineral Resource Zone 3
MT/yr	Metric Tons per year
$MTCO_2e$	Metric Tons of Carbon Dioxide Equivalent

ACRONYMS, ABBREVIATIONS, AND UNITS OF MEASURE

n.d.	No Date
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NOD	Notice of Determination
NOI	Notice of Intent
NO_X	Nitrogen Oxides
NPDES	National Pollutant Discharge Elimination System
O_3	Ozone
ONT	Ontario International Airport
PCE	Passenger Car Equivalent
$PM_{2.5}$	Fine Particulate Matter (2.5 microns or smaller)
PM_{10}	Fine Particulate Matter (10 microns or smaller)
Qyfl	Quaternary Holocene young alluvial fan sediments
RECs	Recognized Environmental Conditions
RP-1	Regional Water Recycling Plant No. 1
RP-4	Regional Water Recycling Plant No. 4
RTP/SCS	Regional Transportation Plan / Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SB 32	Senate Bill 32
SB 1078	Senate Bill 1078
SCAB	South Coast Air Basin
SCAG	Southern California Association of Government
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SF/s.f.	Square Foot or Square Feet
SGMA	Sustainable Groundwater Management Act
SLF	Sacred Lands File
SO_X	Sulfur Oxides
SR-#	State Route #
SRA	Source Receptor Area
SRA	State Responsibility Area
SWPPP	Storm Water Pollution Prevention Plan
TEA-21	The Transportation Act for the 21st Century
U.S.A.C.E.	U.S. Army Corps of Engineers
US EPA	United States Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service

ACRONYMS, ABBREVIATIONS, AND UNITS OF MEASURE

VMT	Vehicle Miles Traveled
VOCs	Volatile Organic Compounds
WQMP	Water Quality Management Plan

1.0 INTRODUCTION

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1.1 DOCUMENT PURPOSE

This document is a Mitigated Negative Declaration (MND) prepared in accordance with the California Environmental Quality Act (CEQA), including all criteria, standards, and procedures of CEQA (California Public Resource Code Sections 21000 *et seq.*), the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 *et seq.*), and the City of Fontana's *Local Guidelines for Implementing the California Environmental Quality Act* (see CEQA Guidelines Section 15064.7). This MND is an informational document intended for use by the City of Fontana, any Trustee and/or Responsible agencies, and members of the general public in evaluating the physical environmental effects of the proposed Beech Avenue Logistics Center Project (hereinafter referred to as "Project" and as described in further detail in Section 3.0 of this MND).

This MND was compiled by the City of Fontana, serving as the Lead Agency for the proposed Project pursuant to CEQA Section 21067 and CEQA Guidelines Article 4 and Section 15367. "Lead Agency" refers to the public agency that has the principal responsibility for carrying out or approving a project.

The construction and operation of the proposed Project is considered to be a "project" under CEQA and, as a result, the Project is subject to the City of Fontana's environmental review process. The primary purpose of CEQA is to ensure that decision-makers and the public are aware of the environmental implications of a specific action or project and to determine whether the proposed project will have the potential to cause significant adverse impacts on the environment. As part of the proposed Project's environmental review process, the City of Fontana prepared an Environmental Assessment (Initial Study), which is included herein in Section 4.0.

1.2 PROJECT OVERVIEW

The Project consists of an application submitted to the City of Fontana by AIREF Beech Logistics Center LP (hereinafter "Project Applicant") for a Design Review Project (DRP 22-035). The application is referred to by the City of Fontana as Master Case No. 22-059. The Project provides for the development of an approximately 168,760 square feet (s.f.) industrial commerce center building on an approximately 8.4-acre property located at north of Foothill Boulevard and west of Beech Avenue. Refer to Section 3.0, *Project Description*, for a comprehensive description of the proposed Project.

1.3 CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

1.3.1 CEQA Objectives

CEQA, a statewide environmental law contained in Public Resources Code Sections 21000 et seq., applies to most public agency decisions to carry out, authorize, or approve actions that have the potential to adversely affect the environment. The overarching goal of CEQA is to protect the physical environment. To achieve that goal, CEQA requires that public agencies inform themselves of the environmental consequences of their discretionary actions and consider alternatives and mitigation measures that could avoid or reduce significant adverse impacts when avoidance or reduction is feasible. It also gives other public agencies and the general public an opportunity to comment on the information.

1.3.2 CEQA Requirements for a Mitigated Negative Declaration

A Mitigated Negative Declaration (MND) is a written statement by the Lead Agency that briefly describes the reasons why a project that is not exempt from the requirements of CEQA will not have a significant effect on the environment and, therefore, does not require preparation of an Environmental Impact Report (EIR) (CEQA Guidelines Section 15371). The CEQA Guidelines allow for the preparation of a MND in lieu of an EIR if the Initial Study prepared for a project identifies potentially significant environmental effects, but: 1) revisions in the project plans or proposals made by, or agreed to by the applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and 2) there is no reasonable evidence, in light of the whole record before the Lead Agency, that the project may have a significant effect on the environment.

1.3.3 Initial Study Findings

Section 4.0 of this document contains the Initial Study (IS) that was prepared for the proposed Project pursuant to CEQA and City of Fontana requirements. The IS determined that implementation of the proposed Project would not result in significant environmental effects to the following environmental resource areas: aesthetics, agriculture and forestry resources, air quality, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation, utilities/service systems, and wildfire. The IS determined that the proposed Project would result in potentially significant effects to the resource areas of biological resources and tribal cultural resources, but the Project Applicant has agreed to implement mitigation measures that would avoid or reduce the effects to a point where clearly no significant effects would occur. The IS determined that with the incorporation of mitigation measures there is no substantial evidence in light of the whole record before the Lead Agency (City of Fontana) that the Project would have a significant effect on the environment. Based on the findings of the IS, the City of Fontana determined that an MND is appropriate for the proposed Project pursuant to CEQA Guidelines Section 15070(b).

1.3.4 Format and Content of Mitigated Negative Declaration

The following components comprise the MND in its entirety:

1) This document, including all sections. Section 4.0 comprises the completed Environmental Assessment Checklist ("Initial Study" or "IS") and its associated analyses which document the reasons to support the findings and conclusions of the IS. Section 5.0 comprises the Mitigation Monitoring and Reporting Program (MMRP), which lists all mitigation measures imposed on the proposed Project to ensure that the physical effects to the environment that result from implementation of the Project are reduced to less-than-significant levels. The MMRP also indicates the required timing for the implementation of each mitigation measure and identifies the parties responsible for implementing and monitoring each mitigation measure.

2) Sixteen technical reports that evaluate the environmental effects of the proposed Project are attached as Technical Appendices A-M and are hereby incorporated by reference pursuant to CEQA Guidelines Section 15150. Each of the appendices listed below are available for review at the City of Fontana Community Development Department, Planning Division, located at 8353 Sierra Avenue, Fontana, CA 92335 and the City's website (www.fontana.org/2137/Environmental-Documents).

Appendix A "Beech Logistics Center Air Quality Impact Analysis, City of Fontana" prepared by Urban Crossroads and dated November 16, 2022.

Appendix B1 "Beech Logistics Center Mobile Source Health Risk Assessment, City of Fontana" prepared by Urban Crossroads and dated November 16, 2022.

Appendix B2 "Beech Logistics Center Focused Health Risk Assessment" prepared by Urban Crossroads and dated August 28, 2023.

Appendix C "Habitat Assessment for the Proposed Beech Avenue Project Located in the City of Fontana, San Bernardino County, California" prepared by ELMT Consulting and dated November 30, 2021.

Appendix D "Cultural Resources Study for the Beech Avenue Project" prepared by Brian F. Smith and Associates and dated September 20, 2022.

Appendix E "Beech Logistics Center Energy Analysis, City of Fontana" prepared by Urban Crossroads and dated November 16, 2022.

Appendix F "Geotechnical Investigation Proposed Warehouse, Beech Avenue, North of Foothill Boulevard, Fontana, California" prepared by Southern California Geotechnical and dated December 7, 2021.

Appendix G "Paleontological Assessment for the Beech Avenue Project" prepared by Brian F. Smith and Associates and dated September 20, 2022.

Appendix H "Beech Logistics Center Greenhouse Gas Analysis, City of Fontana" prepared by Urban Crossroads and dated November 16, 2022.

Appendix I "Phase I Environmental Site Assessment, Northwest Corner of Beech Avenue and Foothill Boulevard, Fontana, California" prepared by Path Forward Partners, Inc. and dated July 12, 2022.

Appendix J "Preliminary Hydrology and Hydraulics Study for AIREF Beech Logistics Center LP" prepared by JLC Engineering and Consulting, Inc. and dated April 11, 2022.

Appendix K "Preliminary Water Quality Management Plan for AIREF Beech Logistics Center LP" prepared by JLC Engineering and Consulting, Inc. and dated April 11, 2022.

Appendix L1 "Beech Logistics Center Noise and Vibration Analysis, City of Fontana" prepared by Urban Crossroads and dated January 9, 2023.

Appendix L2 "Beech Logistics Center Focused Noise Assessment" prepared by Urban Crossroads and dated August 24, 2023.

Appendix M1 "Beech Logistics Center Traffic Analysis" prepared by Urban Crossroads and dated January 17, 2023.

Appendix M2 "Beech Logistics Center Focused Traffic Assessment" prepared by Urban Crossroads and dated August 22, 2023.

3) All plans, policies, regulatory requirements, and other documentation that is incorporated by reference in this document pursuant to CEQA Guidelines Section 15150.

1.3.5 Mitigated Negative Declaration Processing

The City of Fontana Community Development Department, Planning Division directed and supervised the preparation of this MND. Although prepared with the assistance of the consulting firm T&B Planning, Inc., the content contained within and the conclusions drawn by this MND reflect the sole independent judgment of the City of Fontana.

A Notice of Intent (NOI) to adopt the MND will be distributed to the following entities for review: 1) organizations and individuals who have previously requested such notice in writing to the City of Fontana; 2) owners of contiguous property shown on the latest equalized assessment roll; 3) Responsible and Trustee Agencies (public agencies that have a level of discretionary approval over some component of the proposed Project); and 4) the San Bernardino County Clerk of the Board of Supervisors. The NOI identifies the location(s) where the MND, Initial Study, MMRP, and associated Technical Appendices are available for public review.

Following the public review period, the City of Fontana will review any comment letters received and determine whether any substantive comments were provided that may warrant revisions to the MND document. If substantial revisions are not necessary (as defined by CEQA Guidelines Section 15073.5(b)), then the MND will be finalized and forwarded to City of Fontana decision-makers for review as part of their deliberations concerning the proposed Project. If the Project is approved, the City of Fontana will adopt findings relative to the Project's potential environmental effects, as disclosed in this MND, and a Notice of Determination (NOD) will be filed with the San Bernardino County Clerk of the Board of Supervisors.

2.0 ENVIRONMENTAL SETTING

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2.1 PROJECT SETTING

2.1.1 Project Location

Figure 2-1, *Regional Map*, and Figure 2-2, *Vicinity Map*, depict the location of the Project Site, which is generally located in the City of Fontana, San Bernardino County, California. The Project Site is specifically located north of Foothill Boulevard and west of Beech Avenue.

2.1.2 Surrounding Land Uses and Development

The land uses surrounding the Project Site are described below and illustrated on Figure 2-3, *Surrounding Land Uses and Development*.

North:
To the north of the Project Site is the Pacific Electric Trail. Farther north are single-family residential land uses. The area north of the Pacific Electric Trail is zoned "Single-Family Residential (R-SF)."

South:
The area immediately to the south of the Project Site is zoned "General Commercial (C-G). This land is primarily vacant undeveloped with the exception of the Forty Winks Motel, located to the southwest of the Project Site. Farther south is Foothill Boulevard and then a mix of commercial and residential land uses.

West:
Immediately west of the Project is the eShipping Distribution Services warehouse. The area to the west is zoned "Light Industrial (I-L)." Farther west are more industrial land uses.

East:
To the east of the Project Site is vacant undeveloped land that is zoned I-L. Farther east is land zoned "Public Facility (P-PF)" which contains a large storage tank. To the northeast, north of the Pacific Electric Trail, are residential land uses on land zoned "Medium Density Residential (R-M)." To the southeast is the Fontana Nursery, a wholesale plant nursery.

2.2 PLANNING SETTING

2.2.1 General Plan Land Use & Zoning Designations

The prevailing planning document for the Project Site is the City of Fontana General Plan. The City of Fontana General Plan designates the Project Site for "Light Industrial (I-L)" land uses as shown in Figure 2-4, *City of Fontana General Plan Land Use Map*. The Light Industrial land use designation provides for employee-intensive uses, including business parks, research and development, technology centers, corporate and support office uses, clean industry, supporting retail uses, truck and equipment sales and related services, and warehouses (City of Fontana, 2018a, pp. 15.26-15.27).

The City of Fontana Zoning Map applies the "Light Industrial (M-1)" zoning designation to the Project Site (see Figure 2-5, *City of Fontana Zoning Map*). Land uses within the M-1 zone are subject to the standards set forth in the Fontana Municipal Code, Article VII, *Industrial Zoning Districts*. The M-1 zone is intended to accommodate employee-intensive uses, such as business parks, research and technology centers, offices, and supporting retail uses, high-cube/warehousing which does not permit heavy manufacturing, processing

of raw materials, or businesses which generate high volumes of truck traffic (City of Fontana, 2022, Section 30-522).

2.3 EXISTING SITE CONDITIONS

Pursuant to CEQA Guidelines Section 15125(a)(1), the physical environmental condition for purposes of establishing the setting of a MND is the environment as it existed at the time the Lead Agency commences the environmental analysis for a project. The City of Fontana began the environmental review for the Project in June 2022; therefore, the environmental setting for the proposed Project is defined as the physical environmental conditions on the Project Site and in the vicinity of the Project Site as they existed as of that approximate date.

2.3.1 Land Use

Under existing conditions, the Project Site is vacant and undeveloped. The Project Site, however, is fully disturbed having been routinely disced. The Project Site contains several trees scattered across the property. Figure 2-6, *Aerial Photograph*, depicts the existing conditions at the Project Site.

2.3.2 Aesthetic and Topographic Features

The Project Site is perceived as flat, with elevations ranging from approximately 1,271 to 1,290 feet above mean sea level (amsl), and gradually slopes from north to south (ELMT, 2021, p. 4). Figure 2-7, *USGS Topographic Map*, illustrates the general topographic character of the Project Site. The Site does not contain unique topographic or aesthetic features, such as rock outcroppings or native trees. Light poles are located to the north the Project Site along the Pacific Electric Trail. (Google Earth, 2022)

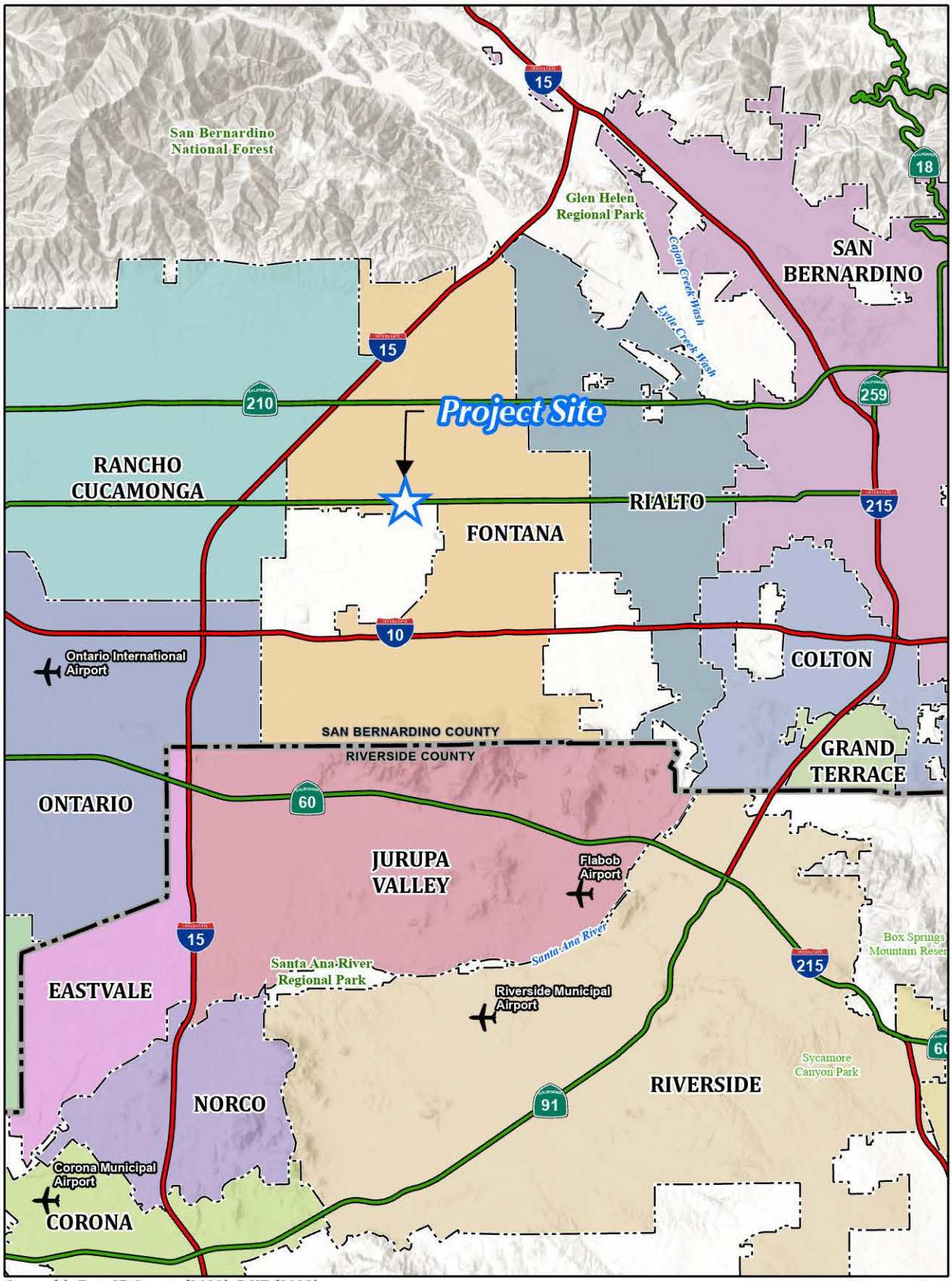
2.3.3 Site Access and Circulation

The Project Site does not have paved access under existing conditions. Access to the Project Site is provided from an unpaved segment of Beech Avenue, extending north from Foothill Boulevard.

The Project Site is located approximately 0.1-mile north of Foothill Boulevard. Foothill Boulevard is an east-west oriented roadway that connects to Interstate 15 (I-15) approximately 3.4 miles west of the Project Site and connects to Interstate 215 (I-215) approximately 9.6 miles east of the Project Site. I-15, and I-215 are part of the State highway system operated by the California Department of Transportation (Caltrans).

2.3.4 Air Quality and Climate

The Project Site is located in the 6,745-square-mile South Coast Air Basin (SCAB), which includes portions of Los Angeles, Riverside, and San Bernardino Counties, and all of Orange County. The SCAB is bound by the Pacific Ocean to the west, the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east, and the San Diego Air Basin to the south. The SCAB is within the jurisdiction of South Coast Air Quality Management District (SCAQMD), the agency charged with bringing air quality in the SCAB into conformity with federal and state air quality standards. The climate of the SCAB is characterized as semi-arid and more than 90% of the SCAB's rainfall occurs from November through April. During the dry season, which also coincides with the months of maximum photochemical smog concentrations, the wind flow is bimodal, characterized by a daytime onshore sea breeze and a nighttime offshore drainage wind. (Urban Crossroads, 2022a, pp. 9 and 10)

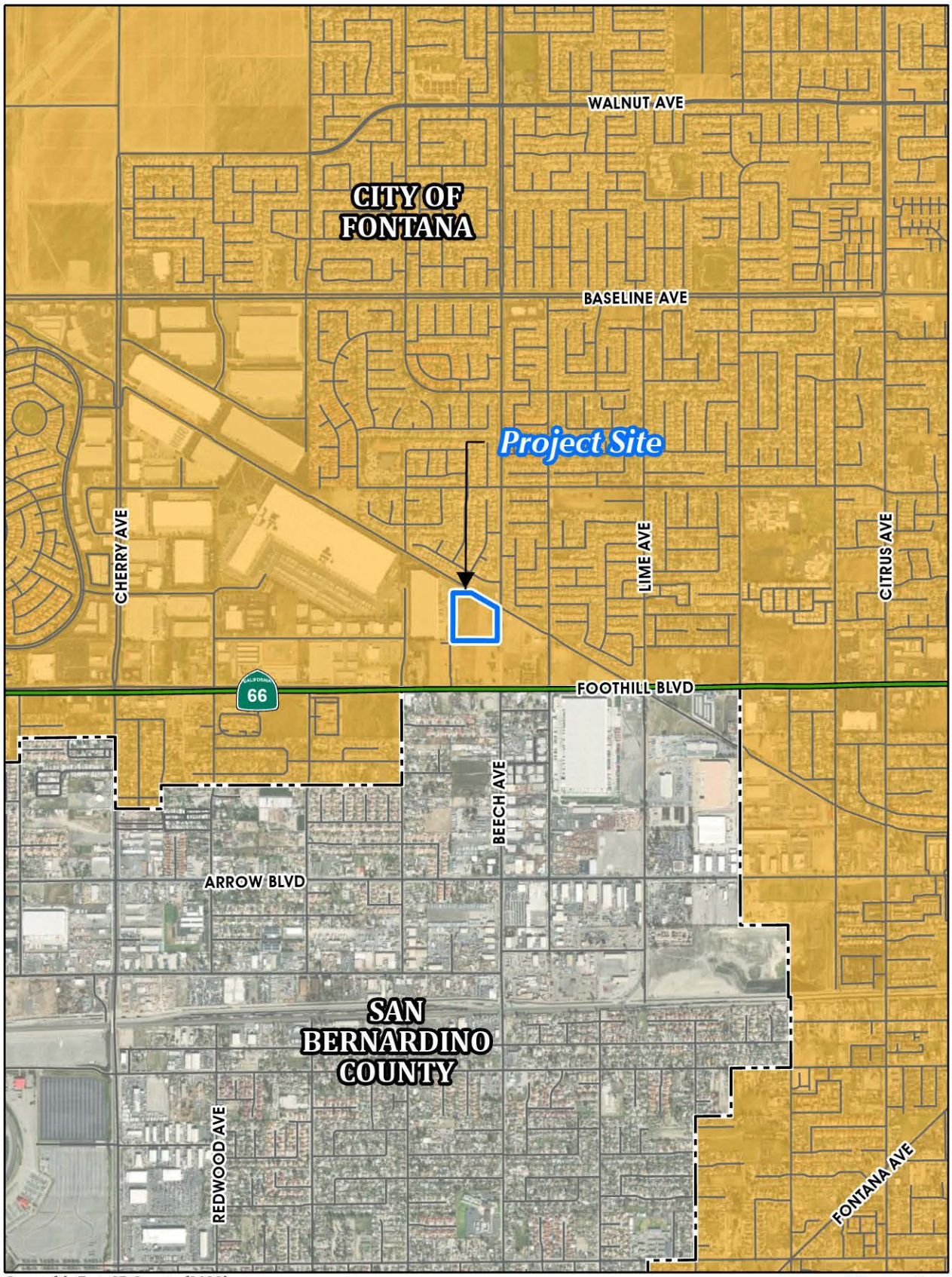


Source(s): Esri, SB County (2023), RCIT (2023)

Figure 2-1

0 0.75 1.5 3 Miles

Regional Map



Source(s): Esri, SB County (2023)

Figure 2-2

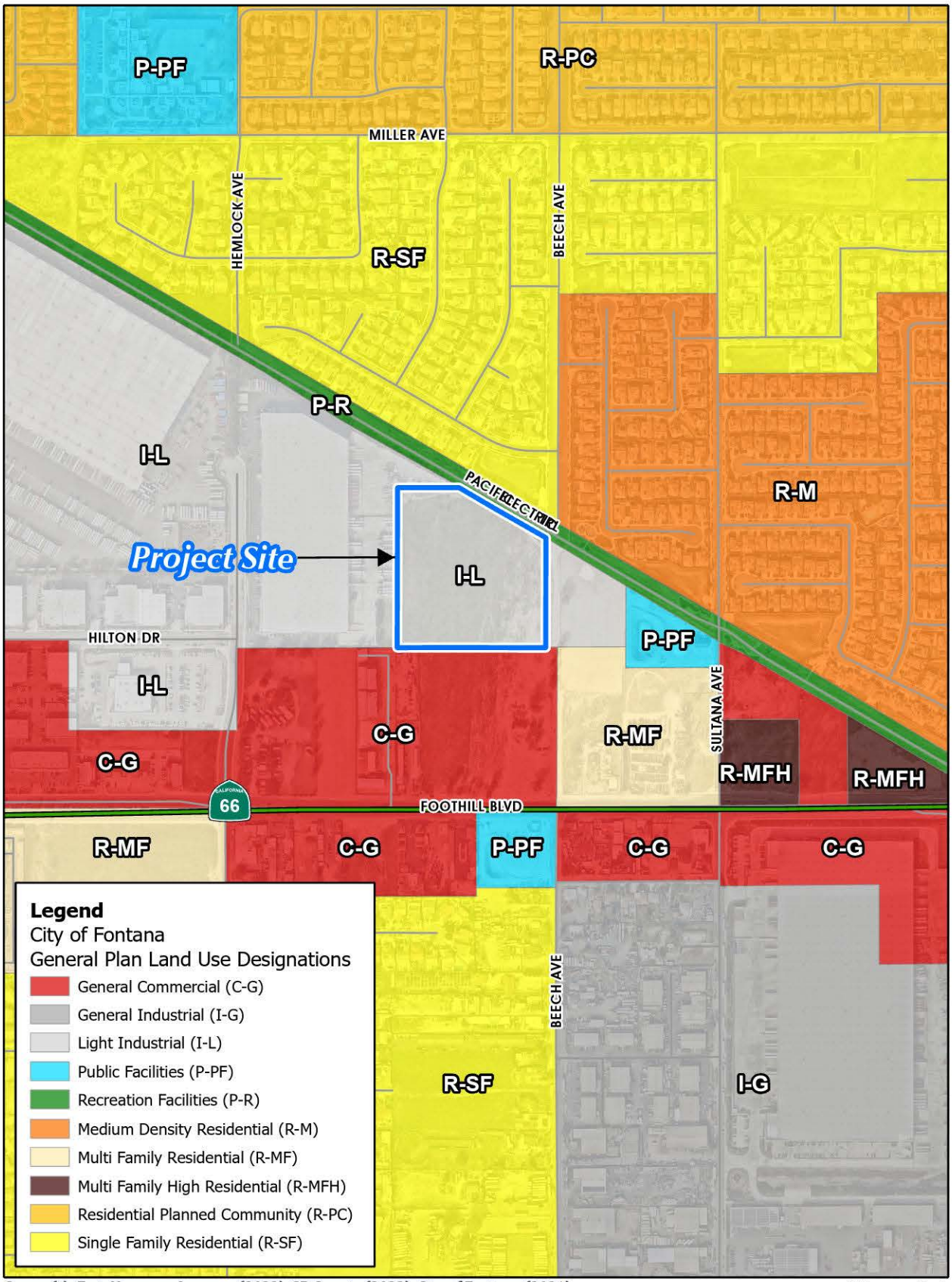
Vicinity Map

Source(s): Esri, Nearmap Imagery (2023), SB County (2023)

Figure 2-3

0 100 200 400 Feet

Surrounding Land Uses and Development

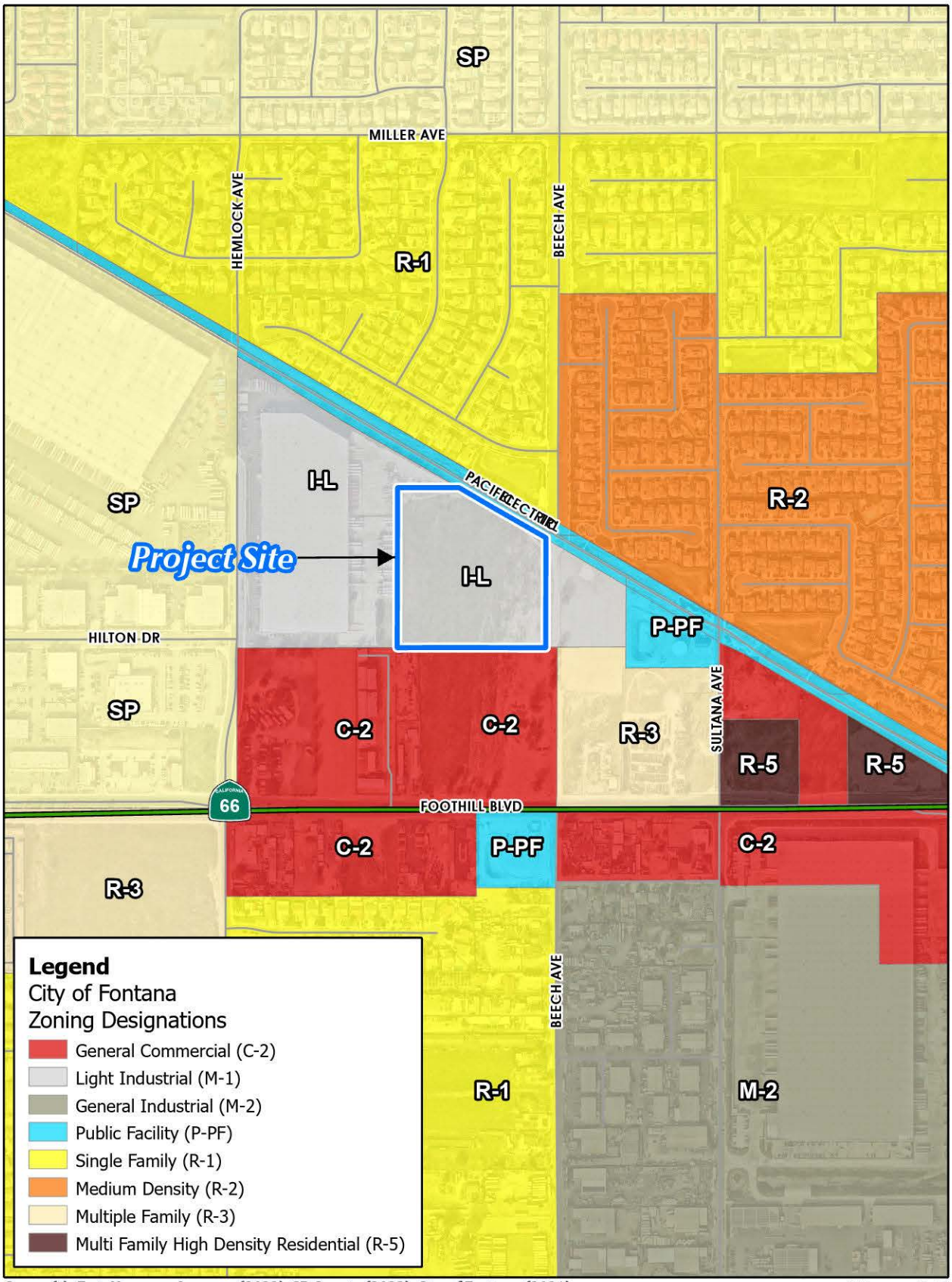


Source(s): Esri, Nearmap Imagery (2023), SB County (2023), City of Fontana (2021)

Figure 2-4

0 150 300 600 Feet

City of Fontana General Plan Land Use Map

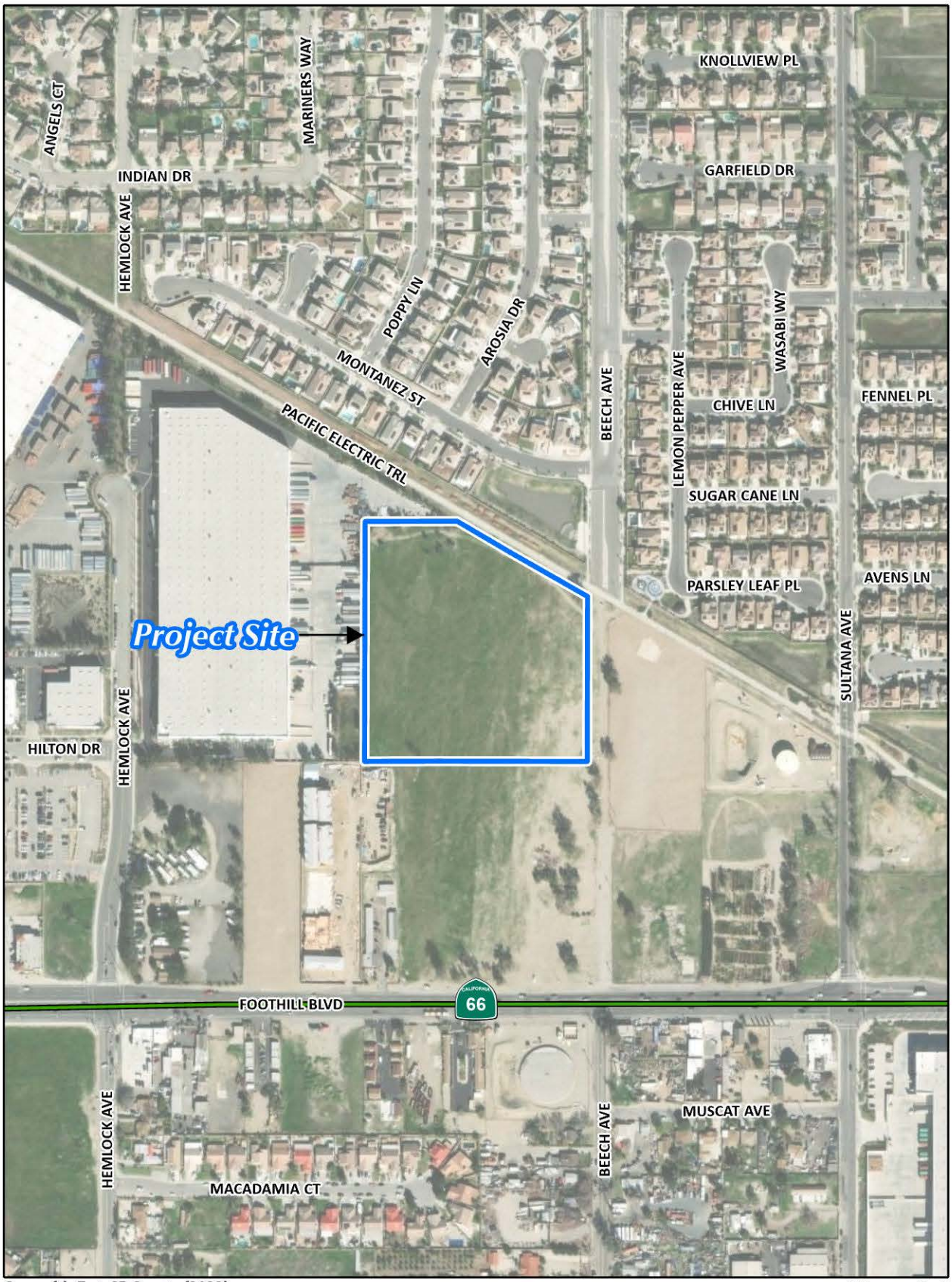


Source(s): Esri, Nearmap Imagery (2023), SB County (2023), City of Fontana (2021)

Figure 2-5

0 150 300 600 Feet

City of Fontana Zoning Map

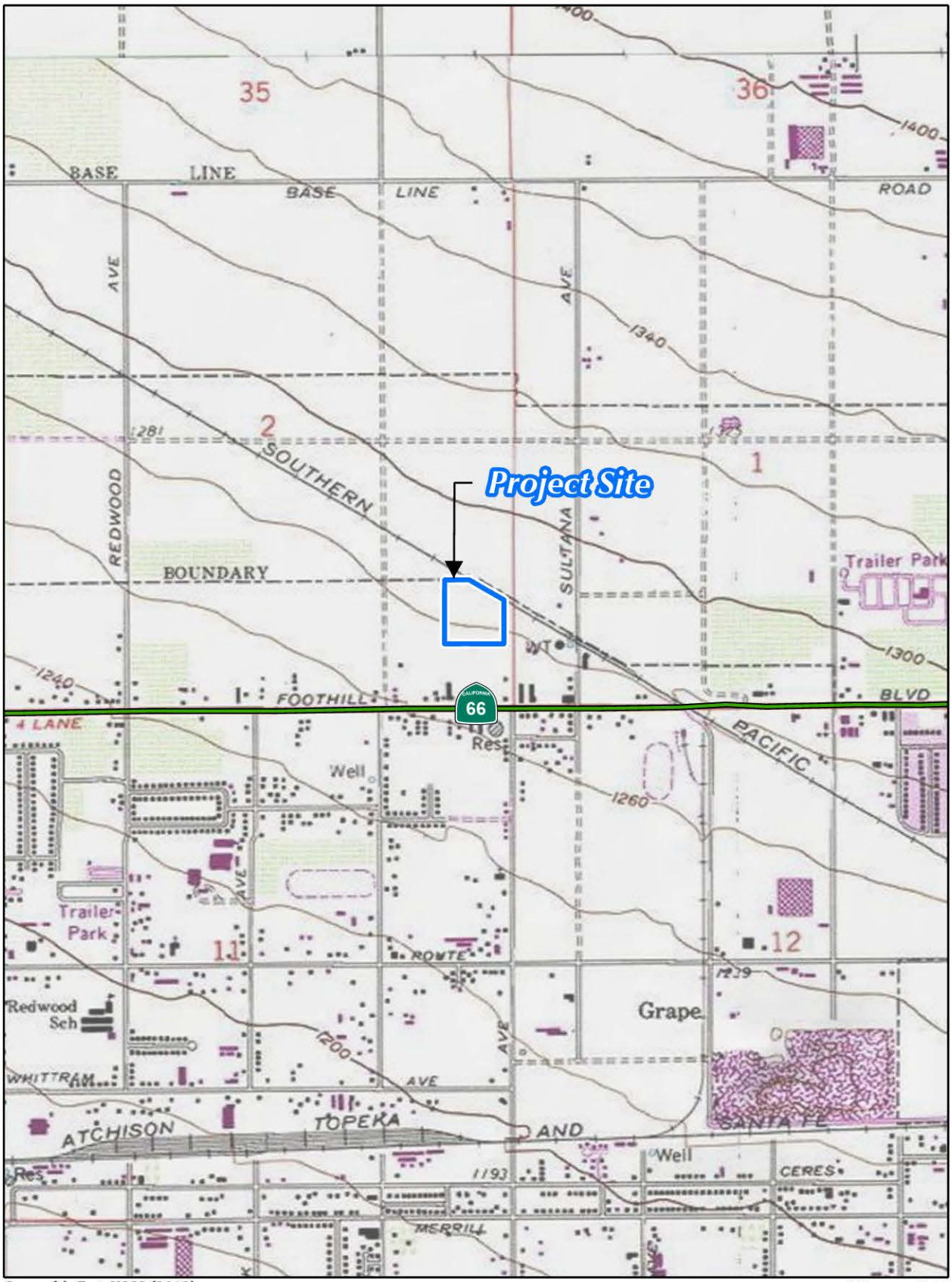


Source(s): Esri, SB County (2023)

Figure 2-6

0 100 200 400 Feet

Aerial Photograph



Source(s): Esri, USGS (2013)

Figure 2-7

0 375 750 1,500 Feet

USGS Topographic Map

In the Project region, the SCAB does not attain State and/or federal standards established for one-hour and eight-hour Ozone (O_3) concentrations and particulate matter (PM_{10} and $PM_{2.5}$) concentrations. Local air quality in the vicinity of the Project Site has exceeded air quality standards for one-hour and eight-hour ozone concentrations and particulate matter concentrations within the last three years, as recorded at the nearest air monitoring station to the Project Site (Central San Bernardino Valley 1 monitoring station source receptor area [SRA] 34) (Urban Crossroads, 2022a, p. 21). Refer to Table 2-4 in the Project's air quality report (refer to *Technical Appendix A*) for a summary of air quality conditions in the vicinity of the Project Site over the last three years.

The SCAQMD, as part of preparation of the report titled "Multiple Air Toxics Exposure Study in the South Coast Air Basin (MATES V)," calculated excess cancer risk levels from air pollution across the SCAB. The census tract that contains the Project Site is calculated to have an excess carcinogenic risk of 590 in one million persons, which is in the 87th percentile in the SCAB (SCAQMD, 2022). The Office of Environmental Health Hazard Assessment (OEHHA) ranks the census tract that contains the Project Site in the 93rd percentile for pollution burden which, based on the census tract's demographic characteristics, places the area in the 96th percentile of communities that are disproportionately burdened by multiple sources of pollution (OEHHA, 2022). Information about specific air pollutants and their effects on human health are contained in the Air Quality Impact Analysis and Mobile Source Health Risk Assessment provided as *Appendix A* and *Appendix B*, respectively, to this Initial Study/MND.

2.3.5 Geology

There are no known active or potentially active earthquake faults on the Project Site or in the immediately surrounding area, and the Project Site is not located within an "Alquist-Priolo" Special Studies Zone (SCG, 2021, p. 9). Notwithstanding, and similar to other properties throughout southern California, the Project Site is located within a seismically active region and is subject to ground shaking in the event of seismic activity along active faults in the region.

Groundwater was not encountered in any of the test excavations on the Project Site; nearby monitoring well data suggests that groundwater is located more than 400 feet below the ground surface (bgs) in the Project Site vicinity (SCG, 2021, pp. 5 and 6).

2.3.6 Soils

The Project Site contains native alluvial soils extending from the ground surface to a depth of at least 25 feet below existing ground surface. The near surface soils, within the upper 2.5 to 4.5 feet, were noted to be medium dense to dense silty fine sands and silty fine to coarse sands with varying cobble content. The soils at a depth greater than 4.5 feet were noted to be medium dense to very dense fine to coarse sands with little fine to coarse gravel and occasional to abundant cobbles. At one of the test excavations, gravelly fine to coarse sands were noted extending from the ground surface to 15 feet bgs. (SCG, 2021, p. 5)

2.3.7 Hydrology

The Project Site is located in the Santa Ana River watershed, which drains an approximately 2,650 square-mile area. The Santa Ana River, which is the principal surface flow water body within the region, starts in the San Bernardino Mountains, approximately 23 miles northeast of the Project Site, and flows southwesterly for approximately 96 miles across San Bernardino, Riverside, and Orange counties before spilling into the Pacific Ocean.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 06071C8651H, the Project Site is located within "Flood Zone X (unshaded)" which corresponds with areas of minimal flood hazard (i.e., less than 0.2-percent annual chance of flood) (FEMA, 2008).

Under existing conditions, runoff from the Project Site drains from north to south and sheet flows to an existing storm drain grate inlet at Beech Avenue and Foothill Boulevard. Existing 36- and 42-inch-diameter storm drains are located within the Foothill Boulevard right-of-way between Hemlock Avenue and Sultana Avenue, which connect to a 66-inch storm drain west of Hemlock Avenue. (JLC, 2022a, pp. 1 and 2).

2.3.8 Noise

The primary sources of noise in the Project Site vicinity are vehicle traffic along Foothill Boulevard and noise generated by nearby businesses. Based on 24-hour noise measurements collected by the consulting firm Urban Crossroads, 24-hour daytime energy average noise levels in the Project area range between 51.2 dBA L_{eq} and 71.5 dBA L_{eq} and nighttime energy average noise levels range from 50.7 dBA L_{eq} to 67.3 dBA L_{eq}, which are noise levels typically associated with urban areas. (Urban Crossroads, 2023a, pp. 7, 22)

2.3.9 Utilities and Service Systems

Under existing conditions, the Project area receives domestic water service from the Fontana Water Company (FWC). Wastewater generated in the Project area is collected by the City of Fontana's local sanitary sewer system, for conveyance to larger regional conveyance facilities and ultimately to wastewater treatment facilities (RP-1 or RP-4) operated by the Inland Empire Utilities Agency (IEUA). A 21-inch-diameter sewer line and 16-inch-diameter water line are located beneath Beech Avenue.

The Mid-Valley Landfill in the City of Rialto is the facility that processes solid waste collected in the City of Fontana. The Mid-Valley Landfill is permitted to accept 7,500 tons of waste per day and is designed to accommodate up to 8,280 tons per day (City of Fontana, 2018b, p. 5.12-20).

2.3.10 Vegetation

Under existing conditions, the Project Site supports one (1) land cover type classified as "Disturbed," which supports primarily early successional or ruderal plant species and trees associated with historic agricultural activities. Routine weed abatement and other human activity on the Project Site inhibits the establishment of plant populations. Plant species observed on the Project Site include horseweed (*Erigeron canadensis*), Mediterranean grass (*Schismus arabicus*), jimsonweed (*Datura wrightii*), golden crownbeard (*Verbesina encelioides*), Russian thistle (*Salsola tragus*), and tree tobacco (*Nicotiana glauca*). In addition, a collection of stunted gum trees (*Eucalyptus* sp.), remnant agricultural windrows that have been cut down in recent years and allowed to resprout, are present in the northwest corner of the Project Site. Mature gum trees are also present at the northeast and southeast corners of the Project Site. No native plant communities or natural communities of special concern were observed during field investigations on the Project Site. (ELMT, 2021, p. 4)

2.3.11 Wildlife

Wildlife species observed on the Project Site included thirteen (13) bird species and two (2) mammal species. No fish, amphibian, or reptile species were observed during the field investigation. No listed or special status wildlife species were observed on the Project Site during field surveys. Refer to Attachment D of *Technical Appendix C* for the detailed list of species observed on the Project Site. (ELMT, 2021, pp. 4-7)

3.0 PROJECT DESCRIPTION

3.0 PROJECT DESCRIPTION

The Project evaluated by this MND is located within the City of Fontana, San Bernardino County, California. The Project consists of an application for a Design Review Project (DRP 22-035). Copies of the entitlement application for the proposed Project are herein incorporated by reference pursuant to CEQA Guidelines Section 15150 and are available for review at the City of Fontana Community Development Department, Planning Division public counter, located at 8353 Sierra Avenue, Fontana, California 92335. A detailed description of the proposed Project is provided in the following sections. Additional actions that would be necessary to implement the proposed Project are listed in Table 3-2, *Matrix of Project Approvals/Permits*, at the end of this section.

3.1 PROPOSED DISCRETIONARY APPROVALS

3.1.1 Design Review Project (DRP 22-035)

DRP 22-035 proposes a development plan for the Project Site that provides for the construction and operation of an industrial commerce center building. The DRP application materials depict a conceptual layout of the proposed building and associated physical design features, conceptual architectural design for the building, and a conceptual landscaping plan. DRP 22-035 complies with applicable design standards from Fontana Municipal Code Chapter 9, Article V (Industrial Commerce Centers Sustainability Standards).

A. Site Plan

As shown on Figure 3-1, *Conceptual Site Plan*, the proposed industrial commerce center building is generally rectangular-shaped with a north-south orientation and provides approximately 168,760 s.f. of total floor area, including 153,760 s.f. of warehouse space and up to 15,000 s.f. of office space (including ground floor and mezzanine). The office space would be located in the southeast corner of the building.

The Project provides approximately 123 passenger vehicle parking spaces distributed on the north and south sides of the Project Site. A gate secured truck court – used for the loading and unloading of goods and short-term trailer parking – with 23 loading docks (also called "bays") and approximately 53 truck trailer parking stalls is located on the east side of the proposed building. Because the Project Applicant is pursuing the Project on a speculative basis, meaning the future occupant(s) of the building is not known at the time of writing this MND, the number of automobile and trailer parking spaces are identified as approximate to acknowledge the possibility of minor parking lot striping revisions in the future to accommodate the needs of future building occupant(s). A 14-foot-tall solid screen wall is provided along the southern and eastern boundary of the truck court; an 8-foot-tall tubular steel fence is provided along the northern/northeastern boundary of the truck court; a 6-foot-tall tubular steel fence is provided along the southern Project Site boundary and an existing wrought-iron fence along the western Project Site boundary will be retained.

Bicycle parking spaces ("racks") would be provided abutting the proposed office space in conformance with Fontana Zoning and Development Code Article XI, Division 5, Division 5, 30-714, Table 30-714, *Bicycle Parking Facilities*, which requires one space for every 30,000 s.f. of gross floor area.

Vehicular access to the Project Site would be provided by two (2) driveways that would connect to Beech Avenue. As part of the Project, Beech Avenue would be extended from Foothill Boulevard to just south of the Pacific Electric Trail, where it will terminate in a cul-de-sac.

B. Architecture

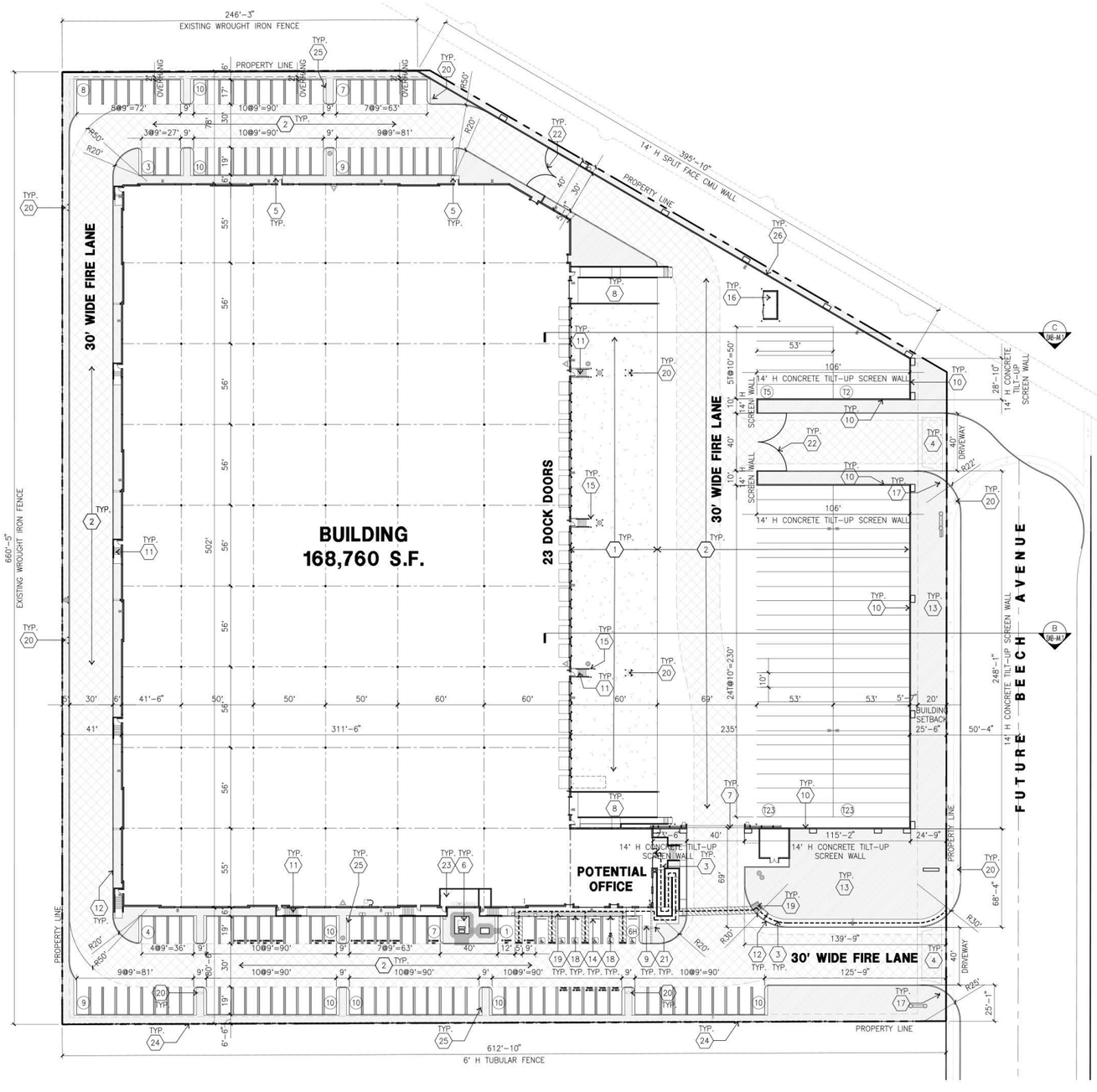
Figure 3-2, *Architectural Elevations*, depicts the architecture proposed for the Project. The proposed building would feature a varied roofline for visual interest and to reduce the perceived bulk and scale of the building; the maximum height of approximately 45 feet, 6 inches above finished floor elevation (including architectural projections). The building would be constructed with painted concrete tilt-up panels and low reflective, blue-glazed glass. Articulated building elements, including parapets, wall recesses, mullions and aluminum canopies, are proposed as decorative elements – primarily at the building entrance and along the sides of the building facing Foothill Boulevard and Beech Avenue. The exterior color palette for the proposed building is comprised of various shades of gray, with blue and black accents.

Prior to the issuance of building permits to construct the Project, the Project Applicant/Developer or Project Site owner would be required to submit construction documents/plans to the City of Fontana for review and approval. The construction documents/plans would be required to comply with the City of Fontana Building Code, which is based on the California Building Code and is included in Chapter 5 of the Fontana Municipal Code.

C. Landscaping

The conceptual landscape plan for the Project Site is illustrated on Figure 3-3, *Conceptual Landscape Plan*. Proposed landscaping is ornamental in nature and would feature trees, shrubs, and drought-tolerant accent plants in addition to a variety of groundcovers. As shown on Figure 3-3, trees and groundcover are proposed to be massed along the Project Site's frontage with the extended Beech Avenue. Landscaping would also occur along the boundary of the Project Site, around the building and at the building entrance, and in and around the parking areas.

Prior to the issuance of a building permit to construct the Project Site, the Project Applicant/Developer or Project Site owner would be required to submit final planting and irrigation plans to the City of Fontana for review and approval. The plans are required to comply with the "Landscape and Water Conservation Ordinance" from Chapter 28, Article IV, Sections 28-91 through 28-115 of the Fontana Municipal Code, which establishes requirements for landscape design, automatic irrigation system design, and water-use efficiency (City of Fontana, 2022, Sections 28-91 through 28-115).



TABULATION

SITE AREA	
in s.f.	367,237 s.f.
in acres	8.43 ac
BUILDING AREA	
Office - 1st Floor	5,000 s.f.
Office - 2nd Floor	10,000 s.f.
Warehouse	153,760 s.f.
TOTAL	**168,760** s.f.
Building Footprint	158,760 s.f.
COVERAGE Maximum	60.0%
Coverage Provided	43.2%
MAXIMUM FLOOR AREA RATIO	0.6
F.A.R Provided	46.0%
PARKING REQUIRED	
Office: (if area is less than 10% of total building square footage)	0
Whse: 1st 20,000 s.f. @ 1/1,000 s.f.	20
2nd 20,000 s.f. @ 1/2,000 s.f.	10
Over 40,000 s.f. @ 1/5,000 s.f.	26
TOTAL	56 stalls
AUTO PARKING PROVIDED	
Standard (9'x19')	116 stalls
Accessible Stall (9' x 19')	5 stalls
Accessible Van (12' x 19')	2 stalls
TOTAL	123 stalls
TRAILER PARKING PROVIDED	
Trailer (10'x53')	53 stalls
ZONING ORDINANCE FOR CITY	
Zoning Designation - Light Industrial (M-1)	
MAXIMUM BUILDING HEIGHT	
Height - 75 feet	
LANDSCAPE REQUIRED	
*15% not including building	
LANDSCAPE PROVIDED	
in percentage	20.2%
in s.f.	40,087 s.f.
MINIMUM SETBACKS	
Building:	Parking:
Front - 20 ft. from back of curb	Front - 20 ft.
Rearside - 5 ft.	Rearside - 5 ft.

CONSTRUCTION TYPE

REAL PROPERTY IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

PARCEL A AS SHOWN ON CERTIFICATE OF COMPLIANCE FOR A LOT LINE ADJUSTMENT NO. 06-012 AS EVIDENCED BY DOCUMENT RECORDED MARCH 29, 2007 AS INSTRUMENT NO. 2007-0196351 OF OFFICIAL RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 54 AND 55, TOGETHER WITH THAT PORTION OF LOT 33 OF ARROWHEAD VINEYARD TRACT NO. 1, IN THE CITY OF FONTANA, COUNTY OF SAN BERNARDINO STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 16 PAGE 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER LINE OF CALIFORNIA STREET WHERE SAID CENTER LINE INTERSECTS THE WESTERLY PROLONGATION OF THE SOUTH LINE OF SAID LOT 33; THENCE EAST ALONG THE SAID SOUTHERLY LINE AND THE PROLONGATION THEREOF, 902.67 FEET TO THE SOUTHWESTERLY LINE OF THE RIGHT OF WAY OF THE PACIFIC ELECTRIC RAILWAY, AS LOCATED OVER AND ACROSS SAID LOT; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY TO ITS INTERSECTION WITH THE CENTER LINE OF SAID CALIFORNIA STREET; THENCE SOUTH ALONG THE CENTER LINE OF SAID CALIFORNIA STREET, 534.37 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

THE EAST 100 FEET OF THE WEST 400 FEET OF LOT 56, ARROWHEAD VINEYARD TRACT NO. 1, AS PER PLAT RECORDED IN BOOK 16 OF MAPS, PAGE 69, RECORDS OF SAID COUNTY.

EXCEPT THOSE PORTIONS IN FOOTHILL BOULEVARD AND THE PACIFIC ELECTRIC RAILWAY RIGHT OF WAY.

NOTE: AREAS AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTER OF THE ADJOINING STREETS SHOWN ON SAID MAP.

PARCEL 3:

THE WEST 300 FEET, EXCEPT THE SOUTH 1/2 OF THE WEST 200 FEET THEREOF, OF LOT 56, ARROWHEAD VINEYARD, TRACT NO. 1, AS PER RECORDED IN BOOK 16, PAGE 69, RECORDS OF SAID COUNTY.

EXCEPTING THEREOF, ANY PORTION THEREOF LYING WITHIN FOOTHILL BOULEVARD AND THE PACIFIC ELECTRIC RAILWAY, RIGHT OF WAY.

NOTE: AREAS AND DISTANCES OF THE ABOVE DESCRIBED PROPERTY ARE COMPUTED TO THE CENTER OF THE ADJOINING STREETS SHOWN ON SAID MAP.

PARCEL 4:

LOT 56, ARROWHEAD VINEYARD TRACT NO. 1, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 16 OF MAPS, PAGE 69, RECORDS OF SAID COUNTY.

EXCEPTING THEREFROM THE WEST 400 FEET THEREOF.

ALSO EXCEPTING THEREFROM THAT PORTION OF LOT 56, ARROWHEAD VINEYARD TRACT NO. 1, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER PLAT RECORDED IN BOOK 16 OF MAPS, PAGE 69, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, WHICH LIES NORTHEASTERLY OF THE NORTHERLY LINE OF THE RAILROAD EASEMENT WHICH WAS CONVEYED TO THE PACIFIC ELECTRIC RAILWAY COMPANY BY DOCUMENT WHICH RECORDED JUNE 17, 1913, IN BOOK 529, PAGE 216 OF DEEDS, RECORDS OF SAID COUNTY.

AREAS AND DISTANCES DESCRIBED PROPERTY ARE COMPUTED TO CENTER OF ALL ADJOINING STREETS AND ROADS.

SITE PLAN KEYNOTES

1. HEAVY BROOM FINISH CONCRETE PAVEMENT.
2. ASPHALT CONCRETE (AC) PAVING.
3. CONCRETE WALKWAY, MEDIUM BROOM FINISH
4. DRIVEWAY APRONS TO BE CONSTRUCTED
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. APPROXIMATE LOCATION OF TRANSFORMER. CONTRACTOR TO VERIFY WITH S.C.E.,
7. PROVIDE 8' HIGH METAL GATES W/ KNOX-BOX PER FIRE DEPARTMENT STANDARDS PER DRIVEWAY.
8. CONCRETE RAMP W/ 42" HIGH CONCRETE WALL.
9. EXTERIOR BIKE RACK TYPICAL.
10. 14' HIGH CONCRETE TILT-UP SCREEN WALL.
11. EXTERIOR CONCRETE STAIR.
12. CONCRETE CURB. SEE CIVIL DRAWINGS.
13. LANDSCAPE. ALL LANDSCAPE AREAS INDICATED BY SHADING.
14. PRE-CAST CONCRETE WHEEL STOP.
15. CONCRETE FILLED GUARD POST "6 DIA. U.N.O. 42" H.
16. TRASH ENCLOSURE PER CITY STANDARD. REFER TO DAB A4.1.
17. ACCESSIBLE ENTRY SIGN.
18. ACCESSIBLE PARKING STALL SIGN.
19. TRUNCATED DOME.
20. APPROXIMATE LOCATION OF FIRE HYDRANT.
21. DESIGNATED SMOKING AREA
22. 8' HIGH METAL SWING GATE W/KNOX BOX PER FIRE DEPARTMENT STANDARDS PER DRIVEWAY.
23. ELECTRICAL ROOM.
24. 6' TUBULAR STEEL FENCE, REFER TO DAB-A4.1.
25. 2' STEP-OUTS. SEE B/DAB-A1.1 FOR THE DETAILS.
26. 14' H SPLIT FACE CMU WALL.

PROPERTY OWNER/APPLICANT

AIREF BEECH LOGISTICS CENTER LP
4675 MACARTHUR COURT, SUITE 265
NEWPORT BEACH, CA 92660
TEL: 949-852-4600
CONTACT: PETER SCHAFER

ADDRESS OF THE PROPERTY

BEECH AVENUE, FONTANA, CA

ASSESSOR'S PARCEL NUMBER

1110-161-12-0-000
1110-161-13-0-000
1110-161-14-0-000

ZONING

ZONING DESIGNATION – LIGHT INDUSTRIAL (I-L)

LEGAL DESCRIPTION

SEE CIVIL

APPLICANT'S REPRESENTATIVE

HPA, INC.
18831 BARDEEN AVE. – SUITE 100
IRVINE, CA 92612
PHONE: (949) 862-2173
CONTACT: MATTHEW LEE

CODE ANALYSIS

2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA PLUMBING CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA FIRE CODE
2019 CALIFORNIA ENERGY CODE
2019 CALIFORNIA GREEN BUILDING STANDARDS

CONSTRUCTION TYPE

CONCRETE TILT-UP BUILDING

BUILDING OCCUPANCY: S-1/B
OFFICE & WAREHOUSE
CONSTRUCTION TYPE: II-B
FIRE SPRINKLER: ESFR SYSTEM

AERIAL MAP

SITE PLAN GENERAL NOTES

1. THE SITE PLAN BASED ON THE SOILS REPORT PREPARED BY: TBD
2. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
6. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
8. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.
9. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". FINISH TO BE A MEDIUM BROOM FINISH U.N.O.
11. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
12. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
13. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.
14. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.
15. ALL VERTICAL MOUNTING POLES OF CHAIN LINK FENCING SHALL BE CAPPED.
16. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB.

SITE LEGEND

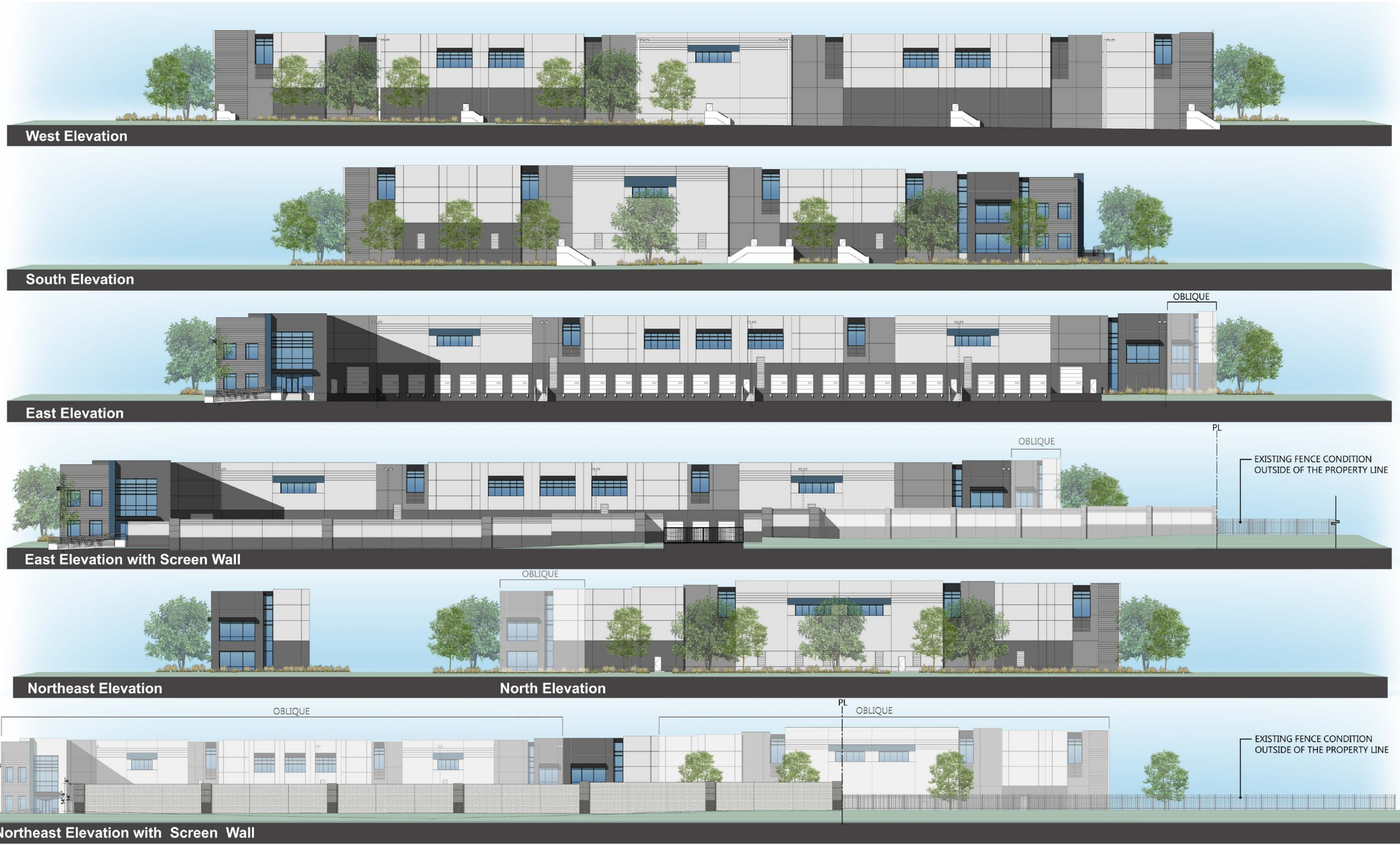
- CONCRETE PAVING.
- STANDARD PARKING STALL (9'X19')
- LANDSCAPED AREA
- 30' WIDE FIRE LANE
- ACCESSIBLE PARKING STALL (9'X19') W/ 5' ACCESSIBLE AISLE
- ACCESSIBLE PARKING STALL (VAN) (12'X19') W/ 5' ACCESSIBLE AISLE
- PATH OF TRAVEL

Source(s): HPA (October 2023)

Figure 3-1

Not to Scale

Conceptual Site Plan



Source(s): HPA (10-12-2023)

Figure 3-2

Not to Scale

Architectural Elevations

PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Cercidium 'Desert Museum' Blue Palo Verde	48" Box	1	L	Multi
	Chilopsis linearis Desert Willow	24" Box	10	L	Multi
	Chitalpa tashkentensis Chitalpa	24" Box	22	L	Standard
	Olea 'Wilsoni Wilson Olive	48" Box	6	L	Multi
	Pinus canariensis Canary Island Pine	24" Box	12	M	Standard
	Pinus eldarica Afghan Pine	24" Box	6	L	Standard
	Pistacia chinensis Chinese Pistache	36" Box	8	L	Standard Street Tree
	Rhus lancea African Sumac	24" Box	18	L	Standard
	Tristania conferta Brisbane Box	24" Box	52	M	Standard

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Cassia phyllodenia Silverleaf Cassia	5 Gal	126	L	
	Elaeagnus pungens Silverberry	5 Gal	276	L	
	Muhlenbergia rigens Deer Grass	5 Gal	47	M	
	Salvia greggii Autumn Sage	5 Gal	136	L	
	Salvia leucantha Mexican Sage	5 Gal	45	L	
	Westringia fruticosa Coast Rosemary	5 Gal	91	L	
	Westringia f. 'Grey Box Dwarf Coast Rosemary	5 Gal	89	L	

ACCENTS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Aloe striata Coral Aloe	1 Gal	25	L	
	Hesperaloe parviflora Red Yucca	5 Gal	10	L	

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY/SPCING	WUCOLS	REMARKS
	Lantana 'Gold Mound' Yellow Lantana	1 Gal	36" O.C.	L	
	Rosmarinus o. 'Huntington Carpet' Prostrate Rosemary	1 Gal	48" O.C.	L	

Source(s): Hunter Landscape (May 2023)

Figure 3-3

Not to Scale

Conceptual Landscape Plan

3.2 PROJECT IMPROVEMENTS

3.2.1 Public Roadway Improvements

Under existing conditions, no public streets abut the Project Site. As part of the Project, Beech Avenue would be extended from Foothill Boulevard to just south of the Pacific Electric Trail where it would end in a cul-de-sac. The Project Applicant would construct the western half of the street plus one lane on the east side of the street; the total paved vehicle travel way width would vary between 53 and 61 feet. Also, the Project provides for the construction of: 1) curb and gutter on the east side of the street, 2) a paved berm on east side of the street (at the edge of the paved travel way), 3) a sidewalk on the west side of the street, and 4) a landscaped parkway on the west side of the street. Also, the Project provides for the construction of an off-set cul-de-sac where Beech Avenue terminates south of the Pacific Electric Trail.

The City of Fontana has plans for a Capital Improvement Program project to the segment of Foothill Boulevard between Hemlock Avenue and Almeria Avenue. The planned project would widen Foothill Boulevard to a 6-lane configuration and install a traffic signal at the intersection of Foothill Boulevard and Beech Avenue. The City has not secured funding for the planned improvements to Foothill Boulevard and the timing for completion of the improvement project is unknown. To improve safety and operations at the Foothill Boulevard and Beech Avenue intersection in the interim, the Project Applicant will install turn pockets and specialized raised medians that will prohibit left turns from the northbound and southbound legs of the intersection. The interim improvements will be removed when the City's planned Foothill Boulevard improvement project is completed, at which time full turning access from all legs of the Foothill Boulevard and Beech Avenue intersection will be restored.

3.2.2 Utility Improvements

A. Water Infrastructure

The Fontana Water Company (FWC) would provide water service to the Project. As depicted on Figure 3-4, *Conceptual Utility Plan*, the Project proposes to connect to the existing 16-inch water main within Beech Avenue right-of-way for indoor, outdoor (i.e., landscape irrigation), and fire protection (i.e., indoor fire protection, fire hydrant) services. All proposed water facilities would be designed and constructed in accordance with FWC standards.

B. Sanitary Sewer Infrastructure

The City of Fontana would provide wastewater conveyance services to the Project Site. As shown on Figure 3-4, the Project would connect to the existing 21-inch-diameter main within the Beech Avenue right-of-way. All proposed wastewater facilities would be designed and constructed in accordance with the City's standards.

C. Stormwater Drainage Infrastructure

The Project's proposed on-site storm drain system consists of a network of catch basins, gutters, underground storm drain pipes and underground infiltration system. First flush stormwater runoff flows (i.e., typically the first ¾-inch of initial surface runoff after a rainstorm, which contains the highest proportion of waterborne pollution) and the required peak storm retention volume would be collected by the proposed network of on-site catch basins and routed through a hydrodynamic separator before flowing into the underground infiltration system (to be located underneath the truck court/ trailer parking area on the east side of the Project Site). The hydrodynamic separator is a stormwater treatment device that separates and removes floatables (e.g., trash, debris, and oil) and settleable particles, like sediment, from

stormwater runoff. The stormwater that flows into the underground infiltration system would ultimately percolate into the ground. This system holds stormwater runoff until it gradually exfiltrates into the underlying soil that contains several layers of filtering media atop native soils. Pollutant removal occurs through the infiltration of runoff and the adsorption of pollutants into the soil. This practice has high pollutant removal efficiency. Stormwater runoff captured after the first flush would bypass the underground infiltration basin and would be routed through a system of storm drain pipes to the southeast corner of the Project Site. Stormwater runoff would be discharged from the Project Site into a new storm drain segment within the Beech Avenue right-of-way that would extend from the southeast corner of the Project Site and would connect to the existing storm drain within the Foothill Boulevard right-of-way (at Beech Avenue). The proposed stormwater drainage system for the Project Site is depicted on Figure 3-4.

D. Dry Utilities

The Project provides for the removal of all wooden power poles and guy poles within the Beech Avenue right-of-way north of Foothills Boulevard and south of the Pacific Electric Trail and the undergrounding of the associated above-ground electricity distribution lines. This work would be performed in coordination with Southern California Edison (SCE).

The Project also entails the removal of one existing streetlight at the intersection of Beech Avenue and Foothill Boulevard and the construction of four new streetlights on the west side of Beech Avenue between Foothill Boulevard and the Pacific Electric Trail.

3.3 CONSTRUCTION CHARACTERISTICS

Based on information provided by the Project Applicant, Project construction is estimated to begin in April 2023 and occur over a period of approximately 13 months, as summarized in Table 3-1. Project construction would begin with site preparation, then mass-grading and installation of underground infrastructure. Next, fine grading would occur, surface materials would be poured, and the proposed building would be erected, connected to the underground utility system, and painted. Lastly, landscaping, fencing, screen walls, lighting, signage, and other site improvements would be installed. Project construction activities and equipment would be required to comply with the applicable sustainability standards established by Fontana Municipal Code Chapter 9, Article V (Industrial Commerce Centers Sustainability Standards).

Table 3-1 Construction Schedule Assumptions

Construction Activity	Start Date	End Date	Days
Site Preparation	04/01/2023	04/10/2023	6
Grading	04/11/2023	05/10/2023	22
Building Construction	05/11/2023	01/31/2024	190
Paving	01/21/2024	04/20/2024	65
Architectural Coating	02/01/2024	04/30/2024	64

Source: (Urban Crossroads, 2022a, Table 3-3)

Construction workers would travel to the Project Site by passenger vehicle and materials deliveries would occur by medium- and heavy-duty trucks. Construction equipment is expected to operate on the Project Site up to eight hours per day, six days per week. The construction equipment fleet anticipated to be used

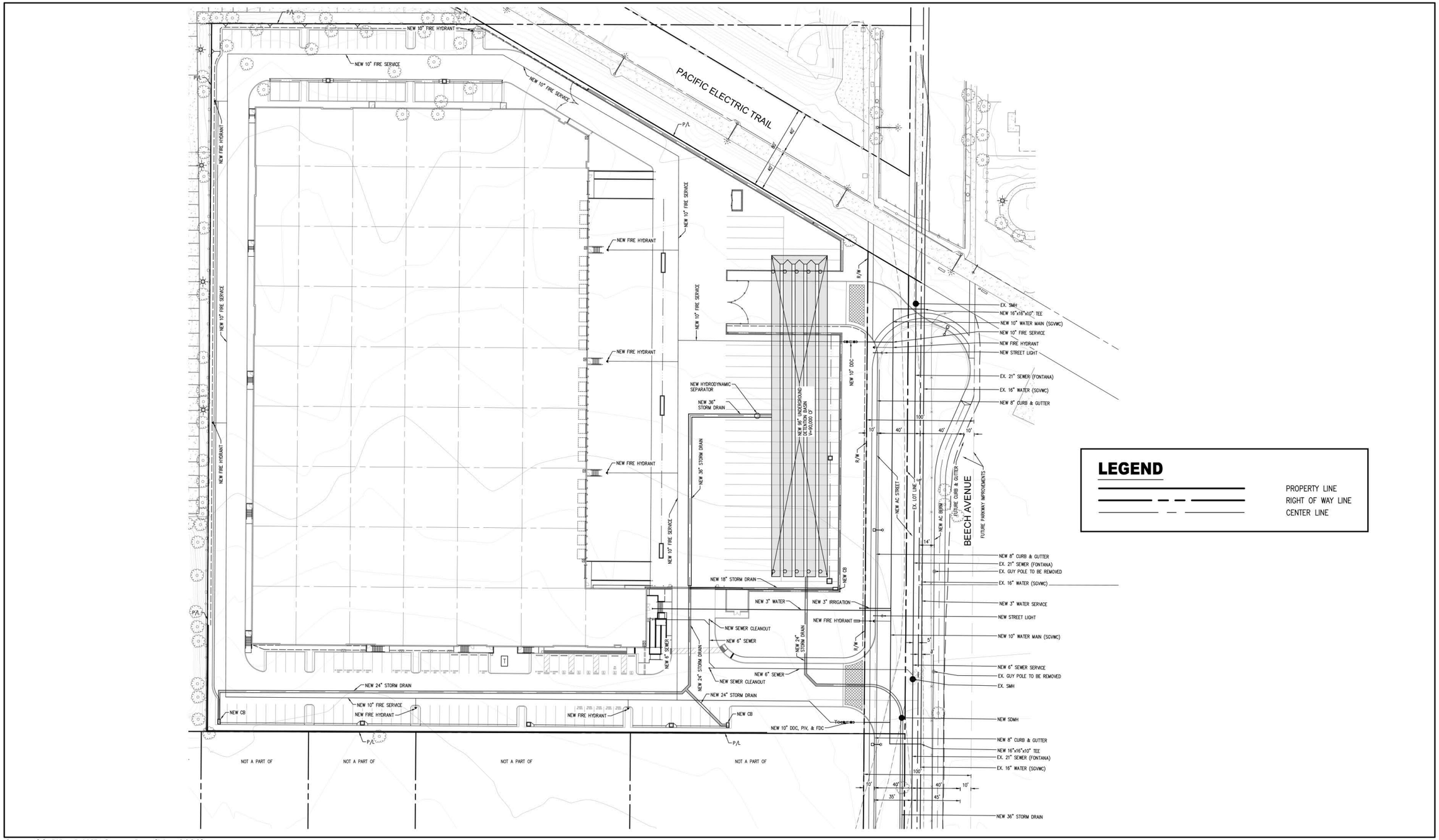
during Project construction is listed in Table 3-2, *Construction Equipment Assumptions*. Fontana Municipal Code Section 18-63(b)(7) allows by right for construction activities to occur up to 11 hours per day Monday through Friday (between 7:00 a.m. and 6:00 p.m.) and for nine hours on Saturdays (between 8:00 a.m. and 5:00 p.m.), with allowances outside these time periods only upon approval by the City building inspector. Notwithstanding, for analysis purposes, this MND assumes that construction equipment will be in operation on the Project Site a maximum of eight hours per day. As is typical on construction sites, construction equipment is not in continuous use and some pieces of equipment are used only periodically during the construction work day. Thus, eight hours of daily use for each piece of equipment is a reasonable and conservative assumption.

Table 3-2 Construction Equipment Assumptions

Activity	Equipment	Number	Hours Per Day
Site Preparation	Rubber Tired Dozers	5	8
	Crawler Tractors	6	8
Grading	Excavators	1	8
	Graders	1	8
	Rubber Tired Dozers	1	8
	Crawler Tractors	3	8
Building Construction	Cranes	2	8
	Forklifts	4	8
	Generator Sets	2	8
	Crawler Tractors	4	8
	Welders	2	8
Paving	Pavers	2	8
	Paving Equipment	2	8
	Rollers	2	8
Architectural Coating	Air Compressors	1	8

Source: (Urban Crossroads, 2022a, Table 3-4)

The proposed grading activities for the Project would result in physical disturbance to the entire Project Site. In addition, the Project would require minor off-site grading within the Beech Avenue right-of-way segment between Foothills Boulevard and the Pacific Electric Trail to facilitate construction of the street (as described earlier in this section). Prior to the start of grading, all existing vegetation and debris would be removed from the Project Site. Proposed earthwork activities associated with the Project would result in approximately 18,084 cubic yards of cut and 26,848 cubic yards of fill, resulting in the need of 8,764 cubic yards of imported fill soils. When grading is complete, the building pad would sit approximately 1,285 feet above mean sea level (amsl) and the property would have a gentle slope from north to south. After grading, the highest point of the Project Site would be its northern portion (approximately 1,285 feet amsl) and the lowest point of the property would be its southern portion (approximately 1,283 amsl). The Project Applicant proposes to construct retaining walls at the northern and southern boundaries of the Project Site. The conceptual grading plan for the Project is illustrated on Figure 3-5, *Conceptual Grading Plan*.

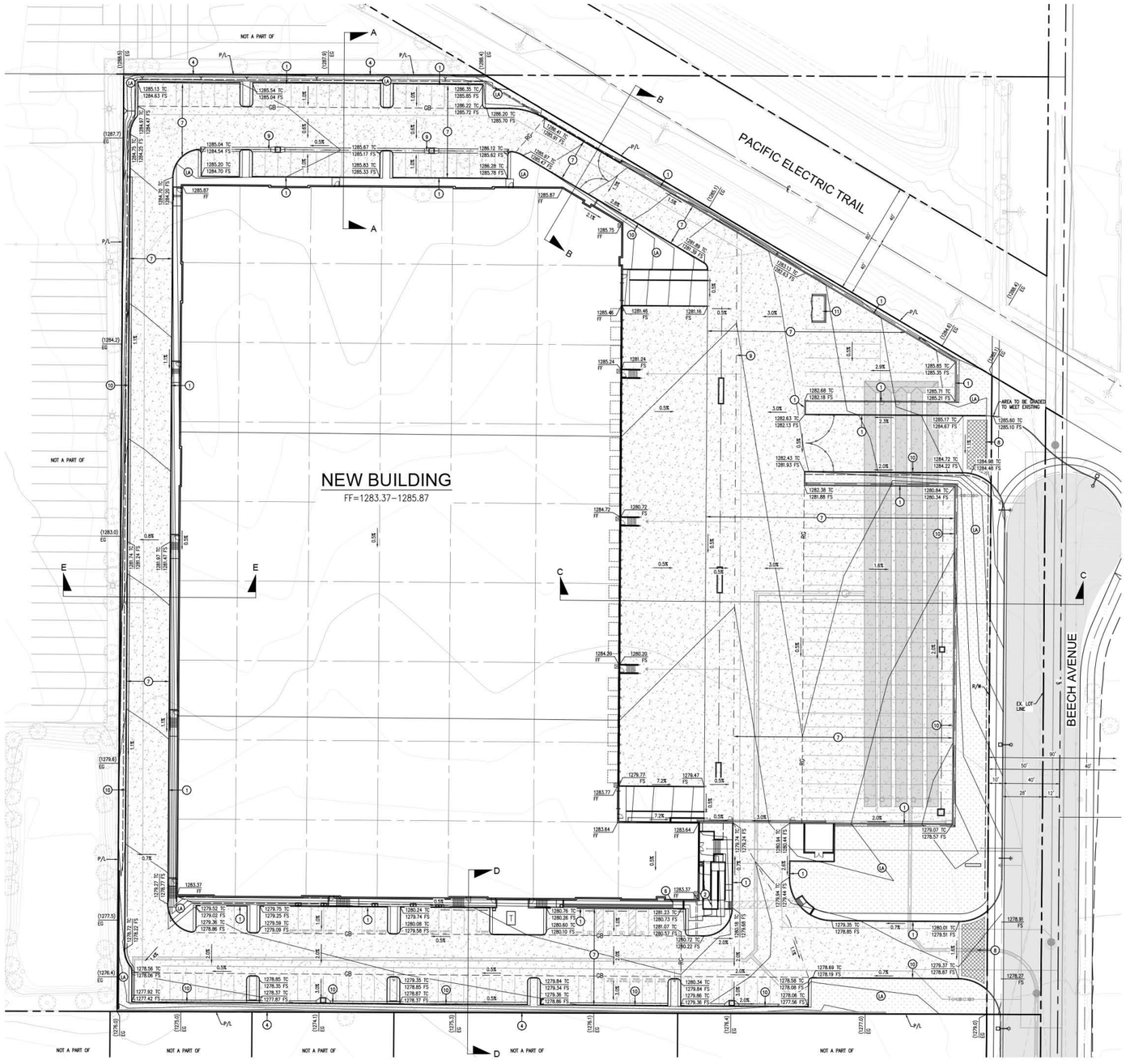


Source(s): WestLAND Group, Inc. (May 2023)

Figure 3-4

Not to Scale

Conceptual Utility Plan



CONSTRUCTION NOTES

- (LA) NEW LANDSCAPE
- (1) NEW 6" CURB ONLY
- (2) NEW WALKWAY
- (3) NOT USED
- (4) NEW RETAINING WALL
- (5) NOT USED
- (6) NEW ADA RAMP
- (7) NEW PCC PAVEMENT (PARKING & DRIVE AISLES)
- (8) NEW DECORATIVE HARDSCAPE
- (9) NEW 3' WIDE GUTTER
- (10) NEW 6" CURB AND GUTTER
- (11) NEW TRASH ENCLOSURE PER SEPARATE PLAN
- (12) NEW 8" CURB AND GUTTER
- (13) NEW AC PAVEMENT
- (14) NEW AC BERM
- (17) NEW 8" CURB

LEGEND

- PROPERTY LINE
- RIGHT OF WAY LINE
- CENTER LINE

Source(s): WestLAND Group, Inc. (May 2023)

Figure 3-5

Not to Scale

Conceptual Grading Plan

3.4 OPERATIONAL CHARACTERISTICS

The Project would operate as an indoor storage facility; no outdoor materials storage is proposed for the Project Site. The building's interior floor space could be subdivided with partitions/walls to allow the building to be occupied by more than one user. The Project is proposed as a speculative development and the user(s) of the building are not known at this time. The Project is expected to be used by a warehouse distribution/logistics operator(s) for the storage of consumer goods. For analysis purposes, this MND assumes that the Project would be operational 24 hours per day, 7 days per week and would not be utilized for cold (refrigerated) storage. Hazardous materials storage is not expected to occur within the building or on the Project Site; however, small quantities of hazardous chemicals and/or materials – including but not limited to aerosols, cleaners, fertilizers, lubricants, paints or stains, fuels, propane, oils, and solvents – could be utilized during routine Project operations and maintenance. Exterior loading and parking areas on the Project Site would be illuminated at night. Lighting would be subject to compliance with Fontana Municipal Code Section 30-260, which states that exterior lighting shall be energy-efficient, shielded, or recessed, and directed downward and away from adjoining properties.

Project operational activities and equipment would be required to comply with the applicable sustainability standards established by Fontana Municipal Code Chapter 9, Article V (Industrial Commerce Centers Sustainability Standards). The Project is designed such that business operations would be conducted within the proposed building, with the exception of traffic movement, parking, and the loading and unloading of tractor trailers at designated loading bays. The outdoor cargo handling equipment used during loading and unloading of trailers (e.g., yard trucks, hostlers, yard goats) is required to be zero emission, as necessitated by Fontana Municipal Code Section 9-73(a). As a practical matter, dock doors on warehouse buildings are not occupied by a truck at all times of the day. There are typically many more dock door positions on warehouse buildings than are needed for receiving and shipping volumes. The dock doors that are in use at any given time are usually selected based on interior building operation efficiencies. In other words, trucks ideally dock in the position closest to where the goods carried by the truck are stored inside the warehouse. As a result, many dock door positions are frequently inactive throughout the day.

For purposes of analysis in this MND, employment estimates were calculated using the employment density factors identified in the Southern California Association of Governments (SCAG) *Employment Density Study* (October 2001), which identifies a rate of one (1) employee per 1,195 s.f. of building area for industrial warehouse uses. As such, the Project is estimated to create jobs for approximately 141 employees (168,760 s.f. ÷ 1,195 s.f./employee = 141 employees).

3.5 SUMMARY OF REQUESTED ACTIONS

The City of Fontana has primary approval responsibility for the proposed Project. As such, the City is the Lead Agency for this MND pursuant to CEQA Guidelines Section 15050. The City will consider the information contained in this MND and this MND's Administrative Record in its decision-making processes. In the event of approval of the Project, the City would conduct administrative reviews and issue ministerial permits to implement the Project. A list of the primary actions under City jurisdiction and the jurisdiction of other agencies is provided in Table 3-3, *Summary of Project Approvals/Permits*. This MND covers all federal, State, local government and quasi-government approvals that may be needed to construct or implement the Project, whether or not they are explicitly listed in Table 3-3, or elsewhere in this MND (CEQA Guidelines Section 15124(d)).

Table 3-3 Summary of Project Approvals/Permits

Public Agency	Approvals and Decisions
City of Fontana	
Proposed Project – City of Fontana Discretionary Approvals	
City of Fontana Planning Commission	• Approve or deny DRP 22-035. • Approve or reject this MND along with appropriate CEQA Findings.
Subsequent City of Fontana Ministerial Approvals	
City of Fontana Subsequent Implementing Approvals	• Approve Final Maps, parcel mergers, or parcel consolidations, as may be appropriate. • Approve precise site plan(s) and landscaping/irrigation plan(s), as may be appropriate. • Issue Grading Permits. • Issue Building Permits. • Issue Encroachment Permits. • Approve Road Improvement Plans. • Accept public-right-of way dedications. • Approvals for sewer and storm drain infrastructure. • Approve Stormwater Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP).
Other Agencies – Subsequent Approvals and Permits	
Fontana Water Company	• Approvals for the design of on and off-site water infrastructure.
Southern California Edison	• Approvals required to remove power poles, underground powerlines, and relocate other facilities.
Santa Ana Regional Water Quality Control Board (RWQCB)	• Issuance of a Construction Activity General Construction Permit. • Issuance of a National Pollutant Discharge Elimination System (NPDES) Permit. • Approval of WQMP.

4.0 INITIAL STUDY CHECKLIST

4.0 INITIAL STUDY CHECKLIST

1. **Project Title:** Beech Avenue Logistics Center

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

3. **Contact Person and Phone Number:** George Velarde, (909) 350-6569

4. **Project Location:** North of Foothill Boulevard, south of the Pacific Electric Trail, and west of Beech Avenue

5. **Project Sponsor's Name and Address:** AIREF Beech Logistics Center LP, 4675 MacArthur Court, Suite 625, Newport Beach, CA 92660

6. **General Plan Designation:** Light Industrial (I-L)

7. **Zoning:** Light Industrial (M-1)

8. **Description of the Project:** Refer to Section 3.0 of this Mitigated Negative Declaration

9. **Surrounding Land Uses and Setting:** To the north of the Project Site is the Pacific Electric Trail. Farther north and northeast are single-family residential land uses. The area immediately to the south of the Project Site is primarily vacant undeveloped with the exception of the Forty Winks Motel, located to the southwest of the Project Site. Farther south is Foothill Boulevard and then a mix of commercial and residential land uses. Immediately west of the Project is the eShipping Distribution Services warehouse. Farther west are more industrial land uses. To the east of the Project Site is vacant undeveloped land and farther east is developed land which contains a large storage tank. To the southwest is the Fontana Nursery, a wholesale plant nursery.

10. **Other public agencies whose approval is required:** Fontana Water Company, Southern California Edison, Santa Ana Regional Water Quality Control Board (RWQCB) (refer to Table 3-2 of this Initial Study/Mitigated Negative Declaration).

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?** The City of Fontana is required to consult with interested California Native American tribes regarding the Project pursuant to Assembly Bill 52 (AB 52). The City contacted California Native American Tribes with traditional use areas that encompass or are in the vicinity of the Project Site. The Project received requests for consultation from one tribe. The City concluded consultation on June 1, 2023.

Environmental Factors Potentially Affected:

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

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

Determination:

On the basis of this initial evaluation:

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

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

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

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

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

Signature _____ Date _____

Rina WanWai Leung

Printed Name _____ For _____

Evaluation of Environmental Impacts:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The Lead Agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analyses Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) the significance criteria or threshold, if any, used to evaluate each question; and

   b) the mitigation measure identified, if any, to reduce the impact to less than significance.

4.1 AESTHETICS

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

a) **Less than Significant Impact.** Under existing conditions, the Project Site does not serve as a scenic vista or contribute to a scenic vista; the Project Site is undeveloped, routinely disced, and contains several trees scattered throughout the property (Google Earth, 2022). Furthermore, the City of Fontana's General Plan EIR does not identify any scenic vistas or scenic corridors on the Project Site or in the vicinity of the Project Site (City of Fontana, 2018b, p. 5.1-1).

Scenic resources visible (at least partially) from public viewpoints adjacent to the Project Site include the San Gabriel Mountains (approximately 4.2 miles to the north) and the Jurupa Hills (approximately 4.7 miles to the south) (Google Earth, 2022). Under existing conditions, views of the San Gabriel Mountains are clearly visible from Foothill Boulevard while views of the Jurupa Hills are partially obscured from the Pacific Electric Trail by trees located on the Project Site and to the south of the Project Site.

Due to the Project Site's setback from Foothill Boulevard, which is more than 600 feet, the Project would not substantially obstruct views of the San Gabriel Mountains, as the Mountains would remain prominently visible above the Project. The Project would block views of the Jurupa Hills from the Pacific Electric Trail segment that abuts the Project Site; however, this impact would not be considered substantial because: 1) views of the Jurupa Hills already are partially obscured from the Pacific Electric Trail segment that abuts the Project Site under existing conditions; and 2) views of the Jurupa Hills are not unique to this area; the Jurupa Hills are prominently visible throughout the City.

Based on the foregoing analysis, the Project would not have a substantial adverse effect on a scenic vista or scenic resources in the Project vicinity. Impacts would be less than significant.

b) **No Impact.** The Project Site is not located within or adjacent to an officially designated State scenic highway corridor and does not contain scenic resources, such as trees of scenic value, rock outcroppings, or

historic buildings (Caltrans, 2021). There is no potential for the proposed Project to adversely impact the viewshed within a scenic highway corridor. No impact would occur.

c) **No Impact.** The United States Census Bureau defines "urbanized area" as a densely settled core of census tracts and/or census blocks that have 50,000 or more residents, and meet minimum population density requirements while also being adjacent to territory containing non-residential urban land uses. The Project Site is located within the boundaries of the Census-defined Riverside-San Bernardino urban area (USCB, 2012); therefore, the Project would be considered to result in a significant adverse impact under this threshold only if the Project's design would conflict with applicable zoning and other regulations governing scenic quality.

The Project's design, including site layout, architecture, and landscaping is discussed and illustrated in detail in Section 3.0, *Project Description*. As previously described, the Project's architecture incorporates a neutral color palette that would not be visually offensive and also incorporates accent elements, such as colored glass and decorative building elements for visual interest. Additionally, the Project's landscape plan incorporates low-water-need plant species that can maintain vibrancy during drought conditions. The proposed visual features of the Project would ensure a high-quality aesthetic for the Site. The City of Fontana reviewed the Project proposal in detail and determined that no component of the Project would be inconsistent with applicable design regulations within the Fontana Zoning and Development Code that govern scenic quality, including the specific industrial site plan design (e.g., building orientation, open space, lighting) and building design guidelines (e.g., design theme, scale, building materials and color, architectural compatibility, landscaping) contained within Zoning and Development Code Chapter 30, Article III, Division 7. No impact would occur.

d) **Less than Significant Impact.** Under the existing conditions, the Project Site contains no sources of artificial lighting; but, artificial lighting (i.e., pole mounted light fixtures) is present along the Project Site's frontage with the Pacific Electric Trail. Additionally, the eShipping Distribution services industrial building that is adjacent to the west side of the Project Site contains sources of exterior lighting and street lights are present along Foothill Boulevard. Accordingly, artificial lighting already is common to the Project area.

The Project would introduce new light sources to the Project Site as necessary for security, safety, and wayfinding. The Project's lighting elements would include building-mounted fixtures (security lighting and upward/downward facing decorative lighting oriented toward the building) and pole-mounted fixtures in the Project's truck docking areas and at the Project's driveway entries along Beech Avenue. The proposed Project would be required to adhere to the lighting requirements as set forth in the Fontana Municipal Code (Sections 30-265 and 30-266). The Municipal Code lighting standards govern the placement and design of outdoor lighting fixtures to ensure adequate lighting for public safety while also minimizing light pollution and glare and precluding public nuisances. The City would confirm compliance with applicable lighting requirements during future review of building permit applications/plans. Mandatory compliance with Municipal Code Sections 30-265 and 30-266 would ensure that the Project would not introduce any permanent design features that would adversely affect day or nighttime views in the area.

With respect to glare, a majority of Project building materials would consist of painted tilt-up concrete panels (which are low-reflective), although the buildings would incorporate some glass elements. While window glazing has a potential to result in minor glare effects, such effects would not adversely affect daytime views of surrounding properties, including motorists along adjacent roadways, because the glass proposed for the Project would be low-reflective and proposed landscaping would provide a buffer between all proposed glass

surfaces and the public right of way. Thus, glare impacts from proposed building elements would be less than significant.

For the reasons given above, implementation of the Project would not result in a significant source of light or glare that would adversely affect daytime or nighttime views. Accordingly, impacts would be less than significant.

4.2 AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

a) **No Impact.** According to Farmland Mapping and Monitoring Program mapping information available from the California Department of Conservation, the Project Site is classified as "Other Land" (CDC, 2022). As such, implementation of the Project would not convert "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Importance" to a non-agricultural use. No impact would occur.

b) **No Impact.** The Project Site is zoned "Light Industrial (M-1)" and is not used for agriculture under existing conditions. Based on information disclosed in the City's General Plan EIR, the Project Site is not subject to a land conservation (Williamson Act) contract (City of Fontana, 2018b, p. 7-10). As a result, the Project will not result in conflict with existing agricultural zoning or Williamson Act contracts. The Project would result in no impact.

c) **No Impact.** The Project Site is not zoned as forest land, timberland, or Timberland Production, nor is it surrounded by forest land, timberland, or Timberland Production land. Therefore, implementation of the Project has no potential to conflict with or cause the rezoning of any areas currently zoned as forest, timberland, or Timberland Production and would not result in the rezoning of any such lands. As such, no impact would occur.

d) **No Impact.** The Project Site does not contain a forest and is not designated as forest land. Thus, implementation of the proposed Project would not result in the loss of forest land or the conversion of forest land to non-forest use. As such, no impact would occur.

e) **No Impact.** "Farmland" is defined in Section II(a) of Appendix G of the CEQA Guidelines to mean "Prime Farmland," "Unique Farmland" or "Farmland of Statewide Importance." As noted above in Response 4.2(a), the Project Site does not contain any soils mapped by the Department of Conservation as "Farmland." Additionally, as described above in Responses 4.2(c) and 4.2(d), the Project Site and surrounding areas do not contain forest lands or areas designated for forest land uses. Thus, implementation of the Project would not result in the conversion of Farmland to non-agricultural use or the conversion of forest land to non-forest use. No impact would occur.

4.3 AIR QUALITY

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☒	☐

The analysis in this section is based on Air Quality Impact Analysis (AQIA), Mobile Source Health Risk Assessment (HRA), and Focused HRA reports prepared for the Project by Urban Crossroads, Inc.; which evaluate potential criteria and hazardous air pollutant emissions that could result from the Project's construction and operation. The Project's AQIA and HRA are included in their entirety as *Appendices A, B1 and B2* to this MND, respectively, and their findings are incorporated into the analysis presented herein.

a) **Less than Significant Impact.** The Project Site is located within the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) is principally responsible for air pollution control, and works directly with the Southern California Association of Governments (SCAG), county transportation commissions, local governments, as well as State and federal agencies to reduce emissions from stationary, mobile, and indirect sources to meet State and federal ambient air quality standards.

Currently, State, and federal air quality standards are exceeded in most parts of the SCAB. It should be noted that emissions of ozone (O_3), nitrogen oxides (NO_X). volatile organic compounds (VOC), and carbon dioxide (CO) have been decreasing in the SCAB since 1975 and are projected to continue to decrease due to increased regulatory requirements. Additionally, the overall trends of particulate matter (PM_{10} and $PM_{2.5}$) in the air also have improved since 1975. (Urban Crossroads, 2022a, pp. 21-32)

In response to local air quality conditions, the South Coast Air Quality Management District (SCAQMD) has adopted a series of Air Quality Management Plans (AQMPs) to meet the State and federal ambient air quality standards. AQMPs are regularly updated to more effectively reduce emissions, accommodate growth, and to minimize any negative fiscal impacts of air pollution control on the economy. The current AQMP, the *2016 AQMP*, was adopted by the SCAQMD in March 2017 and the Project's consistency with the *2016 AQMP* is discussed below. Criteria for determining consistency with the AQMP are defined in Chapter 12, Section 12.2, and Section 12.3 of the SCAQMD's *CEQA Air Quality Handbook* (1993). The Project's consistency with these criteria is discussed below.

Consistency Criterion No. 1: The proposed Project will not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.

Consistency Criterion No. 1 refers to violations of the California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). As evaluated under Response 4.3(b), the Project would not contribute air pollutant volumes to the SCAB that would contribute to or exacerbate existing air quality violations. Additionally, as evaluated under Response 4.3(c), the Project would not generate localized criteria pollutant emissions that would increase the frequency or severity of existing air quality violations, cause or contribute to new violations, and/or delay the timely attainment of air quality standards or the interim emissions reductions specified in the *2016 AQMP*. Accordingly, the Project is determined to be consistent with Consistency Criterion No. 1.

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

The growth forecasts used in the *2016 AQMP* to calculate future regional emissions levels are based on land use planning data provided by lead agencies via their general plan documentation. Development projects that increase the intensity of use on a specific property beyond the respective general plan's vision may result in increased stationary area source emissions and/or vehicle source emissions when compared to the *2016 AQMP* assumptions. However, if a project does not exceed the growth projections in the applicable local general plan, then the project is considered to be consistent with the growth assumptions in the *2016 AQMP*. The Project would be consistent with the City of Fontana's General Plan land use designation for the subject property and, therefore, the Project would be consistent with the growth assumptions used in the *2016 AQMP* and would not exceed the *AQMP*'s long-term emissions projections.

For the reasons stated above, the Project would not result in a substantial adverse environmental impact due to an increase in the frequency or severity of existing air quality violations, the creation of new violations, the delay the timely attainment of air quality standards or the interim emissions reductions specified in the *2016 AQMP*, or the exceedance of growth assumptions in the *2016 AQMP*. As such, impacts would be less-than-significant.

b) **Less than Significant Impact.** The Project has the potential to generate air pollution during both construction activities and long-term operation. For a detailed description of the health effects of air pollutants refer to Section 2.4 of the Project's AQIA. In general, air pollutants have adverse effects to human health including, but not limited to, respiratory illness and carcinogenic effects; however, based on available modeling it is not feasible to correlate regional criteria pollutant emissions from development projects of the scale of the proposed Project to adverse health effects on a SCAB-wide level (Urban Crossroads, 2022a, pp. 11-17, 58). The potential for the Project to result in substantial adverse health effects from toxic air contaminant emissions is addressed in Response 4.3(c).

The following analysis is based on the applicable significance thresholds established by the SCAQMD for regional criteria pollutant emissions (as summarized in Table 3-1 of the Project's AQIA). This analysis assumes that the proposed Project would comply with applicable, mandatory regional air quality standards, including: SCAQMD Rule 403, "Fugitive Dust;" SCAQMD Rule 431.2, "Sulfur Content of Liquid Fuels;" SCAQMD Rule 1113, "Architectural Coatings;" SCAQMD Rule 1186, "PM_{10} Emissions from Paved and Unpaved Roads, and Livestock Operations;" SCAQMD Rule 1186.1, "Less-Polluting Street Sweepers," and

Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations "Airborne Toxic Control Measure."

The Project would be subject to SCAQMD Rule 2305 (Warehouse Indirect Source Rule, ISR), although the air pollutant emissions reductions associated with compliance with the ISR cannot be quantified in the air pollutant calculations presented herein. The ISR applies to warehouse operators and owners of warehouses with at least 100,000 square feet of indoor floor space within a single building that can be used for warehousing activities. In general, the ISR establishes the Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, which is a points system that is based upon the actual number of trucks that come to and leave the warehouse. Each year the operator of the Project will be obligated to determine how many points the warehouse is required to achieve using a formula set out in the ISR. If the required number of points are not achieved, the Project's operator would be required to pay a fee to the SCAQMD, which would use collected funds to improve air quality. Although compliance with Rule 2305 is not mitigation and the SCAQMD has not published a nexus study showing how the use of collected funds has a nexus to the warehouse's air quality impacts, the ISR program is intended to reduce air quality effects associated with the warehouse industry, including the proposed Project, throughout the SCAB.

Impact Analysis for Construction Emissions

For purposes of the construction emissions analysis, construction was expected to occur between April 2023 and April 2024. The California Emissions Estimator Model (CalEEMod) accounts for the implementation and enforcement of California's progressively more restrictive regulatory requirements for construction equipment and the ongoing replacement of older construction fleet equipment with newer, less- polluting equipment. According to the CalEEMod, construction activities that occur in the near future are expected to generate more air pollutant emissions than the same activities that may occur farther into the future. Thus, in the event that the Project's construction period occurs later than expected by this analysis, Project-related construction emissions would not exceed the values presented herein. (Urban Crossroads, 2022a, p. 39) The Project's construction characteristics and construction equipment fleet assumptions used in the analysis were previously described in Section 3.0, *Project Description*.

The calculated maximum daily emissions associated with Project construction are presented in Table 4-1, *Overall Construction Emissions Summary*. Detailed construction model outputs are presented in Appendix 3.1 of the Project's AQIA.

Table 4-1 Overall Construction Emissions Summary

Year	Emissions (lbs/day)					
	VOC	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Summer						
2023	1.25	25.40	50.90	0.08	9.89	4.72
2024	13.80	8.77	14.30	0.02	0.51	0.21
Winter						
2023	0.98	17.70	32.20	0.05	1.31	0.45
2024	13.80	24.90	43.40	0.06	1.60	0.58
Maximum Daily Emissions	**13.80**	**25.40**	**50.90**	**0.08**	**9.89**	**4.72**
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2022a, Table 3-5)

As shown in Table 4-1, the Project's daily construction emissions of volatile organic compounds (VOCs), nitrogen oxides (NO_X) carbon monoxide (CO), sulfur oxides (SO_X), and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed SCAQMD regional criteria thresholds. The SCAQMD considers any project-specific criteria pollutant emissions that exceed applicable SCAQMD significance thresholds also to be cumulatively considerable. To put it another way, if a project does not exceed the SCAQMD regional thresholds, then SCAQMD considers that project's air pollutant emissions to not be cumulatively considerable. Thus, because Project construction would not exceed the SCAQMD regional criteria significance thresholds, implementation of the Project would not result in a cumulatively considerable net increase of any criteria pollutant, including any pollutants for which the SCAB does not attain applicable federal or State ambient air quality standards during construction.

Impact Analysis for Operational Emissions

Operation of the Project is expected to generate air pollutant emissions from the operation of motor vehicles (including trucks), operation of equipment, maintenance activities, and the consumption of energy resources. Long term operational emissions associated with the Project are presented in Table 4-2, *Summary of Peak Operational Emissions*. Detailed construction model outputs are presented in Appendix 3.2 of the Project's AQIA.

Table 4-2 Summary of Peak Operational Emissions

Source	Emissions (lbs/day)					
	VOC	**NO_X**	**CO**	**SO_X**	**PM_{10}**	**$PM_{2.5}$**
Summer						
Mobile Source	1.48	7.09	19.78	0.09	2.15	0.50
Area Source	5.27	0.07	7.33	0.00	0.01	0.01
Energy Source	0.07	1.14	0.95	0.00	0.09	0.09
Project Maximum Daily Emissions	**6.82**	**8.30**	**28.06**	**0.09**	**2.25**	**0.60**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**
Winter						
Mobile Source	1.40	7.46	16.69	0.08	2.15	0.50
Area Source	4.06	0.00	0.00	0.00	0.00	0.00
Energy Source	0.07	1.14	0.95	0.00	0.09	0.09
Project Maximum Daily Emissions	**5.53**	**8.60**	**17.64**	**0.08**	**2.24**	**0.59**
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2022a, Table 3-8)

As summarized in Table 4-2, Project-related operational emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would not exceed SCAQMD regional criteria thresholds. Because Project operations would not exceed the SCAQMD regional criteria significance thresholds, implementation of the Project would not result in a cumulatively considerable net increase of any criteria pollutant, including any pollutants for which the SCAB does not attain applicable federal or State ambient air quality standards. The Project's long-term emissions of VOCs, NO_X, CO, SO_X, PM_{10} and $PM_{2.5}$ would be less than significant.

c) **Less than Significant Impact.** The following provides an analysis of the Project's potential to expose sensitive receptors in the vicinity of the Project Site to substantial pollutant concentrations during Project construction and long-term operation. The following analysis is based on the applicable significance thresholds established by the SCAQMD.

Localized Emissions Impact Analysis

As summarized in Table 4-3, *Localized Construction-Source Emissions*, localized emissions of NO_X, CO, and particulate matter (PM_{10} and $PM_{2.5}$) would not exceed applicable SCAQMD thresholds during peak Project construction activities. Accordingly, Project construction would not expose any sensitive receptors to substantial concentrations of criteria pollutants. Impacts would be less than significant.

Table 4-3 Localized Construction-Source Emissions

Construction Activity	Year	Scenario	Emissions (lbs/day)			
			NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
Site Preparation	2023	Summer	25.20	48.30	9.52	4.64
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**25.20**	**48.30**	**9.52**	**4.64**
		SCAQMD Localized Threshold	273	1,798	16	8
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**
Grading	2023	Summer	11.00	19.00	2.35	1.03
		Winter	n/a	n/a	n/a	n/a
		Maximum Daily Emissions	**11.00**	**19.00**	**2.35**	**1.03**
		SCAQMD Localized Threshold	189	1,142	10	5
		Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2022a, Table 3-11)

The Project's estimated operational localized emissions are presented in Table 4-4*, Localized Significance Summary of Operations*. As shown, the Project's calculated long-term operational emissions would not exceed the localized thresholds established by the SCAQMD. Accordingly, long-term operation of the Project would not result in the exposure of any sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

Table 4-4 Localized Significance Summary of Operations

Scenario	Emissions (lbs/day)			
	NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
Summer	2.51	11.98	0.19	0.12
Winter	2.50	4.89	0.18	0.11
Maximum Daily Emissions	**2.51**	**11.98**	**0.19**	**0.12**
SCAQMD Localized Threshold	273	1,798	5	2
Threshold Exceeded?	**NO**	**NO**	**NO**	**NO**

Source: (Urban Crossroads, 2022a, Table 3-13)

CO "Hot Spots" Impact Analysis

A CO "hot spot" is an isolated geographic area where localized concentrations of CO exceeds the CAAQS one-hour (20 parts per million) or eight-hour (9 parts per million) standards. A Project-specific CO "hot spot" analysis was not performed because CO attainment in the SCAB was thoroughly analyzed as part of SCAQMD's *2003 AQMP* and the *1992 Federal Attainment for Carbon Monoxide Plan* (*1992 CO Plan*). The SCAQMD's *2003 AQMP* and the *1992 CO Plan* found that peak CO concentrations in the SCAB were the byproduct of unusual meteorological and topographical conditions and were not the result of traffic congestion. For context, the CO "hot spot" analysis performed for the *2003 AQMP* recorded a CO concentration of 9.3 parts per million (8-hour) at the Long Beach Boulevard/Imperial Highway intersection in Los Angeles County; however, only a small portion of the recorded CO concentrations (0.7 parts per million) were attributable to

traffic congestion at the intersection, which exceeded 5,500 vehicles in the peak hour. The vast majority of the recorded CO concentrations at the Long Beach Boulevard/Imperial Highway intersection (8.6 parts per million) were attributable to unique local meteorological conditions that resulted in elevated ambient air concentrations. In comparison, ambient CO concentrations in the Project vicinity range between 1.2 and 1.7 parts per million (8-hour and 1-hour concentrations, respectively) – less than a quarter of the ambient CO concentrations recorded at the Long Beach Boulevard/Imperial Highway intersection – and local intersections would not exceed 5,000 vehicles in the peak hour. Further, data from several air districts/studies indicate that under existing and future vehicle emission rates, an individual development project would have to increase traffic volumes at a single intersection by between 24,000 and 44,000 vehicles per hour in order to generate a significant CO impact – while the Project is calculated to generate 52 vehicles in the peak hour. The Project would not produce the volume of traffic required to generate a CO hotspot based on the referenced studies. (Urban Crossroads, 2022a, pp. 22, 53-55; Urban Crossroads, 2023b, p. 31) Based on the relatively low local traffic congestion levels, low existing ambient CO concentrations, and the lack of any unusual meteorological and/or topographical conditions in the Project Site vicinity, the Project is not expected to cause or contribute to a CO "hot spot." Impacts would be less than significant.

Diesel Particulate Emissions Impact Analysis

This section evaluates the potential health risk impacts to sensitive receptors and nearby workers associated with the development of the proposed Project, more specifically, health risk impacts as a result of exposure to Toxic Air Contaminants (TACs) including diesel particulate matter (DPM). Detailed air dispersion model outputs and risk calculations are presented in Appendices 2.1 through 2.4 of the Project's HRA report.

Project Construction Analysis

The land use with the greatest potential exposure to Project construction DPM source emissions (i.e., maximally exposed individual receptor, MEIR) is located approximately 157 feet northeast of the Project Site at an existing residence located at 7920 Lemon Pepper Avenue. At the MEIR, the maximum incremental cancer risk attributable to Project construction DPM source emissions is calculated at 1.55 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. All other receptors in the vicinity of the Project Site would experience less risk than what is identified for the MEIR due to increased distance from the Project Site and/or prevalent local wind patterns. (Urban Crossroads, 2022b, p. 22) The Project's construction would not directly cause or cumulatively contribute to the exposure of nearby sensitive receptors to substantial DPM emissions. Impacts would be less than significant.

Project Operation Analysis – Interim

The Project provides for the construction of improvements to the intersection of Foothill Boulevard and Beech Avenue that will be in place until the City completes permanent improvements to the intersection (which will include widening the intersection and installation of a traffic signal). The interim improvements provided by the Project will restrict the ability of trucks exiting the Project from turning left at Foothill Boulevard; all outbound trucks will be forced to make a right turn to travel westbound toward Cherry Avenue. This analysis evaluates potential health risks from Project-related truck traffic under the local traffic patterns that will exist during interim conditions.

The residential land use (MEIR) with the greatest potential exposure to Project operation DPM source emissions under interim (near-term) conditions is located approximately 157 feet northeast of the Project Site at an existing residence located at 7920 Lemon Pepper Avenue. At the MEIR, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 0.63 in one million, which is less than the

SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. All other residential receptors in the vicinity of the Project Site would experience less risk than what is identified for the MEIR due to increased distance from Project-related heavy trucking activities and/or prevalent local wind patterns. (Urban Crossroads, 2023c, p. 3) Accordingly, operation of the Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of residential receptors to substantial DPM emissions under interim conditions prior to the completion of the City's planned Foothill Boulevard improvement project. Therefore, the Project would result in a less-than-significant impact.

The employment land use with the greatest potential exposure (maximally exposed individual worker, MEIW) to DPM source emissions from Project operations under interim conditions is located approximately 744 southeast of the Project Site. At the MEIW, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 0.02 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. All other employment land uses in the vicinity of the Project Site would experience less risk than what is identified for the MEIW due to increased distance from Project-related heavy trucking activities and/or prevalent local wind patterns. (Urban Crossroads, 2023c, pp. 3) Accordingly, operation of the Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of worker receptors to substantial DPM emissions under interim conditions prior to the completion of the City's planned Foothill Boulevard improvement project. Therefore, the Project would result in a less-than-significant impact.

The school land use with the greatest potential exposure (maximally exposed school child, MEISC) to Project operation DPM source emissions under interim conditions is located approximately 1,650 feet northwest of the Project Site at Hemlock Elementary School. At the MEISC, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at <0.01 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. All other school child receptors in the vicinity of the Project Site would experience less risk than what is identified for the MEISC due to increased distance from Project-related heavy trucking activities and/or prevalent local wind patterns. (Urban Crossroads, 2023c, p. 3) Accordingly, operation of the Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of school child receptors to substantial DPM emissions under interim conditions prior to the completion of the City's planned Foothill Boulevard improvement project. Therefore, the Project would result in a less-than-significant impact.

Project Operation Analysis – Long-Term

Upon the City's completion of the planned Capital Improvement Program project to the segment of Foothill Boulevard between Hemlock Avenue and Almeria Avenue, a traffic signal will be installed at the intersection of Foothill Boulevard and Beech Avenue and full turning access from all legs of the intersection will be available. This analysis evaluates potential health risks from Project-related truck traffic under the local traffic patterns that will exist under long-term (permanent) conditions.

During Project operation, the residential land use with the greatest potential exposure to Project operation DPM source emissions (MEIR) is located approximately 157 feet northeast of the Project Site at an existing residence located at 7920 Lemon Pepper Avenue. At the MEIR, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 0.51 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01,

which would not exceed the applicable significance threshold of 1.0. All other residential receptors in the vicinity of the Project Site would experience less risk than what is identified for the MEIR due to increased distance from Project-related heavy trucking activities and/or prevalent local wind patterns. (Urban Crossroads, 2022b, p. 22) Accordingly, long-term operation of the Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of residential receptors to substantial DPM emissions. Therefore, the Project would result in a less-than-significant impact.

During Project operation, the employment land use with the greatest potential exposure to Project operation DPM source emissions (maximally exposed individual worker, MEIW) is located approximately 744 southeast of the Project Site. At the MEIW, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at 0.03 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. All other employment land uses in the vicinity of the Project Site would experience less risk than what is identified for the MEIW due to increased distance from Project-related heavy trucking activities and/or prevalent local wind patterns. (Urban Crossroads, 2022b, pp. 22-23) Accordingly, long-term operation of the Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of worker receptors to substantial DPM emissions. Therefore, the Project would result in a less-than-significant impact.

During Project operation, the school land use with the greatest potential exposure to Project operation DPM source emissions (maximally exposed school child, MEISC) is located approximately 1,650 feet northwest of the Project Site at Hemlock Elementary School. At the MEISC, the maximum incremental cancer risk attributable to Project DPM source emissions is estimated at <0.01 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. All other school child receptors in the vicinity of the Project Site would experience less risk than what is identified for the MEISC due to increased distance from Project-related heavy trucking activities and/or prevalent local wind patterns. (Urban Crossroads, 2022b, p. 22) Accordingly, long-term operation of the Project would not directly cause or contribute in a cumulatively-considerable manner to the exposure of school child receptors to substantial DPM emissions. Therefore, the Project would result in a less-than-significant impact.

Maximum Construction and Operational Exposure

The receptor with maximum exposure to health risks from Project construction and operational activities is a residence located at 7920 Lemon Pepper Avenue, which is located approximately 157 feet northeast of the Project Site. At this receptor location, the maximum incremental cancer risk attributable to Project DPM source emissions from Project construction plus Project operations is estimated at 1.80 in one million, which is less than the SCAQMD's significance threshold of 10 in one million. At this same location, non-cancer risks were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. All other school child receptors in the vicinity of the Project Site would experience less risk than what is identified for this receptor due to increased distance from Project-related heavy trucking activities and/or prevalent local wind patterns. (Urban Crossroads, 2022b, p. 23) As such, the Project will not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction and operational activity.

Conclusion

For the reasons explained above, the Project would not expose sensitive receptors to substantial pollutant concentrations. Impacts would be less than significant.

d) **Less than Significant Impact.** The Project could produce odors during proposed construction activities resulting from construction equipment exhaust, application of asphalt, and/or the application of architectural coatings; however, standard construction practices would minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction would be temporary, short-term, and intermittent in nature, and would cease upon the completion of the respective phase of construction. In addition, construction activities on the Project Site would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance (Urban Crossroads, 2022a, p. 59). Accordingly, the proposed Project would not create objectionable odors affecting a substantial number of people during construction, and short-term impacts would be less than significant.

During long-term operation, the Project would include a warehouse distribution land use, which is not typically associated with objectionable odors. The temporary storage of refuse associated with the proposed Project's long-term operational use could be a potential source of odor; however, Project-generated refuse is required to be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations, thereby precluding any significant odor impact. Furthermore, the proposed Project would be required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance, during long-term operation. (Urban Crossroads, 2022a, p. 59) As such, long-term operation of the proposed Project would not create objectionable odors affecting a substantial number of people.

4.4 BIOLOGICAL RESOURCES

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

A Biological Resources Investigation was prepared for the Project by ELMT Consulting (ELMT). This report documents the existing biological resources on the Project Site and evaluates the potential impacts to these resources that may occur as a result of Project implementation. This report is included as *Appendix C* to this MND and its findings are incorporated into the analysis presented herein.

a) **Less than Significant Impact with Mitigation Incorporated.**

Special-Status Plants

No special-status plants were observed on or immediately adjacent to the Project Site by ELMT biologists. Furthermore, due to the disturbed nature of the Project Site and lack of natural plant communities thereon, the Site does not have potential to support special-status plant species known to occur in and around the City of

Fontana. Accordingly, development of the Project would result in no impact to special-status plant species (ELMT, 2021, p. 7).

Special-Status Wildlife

No special-status wildlife species were observed on or immediately adjacent to the Project Site by ELMT biologists. The Project Site has been subject to human disturbances from historic agricultural activities, routine weed abatement, and foot and vehicle traffic associated with the surrounding development. These disturbances have eliminated the natural plant communities that once occurred on-site and reduced the potential foraging and nesting/denning opportunities for wildlife species. EMLT biologists determined that the Project Site has moderate potential to support Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), and Costa's hummingbird (*Calypte costae*); however, none of these species are listed as federal or State threatened or endangered species. The Project Site does not provide suitable habitat for any other special-status species known to occur in the area, including the burrowing owl, since the Project Site has been heavily developed from surrounding development (ELMT, 2021, pp. 7-8). Accordingly, development of the Project would result in less than significant impact to special-status wildlife species.

Notwithstanding the analysis above, the Project Site could be used by nesting avian species that are protected by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC Sections 3503.5 to 3513). Pursuant to the MBTA and CFGC, take of a protected species individual, their egg(s), or their nest is prohibited and the Project Applicant would be required to comply with MM BR-1, below, to ensure compliance with the respective regulations. MM BR-1 would reduce potential impacts to the nesting birds to less than significant levels by ensuring that pre-construction surveys are conducted to determine the presence or absence of nesting birds on or adjacent to the Project Site prior to the commencement of construction activities. If active bird nests are present, this mitigation measure provides performance criteria that requires avoidance of the nests until it can be determined the nest is no longer active or that the juveniles from the occupied nests are capable of surviving independently of the nest.

Mitigation

MM BR-1 Vegetation-clearing and ground disturbance shall be prohibited during the migratory bird nesting season (February 1 through August 31), unless a migratory bird nesting survey is completed in accordance with the following requirements:

a) A nesting bird survey shall be conducted on the Project Site and within suitable habitat located within a 500-foot radius of the Project Site by a qualified biologist within 3 days prior to initiating vegetation clearing or ground disturbance.

b) If the survey identifies the presence of active nests, then the nests shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (i) the adult birds have not begun egg-laying and incubation; or (ii) the juveniles from the occupied nests are capable of independent survival.

c) If the biologist is not able to verify any of the conditions from sub-item "b," above, then no disturbance shall occur within a buffer zone specified by the qualified biologist for each nest or nesting site. The buffer zone shall be species-appropriate (no less than 100-foot radius around the nest for non-raptors and no more than a 500-foot radius around the nest for raptors) and shall be sufficient to protect the nest from direct and indirect impacts from construction activities, The size and location of buffer zones, if required, shall be based on consultation with the California Department of Fish and Wildlife and the U.S. Fish and

Wildlife Service and shall be subject to review and approval by the City of Fontana. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist with City concurrence verifies that the nests are no longer occupied and/or juvenile birds can survive independently from the nests.

Although ELMT biologists determined the Project Site did not contain suitable habitat for the burrowing owl, the species is mobile and the mitigation measures listed below are applied out of an abundance of caution to ensure that substantial adverse effects to the species do not occur.

MM BR-2 Within 30 days prior to grading, a qualified biologist shall conduct a survey on site and make a determination regarding the presence or absence of the burrowing owl. The determination shall be documented in a report and shall be submitted, reviewed, and accepted by the City of Fontana prior to the issuance of a grading permit and subject to the following provisions:

a) In the event that the pre-construction survey identifies no burrowing owls on the property a grading permit may be issued without restriction.

b) In the event that the pre-construction survey identifies the presence of the burrowing owl on the Project Site, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the Project Site or been relocated prior to the issuance of a grading permit.

b) **No Impact.** The habitat observed on the Project Site is not classified as a riparian habitat or as a sensitive natural community in local or regional plans, policies, or regulations, or by the California Department Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS) (ELMT, 2021, p. 6). Accordingly, implementation of the Project would result in no impacts to a riparian habitat or sensitive natural community.

c) **No Impact.** The Project Site does not contain any discernable drainage courses, inundated areas, or wetland features or obligate plant species considered jurisdictional by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board, or CDFW observed within the Project Site (ELMT, 2021, p. 6). Accordingly, implementation of the Project would not result in the direct or indirect removal, filling, or hydrological interruption of any State- or federally-protected wetlands. No impact would occur.

d) **Less than Significant Impact with Mitigation Incorporated.** The Project Site does not contain natural, surface drainage or ponding features (ELMT, 2021, p. 4); therefore, there is no potential for the Project to interfere with the movement of native resident or migratory fish. The Project Site also does not serve as a wildlife corridor nor is it connected to an established corridor, and there are no native wildlife nurseries on or

adjacent to the Project Site (ELMT, 2021, p. 6). Accordingly, there is no potential for the Project to impede the use of a native wildlife nursery site. Based on the foregoing information, the Project would result in no impact to any native resident or migratory fish, established wildlife corridor, or native wildlife nursery sites.

No active nests or birds displaying nesting behavior were observed on the Project Site by ELMT biologists (ELMT, 2021, p. 5). Notwithstanding, if active nests are present within or adjacent to the Site during construction, the Project could result in substantially adverse direct effects to biological resources (i.e., avian species and their nests) that are protected by the MBTA and CFGC. Implementation of MM BR-1 would reduce potential impacts to nesting migratory birds to less than significant levels by ensuring that pre-construction surveys are conducted to determine the presence or absence of nesting bird on or adjacent to the Project Site prior to the commencement of construction activities. If active nests are discovered, this mitigation measure provides performance criteria that requires avoidance of the nests until it can be determined the nest is no longer active or that the juveniles from the occupied nests are capable of surviving independently of the nest.

Mitigation
MM BR-1 shall apply; refer to Response 4.4(a).

e) **No Impact.** The City's Municipal Code (Section 28-67) requires that an arborist certified by the International Society of Arboriculture be retained prior to the removal of any heritage, significant, and specimen tree(s) to make a recommendation as to the feasibility of maintaining or removing the tree(s). If any heritage, significant, or specimen trees are to be removed, replacement trees of a species approved by the Community Development Director or their designee shall be planted on the property from which the tree(s) are to be removed or at an approved off-site location. The Municipal Code defines "heritage trees" 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 "significant trees" as the species of Southern California black walnut, Coast live oak, Deodora cedar, California sycamore, or London plane trees. The Municipal Code defines "specimen trees" 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. Based on the findings of the arborist, the removal of any heritage, significant, or specimen trees would require replacement at a minimum ratio of 1:1 or a maximum ratio of 4:1 depending on the size and health of the tree to be removed. Tree species observed on-site include a collection of stunted gum trees (*Eucalyptus* sp.) in the northwest corner and mature gum trees at the northeast and southeast corners (ELMT, 2021, p. 4). None of the trees observed on the Project Site meet the Municipal Code's definition of heritage, significant, or specimen tree. Furthermore, the Project's landscape plan provides for the planting of 138 trees on the Project Site. Accordingly, implementation of the Project would not result in a conflict with the City's Tree Preservation Ordinance. No impact would occur.

f) **No Impact.** The Project Site is not located within the boundaries of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. No impact would occur.

4.5 CULTURAL RESOURCES

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

A Cultural Resources Study was prepared for the Project by Brian F. Smith and Associates, Inc. (BFSA) to identify potential archaeological and historical resources that may be affected by the proposed Project. This report includes the findings from an archaeological pedestrian survey; a cultural records search and sacred lands search, and an inventory of all recorded archaeological and historical resources located on the Project Site and within proximity of the Project Site. This report is included as *Appendix D* to this MND and its findings are incorporated into the analysis presented herein.

a) **No Impact.** According to archival research, 17 historical resources have been recorded within a one-mile radius of the Project Site; none of which are located on the Project Site. Moreover, no historical resources were observed within the Project Site during the pedestrian survey conducted by BFSA. (BSFA, 2022a, pp. 1.0-18 and 3.0-1) Due to the lack of historic development or occupation within the Project Site, there is minimal potential for historic archaeological resources to be encountered during construction of the Project (BSFA, 2022a, p. 4.0-1). Accordingly, the Project would result in no impact to a historical resource as defined by CEQA Guidelines Section 15064.5.

b) **Less than Significant Impact with Mitigation.** BFSA conducted a cultural resources inventory of the Project Site, which included a records search with the South Central Coastal Information Center (SCCIC) at California State University (CSU) Fullerton and an intensive pedestrian survey of the Site. According to archival research, no prehistoric archaeological resources have been recorded within the Project Site or within a one-mile radius of the Project Site. Moreover, no prehistoric archaeological resources were observed within the Project Site during the pedestrian survey conducted by BFSA. (BSFA, 2022a, pp. 1.0-18 and 3.0-1) Due to the lack of known prehistoric archaeological resources in the vicinity of the Project Site and the extensive nature of past ground disturbances on the Project Site, the likelihood of discovering buried prehistoric archaeological resources on the Project Site is considered minimal. (BSFA, 2022a, p. 4.0-1) Accordingly, the Project would result in no impact to a known archaeological resource as defined by CEQA Guidelines Section 15064.5.

Notwithstanding the analysis provided above there is the potential that construction activities for the Project could uncover buried/masked archaeological resources previously unknown to exist on the Project Site. As a standard condition of approval the City of Fontana requires all development projects to implement an archaeological resources monitoring and protection program during ground disturbing construction activities

to prevent the inadvertent destruction of buried/masked archaeological resources. As such, the Project Applicant would be required to comply with MM CR-1. Implementation of MM CR-1 would ensure that, in the event of discovery, archaeological resources present on the Project Site are adequately protected, recorded, and preserved, thereby reducing potential impacts to a less than significant level.

MM CR-1 In the event that suspected cultural resources are discovered during Project construction activities:

a) Upon discovery of any cultural, tribal cultural, or archaeological resources, cease construction activities in the immediate vicinity of the find shall cease until the find can be assessed. All cultural, tribal and archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.

b) Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes.

c) Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

c) **Less than Significant Impact.** The Project Site does not contain a known cemetery. In the event that human remains are unearthed during Project construction, the construction contractor would be required by law to comply with California Health and Safety Code Section 7050.5 "Disturbance of Human Remains." According to Section 7050.5(b) and (c), if human remains are discovered, the County Coroner must be contacted 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 Coroner is required to contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, whenever the NAHC receives notification of a discovery of Native American human remains from a county coroner, the NAHC is required to immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, with the permission of the owner of

the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. According to Public Resources Code Section 5097.94(k), the NAHC is authorized to mediate disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials. With mandatory compliance to California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, any potential impacts to human remains, including human remains of Native American ancestry, that may result from development of the Project would be less than significant.

4.6 ENERGY

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

An Energy Analysis was prepared for the Project by Urban Crossroads to quantify anticipated energy usage associated with the construction and operation of the proposed Project, determine if the usage amounts are efficient, typical, or wasteful for the land use type, and identify any potential methods of avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy. This report is included as *Appendix E* to this MND and its findings are incorporated into the analysis presented herein.

a) **Less than Significant Impact.** As demonstrated by the analysis below, construction and operation of the Project would result in a less than significant environmental impact related to energy consumption.

Energy Use During Construction

The Project's construction process would consume electricity and fuel. Project-related construction activities would represent a "single-event" demand and would not require on-going or permanent commitment of energy resources. Project-related construction activities are estimated to consume approximately 75,861 kWh of electricity, approximately 50,913 gallons of diesel fuel from operation of construction equipment, 10,568 gallons of diesel fuel from construction vendor and hauling trips, and 11,075 gallons of fuel from construction worker trips (Urban Crossroads, 2022c, pp. 28-33). The amount of energy and fuel use anticipated by the Project's construction activities are typical for the type of construction proposed, because there are no aspects of the Project's proposed construction process that are unusual or unnecessarily energy-intensive. Furthermore, construction equipment would be required to conform to the applicable CARB emissions standards, acting to promote equipment fuel efficiencies. For example, CCR Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than five minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. As supported by the preceding discussion, the Project's construction energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary (Urban Crossroads, 2022c, pp. 36 and 37).

Energy Use Project Operations

Project operations are estimated to consume 117,394 gallons of fuel on an annual basis. The number of daily trips and miles traveled by Project traffic are consistent with other warehouse uses of similar scale and configuration. That is, the Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and/or vehicle miles traveled, nor associated excess and wasteful vehicle energy consumption. (Urban Crossroads, 2022c, pp. 35, 37) That is, the Project does not propose uses or operations that would inherently result in excessive and wasteful vehicle trips and/or vehicle miles traveled, nor associated excess and wasteful vehicle energy consumption. Enhanced fuel economies realized pursuant to federal and

State regulatory actions, and related transition of passenger vehicles to alternative energy sources (e.g., electricity, natural gas, bio fuels, hydrogen cells) would likely decrease future gasoline fuel demands per mile traveled. Further, the location of the Project Site proximate to regional and local arterial roadways is expected to minimize the Project vehicle miles traveled within the region. Based on the foregoing, Project transportation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary (Urban Crossroads, 2022c, pp. 37-38).

Building operations and site maintenance activities associated with the Project would result in the consumption of electricity and could result in the consumption of natural gas. Although the Project does not propose natural gas service for building operations, this analysis conservatively assumes natural gas usage for the building. Natural gas would be utilized for on-site cargo handling equipment. Natural gas would be supplied to the Project by Southern California Gas Company; electricity would be supplied to the Project by Southern California Edison (SCE). Energy demands resulting from Project operations are estimated at 4,215,528 kilo-British thermal units (kBTU) per year of natural gas and 1,031,246 Kilowatt-hour (kWh) per year of electricity (Urban Crossroads, 2022c, p. 38). The Project includes contemporary energy efficient/energy conserving building materials and design features. In addition, the Project is required to comply with Fontana Municipal Code Chapter 9, Article V (Industrial Commerce Centers Sustainability Standards), which includes numerous standards applicable to the Project related to energy-efficiency, renewable energy, and clean energy use, including a requirement for the proposed building to be constructed with a solar-ready roof and appropriate electrical equipment that will facilitate the future installation of photovoltaic panels on the building's rooftop. Uses proposed by the Project are not inherently energy intensive, and the Project energy demands in total would be comparable to, or less than, other industrial projects of similar scale and configuration. Additionally, the Project would be required to comply with Title 24 standards, which would ensure that the Project's energy demand would not be considered inefficient, wasteful, or otherwise unnecessary (Urban Crossroads, 2022c, pp. 38-39).

b) **Less than Significant Impact.** The following section analyzes the Project's consistency with the applicable State and local regulations.

Consistency with State Energy Regulations

Integrated Energy Policy Report (IEPR)

Electricity would be provided to the Project by SCE. SCE's *Clean Power and Electrification Pathway* (CPEP) white paper builds on existing state programs and policies. No component of the Project would interfere with, nor obstruct implementation the goals presented in the 2021 IEPR. (Urban Crossroads, 2022c, p. 41)

State of California Energy Plan

The Project Site is located along major transportation corridors with proximate access to the Interstate freeway system. The Project Site facilitates access to and takes advantage of existing infrastructure systems. The Project supports urban design and planning goals identified under the State of California Energy Plan and, therefore, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan. (Urban Crossroads, 2022c, p. 42)

California Code Title 24, Part 6, Energy Efficiency Standards

The Project would design building shells and building components, such as windows; roof systems: electrical and lighting systems: and heating, ventilating, and air conditioning systems to meet 2022 Title 24 Standards. The Project also is required by State law to be designed, constructed, and operated to meet or exceed Title 24 Energy Efficiency Standards. On this basis, the Project is determined to be consistent with, and would not

interfere with, nor otherwise obstruct implementation of Title 24 Energy Efficiency Standards. (Urban Crossroads, 2022c, p. 42)

California Code Title 24, Part 11, CALGreen
CCR, Title 24, Part 11: CALGreen is a comprehensive and uniform regulatory code for all residential, commercial, and school buildings that went in effect on January 1, 2009, and is administered by the California Building Standards Commission. CALGreen is updated on a regular basis, with the most recent approved update consisting of the 2022 California Green Building Code Standards; the Project will be required to comply with these Standards. The Project would consistent with, and would not interfere with, nor otherwise obstruct implementation of CCR, title 24, Part 11, CALGreen. (Urban Crossroads, 2022c, p. 42)

Pavley Fuel Efficiency Standards (AB 1493)
AB 1493 is not directly applicable to the Project as it is a statewide measure establishing vehicle emissions standards; however, is indirectly applicable to the Project because passenger cars and light duty trucks traveling to and from the Project Site are required to comply with the legislation's fuel efficiency requirements. No feature of the Project would interfere with implementation of the requirements under AB 1493. (Urban Crossroads, 2022c, p. 42)

Advanced Clean Cars Program
The Advanced Clean Cars Program is indirectly applicable to the Project because model year 2017-2025 passenger car vehicles traveling to and from the Project Site are required by law to comply with the legislation's fuel efficiency requirements. On this basis, the Project is determined to be consistent, with, and would not interfere with, nor otherwise obstruct implementation of California's Advanced Clean Cars Program.

California Renewable Portfolio Standards (SB 1078)
Established under SB 1078, the California Renewable Portfolio Standards do not directly apply to the Project as SB 1078 is a statewide measure that establishes a renewable energy mix. Energy directly or indirectly supplied to the Project Site by electric corporations is required by law to comply with SB 1078. On this basis, the Project is determined to be consistent, with, and would not interfere with, nor otherwise obstruct implementation of California Renewable Portfolio Standards. (Urban Crossroads, 2022c, p. 42)

Clean Energy and Pollution Reduction Act of 2015 (SB 350)
The proposed Project would use energy from SCE, which has committed to diversify their portfolio of energy sources by increasing energy from wind and solar sources. No feature of the Project would interfere with implementation of SB 350. Additionally, the Project would be designed and constructed to implement the energy efficiency measures required of new industrial developments.

Consistency with Local Energy Regulations
As previously noted, the Project is subject to mandatory compliance with Fontana Municipal Code Chapter 9, Article V (Industrial Commerce Centers Sustainability Standards), which includes numerous standards related to energy-efficiency, renewable energy, and clean energy use. Compliance with the Industrial Commerce Centers Sustainability Guidelines would be assured through City staff review of construction drawings prior to issuance of building permits and by final inspections prior to the issuance of certificates of occupancy. No component of the Project would conflict with the City's Industrial Commerce Centers Sustainability Guidelines or interfere with the City's implementation of the Standards.

Conclusion

As supported by the preceding analysis, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency and a less than significant impact would occur.

4.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, 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?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
e) 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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

A Geotechnical Investigation was prepared for the Project by Southern California Geotechnical (SCG) to evaluate the geotechnical conditions of subject property, identify any geologic hazards, and provide recommendations for the future development of the Project. In addition, a Paleontological Assessment was prepared for the Project by BFSA to evaluate the potential for the Project Site to contain significant, non-renewable paleontological (fossil) resources. These reports are included as *Appendices F* and *G* to this MND and their findings are incorporated into the analysis presented herein.

a.i) **No Impact.** There are no known active or dormant earthquake faults on the Project Site and the Project Site is located outside of any Alquist Priolo Special Studies Zone (SCG, 2021, p. 9). Because there are no known faults extending through the Project Site, there is no potential for implementation of the Project to directly or indirectly expose people or structures to adverse effects related to rupture of a known earthquake fault. No impact would occur.

a.ii) **Less than Significant Impact.** The Project Site is located in a seismically active area of southern California and is expected to experience moderate-to-severe ground shaking during the lifetime of the Project. This risk is not considered substantially different than that of other similar properties in the southern California area and is considered adequately mitigated to protect public health, safety, and welfare if buildings are designed and constructed in conformance with applicable building codes and sound engineering practices. As a mandatory Project condition of approval, the proposed building would be required to be constructed in accordance with the California Building Standards Code (CBSC) (Title 24 of the California Code of Regulations) and the Fontana Municipal Code (Chapter 5, which adopts the CBSC without amendments). The CBSC and Fontana Municipal Code provide standards that have been specifically tailored for California earthquake conditions and regulate the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures in order to safeguard life or limb, health, property, and public welfare. In addition, the CBSC (Chapter 18) and the Fontana Municipal Code (Chapter 26, Division 4) require development project sites to be evaluated in preliminary soils reports to identify Site-specific geologic and seismic conditions and provide specific recommendations to preclude adverse effects involving unstable soils and strong seismic ground-shaking, including, but not limited to, recommendations related to ground stabilization, selection of appropriate foundation type and depths, and selection of appropriate structural systems. The Project Applicant retained a professional geotechnical firm, SCG, to prepare such a geotechnical report for the Project Site which is included as *Appendix F* to this MND. The geotechnical report included recommendations for design, construction, and grading considerations based on the specific geological conditions observed at the Project Site and the Project's specific land use and design. The recommendations included seismic design considerations, geotechnical design considerations, site grading recommendations, construction considerations, foundation design and construction, floor slab design and construction, retaining wall design and construction, and pavement design parameters. This geotechnical report complies with the requirements of Chapter 18 of the CBSC and Chapter 26, Division 4 of the Fontana Municipal Code. In conformance with the Municipal Code, the City will condition the Project to comply with the Site-specific ground preparation and construction recommendations contained in the geotechnical report. With mandatory compliance with these standard and Site-specific design and construction measures, implementation of the Project would not directly or indirectly expose people or structures to substantial adverse effects, including loss, injury or death, involving seismic ground shaking. Impacts would be less than significant.

a.iii) **Less than Significant Impact.** According to the San Bernardino County Geologic Hazard Overlay, the Project Site is not located within an area of liquefaction susceptibility (SCG, 2019, p. 11; San Bernardino County, 2007). Regardless, the Project would be required to be designed and constructed in accordance with applicable seismic safety guidelines, including the standard requirements of the CBSC and Fontana Building Code, as noted above. Furthermore, and pursuant to the requirements of Fontana Municipal Code Chapter 26, Division 4, the Project would be required (via conditions of approval) to comply with the grading and construction recommendations contained within the geotechnical report for the Project Site to further reduce the risk of seismic-related ground failure due to liquefaction. Therefore, implementation of the Project would not directly or indirectly expose people or structures to substantial hazards associated with seismic-related ground failure and/or liquefaction hazards. Impacts would be less than significant.

a.iv) **No Impact.** The Project Site is relatively flat and there are no steep slopes or recorded landslides in the immediate vicinity of the Project Site (CGS, 2023). Further, no slopes are located on or adjacent to the Project Site (Google Earth, 2022). The Project is not anticipated to expose people or structures to seismic-related landslides. No impact would occur.

b) **Less than Significant Impact.** The analysis presented below demonstrates that implementation of the Project would result in a less than significant impact related to erosion.

Construction-Related Erosion Impacts

Grading and construction activities associated with the Project would expose soils to potential short-term erosion by wind and water. The Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit for construction activities (NPDES permit). The NPDES permit is required for all development projects that include construction activities, such as clearing, grading, and/or excavation, that disturb at least one (1) acre of total land area. In addition, the Project Applicant would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Program*. Compliance with the NPDES permit and the Santa Ana River Basin Water Quality Control Program involves the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction-related activities. The Project's SWPPP will specify the Best Management Practices (BMPs) that the Project Applicant will be required to implement during construction activities to ensure that waterborne pollution – including erosion/sedimentation – is prevented, minimized, and/or otherwise appropriately treated prior to surface runoff being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Lastly, the Project Applicant would be required to implement erosion control measures to minimize water- and windborne erosion pursuant to Fontana Municipal Code Chapter 9, Article II (and to ensure compliance with SCAQMD Rule 403 to minimize water- and windborne erosion). Mandatory compliance with the SWPPP and the erosion control measures would ensure that the Project's implementation does not violate any water quality standards or waste discharge requirements during construction activities. Therefore, erosion impacts associated with Project construction activities would be less than significant.

Post-Development Erosion Impacts

Upon Project build-out, the Project Site would be covered by an industrial commerce center building, landscaping, and impervious surfaces. Stormwater runoff from the Project Site would be captured, treated to reduce waterborne pollutants (including sediment), and conveyed off-site via a storm drain system. Accordingly, the amount of erosion that occurs on the Project Site would be minimal upon Project buildout and minimized relative to existing conditions.

To meet the requirements of the City's Municipal Storm Water Permit – and in accordance with Fontana Municipal Code Chapter 23, Article IX – the Project Applicant/Developer or Project Site owner would be required to prepare and implement a Water Quality Management Plan (WQMP), which is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants. The WQMP is required to identify an effective combination of erosion control and sediment control measures (i.e., Best Management Practices) to reduce or eliminate sediment discharge to surface water from storm water and non-storm water discharges. The preliminary WQMP for the Project, which is provided as *Technical Appendix K* to this MND, is a site-specific post-construction water quality management program designed to minimize the release of potential waterborne pollutants, including sediment. Compliance with the WQMP will be required as a condition of approval for the Project, as would the long-term maintenance of

erosion and sediment control features. The preliminary WQMP for the Project incorporates design features that would be effective at removing silt and sediment from storm water runoff, including non-structural source control BMPs (such as vacuum sweeping of parking lots as part of routine maintenance), structural source control BMPs (such as utilizing efficient irrigation systems that minimize overspray), and preventive, low impact development BMPs (such as the use of permeable surfaces across the site, catch basin inserts, and an underground infiltration system). The WQMP also is required to establish a post-construction implementation and maintenance plan to ensure on-going, long-term erosion protection. Compliance with the WQMP will be required as a condition of approval for the Project, as will the long-term maintenance of erosion and sediment control features. Because the Project would be required to utilize erosion and sediment control measures to preclude substantial, long-term soil erosion and loss of topsoil, the Project would result in less-than-significant impacts related to soil erosion.

c) **Less than Significant Impact.** As noted under Response 4.7(a), the Project Site is not located within a landslide zone. Additionally, the Project Site and surrounding areas are fully developed and do not have natural or manufactured slopes. The Project would not be located on a geologic unit or soil that is unstable that would result in on- or off-site landslides. No impact would occur.

Lateral spreading is a phenomenon in which large blocks of intact, non-liquefied soil move downslope on a liquefied soil layer. Lateral spreading is a regional event. For lateral spreading to occur, the liquefiable soil zone must be laterally continuous, unconstrained laterally, and free to move along the sloping ground. The Project Site's potential for lateral spreading is considered low due to the site's relatively flat topography, distance from slopes, and no potential for liquefaction (as noted under Response 4.7(a)), as well as the relatively deep groundwater table beneath the Project Site (SCG, 2021, pp. 6 and 11). The Project would not be located on a geologic unit or soil that would result in lateral spreading. No impact would occur.

Based on the conditions encountered at subsurface testing locations at the Project Site, the geotechnical investigation determined that removal and re-compaction of the near surface native soils would result in shrinkage of 0 to 10 percent (SCG, 2021, p. 13). However, the geotechnical report prepared for the Project indicates that the Project Site's shrinkage/subsidence and settlement potential can be attenuated through the removal of surface and near surface soils down to competent materials and replacement with properly compacted fill (SCG, 2021, pp. 14 and 15). As described in Response 4.7(a), the City will condition the Project Applicant to comply with the site-specific ground preparation and construction recommendations contained in the Project Site's geotechnical report, which would preclude potential soil hazards. Based on the foregoing, potential impacts related to soil shrinkage/subsidence and collapse would be less than significant.

d) **No Impact.** The near-surface soils consist of sands, silty sands, and gravelly sands with no appreciable clay content. These materials were visually classified by SCG as non-expansive (SCG, 2019, p. 13). Accordingly, the Project would not create substantial risks to life or property from exposure to expansive soils. No impact would occur.

e) **No Impact.** The Project does not propose the use of septic tanks or alternative waste water disposal systems. No impact would occur.

f) **Less than Significant Impact.** According to the paleontological resource assessment prepared for the Project (*Technical Appendix G*), the Project Site is underlain by late Holocene-aged young alluvial fan deposits (Qyf_5), mostly composed of sand, which have low paleontological sensitivity (BSFA, 2022b, p. 5). The closest know fossil localities to the Project Site were Pleistocene fossils (i.e., mastodon, bison, and camel) recorded

approximately four miles south of the Project Site at depths of five feet below the surface (BSFA, 2022b, p. 7). Based on the Project's distance from significant fossil localities yielded by older, Pleistocene-aged alluvial deposits, the Holocene deposits at the Project Site can be considered to have a low potential to yield significant paleontological resources (BSFA, 2022b, p. 8). Accordingly, the Project's potential to directly or indirectly destroy unique paleontological resources buried beneath the ground surface is less than significant.

4.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

A Greenhouse Gas Analysis was prepared for the Project by Urban Crossroads to quantify the greenhouse gas (GHG) emissions that would result from Project-related construction and operational activities. This report is included as *Appendix H* to this MND and its findings are incorporated into the analysis presented herein.

a) **Less than Significant Impact.** 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 Site 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. (Urban Crossroads, 2022d, p. 16)

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 South Coast Air Quality Management District (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 proposed 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, p. 4).

In setting the proposed 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 $MTCO_2e$ 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 $MTCO_2e$ 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 $MTCO_2e$ per year threshold was proposed by SCAQMD a decade ago and was never formally adopted by the SCAQMD; however, no permanent, superseding policy or threshold has since been adopted or proposed by the SCAQMD. The 3,000 $MTCO_2e$ 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 2022 (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 $MTCO_2e$ 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 $MTCO_2e$ per year, the Project would be considered a substantial source of GHG emissions, and further analysis would be required to determine whether the Project's contribution to GHG impacts would be cumulatively considerable.

The Project's annual GHG emissions are summarized in Table 4-5, *Project Greenhouse Gas Emissions*. The methodology used to calculate the Project's GHG emissions is described in detail in *Technical Appendix H*.

Table 4-5 Project Greenhouse Gas Emissions

Emission Source	Emissions (MT/yr)				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Annual construction-related emissions amortized over 30 years	23.43	3.33E-04	6.67E-04	0.01	23.68
Mobile Source	1,041.00	0.07	0.11	1.53	1,077.00
Area Source	3.43	0.00	0.00	0.00	3.52
Energy Source	387.00	0.04	0.00	0.00	388.00
Water Usage	54.90	1.28	0.03	0.00	95.90
Waste	15.27	1.53	0.00	0.00	53.40
Refrigerants	0.00	0.00	0.00	23.22	23.22
Total CO_2e (All Sources)	**1,664.72**				

Source: (Urban Crossroads, 2022d, Table 3-6)

As shown above, the Project is estimated to result in emissions 1,664.72 $MTCO_2e$ of GHG annually, which would not exceed the significance threshold of 3,000 $MTCO_2e$ per year. Therefore, the Project would not generate substantial GHG emissions – either directly or indirectly – that would have a significant impact on the environment. Impacts would be less than significant.

b) **Less than Significant Impact.** The Project would not conflict with applicable regulations, policies, plans, and policy goals that would reduce GHG emissions, as described below. The City of Fontana does not have any GHG-reduction plans, policies, or regulations applicable to the Project; therefore, the analysis below addresses the Project's consistency with applicable State GHG-reduction plans, policies, and regulations.

The Project would provide for the construction and operation of an industrial commerce center building that would include contemporary, energy-efficient/energy-conserving design features and operational procedures, including those required by the City's "Industrial Commerce Centers Sustainability Standards" (Fontana Municipal Code Chapter 9, Article V). Industrial commerce center uses are not inherently energy intensive and the total Project energy demands would be comparable to, or less than, other goods movement projects of similar scale and configuration due to the Project's modern construction and requirement to be constructed in accordance with the most recent CBSC. The CBSC includes the California Energy Code, or Title 24, Part 6 of the California Code of Regulations, also titled The Energy Efficiency Standards for Residential and Nonresidential Buildings. The California Energy Code was established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated approximately every three years to improve energy efficiency by allowing incorporating new energy efficiency technologies and methods. The Project would be required to comply with all applicable provisions of the CBSC. As such, the Project's energy demands would be minimized through design features and operational programs that, in aggregate, would ensure that Project energy efficiencies would comply with – or exceed – incumbent CBSC energy efficiency requirements, thereby minimizing GHG emissions produced from energy consumption.

The California Air Resources Board (CARB) *Scoping Plan* identifies strategies to reduce California's GHG emissions in support of AB32, which required the State to reduce its GHG emissions to 1990 levels by 2020. CARB updated the *Scoping Plan* in 2017 to identify additional measures that would achieve the emissions reductions goals of SB 32, which requires the State to reduce its GHG emissions to 40 percent below 1990 levels by 2030. According to research conducted by the Lawrence Berkeley National Laboratory and supported by the CARB, California, under its existing and proposed GHG reduction policies (i.e., CARB *Scoping Plan*), is on track to meet the year 2030 reduction target established by SB 32 (Urban Crossroads, 2022d, p. 37). As explained in point-by-point detail in Section 3.7 of *Appendix H*, the Project would not conflict with applicable

measures of the CARB Scoping Plan and would not preclude/obstruct implementation of the Scoping Plan or achievement of the GHG emissions goals of SB 32 (Urban Crossroads, 2022d, pp. 56-62).

In April 2015, Governor Edmund Brown Jr. signed EO B-30-15, which advocated for a statewide GHG-reduction target of 80 percent below 1990 levels by 2050. To date, no statutes or regulations have been adopted to translate the year 2050 GHG reduction goal into comparable, scientifically- based statewide emission reduction targets and the State has not yet released its implementation plan for achieving the year 2050 GHG reduction goals. Rendering a significance determination for year 2050 GHG emissions relative to EO B-30-15 would be speculative because EO B-30-15 established a goal more than three decades into the future; no agency with GHG subject matter expertise has yet adopted regulations to achieve these statewide goals at the project-level; and, available analytical models cannot presently quantify all project- related emissions in those future years. Further, due to the technological shifts anticipated and the unknown parameters of the regulatory framework in 2050, available GHG models and the corresponding technical analyses are subject to limitations for purposes of quantitatively estimating the Project's emissions in 2050.

Based on the foregoing analysis, the Project would not conflict with the State's ability to achieve the State-wide GHG reduction mandates and would be consistent with applicable policies and plans related to GHG emissions reductions. Impacts would be less than significant.

4.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

A Phase I Environmental Site Assessment was prepared by Path Forward Partners, Inc. (Path Forward, 2022), to determine the presence/absence of on-site hazards and hazardous materials. This report is included as *Appendix I* to this MND and their findings are incorporated in the analysis presented herein.

a & b) **Less than Significant Impact.** A significant impact may occur if a project would involve the use or disposal of hazardous materials as part of its construction or routine operations, or have the potential to generate or accidentally release toxic materials or substances during construction or operation that could adversely affect people or the environment. The analysis below addresses the potential for hazardous materials effects associated with the existing condition of the Project Site, constructing the proposed Project, and/or operating the Project.

Impacts Associated with Existing Site Conditions

The Project Site is undeveloped and, based on historic aerial photographs, appears to have been used on and off for agriculture from at least 1938 until approximately 2002 (Path Forward, 2022, pp. 7-9). Based on a review of historic regulatory agency hazardous materials databases, historic aerial photographs, interviews with current property owners, and a reconnaissance of the Project Site, Path Forward determined that the Project Site does not contain any recognized environmental conditions (RECs) (Path Forward, 2022, pp. 7-12). Although the property was used for agriculture for several decades, Path Forward did not observe any evidence of use or storage of agricultural chemicals on the property and no evidence of agricultural chemical investigation or enforcement was found on the California Department of Toxic Substances Control (DTSC) Envirostor database for the Project Site or surrounding properties (which also were historically used for agriculture) (Path Forward, 2022, pp. 12-13). The types of pesticides most commonly associated with adverse human health effects (organochlorides such as DDT and dieldrin) were banned from agricultural use in the early 1970s. Given the rate of degradation for organochloride pesticides, the amount of time that has passed since these pesticides could have, theoretically, been applied to the site, the Project Site likely only contains trace concentrations of pesticides – if any at all – and Path Forward concluded that potential historic agricultural chemical use on the Project Site represented a de minimis hazard to the public and the environment (Path Forward, 2022, p. 13).

Based on the foregoing information, there are no existing conditions or features on the Project Site that would represent a substantial hazard to the public or the environment.

Temporary Construction-Related Activities

Heavy equipment (e.g., dozers, excavators, tractor) would operate on the subject property during construction of the Project. Heavy equipment is typically fueled and maintained by petroleum-based substances such as diesel fuel, gasoline, oil, and hydraulic fluid, which is considered hazardous if improperly stored or handled. Also, materials such as paints, adhesives, solvents, and other substances typically used in building construction would be located on the Project Site during construction. Improper use, storage, or transportation of hazardous materials can result in accidental releases or spills, potentially posing health risks to workers, the public, and the environment. This is a standard risk on all construction sites, and there would be no greater risk for improper handling, transportation, or spills associated with the proposed Project than would occur on any other similar construction site. Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, and storage of hazardous construction-related materials, including but not limited requirements imposed by the Environmental Protection Agency (EPA), US Department of Transportation regulations listed in the Code of Federal Regulations (Title 49, Hazardous Materials Transportation Act); California Department of Transportation standards; California Department of Toxic Substances Control (DTSC), SCAQMD, Santa Ana Regional Water Quality Control Board (RWQCB), and the California Department of Industrial Relations Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA. With mandatory compliance to applicable hazardous materials regulations, the Project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials during the construction phase. Impacts would be less than significant.

Long-Term Operational Activities

The Project Site would be developed with an industrial warehouse building; the future building user(s) are not yet identified. Hazardous materials storage is not expected to occur within the building or on the Project Site; however, the future user(s) of the Project could use hazardous chemicals and/or materials could be utilized during routine Project operations and maintenance, including but not limited to aerosols, cleaners, fertilizers, lubricants, paints or stains, solvents, and fuels (e.g., gasoline, propane). State and federal Community-Right-

to-Know laws allow the public access to information about the amounts and types of chemicals in use at local businesses. Laws also are in place that requires businesses to plan and prepare for possible chemical emergencies. Any business that occupies the commerce center building on the Project Site and that handles hazardous materials (as defined in Section 25500 of California Health and Safety Code, Division 20, Chapter 6.95) will require a permit from the San Bernardino County Fire Department Hazardous Materials Division in order to register the business as a hazardous materials handler. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the County of San Bernardino Fire Department and the State Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan (HMBEP). An HMBEP is a written set of procedures and information created to help minimize the effects and extent of a release or threatened release of a hazardous material.

With mandatory regulatory compliance, the Project would not pose a significant hazard to the public or the environment through the routine transport, use, storage, emission, or disposal of hazardous materials, nor would the Project increase the potential for accident conditions which could result in the release of hazardous materials into the environment. Based on the foregoing information, potential hazardous materials impacts associated with long-term operation of the Project are regarded as less than significant and no mitigation is required.

c) **No Impact.** The Project Site is not located within 0.25-mile of an existing school. Furthermore, as described above under Responses 4.9(a) and 4.9(b), the use of and transport of hazardous substances or materials to-and-from the Project Site during construction and long-term operational activities would be required to comply with applicable federal, State, and local regulations that would preclude substantial public safety hazards. Accordingly, there would be no potential for existing or proposed schools to be exposed to substantial safety hazards associated with emission, handling of, or the routine transport of hazardous substances or materials to-and-from the Project Site.

d) **No Impact.** Government Code Section 65962.5 requires DTSC, the State Department of Health Services, State Water Resources Control Board, and the State Department of Resources Recycling and Recovery to maintain a list of hazardous materials sites that fall within specific, defined categories. The Project Site is listed on hazardous materials databases including the Employment and Compliance History Online (ECHO), Facility Index Systems (FINDS), and Resource Conservation and Recovery Act Non-Generator (RCRA NonGen/NLR) databases; however, none of these databases are regulated by Government Code Section 65962.5 (Path Forward, 2022, pp. 11-12). Accordingly, no impact would occur.

e) **No Impact.** The Project Site is not located within an airport land use plan area or within two miles of a public use airport. The nearest public use airport is the Ontario International Airport, approximately 7.1 miles southwest of the Project Site. Therefore, the proposed Project would not result in a safety or noise hazard for people working at the Project Site.

f) **No Impact.** The Project Site does not contain any emergency facilities, nor does it serve as an emergency evacuation route. During construction and long-term operation, the proposed Project would be required to maintain adequate emergency access for emergency vehicles. As part of the City's discretionary review process, the City of Fontana reviewed the Project's application materials to ensure that appropriate emergency ingress and egress would be available to-and-from the Project Site and that the Project would not substantially impede emergency response times in the local area. Accordingly, implementation of the Project would not

impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan, and no impact would occur.

g) **No Impact.** The Project Site is not located within a State Responsibility Area or a very high fire hazard severity zone and is not located adjacent to wildlands (City of Fontana, 2018a, p. 11-4; CAL FIRE, 2007; Google Earth, 2022). Accordingly, the Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. No impact would occur.

4.10 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
ii) Substantially increase the rate of amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
iii) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems of provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) Result in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

A Preliminary Hydrology and Hydraulics Study and Preliminary Water Quality Management Plan (WQMP) were prepared for the Project by JLC Engineering and Consulting, Inc. (JLC, 2022a; JLC, 2022b). The Preliminary Hydrology and Hydraulics Study identifies drainage patterns and off-site flow tributary to the Project Site and evaluates post-development runoff conditions. The hydraulic calculations are intended to be used to design the Project's storm drain system. The purpose of the Preliminary WQMP is to help identify pollutants of concern, establish the BMPs for the Project to minimize the release of pollutants of concern, and establish long term maintenance responsibilities for the Project's water quality features. These reports are included as *Appendices J* and *K*, respectively, to this MND and their findings are incorporated into the analysis presented herein.

a) **Less than Significant Impact.** As demonstrated in the analysis below, the Project would not violate any water quality standards or waste discharge requirements.

As part of Section 402 of the Clean Water Act, the U.S. Environmental Protection Agency (EPA) has established regulations under the NPDES program to control direct storm water discharges. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, which include construction activities. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The City of Fontana, including the Project Site, is within the jurisdiction of the Santa Ana RWQCB.

The Project has the potential to result in water quality impacts during short-term construction activities. The grading/excavation required for Project implementation would temporarily result in exposed soils that may be subject to wind and water erosion. Although erosion occurs naturally in the environment, improperly managed construction activities can lead to substantially accelerated rates of erosion that are considered detrimental to the environment. As such, short-term water quality impacts have the potential to occur during construction of the Project in the absence of any protective or avoidance measures. Pursuant to the requirements of the Santa Ana RWQCB and the City of Fontana (Municipal Code Chapter 5 [Section 5-14] and Chapter 23 [Article IX]), the Project Applicant would be required to obtain coverage under the State's General Construction Storm Water Permit (NPDES Permit). The NPDES Permit is required for all projects that include construction activities, such as clearing, soil stockpiling, grading, and/or excavation that disturb at least one (1) acre of total land area, as is the case with the proposed Project. Compliance with the NPDES Permit involves the preparation and implementation of a Stormwater Pollution Prevention Program (SWPPP) for construction-related activities, including grading. The SWPPP will specify the BMPs that the Project Applicant would be required to implement during construction activities to ensure that all potential pollutants of concern are prevented, minimized, and/or otherwise appropriately treated prior to being discharged from the subject property. Examples of BMPs that may be utilized during construction include, but are not limited to, sandbag barriers, geotextiles, storm drain inlet protection, sediment traps, rip rap soil stabilizers, and hydro-seeding. Mandatory compliance with the SWPPP would ensure that the Project's construction does not violate any water quality standards or waste discharge requirements.

Stormwater pollutants that may be produced during Project operation include pathogens (bacteria/virus), metals, oil and grease, solvents, oxygen demanding compounds, and trash/debris (all from pavement runoff) and phosphorus, nitrogen, sediment, metals, oil and grease, trash/debris, pesticides/herbicides, and organic compounds (all from landscaping on-site) (JLC, 2022b, p. 2-4). The Project Applicant would be required to implement a WQMP to demonstrate compliance with the City's NPDES municipal stormwater permit, and to minimize the release of potential waterborne pollutants, including pollutants of concern for downstream receiving waters. The WQMP is a site-specific post-construction water quality management program designed to ensure the on-going protection of the watershed basin. The Project's preliminary WQMP is included as *Technical Appendix K* to this EIR. As identified in the preliminary WQMP, the Project is designed to include structural source control BMPs (including a catch basin inserts, and underground infiltration chambers beneath the truck yard) as well as operational source control BMPs (including, but not limited to, the installation of water-efficient landscape irrigation systems, storm drain system stenciling and signage, and implementation of a trash and waste storage areas) to minimize, prevent, and/or otherwise appropriately treat stormwater runoff flows for pollutants of concern before they are discharged into the municipal storm drain system. Technical details of the proposed BMPs are provided in the Project's preliminary WMQP. Compliance with the preliminary WQMP would be required as a condition of Project approval pursuant to Fontana Municipal Code

Chapter 23 (Article IX), and long-term maintenance of on-site BMPs would be required to ensure their long-term effectiveness.

Additionally, the NPDES program requires certain land uses, including the industrial land uses proposed by the Project, to prepare a SWPPP for operational activities and to implement a long-term water quality sampling and monitoring program, unless an exemption has been granted. The Project Applicant would be required to prepare a SWPPP for operational activities and implement a long-term water quality sampling and monitoring program or receive an exemption. Because the permit is dependent upon a detailed accounting of all operational activities and procedures, and the Project's building users and their operational characteristics are not known at this time, details of the operational SWPPP (including BMPs) or potential exemption to the SWPPP operational activities requirement cannot be determined with certainty at this time. However, based on the performance requirements of the Industrial General Permit, the Project's mandatory compliance with all applicable water quality regulations would further reduce potential water quality impacts during long-term operation.

Based on the foregoing analysis, the Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during construction or long-term operation. Impacts would be less than significant.

b) **Less than Significant Impact.** The Project would be served with potable water from the Fontana Water Company, and the Project Applicant does not propose the use of any wells or other groundwater extraction activities. Therefore, the Project would not directly draw water from the groundwater table. Accordingly, implementation of the proposed Project has no potential to substantially deplete or decrease groundwater supplies and the Project's impact to groundwater supplies would be less than significant.

Development of the Project would increase impervious surface coverage on the Project Site, which would, in turn, reduce the amount of water percolating down into the aquifer that underlies the Project Site and most of the City and surrounding area (i.e., Chino Groundwater Basin). However, a majority of the groundwater recharge in the Chino Groundwater Basin occurs within percolation basins (also known as "recharge basins") located in the northern and western portions of the Groundwater Basin (CBWM, 2017, Exhibit 3-7). The Project Site is located in the northeastern portion of the Chino Groundwater Basin and would not physically impact any of the major groundwater recharge facilities in the Basin and, therefore, would not result in substantial, adverse effects to local groundwater levels. Additionally, the Project includes design features that would maximize the percolation of on-site storm water runoff into the groundwater basin, such as underground infiltration chambers and permeable landscape areas. Accordingly, buildout of the Project with these design features would not interfere substantially with groundwater recharge of the Chino groundwater basin. Impacts would be less than significant.

c.i) **Less than Significant Impact.** As previously addressed under Response 4.7(b), the Project has been designed to minimize erosion and the Project Applicant would be required to implement a SWPPP during construction and a WQMP during operation to ensure substantial erosion does not occur. Impacts related to erosion or siltation would be less than significant.

c. ii & iii) **Less than Significant Impact.** The Project's storm drain system is designed to reduce the peak stormwater runoff flow rate and discharge volume to below existing conditions. Additionally, calculations performed by JLC Engineering and Consulting, Inc. demonstrate the Project would not create or contribute runoff that would exceed the capacity of any existing or planned stormwater drainage system (JLC, 2022a, pp.

3-6). Accordingly, implementation of the Project would not substantially increase the rate or amount of surface water runoff discharged from the site in a manner that would result in flooding on- or off-site or that would exceed the capacity of the existing stormwater drainage system servicing the Project Site. Impacts would be less than significant.

As discussed under the analysis of Response 4.10(a), the Project's construction contractors would be required to comply with a SWPPP and the Project's owner or operator would be required to comply with a WQMP to ensure that Project-related construction activities and operational activities do not result in substantial amounts of polluted runoff. Impacts would be less than significant.

c. iv) **No Impact.** According to the FEMA FIRM No. 06071C8651H, the Project Site is located within "Flood Zone X (unshaded)" which corresponds with areas of minimal flood hazard (i.e., less than 0.2-percent annual chance of flood) (FEMA, 2008). Accordingly, development on the Project Site would have no potential to place housing, or other structures, within a 100-year floodplain or impede or redirect flood flows within a 100-year floodplain. No impact would occur.

d) **No Impact.** The Pacific Ocean is located more than 40 miles southwest of the Project Site; consequently, there is no potential for the Project Site to be impacted by a tsunami, because tsunamis typically can only reach up to a few miles inland. The Site also is not subject to a flood hazard or seiche zone because the nearest large bodies of surface water are approximately 15.7 miles southwest of the Project Site (Prado Lake), approximately 17.6 miles south of the Project Site (Lake Mathews) and approximately 23.3 miles southeast of the Project Site (Lake Perris), respectively, which are all too far away from the subject property to impact the property with a flood hazard or seiche. (Google Earth, 2022) Accordingly, the Project would not risk release of pollutants due to inundation. No impact would occur.

e) **Less than Significant Impact.** As discussed in Response 4.10(a) above, the Project Site is located within the Santa Ana River Basin and Project-related construction and operational activities would be required to comply with the Santa Ana RWQCB's *Santa Ana River Basin Water Quality Control Plan* by preparing and adhering to a SWPPP and WQMP. Implementation of the Project would not conflict with or obstruct the *Santa Ana River Basin Water Quality Control Plan* and impacts would be less than significant.

The Project Site is located within the Chino Groundwater Basin, which is an adjudicated basin (DWR, n.d.). Adjudicated basins are exempt from the 2014 Sustainable Groundwater Management Act (SGMA) because such basins already operate under a court-ordered water management plan to ensure their long-term sustainability. No component of the Project would obstruct with or prevent implementation of the management plan for the Chino Groundwater Basin. As such, the Project's construction and operation would not conflict with any sustainable groundwater management plan. Impacts would be less than significant.

4.11 LAND USE AND PLANNING

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

a) **No Impact.** Development of the Project would not physically disrupt or divide the arrangement of an established community. The residential community to the north of the Project Site is separated from the Project Site by the Pacific Electric Trail; the property to the east is separated from the Site by public right-of-way for Beech Avenue; Foothill Boulevard forms the southern boundary of the Project Site; and an existing industrial facility is located to the west of the Project Site (Google Earth, 2022). Due to the existing physical barriers and development that already separate the Project Site from abutting properties, implementation of the Project would not result in the physical disruption or division of an established community. No impact would occur.

b) **No Impact.** The Project is consistent with the property's "Light Industrial (I-L)" General Plan designation and would not conflict with any applicable policies from the General Plan. As disclosed in this MND, implementation of the Project would not conflict with any applicable goals, objectives, and policies of the *AQMP*, SCAG's *RTP/SCS* or SCAG's *Regional Comprehensive Plan*, which rely on General Plan consistency for general compliance with those regional plans, or other applicable land use plans, policies, or regulations. As such, no impacts associated with potential conflicts with plans, policies, and regulations adopted for the purpose of avoiding or mitigating environmental effects would occur.

4.12 MINERAL RESOURCES

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☒	☐
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☒	☐

a & b) **Less than Significant Impact.** The Project Site is located within Mineral Resource Zone 2 (MRZ-2), which is an area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists (CDC, 1995). However, the mineral resource zone classifications assigned by the DOC focus solely on geologic factors and the potential value and marketability of a mineral resource, without regard to existing land use and ownership or the compatibility of surrounding land uses. The City's General Plan, which establishes the City's plan for the highest and best use of the Project Site in consideration of the local land use context, designates the Project Site for industrial land uses. This means that the City has determined that planned industrial land uses on the Project Site are more valuable to the region than potential mineral extraction uses. Additionally, due to constraints on and abutting the Project site (e.g., the relatively small size and narrow dimensions of the Site, which present issues related to required equipment setbacks and staging areas, and the residential land uses adjacent to the Site to the north) mineral resources extraction would not be feasible on-site. Lastly, the City's General Plan does not identify any important mineral resource recovery sites on- or in the proximity of the Project Site. For the reasons described above, the Project Site is determined to not contain a mineral resource of substantial value to the region and development of the Project would not result in the loss of a locally important mineral resource site.

4.13 NOISE

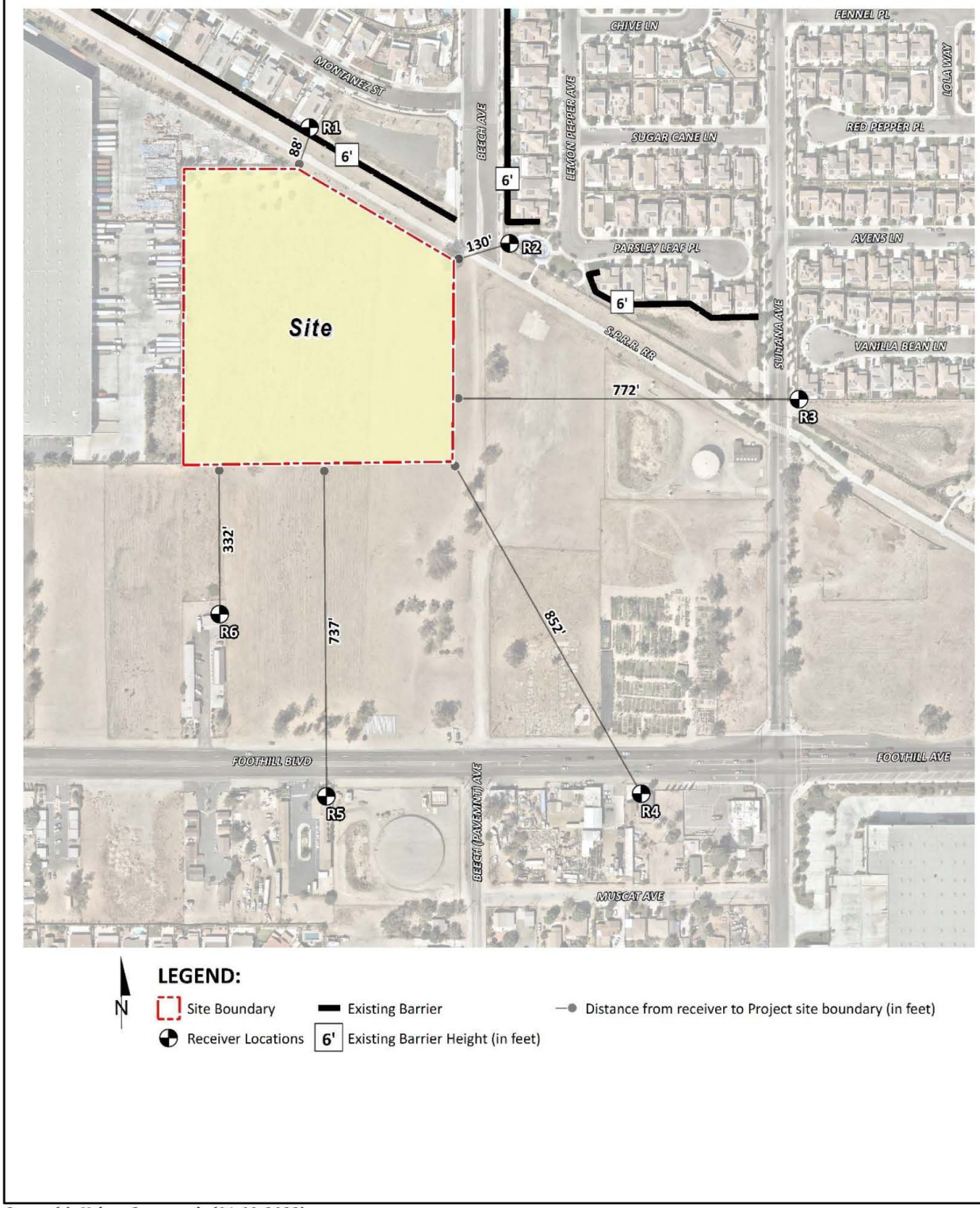
	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

A Noise Impact Analysis and Focused Noise Assessment were prepared for the Project by Urban Crossroads to evaluate Project-related long-term operational and short-term construction noise impacts. These reports are included as *Appendices L1* and *L2* to this MND and their findings are incorporated into the analysis presented herein.

a) **Less than Significant Impact.** The analysis presented on the following pages summarizes the Project's potential construction noise levels and operational noise levels. The detailed noise calculations for the analysis presented here are provided in Appendices 5.2 through 10.2 of the Project's Noise Impact Analysis (see *Appendix L*).

Construction Noise Impact Analysis

The Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* recognizes that construction projects are accomplished in several different stages and outlines the procedures for assessing noise impacts during construction. Each stage has a specific equipment mix, depending on the work to be completed during that stage. As a result of the equipment mix, each stage has its own noise characteristics; some stages have higher continuous noise levels than others, and some have higher impact noise levels than others. Project construction activities are expected to proceed in five (5) stages, primarily during daytime hours: 1) site preparation; 2) grading; 3) building construction; 4) paving; and 5) application of architectural coatings. These activities would create temporary periods of noise when heavy construction equipment is in operation and would cause a short-term increase in ambient noise levels. Project construction noise levels at nearby, representative sensitive receptor locations are summarized in Table 4-6. Receptor locations are illustrated on Figure 4-1, *Noise Receiver Locations*. The modeled noise-sensitive receiver locations include existing homes, motels, and a park in the Project vicinity, and are representative of existing sensitive receptors nearest the Project Site.



Source(s): Urban Crossroads (01-09-2023)

Figure 4-1

Not to Scale

Noise Receiver Locations

Table 4-6 Project Construction Equipment Noise Level Summary (Daytime)

Receiver Location[1]	Construction Noise Levels (dBA L_{eq})					
	Site Preparation	Grading	Building Construction	Paving	Architectural Coating	Highest Levels[2]
R1	59.2	62.2	60.2	62.2	56.2	62.2
R2	62.5	65.5	63.5	65.5	59.5	65.5
R3	54.4	57.4	55.4	57.4	51.4	57.4
R4	53.1	56.1	54.1	56.1	50.1	56.1
R5	54.9	57.9	55.9	57.9	51.9	57.9
R6	59.0	62.0	60.0	62.0	56.0	62.0

[1] Noise receiver locations are shown on Figure 4-1.
[2] Construction noise level calculations based on distance from the construction activity, which is measured from the Project site boundary to the nearest receiver locations. CadnaA construction noise model inputs are included in Appendix 10.1 of *Appendix L*.
Source: (Urban Crossroads, 2023a, Table 10-2)

As shown in Table 4-6, noise levels during peak Project construction conditions would range from 56.1 to 65.5 dBA L_{eq} at the nearby receiver locations. The noise levels presented in Table 4-6 are expected to occur during daytime hours when construction activities are allowed by right pursuant to City Municipal Code Section 18-63(7); the Municipal Code does not limit construction noise between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays. Thus proposed daytime construction activities would not conflict with or exceed the standards established by the Municipal Code. Notwithstanding, noise from daytime construction activities is evaluated against a secondary standard, established by the FTA, to ensure that daytime construction noise does not result in a substantial adverse effect to nearby receptor locations. The FTA standard of 80 dBA L_{eq} is consistent with safety standards adopted by the National Institute for Occupational Safety and Health (NIOSH) and construction noise levels of 80 dBA L_{eq} or below have been demonstrated to result in insignificant health effects to exposed receptors during prolonged exposure (more than 8 hours per day) (Urban Crossroads, 2023a, p. 49). Accordingly, daytime Project construction activities would not expose nearby receptors to substantial adverse effects and impacts would be less than significant.

If the Project's construction requires concrete pouring during nighttime hours (and if the City allows such nighttime activities pursuant to Municipal Code Section 18-63(b)(7)), the resulting noise levels are summarized in Table 4-7, *Project Construction Noise Level Summary (Nighttime)*. At all receiver locations, the Project's nighttime concrete pouring noise levels would not exceed the standards established by the City- and would be less than the safety standards adopted by NIOSH – and impacts would be less than significant.

Table 4-7 Project Construction Noise Level Summary (Nighttime)

Receiver Location[1]	Concrete Pour Construction Noise Levels (dBA L_{eq})		
	Exterior Noise Levels[2]	Nighttime Threshold[3]	Threshold Exceeded?[4]
R1	47.0	65	No
R2	48.8	65	No
R3	42.0	65	No
R4	40.8	65	No
R5	42.9	65	No
R6	47.1	65	No

[1] Noise receiver locations are shown on Figure 4-1.
[2] Nighttime Concrete Pour noise model inputs are included in Appendix 10.2 of *Appendix L*.
[3] Exterior noise level standards based on the City of Fontana Development Code Section 30-543.
[4] Do the estimated Project construction noise levels exceed the nighttime construction noise level threshold?
Source: (Urban Crossroads, 2023a, Table 10-4)

Operational Noise Impact Analysis – Stationary Noise

Stationary (on-site) noise sources associated with long-term Project operation are expected to include loading dock activity, roof-top air conditioning units, trash enclosure activity, parking lot vehicle movements, and truck movements. The daytime and nighttime stationary noise levels associated with Project operation at nearby sensitive receptor locations (the same receptor locations used for the construction analysis, above) are summarized in Table 4-8, *Project Stationary Noise Summary*.

Table 4-8 Project Stationary Noise Summary

Receiver Location[1]	Project Operational Noise Levels (dBA L_{eq})[2]		Noise Level Standards (dBA L_{eq})[3]		Noise Level Standards Exceeded?[4]	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	49.2	49.2	70	65	No	No
R2	53.0	53.0	70	65	No	No
R3	45.8	45.7	70	65	No	No
R4	44.5	44.5	70	65	No	No
R5	45.4	45.3	70	65	No	No
R6	44.0	43.9	70	65	No	No

[1] See Figure 4-1 for the receiver locations.
[2] Proposed Project operational noise levels as shown on Tables 9-2 and 9-3 of *Appendix L*.
[3] Exterior noise level standards, as shown on Table 4-1 of *Appendix L*.
[4] Do the estimated Project operational noise source activities exceed the noise level standards?
"Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.
Source: (Urban Crossroads, 2023a, Table 9-4)

The maximum daytime hourly noise levels at off-site receiver locations are expected to range from 44.0 to 53.0 dBA L_{eq}, which would correspond to an increase above existing ambient noise levels of between 0.0 dBA L_{eq} (at receivers R4 and R5) and 3.8 dBA L_{eq} (at receiver R2) (Urban Crossroads, 2023a, p. 43). The maximum nighttime hourly noise levels at off-site receiver locations are expected to range from 43.9 to 53.0 dBA L_{eq}, which would correspond to an increase above existing ambient noise levels of between 0.0 dBA L_{eq} (at receivers R4 and R5) and 4.0 dBA L_{eq} (at receiver R2) (Urban Crossroads, 2023a, p. 44). Neither the daytime nor nighttime Project noise levels would exceed the applicable thresholds of significance (Urban Crossroads, 2023a, pp. 42-44). Project operational noise levels would be less than significant.

Operational Noise Impact Analysis – Traffic Noise

To evaluate off-site noise increases that could result from Project-related traffic, noise levels were modeled for the following traffic scenarios:

- Existing plus Project: This scenario evaluates a theoretical condition where the Project is added to traffic conditions that exist today, without considering ambient growth or cumulative development projects. Traffic noise conditions under this scenario were evaluated under interim traffic patterns (with the temporary improvements at the Foothill Boulevard and Beech Avenue intersection provided by the Project) and under long-term traffic patterns that would exist upon the City's completion of the planned Capital Improvement Program project to the Foothill Boulevard segment between Hemlock Avenue and Almeria Avenue.
- Opening Year: This scenario refers to the existing traffic noise conditions with expected ambient growth and cumulative development projects added to reflect projected roadway noise conditions at the time the Project becomes operational in the year 2024. Traffic noise conditions under this scenario were evaluated under interim traffic patterns (with the temporary improvements at the Foothill Boulevard and Beech Avenue intersection provided by the Project) and under long-term traffic patterns that would exist upon

the City's completion of the planned Capital Improvement Program project to the Foothill Boulevard segment between Hemlock Avenue and Almeria Avenue.

Traffic noise contours and noise levels were established based on existing and projected future traffic conditions on off-site roadway segments within the Project's study area, and do not take into account the effect of any existing noise barriers or topography that may affect ambient noise levels. Refer to the Project's Noise Impact Analysis (see *Technical Appendix L*) for a detailed description of the methodology and thresholds of significance used to evaluate the Project's traffic-related noise effects.

Tables 4-9 (interim) and 4-10 (long-term) summarize existing noise levels along Project study area roadway segments and noise levels with the addition of Project traffic. Under this analysis scenario, the Project would result in a noise increase of between 0.0 to 0.3 dBA along study area intersections with interim traffic patterns and between 0.0 to 0.2 dBA with long-term traffic patterns, which would not exceed the applicable significance thresholds. Therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels under Existing plus Project traffic conditions and Project-related impacts would be less than significant.

Table 4-9 Existing Plus Project Traffic Noise Level Summary (Interim)

Road	Segment	Receiving Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Incremental Noise Level Increase Threshold[3]	
			No Project	With Project	Project Increment	Limit	Exceeded?
Cherry Av.	n/o Foothill Bl. (SR-66)	Non-Sensitive	74.6	74.7	0.1	1.5	No
Cherry Av.	s/o Foothill Bl. (SR-66)	Sensitive	74.4	74.5	0.1	1.5	No
Redwood Av.	s/o Foothill Bl. (SR-66)	Sensitive	66.4	66.4	0.0	1.5	No
Hemlock Av.	s/o Foothill Bl. (SR-66)	Sensitive	63.9	63.9	0.0	3.0	No
Almeria Av.	n/o Foothill Bl. (SR-66)	Sensitive	67.1	67.2	0.1	1.5	No
Citrus Av.	n/o Foothill Bl. (SR-66)	Sensitive	73.5	73.6	0.1	1.5	No
Citrus Av.	s/o Foothill Bl. (SR-66)	Sensitive	73.9	74.0	0.1	1.5	No
Foothill Bl. (SR-66)	w/o Cherry Av.	Sensitive	74.9	74.9	0.0	1.5	No
Foothill Bl. (SR-66)	e/o Cherry Av.	Non-Sensitive	74.9	75.2	0.3	1.5	No
Foothill Bl. (SR-66)	w/o Hemlock Av.	Sensitive	74.4	74.6	0.2	1.5	No
Foothill Bl. (SR-66)	e/o Hemlock Av.	Sensitive	74.6	74.8	0.2	1.5	No
Foothill Bl. (SR-66)	e/o Beech Av.	Sensitive	74.4	74.5	0.1	1.5	No
Foothill Bl. (SR-66)	w/o Citrus Av.	Non-Sensitive	74.5	74.6	0.1	1.5	No
Foothill Bl. (SR-66)	e/o Citrus Av.	Sensitive	74.4	74.4	0.0	1.5	No

[1] Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2] The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3] Does the Project create an incremental noise level increase exceeding the significance criteria?
Source: (Urban Crossroads, 2023d, Table 1)

Table 4-10 Existing Plus Project Traffic Noise Level Summary (Long-Term)

Road	Segment	Receiving Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Incremental Noise Level Increase Threshold[3]	
			No Project	With Project	Project Increment	Limit	Exceeded?
Cherry Av.	n/o Foothill Bl. (SR-66)	Non-Sensitive	74.6	74.7	0.1	1.5	No
Cherry Av.	s/o Foothill Bl. (SR-66)	Sensitive	74.4	74.5	0.1	1.5	No
Redwood Av.	s/o Foothill Bl. (SR-66)	Sensitive	66.4	66.4	0.0	1.5	No
Hemlock Av.	s/o Foothill Bl. (SR-66)	Sensitive	63.9	63.9	0.0	3.0	No
Almeria Av.	n/o Foothill Bl. (SR-66)	Sensitive	67.1	67.2	0.1	1.5	No
Citrus Av.	n/o Foothill Bl. (SR-66)	Sensitive	73.5	73.6	0.1	1.5	No
Citrus Av.	s/o Foothill Bl. (SR-66)	Sensitive	73.9	74.0	0.1	1.5	No
Foothill Bl. (SR-66)	w/o Cherry Av.	Sensitive	74.9	74.9	0.0	1.5	No
Foothill Bl. (SR-66)	e/o Cherry Av.	Non-Sensitive	74.9	75.1	0.2	1.5	No
Foothill Bl. (SR-66)	w/o Hemlock Av.	Sensitive	74.4	74.6	0.2	1.5	No
Foothill Bl. (SR-66)	e/o Hemlock Av.	Sensitive	74.6	74.8	0.2	1.5	No
Foothill Bl. (SR-66)	e/o Beech Av.	Sensitive	74.4	74.5	0.1	1.5	No
Foothill Bl. (SR-66)	w/o Citrus Av.	Non-Sensitive	74.5	74.6	0.1	1.5	No
Foothill Bl. (SR-66)	e/o Citrus Av.	Sensitive	74.4	74.4	0.0	1.5	No

[1] Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2] The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3] Does the Project create an incremental noise level increase exceeding the significance criteria?
Source: (Urban Crossroads, 2023a, Table 7-5)

Tables 4-11 (interim) and 4-12 (long-term) presents a comparison of existing noise levels (with ambient growth) along Project study area roadway segments and the noise levels that result with addition of Project traffic. Under this Opening Year scenario, the Project would result in a noise increase of between 0.0 to 0.2 dBA to adjacent roadway segments with both interim and long-term traffic patterns, which would not exceed the applicable significance thresholds. Therefore, the Project's contribution to off-site traffic noise would not result in a substantial permanent increase in ambient noise levels under Opening Year traffic conditions and Project-related impacts would be less than significant.

Table 4-11 Opening Year Traffic Noise Level Summary (Interim)

Road	Segment	Receiving Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Incremental Noise Level Increase Threshold[3]	
			No Project	With Project	Project Increment	Limit	Exceeded?
Cherry Av.	n/o Foothill Bl. (SR-66)	Non-Sensitive	75.2	75.2	0.0	1.5	No
Cherry Av.	s/o Foothill Bl. (SR-66)	Sensitive	74.9	75.0	0.1	1.5	No
Redwood Av.	s/o Foothill Bl. (SR-66)	Sensitive	66.7	66.7	0.0	1.5	No
Hemlock Av.	s/o Foothill Bl. (SR-66)	Sensitive	64.3	64.3	0.0	3.0	No
Almeria Av.	n/o Foothill Bl. (SR-66)	Sensitive	67.9	67.9	0.0	1.5	No
Citrus Av.	n/o Foothill Bl. (SR-66)	Sensitive	73.9	73.9	0.0	1.5	No
Citrus Av.	s/o Foothill Bl. (SR-66)	Sensitive	74.2	74.3	0.1	1.5	No
Foothill Bl. (SR-66)	w/o Cherry Av.	Sensitive	75.6	75.6	0.0	1.5	No
Foothill Bl. (SR-66)	e/o Cherry Av.	Non-Sensitive	76.1	76.2	0.1	1.5	No
Foothill Bl. (SR-66)	w/o Hemlock Av.	Sensitive	74.8	75.0	0.2	1.5	No
Foothill Bl. (SR-66)	e/o Hemlock Av.	Sensitive	75.3	75.5	0.2	1.5	No
Foothill Bl. (SR-66)	e/o Beech Av.	Sensitive	75.1	75.2	0.1	1.5	No
Foothill Bl. (SR-66)	w/o Citrus Av.	Non-Sensitive	75.4	75.4	0.0	1.5	No
Foothill Bl. (SR-66)	e/o Citrus Av.	Sensitive	75.2	75.2	0.0	1.5	No

[1] Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2] The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3] Does the Project create an incremental noise level increase exceeding the significance criteria?
Source: (Urban Crossroads, 2023d, Table 2)

Table 4-12 Opening Year Traffic Noise Level Summary (Long-Term)

Road	Segment	Receiving Land Use[1]	CNEL at Receiving Land Use (dBA)[2]			Incremental Noise Level Increase Threshold[3]	
			No Project	With Project	Project Increment	Limit	Exceeded?
Cherry Av.	n/o Foothill Bl. (SR-66)	Non-Sensitive	75.2	75.2	0.0	1.5	No
Cherry Av.	s/o Foothill Bl. (SR-66)	Sensitive	74.9	75.0	0.1	1.5	No
Redwood Av.	s/o Foothill Bl. (SR-66)	Sensitive	66.7	66.7	0.0	1.5	No
Hemlock Av.	s/o Foothill Bl. (SR-66)	Sensitive	64.3	64.3	0.0	3.0	No
Almeria Av.	n/o Foothill Bl. (SR-66)	Sensitive	67.9	67.9	0.0	1.5	No
Citrus Av.	n/o Foothill Bl. (SR-66)	Sensitive	73.9	73.9	0.0	1.5	No
Citrus Av.	s/o Foothill Bl. (SR-66)	Sensitive	74.2	74.3	0.1	1.5	No
Foothill Bl. (SR-66)	w/o Cherry Av.	Sensitive	75.6	75.6	0.0	1.5	No
Foothill Bl. (SR-66)	e/o Cherry Av.	Non-Sensitive	76.1	76.2	0.1	1.5	No
Foothill Bl. (SR-66)	w/o Hemlock Av.	Sensitive	74.8	75.0	0.2	1.5	No
Foothill Bl. (SR-66)	e/o Hemlock Av.	Sensitive	75.3	75.5	0.2	1.5	No
Foothill Bl. (SR-66)	e/o Beech Av.	Sensitive	75.2	75.2	0.0	1.5	No
Foothill Bl. (SR-66)	w/o Citrus Av.	Non-Sensitive	75.4	75.4	0.0	1.5	No
Foothill Bl. (SR-66)	e/o Citrus Av.	Sensitive	75.2	75.2	0.0	1.5	No

[1] Based on a review of existing aerial imagery. Noise sensitive uses limited to existing residential land uses.
[2] The CNEL is calculated at the boundary of the right-of-way of each roadway and the property line of the receiving land use.
[3] Does the Project create an incremental noise level increase exceeding the significance criteria?
Source: (Urban Crossroads, 2023a, Table 7-6)

b) **Less than Significant Impact.** As demonstrated by the analysis below, implementation of the Project would not result in the generation of excessive groundborne vibration or groundborne noise.

Construction Analysis

Table 4-11, *Project Construction Vibration Levels*, summarizes Project construction vibration levels at the modeled receiver locations. As shown, all receiver locations in the vicinity of the Project Site would be exposed to vibration levels that fall below the City's significance threshold (i.e., 0.3 in/sec peak particle velocity [PPV]) (Urban Crossroads, 2023a, p. 52). Accordingly, Project construction would not generate temporary, excessive groundborne vibration or noise levels and a less-than-significant impact would occur.

Operational Analysis

Under long-term conditions, expected operational activities at the Project Site would not include or require equipment, facilities, or activities that would result in perceptible ground-borne vibration. Trucks would travel to and from the Project Site on surrounding roadways; however, vibration and groundborne noise levels for heavy trucks operating at the posted speed limits on smooth, paved surfaces – as is expected on the Project Site and surrounding roadways is minimal. Accordingly, Project operation would not generate excessive groundborne vibration or groundborne noise levels and impacts would be less than significant.

Table 4-11 Project Construction Vibration Levels

Receiver[1]	Distance to Const. Activity (Feet)[2]	Typical Construction Vibration Levels PPV (in/sec)[3]						Thresholds PPV (in/sec)[4]	Thresholds Exceeded?[5]
		Small bulldozer	Jackhammer	Loaded Trucks	Large bulldozer	Vibratory Roller	Highest Vibration Level		
R1	88'	0.000	0.005	0.012	0.013	0.032	0.032	0.3	No
R2	130'	0.000	0.003	0.006	0.008	0.018	0.018	0.3	No
R3	772'	0.000	0.000	0.000	0.001	0.001	0.001	0.3	No
R4	852'	0.000	0.000	0.000	0.000	0.001	0.001	0.3	No
R5	737'	0.000	0.000	0.000	0.001	0.001	0.001	0.3	No
R6	332'	0.000	0.001	0.002	0.002	0.004	0.004	0.3	No

[1] Receiver locations are shown on Figure 4-1.
[2] Distance from receiver location to Project construction boundary (Project site boundary).
[3] Based on the Vibration Source Levels of Construction Equipment (Table 10-4 of *Appendix L*).
[4] Caltrans Transportation and Construction Vibration Guidance Manual, April 2020, Table 19, p. 38.
[5] Does the peak vibration exceed the acceptable vibration thresholds?
"PPV" = Peak Particle Velocity
Source: (Urban Crossroads, 2023a, Table 10-6)

c) **No Impact.** The Project Site is not located within two miles of a public airport or within an airport land use plan. The closest airport is the Ontario International Airport located roughly 6.6 miles southwest of the Project Site. As such, the Project Site would not be exposed to excessive noise levels from airport operations, and therefore, no impact would occur.

4.14 POPULATION AND HOUSING

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

a) **Less than Significant Impact.** The Project Applicant would develop the Project Site with employment generating land uses. The Project Site is located in an area of Fontana that is already developing with employment land uses and the Project Site is already planned for employment land uses by the Fontana General Plan. Accordingly, development of the Project would sustain the ongoing trend of the development of employment land uses in the Project area (and the larger City of Fontana) and would not generate job growth that substantially exceeds what was already anticipated by the City in their General Plan or by the Southern California Association of Governments' (SCAG) 2040 employment projections for the City of Fontana (which are based on the assumption of buildout of the General Plan). Additionally, the Project Site is located in an area of Fontana that is served by existing roadways and public utility infrastructure and the Project would not require the extension or expansion of any infrastructure beyond what is needed to service the Project (and which is already anticipated by local master plans). Accordingly, implementation of the Project would not induce direct or indirect substantial unplanned growth in the area and impacts would be less than significant.

b) **No Impact.** The Project Site does not contain any residential structures and no people live on the Project Site under existing conditions. Accordingly, implementation of the Project would not displace substantial numbers of existing housing or people and would not necessitate the construction of replacement housing elsewhere. No impact would occur.

4.15 PUBLIC SERVICES

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) 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 would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

a. i) **Less than Significant Impact.** Under existing conditions, the Project Site receives fire protection services from the Fontana Fire Protection District (FFPD) via Station 73 through a contract with the San Bernardino County Fire Department. Station 73 is located at 8143 Banana Avenue, Fontana, CA 92335, approximately 1.4 roadway miles to the west of the Project Site (Google Earth, 2022). The City of Fontana Community Development Department, Planning Division forwarded the Project's application materials to the FFPD for review and comment and the City has determined that the Project can be adequately served by fire protection services and that the incremental increase in the demand for FFPD services would not result in or require new or expanded fire protection facilities in order to maintain acceptable service ratios, response times, or other performance objectives. Furthermore, the Project's land uses are consistent with the City of Fontana General Plan Land Use Map and the EIR for the City's General Plan concluded that implementation of the General Plan Land Use Map would neither result in significant adverse effects on the FFPD's ability to provide adequate fire protection services in the City nor preclude implementation of the FFPD's Strategic Plan (City of Fontana, 2018b, pp. 5.12-5 to 5.12-7).

Although the Project would not result in the need for new or expanded fire protection facilities, as a standard condition of approval, the Project Applicant/Developer or Project Site owner would be required to pay impact fees for fire protection services in accordance with Section 21-122 of the Fontana Municipal Code. The City will collect Development Impact Fees (DIF) for the Project based on building square footage. The Project's payment of DIF fees, as well as increased property tax revenues that would result from development of the Project, would be used by the City to help pay for fire protection services and other public services.

The Project would incorporate fire prevention and fire suppression design features to minimize the potential demand placed on the FFPD. The proposed building would be of concrete tilt-up construction. Concrete is non-flammable and concrete tilt-up buildings have a lower fire hazard risk than typical wood-frame

construction. The Project also would install fire hydrants on-site – and the FFPD will assign a condition of approval to the Project to ensure proper spacing of hydrants on-site to provide adequate coverage – and would provide paved primary and secondary emergency access to the Project Site to support the FFPD in the event fire suppression activities are needed on-site. Lastly, the proposed warehouse buildings would feature a fire alarm system and ceiling-mounted sprinklers to facilitate fire suppression.

Based on the foregoing, the proposed Project would receive adequate fire protection service and would not result in the need for new or physically altered fire protection facilities. Impacts to fire protection facilities would be less than significant.

a. ii) **Less than Significant Impact.** The Project Site receives police protection services from the Fontana Police Department (FPD). The Project would introduce a new building, employees, and visitors to the Project Site, which would result in an incremental increase in demand for police protection services. The City of Fontana Community Development Department, Planning Division forwarded the Project's application materials to the FPD for review and comment, and the City has determined that the Project would not necessitate or result in the construction of new or physically altered police facilities. Furthermore, the Project's land uses are consistent with the City of Fontana General Plan Land Use Map and the EIR for the City's General Plan concluded that implementation of the General Plan Land Use Map would not result in significant adverse effects on the FPD's ability to provide adequate police protection services in the City (City of Fontana, 2018b, pp. 5.12-1 to 5.12-4). Additionally, and pursuant to Fontana Municipal Code Section 21-122, the Project would be subject to payment of DIF fees. Furthermore, property tax revenues generated from development of the Site would provide funding to offset potential increases in the demand for police services at Project build-out. The City of Fontana uses DIF fees and property tax revenues to help pay for police protection needs and other public services (City of Fontana, 2022, Section 21-122).

Because Project implementation would not result in or require new or expanded police protection facilities and because the Project is required to contribute appropriate DIF fees to offset the Project's increased demand for police protection services, the Project's impacts to police protection services would be less than significant.

a. iii) **Less than Significant Impact.** Implementation of the Project would not create a direct demand for public school services, as the Project Site would contain non-residential uses that would not generate any school-aged children requiring public education. The addition of employment-generating uses on the Project Site would assist the City in achieving its goal to provide a better jobs/housing balance within the City (allowing more City residents to work within the City rather than commute elsewhere). Thus, the Project is not expected to draw a substantial number of new residents to the region and would therefore not indirectly generate new school-aged students in the City requiring public education. Because the Project would not directly generate students and is not expected to indirectly draw students to the area, the Project would not cause or contribute to a need to construct new or physically altered public school facilities. Although the Project would not create a demand for additional public-school services, the Project Applicant would be required to contribute development impact fees to the Fontana Unified School District in compliance with California Senate Bill 50 (Greene), which allows school districts to collect fees from new developments to offset the costs associated with increasing school capacity needs. Mandatory payment of school fees would be required prior to the issuance of a building permit. With mandatory payment of fees in accordance with California Senate Bill 50, impacts to public schools would be less than significant.

a. iv) **No Impact.** The Project does not propose to construct any new on- or off-site recreation facilities. Additionally, the Project would not expand any existing off-site recreational facilities. In addition, the Project

does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the Project would not result in environmental effects related to the construction or expansion of recreational facilities or the increased use or substantial physical deterioration of an existing neighborhood or regional park. No impact would occur.

a. v) **No Impact.** The Project is not expected to result in a demand for other public facilities/services, including libraries, post offices, public health facilities, and/or animal shelters. As such, implementation of the Project would not adversely affect other public facilities or require the construction of new or modified public facilities. No impact would occur.

4.16 RECREATION

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒

a) **No Impact.** The Project does not propose any type of residential use or other land use that may generate a population that would increase the use of existing neighborhood and regional parks or other recreational facilities. Accordingly, implementation of the proposed Project would not result in the increased use or substantial physical deterioration of an existing neighborhood or regional park. No impact would occur.

b) **No Impact.** The Project does not include the construction of any new on- or off-site recreation facilities. The Project would not expand any existing off-site recreational facilities. Therefore, environmental effects related to the construction or expansion of recreational facilities would not occur with implementation of the proposed Project. No impact would occur.

4.17 TRANSPORTATION

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3 or conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☐	☒

The California Natural Resources Agency adopted changes to the CEQA Guidelines in December 2018 that require vehicle miles traveled (VMT) to be used as the metric to evaluate a project's transportation impacts as of July 1, 2020. Pursuant to CEQA Guidelines Section 15064.3(a), automobile delay, as measured by level of service (LOS) and other similar metrics, no longer constitute a significant environmental effect under CEQA. Lead agencies in California are required to use VMT to evaluate project-related transportation impacts. The VMT analysis for the Project is provided within a report ("Traffic Study") that was prepared by Urban Crossroads in conformance with the City of Fontana's *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* (October 21, 2020). The Traffic Study for the Project is provided as *Appendices M1* and *M2* to this MND.

a) **Less Than Significant Impact.** This response provides an analysis of a project's potential to conflict with plans, programs, ordinances, or policies that address the circulation system, including transit, roadway, bicycle, and pedestrian facilities. A project that generally conforms with, and does not obstruct, applicable development plans, programs, ordinances, and policies is considered to be consistent. The transportation plans, policies, programs, ordinances, and standards that are relevant to the Project are identified in the analysis below.

Connect SoCal

The fundamental goals of SCAG's *Connect SoCal* are to make the SCAG region a better place to live, work, and play for all residents regardless of race, ethnicity, or income class. As indicated below, implementation of the Project would not conflict with the goals and policies of SCAG's regional planning program that are applicable to the Project and related to vehicular and non-vehicular circulation. As such, Project impacts would be less than significant.

Goal 2: Improve mobility, accessibility, reliability, and travel safety for people and goods.
No component of the Project would alter, modify, or obstruct local transportation facilities in a manner that would adversely affect the mobility, accessibility, or reliability of the local transportation network. As discussed under Response 4.17(c), the Project would not result in a substantial safety hazard to motorists. Additionally, the proposed building – as an indoor storage facility in close proximity to State highway facilities – would facilitate the mobility and reliability of the movement of goods throughout the region. The Project would not conflict with this goal from *Connect SoCal.*

Goal 3: Enhance the preservation, security, and resilience of the regional transportation system.
The Project would not conflict with the City's transportation network or the City's coordination with other agencies. The Project contributes to and would be consistent with planned land use and growth assumptions in the City of Fontana, as anticipated by the General Plan. The Project Applicant would pay applicable development impact fees that would fund additional local traffic improvements and maintenance of roadway infrastructure in the Project area. The Project would not conflict with this goal from *Connect SoCal.*

Goal 4: Increase person and goods movement and travel choices within the transportation system.
The Project involves development of an industrial building within a developing industrial area on a property that abuts a designated City truck route in proximity to the State highway system, which would facilitate goods movement locally and within the region. The Project provides for the extension of Beech Avenue to the Project Site, including the installation of a sidewalk on the west side of the street. The Project provides on-site bicycle parking facilities and no component of the Project would obstruct or prevent the use of the Pacific Electric Trail segment that abuts the Project Site or existing transit stops along Foothill Boulevard in proximity to Beech Avenue. Accordingly, the Project would ensure that multiple travel choices are available for future employees. The Project would not conflict with this goal from *Connect SoCal.*

Fontana General Plan
The following provides an analysis of the Project's consistency with applicable goals and policies of the Fontana General Plan that focus on connecting neighborhoods and City destinations by expanding transportation choices within the City. Many of the goals and policies applicable to the Project are found in the Community Mobility and Circulation Element; however, several applicable goals and policies also are found in the Land Use, Zoning, and Urban Design Element. As indicated in the analysis below and on the following pages, the Project would not conflict with any applicable General Plan policies addressing the circulation system. As such, Project impacts would be less than significant.

Community Mobility and Circulation Element

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.

The Project would not alter the vehicular travel way for Foothill Boulevard and, thus, would not affect Foothill Boulevard's' ability to serve adjacent land uses. The Project would extend Beech Avenue from Foothill Boulevard to just south of the Pacific Electric Trail where it would end in a cul-de-sac on the eastern side of the Project Site. As discussed in detail in in response 4.17(c) below, the Project would not introduce incompatible uses or design hazards that would result in safety hazards to cars, pedestrians, or bicyclists. The Project would not conflict with this General Plan 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.

As noted above under the consistency discussion for *Connect SoCal* provided above, implementation of the Project would not conflict with the goals and policies of SCAG's regional planning program. Further, the Project would provide for the construction of a sidewalk along the western side of the extended Beech Avenue, thereby preserving and promoting local opportunities for walking and bicycling. The Project would not conflict with this General Plan 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.

The Project would not result in any modifications to the vehicle travel way for Foothill Boulevard. The Project would extend Beech Avenue from Foothill Boulevard to just south of the Pacific Electric Trail where it would end in a cul-de-sac on the eastern side of the Project Site. The Project would provide for the construction of a sidewalk along the western side of the extended Beech Avenue and the Project would not introduce any hazards or obstacles within the right-of-way, thereby ensuring this sidewalk remains safe and accessible for pedestrians. Lastly, ramps provided at Project driveway connecting to Beech Avenue would meet Americans with Disabilities Act (ADA) requirements to ensure that safe and accessible paths of travel are available for pedestrians that utilize mobility devices. The Project would not conflict with this General Plan policy.

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.

Truck traffic accessing/exiting the Project Site would utilize Foothill Boulevard, which is a designated City of Fontana truck route. Project-related traffic would utilize Foothill Boulevard to access I-15 to the west or I-215 to the east. Accordingly, Project-related truck traffic is expected to solely utilize City truck routes between the Project Site and the State highway system rather than utilizing streets within local residential or commercial areas. The Project would not conflict with this General Plan 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: Maximize the accessibility, safety, convenience, and appeal of transit service and transit stops.

Omnitrans provides public transit service within the City of Fontana. Under existing conditions, Omnitrans operates Route 66 along Foothill Boulevard with a stop at Foothill Boulevard and Beech Avenue. The Project would not result in an impact to the existing transit stop along its frontage and would not introduce any improvements within the right-of-way that would hinder the operations of Route 66. Accordingly, the Project would not affect the accessibility of transit service or the safety of transit stops adjacent to the Project Site. The Project would not conflict with this General Plan policy.

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.

The Project's site plan provides motor vehicle parking and bicycle parking that conforms to the applicable requirements of the City's Zoning and Development Code. The Project would not conflict with this General Plan policy.

Land Use, Zoning and Urban Design Element

Goal 2: Fontana development patterns support a high quality of life and economic prosperity.

Policy: Locate industrial uses where there is easy access to regional transportation routes.

The Project Site is located 0.1-mile north of Foothill Boulevard, a designated City of Fontana truck route, that would provide direct access to/from the Site from I-15 and I-215. The Project would not conflict with this General Plan policy.

Goal 5: High-quality job producing industrial uses are concentrated in a few locations where there is easy access to regional transportation routes.

Policy: Promote the Southwest Industrial Park and the I-10 corridor as preferred locations for industrial uses.

The Project Site is located 2.7 miles north of I-10. The Project Site is located 0.1-mile north of Foothill Boulevard, a city designated truck route, and 3.4 miles west of I-15. Although the Project Site is not within the I-10 corridor, it is located in an area with easy access to regional transportation routes. Additionally, the Project is consistent with the land use designation for the property. The Project would not conflict with this General Plan policy.

Fontana Active Transportation Plan

The following provides an analysis of the Project's consistency with applicable goals and policies of the City of Fontana's *Active Transportation Plan*. As indicated in the analysis below and on the following pages, the Project would not conflict with any applicable *Active Transportation Plan* goals and policies addressing the circulation system. As such, Project impacts would be less than significant.

Goal 1 MOBILITY & ACCESS: Increase and improve pedestrian and bicyclist access to employment centers, schools, transit, recreation facilities, other community destinations across the City of Fontana, and facilities in neighboring cities for people of all ages and abilities.

Objective 1.A: Reduce vehicle miles traveled (VMT) by 4% by 2035.

The City's *Traffic Impact Analysis Guidelines for Vehicles Miles Traveled and Level of Service Assessment* ("Traffic Analysis Guidelines") establish a "zero net increase" significance threshold for VMT within the City of Fontana. Pursuant to the Traffic Analysis Guidelines, small development projects, which are defined as projects that generate 500 or fewer net daily traffic trips, would clearly generate minimal VMT within the City that would not substantially influence or increase VMT within the City. As described in detail under the response 4.17(b), the Project is classified as a small development project for purposes of VMT evaluation because it would generate fewer than 500 net daily traffic trips. Accordingly, the Project is considered to not substantially influence or increase VMT within the City. The Project would not conflict with this objective or obstruct the City from achieving this objective.

Objective 1.B: Reduce barriers to pedestrian and bicyclist travel.

The Project proposes to construct a sidewalk on the west side of the extended Beech Avenue segment and would provide bicycle parking facilities, thereby preserving and promoting local opportunities for walking and bicycling. The Project would not conflict with this objective from the *Active Transportation Plan*.

GOAL 3 INFRASTRUCTURE & SUPPORT FACILITIES: Maintain and improve the quality, operation, and integrity of the pedestrian and bicycle network infrastructure that allows for convenient and direct connections throughout Fontana. Increase the number of high-quality support facilities to complement the network, and create public pedestrian and bicycle environments that are attractive, functional, and accessible to all people.

Objective 3.A: Incorporate pedestrian and bicycle facilities and amenities into private and public development projects.

The Project proposes to construct a sidewalk along the west side of the extended Beech Avenue and would provide bicycle parking facilities, thereby preserving and promoting local opportunities for walking and bicycling. The Project would not conflict with this objective from the *Active Transportation Plan*.

Objective 3.B: Provide and maintain walkways and bikeways that are clean, safe, and attractive in accordance with Americans with Disabilities Act (ADA) and Public Right of Way Accessibility Guidelines (PROWAG) guidelines.

The Project proposes to construct a sidewalk along the west side of the extended Beech Avenue and the Project would not introduce any hazards or obstacles within the right-of-way, thereby ensuring this sidewalk would be safe and accessible for pedestrians. Lastly, ramps provided at Project driveway connecting to Beech Avenue would meet Americans with Disabilities Act (ADA) requirements to ensure that safe and accessible paths of travel are available for pedestrians that utilize mobility devices. The Project would not conflict with this objective from the *Active Transportation Plan*.

b) **Less Than Significant Impact.** The Project's traffic was evaluated against screening criteria to determine if it could be determined that the Project would not generate substantial vehicle miles traveled (VMT) – and, therefore, be consistent with CEQA Guidelines Section 15064.3(b) – or if additional analysis was needed to determine the potential significance of Project-related VMT. The screening criteria used in the Project analysis are established in the City's *Traffic Impact Analysis Guidelines*. Pursuant to the *Traffic Impact Analysis Guidelines*, development projects that include employment land uses and generate less than 500 actual daily vehicle trips are considered to have a less than significant impact related to VMT. The Project is calculated to generate 426 actual daily vehicle trips and, thus, would result in a less-than-significant environmental impact related to VMT (Urban Crossroads, 2023b, pp. 11 and 31). Accordingly, and consistent with the evaluation criteria established by the City's *Traffic Impact Analysis Guidelines*, implementation of the Project would not generate excessive VMT and, therefore, would not conflict with or be inconsistent with CEQA Guidelines section 15064.3(b). The Project would result in a less than significant impact related to VMT.

There are no San Bernardino County Congestion Management Plan (CMP) arterial roadways adjacent to the Project Site and the Project would neither generate 250 or more peak hour trips nor send 50 or more peak hour trips to a State highway facility (Urban Crossroads, 2023b, pp. 6, 31). As such, the Project would not be considered a major traffic generator pursuant to the San Bernardino County CMP's traffic impact analysis guidelines and is not expected to substantially affect the performance of the CMP circulation network. The CMP's land use and travel demand management goals and policies are directed to local and regional public agencies and none would be directly applicable to the Project. Notwithstanding, the Project does not include any component that would prevent or obstruct the implementation of the CMP's goals and policies. Accordingly, the Project would not conflict with the applicable congestion management plan and no impact would occur.

c) **Less than Significant Impact.** The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic observed along study area roadways under existing conditions. All proposed improvements within the public right-of-way would be installed in conformance with City design standards. If any component of Project construction would occur in the public right-of-way and require the partial or full closure of a sidewalk and/or travel lane, all work would be required to adhere to the applicable construction control practices that are specified in the *State of California Department of Transportation Construction Manual*, dated January 2021 and published by Caltrans, to minimize potential safety hazards. The City reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced within the City public right-of-way through implementation of the Project. Based on the foregoing information, the Project's construction and operation would not create or substantially increase safety hazards due to a design feature or incompatible use. Impacts would be less than significant.

d) **No Impact.** The City reviewed the Project's site plan drawings and confirmed that the Project would provide adequate access to and from the Project Site and within the Project Site for emergency vehicle response. The types of traffic generated during operation of the Project (i.e., passenger cars and trucks) would be compatible with the type of traffic observed along surrounding roadways under existing conditions. In addition, all proposed improvements within the public right-of-way would be installed in conformance with City design standards. The City reviewed the Project's application materials and determined that no hazardous transportation design features would be introduced through implementation of the Project. Accordingly, the Project's construction and operation would not create or substantially increase safety hazards due to a design feature or incompatible use. No impact would occur.

4.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☐	☒	☐	☐

a.i & a.ii) **Less than Significant Impact with Mitigation Incorporated.** To be eligible for the California Register of Historic Places (Pub. Res. Code 5024.1, Title 14 CCR, Section 4852), a resource must include the following:

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

(B) Is associated with the lives of persons important in our past;

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

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

No prehistoric resource sites, features, places, or landscapes were identified on the Project Site that meet any of the four criteria listed above to be eligible for the California Register and no prehistoric resource sites or isolates were found on the Project Site (BSFA, 2022a, pp. 1.0-18 and 3.0-1). Furthermore, no substantial evidence was presented to or found by the City of Fontana that led to the identification of any resources on the Project Site that in the City's discretion had the potential to be considered a tribal cultural resource.

As part of the AB 52 consultation process required by State law, the City sent notification of the Project to Native American tribes with possible traditional or cultural affiliation to the Project area. The City consulted with each tribe that requested consultation and consultation was closed on June 1, 2023. During the course of

the tribal consultation process, during which only one tribe responded to the City, no evidence indicating that tribal cultural resources, as defined in Public Resources Code Section 21074, are present on the Project Site or have been found previously on the Project Site. Notwithstanding, due to the Project Site's location in an area where Native American tribes are known to have a cultural affiliation, the responding tribe indicated that there is the possibility that prehistoric archaeological resources – including tribal cultural resources – could be encountered during ground-disturbing construction activities. Were a tribal cultural resource, as defined in Public Resources Code Section 21074, to be found on the Project Site during construction – and not protected – a significant impact would occur. The responding tribe requested that a monitoring program be implemented during grading as mitigation for this potential impact.

Implementation of MM CR-1 (previously identified under Section 4.5) would ensure the proper identification and subsequent treatment of any significant tribal cultural resources that may be encountered during ground-disturbing activities associated with Project development. With implementation of the required mitigation, the Project's potential impact to significant tribal cultural resources would be reduced to less than significant.

4.19 UTILITIES AND SERVICE SYSTEMS

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

a) **Less than Significant Impact.** The Project would construct an on-site network of water and sewer pipes and stormwater facilities that would run beneath Beech Avenue and connect to existing water, sewer, and storm drain lines beneath Foothill Boulevard. The Project also would install connections to existing electricity, and communications infrastructure that already exist in the area, and all such connections would be accomplished in conformance with the rules and standards enforced by the applicable service provider. The Project Applicant does not anticipate the need to provide natural gas service to the Project Site (although Project natural gas usage was assumed in the air quality, energy, and greenhouse gas analyses presented earlier in the MND as a conservative measure). The construction of proposed utility improvements has the potential to result in environmental effects associated with short-term air pollutant emissions, noise emissions, water quality effects, and traffic movement disruptions, as well as potential impacts to biological resources and cultural resources that are an inherent part of the Project's construction process. However, these impacts already were included in the construction-level impact analysis provided under Sections 4.3, 4.4, 4.5, 4.7, 4.10, 4.13, and 4.17 of this MND and, where significant construction-related impacts are identified under these sections, feasible and enforceable mitigation measures are imposed by this MND to reduce the Project's impacts to less than significant levels. There are no significant environmental impacts specifically related to the construction of the Project's proposed utility connections/improvements.

b) **Less than Significant Impact.** The Fontana Water Company (FWC) is responsible for supplying potable water to the Project Site and its surrounding area. As discussed in FWC's *2020 Urban Water Management Plan*, herein incorporated by reference as the "UWMP," adequate water supplies are projected to be available to meet the estimated water demand for the FWC's service area through at least 2045 under normal, historic single-dry and historic multiple-dry year conditions (FWC, 2021, pp. 7-5 through 7-8). FWC forecasts for projected water demand are based on the population and growth projections of the Southern California Association of Governments (SCAG), which rely on the adopted land use designations contained within the general plans that cover the geographic area within FWC's service. Because the Project would be consistent with the City of Fontana General Plan land use designation for the Project Site, the water demand associated with the Project was considered in the demand anticipated by the *2020 UWMP* and analyzed therein. As stated above, the FWC expects to have adequate water supplies to meet all its demands until at least 2045; therefore, the FWC has sufficient water supplies available to serve the Project from existing entitlements/resources and no new or expanded entitlements are needed. The Project's impact would be less than significant.

c) **Less than Significant Impact.** The Project is calculated to generate 19,140 gallons per day (gpd) of wastewater (2,200 gpd/acre × 8.4 acres = 18,480 gpd). Wastewater generated by the Project would be treated by IEUA's RP-1 or RP-4 wastewater treatment plants. The RP-1 facility has an existing treatment capacity of approximately 44 million gallons of wastewater per day and treats approximately 28 million gallons of wastewater per day on average; therefore, the RP-1 facility has approximately 16 million gallons (44 million gpd – 28 million gpd = 16 million gpd) of excess treatment capacity under existing conditions (IUEA, 2022a). The RP-4 facility has an existing treatment capacity of approximately 14 million gallons of wastewater per day and treats approximately 10 million gallons of wastewater per day on average; therefore, the RP-4 facility has approximately 4 million gallons (14 million gpd – 10 million gpd = 4 million gpd) of excess treatment capacity under existing conditions (IUEA, 2022b). The wastewater generated by the Project would only represent approximately 0.12 percent of the excess treatment capacity of RP-1 ([18,480 gpd ÷ 16 million gpd] × 100 = 0.12%) or approximately 0.46 percent of the excess treatment capacity of RP-4 ([18,480 gpd ÷ 4 million gpd] × 100 = 0.48%); therefore, it is anticipated that RP-1 and RP-4 have sufficient treatment capacity to provide service to the Project. The Project would not require the construction of new or expanded wastewater treatment facilities and would therefore result in less-than-significant impacts.

d) **Less than Significant Impact.** Implementation of the proposed Project would generate an incremental increase in solid waste volumes requiring off-site disposal during short-term construction and long-term operational activities. Solid waste generated by the Project would be disposed at the Mid-Valley Landfill. The Mid-Valley Landfill is permitted to receive 7,500 tons of refuse per day and has a total capacity of 101,300,000 cubic yards. According to CalRecycle, the Mid-Valley Landfill has a total remaining capacity of 61,219,377 cubic yards. The Mid-Valley Landfill is estimated to reach capacity, at the earliest time, in the year 2045. (CalRecycle, 2019) In August 2022, the peak daily disposal at the Mid-Valley Landfill was 4,389 tons, which correlates to an excess daily disposal capacity of 3,111 tons (CalRecycle, 2022).

Construction Impact Analysis

Solid waste requiring disposal would be generated by the construction process, primarily consisting of discarded materials and packaging. Based on the size of the Project (i.e., 168,760 s.f. building) and the United States Environmental Protection Agency's (U.S. EPA) construction waste generation factor of 4.34 pounds per s.f. for non-residential uses, approximately 366.2 tons of waste is expected to be generated during the Project's construction phase ([168,760 s.f. × 4.34 pounds per s.f.] ÷ 2,000 pounds per ton = 366.2 tons) (EPA, 2009, Table A-2). California Assembly Bill 939 (AB 939) requires that a minimum of 50% of all solid waste be diverted from landfills (by recycling, reusing, and other waste reduction strategies); therefore, the Project is

estimated to generate approximately 183.1 tons during its construction phase. The Project's construction phase is estimated to last for up to 347 days; therefore, the Project is estimated to generate approximately 0.53 tons of solid waste per day (183.1 tons ÷ 347 days = 0.53 tons per day) requiring landfill during construction.

Non-recyclable construction waste generated by the Project would be disposed at the Mid-Valley Landfill. As described above, this landfill receives well below its maximum permitted daily disposal volume; thus, the relatively minimal construction waste generated by the Project is not anticipated to cause the landfill to exceed its maximum permitted daily disposal volume. Furthermore, the Mid-Valley Landfill is not expected to reach its total maximum permitted disposal capacities during the Project's construction period. The Mid-Valley Landfill has sufficient daily capacity to accept solid waste generated by the Project's construction phase; therefore, impacts to landfill capacity associated with the Project's near-term construction activities would be less than significant.

Operational Impact Analysis

Based on a daily waste generation factor of 1.42 pounds of waste per 100 square feet of industrial building area obtained from CalRecycle, long-term, on-going operation of the Project would generate approximately 1.20 tons of solid waste per day ([[1.42 pounds ÷ 100 s.f.] × 168,760 s.f.] ÷ 2,000 pounds = 1.20 tons per day) (CalRecycle, n.d.). Pursuant to AB 939, at least 50 percent of the Project's solid waste is required to be diverted from landfills; therefore, the Project would generate a maximum of 0.6 tons of solid waste per day requiring landfilling (1.20 tons per day × 50% = 0.60 tons per day) (CalRecycle, 2018).

Non-recyclable solid waste generated during long-term operation of the Project would be disposed at the Mid-Valley Landfill. As described above, this landfill receives well below their maximum permitted daily disposal volume; thus, waste generated by the Project's operation is not anticipated to cause the landfill to exceed its maximum permitted daily disposal volume. Because the Project would generate a relatively small amount of solid waste per day as compared to the permitted daily capacities at the receiving landfill, impacts to the Mid-Valley Landfill facility during the Project's long-term operational activities would be less than significant.

e) **Less than Significant Impact.** The California Integrated Waste Management Act (AB 939), signed into law in 1989, established an integrated waste management system that focused on source reduction, recycling, composting, and land disposal of waste. In addition, the bill established a 50% waste reduction requirement for cities and counties by the year 2000, along with a process to ensure environmentally safe disposal of waste that could not be diverted.

In order to assist the City of Fontana in achieving the mandated goals of the Integrated Waste Management Act, and pursuant to Fontana Municipal Code Chapter 24, the Project's building occupant(s) would be required to work with future refuse haulers to develop and implement feasible waste reduction programs, including source reduction, recycling, and composting. Additionally, in accordance with the California Solid Waste Reuse and Recycling Act of 1991 (Public Resources Code § 42911), the Project is required to provide adequate areas for collecting and loading recyclable materials where solid waste is collected. The collection areas are required to be shown on construction drawings and be in place before occupancy permits are issued. (CA Legislative Information, 2005) Additionally, in compliance with AB 341 (Mandatory Commercial Recycling Program), the future occupant(s) of the proposed Project would be required to arrange for recycling services, if the occupant generates four (4) or more cubic yards of solid waste per week (CA Legislative Information, 2011). The implementation of these mandatory requirements would reduce the amount of solid waste generated by the Project and diverted to landfills, which in turn will aid in the extension of the life of affected disposal sites. The Project would be required to comply with all applicable solid waste statutes and regulations; as such, impacts related to solid waste statutes and regulations would be less than significant.

4.20 WILDFIRE

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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 on ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

a-d) **No Impact.** CAL FIRE adopted Fire Hazard Severity Zone (FHSZ) maps for State Responsibility Areas (SRAs) in November 2007. The fire hazard model considers the wildland fuels; fuel is that part of the natural vegetation that burns during the wildfire. The model also considers topography, especially the steepness of the slopes; fires burn faster up-slope. Weather (temperature, humidity, and wind) has a significant influence on fire behavior; the model recognizes that some areas of California have more frequent and severe wildfires than other areas. Finally, the model considers the production of burning fire brands (embers) how far they move, and how receptive the landing site is to new fires. All SRAs are rated moderate, high or very high fire hazard. (CAL FIRE, 2022)

According to the CAL FIRE FHSZ maps for the Project area, the Project Site is not located in or near an SRA or lands classified as very high fire hazard severity zones (CAL FIRE, 2007; City of Fontana, 2018a, p. 11-4). No impact would occur.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

a) **Less than Significant with Mitigation Incorporated.** All impacts to the environment, including impacts to habitat for fish and wildlife species, fish and wildlife populations, plant and animal communities, rare and endangered plants and animals, and historical and pre-historical resources were evaluated as part of this MND. Throughout this MND, where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less-than-significant levels. Accordingly, with incorporation of the mitigation measures imposed throughout this MND, the Project would not substantially degrade the quality of the environment and impacts would be less than significant.

b) **Less than Significant with Mitigation Incorporated.** As discussed throughout this Initial Study/MND, implementation of the proposed Project has the potential to result in effects to the environment that are individually limited, but cumulatively considerable. In all instances where the Project has the potential to contribute to a cumulatively considerable impact to the environment, mitigation measures have been imposed to reduce potential effects to less than significant levels.

Aesthetics

The Project represents an infill development Project in a mostly urbanized environment. Properties adjacent to the Project Site are developed with residential and non-residential land uses and the new development on the Project Site would have minimal effect to the existing character of the Project's viewshed. All development in the immediate vicinity of the Project would be required to comply with the development regulations and design standards contained in the City's Development Code, which would ensure that minimum standards

related to visual character and quality are met to preclude adverse aesthetic effects (e.g., size, scale, building materials, lighting). Accordingly, the Project's aesthetic impacts would not be cumulatively-considerable.

Agriculture and Forestry Resources

The Project would result in no impact on agricultural and forestry resources. Therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under this topic.

Air Quality

Based on SCAQMD guidance, any direct exceedance of a regional or localized threshold also is considered to be a cumulatively considerable effect, while air pollutant emissions below applicable regional and/or localized thresholds are not considered cumulatively considerable. Neither construction nor operation of the Project would result in an exceedance of any applicable regional or localized air pollution threshold established by the SCAQMD; therefore, the Project would not result in a cumulatively considerable adverse effect to air quality.

Biological Resources

The Project Site does not support any sensitive plant or wildlife species, riparian, or sensitive natural habitat, or federally-protected wetlands; therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under these resources. Although the Project Site is highly disturbed and fragmented from other open space areas under existing conditions, there is the potential that nesting birds could be present on the Project Site prior to construction and there also is the potential that other development projects in the City or the larger San Bernardino County area could support the bird nests. The Project's potential impact to nesting birds would be precluded through standard compliance with federal and State regulations that protect nesting birds (and provided herein as MM BR-1). All development projects with the potential to impact nesting birds would be required to comply with the same regulations as the Project; thereby avoiding substantial impacts. The Project would not result in a cumulatively considerable impact to biological resources.

Cultural Resources

The Project Site does not contain historic or prehistoric archaeological resources and mandatory compliance with State law would preclude impacts to human remains. There is minimal potential for the Project to disturb unknown (i.e., buried or masked) historical or prehistoric archaeological resources – and the City would condition the Project to implement a monitoring program to preclude impacts to buried or masked archaeological resources; therefore, impacts would not be cumulatively considerable.

Energy

The Project's construction and operation energy consumption would not be considered inefficient, wasteful, or otherwise unnecessary and would not obstruct a state or local plan for renewable energy or energy efficiency. In addition, all cumulative projects would also be required to comply with the California Building Standards Code, which establishes standards for energy efficiency and "green" construction and operations. Therefore, implementation of the Project would result in a less-than-significant cumulative impact to energy.

Geology and Soils

Potential effects related to geology and soils are inherently site-specific; therefore, there is no potential for the Project to contribute to a cumulatively considerable impact under this topic. Furthermore, all development proposals would be required to comply with applicable federal, State, and local regulations that are in place to preclude adverse geology and soils effects, including effects related to strong seismic ground shaking, fault rupture, soil erosion, and hazardous soil conditions (e.g., liquefaction, expansive soils, landslides).

Development of the Project Site would not impact any known paleontological resources, the Project Site is underlain by late Holocene-aged young alluvial fan deposits with a low paleontological sensitivity. The potential for the Project to contribute to the cumulative loss of important fossil resources in the region is low and is not a cumulatively considerable impact.

Greenhouse Gas Emissions

As described in the preceding analysis, global climate change (GCC) occurs as the result of global emissions of GHGs. An individual development project does not have the potential to result in direct and significant GCC-related effects in the absence of cumulative sources of GHGs. The CEQA Guidelines also emphasize that the effects of GHG emissions are cumulative and should be analyzed in the context of CEQA's requirements for cumulative impacts analysis (See CEQA Guidelines Section 15130(f)). Accordingly, the preceding analysis reflects a cumulative impact analysis of the GHG emissions related to the Project. As concluded under Responses 4.8(a) and (b), the Project would not result in a cumulatively considerable impact related to GHG emissions.

Hazards and Hazardous Materials

Potential effects related to hazards and hazardous materials are inherently site-specific and related to conditions that exist on an individual property or potential operations. Furthermore, federal, State, and local regulations are in place to ensure proper handling, transport, storage, and use of hazardous materials and preclude significant impacts under this topic.

Hydrology and Water Quality

Construction and operation of the Project and other projects in the Santa Ana River watershed have the potential to result in water quality impacts, including erosion and sedimentation. However, in accordance with applicable federal, State, and local regulations, all development projects would be required to implement plans during construction and operation (e.g., SWPPP and WQMP) to preclude adverse effects to water quality, which would avoid a cumulatively-considerable impact.

The Project and other projects in the Santa Ana River Basin would be required to comply with federal, State, and local regulations in order to preclude flood hazards both on- and off-site. Compliance with federal, State, and local regulations would require on-site areas to be protected, at a minimum, from flooding during peak storm events (i.e., 100-year storm) and that proposed development would not expose downstream properties to increased flooding risks during peak storm events. Accordingly, a cumulatively-considerable effect related to flooding would not occur.

Land Use and Planning

The Project would not physically divide an established community, or conflict with applicable land use/planning documents; therefore, there is no potential for the Project to contribute to a cumulatively considerable impact related to land use and planning.

Mineral Resources

Due to the development and urban land uses surrounding the Project Site, the area would not be compatible with mineral extraction activities. Therefore, there is no potential for the Project to contribute to a cumulatively-considerable impact under this topic.

Noise

Noise levels diminish rapidly with distance; therefore, for a development project to contribute to a noise-related cumulative impact it must be located in close proximity to another development project or source of substantial noise. There are no construction projects in the immediate vicinity of the Project Site that would overlap with Project-related construction activities. Accordingly, cumulatively-considerable impacts related to periodic noise and construction-related vibration would not occur. Under long-term operating conditions, the Project would comply with the City of Fontana noise ordinance and would not produce substantial noise or noticeable vibration at the Project Site; all nearby development projects would similarly be required to comply with applicable noise and vibration control regulations, which would avoid a cumulatively considerable impact. Lastly, the analysis under Response 4.13(a) demonstrates that the Project would not result in a cumulatively considerable impact related to transportation noise. The Project would not result in an adverse, cumulatively considerable noise impact.

Population and Housing

The Project would not implement land uses that generate new residents and would not require the construction of replacement housing. The Project would implement the City's General Plan land use map and the City has anticipated – and planned for – the growth that would occur on the Project Site. The Project would not result in an adverse, cumulatively-considerable environmental effect related to population and housing.

Public Services

All development projects in the City of Fontana, including the Project, would be required to pay development impact fees, a portion of which would be used by the City for the provision of public services, to offset the incremental increase in demand for fire protection and police protection services. Furthermore, future development would generate an on-going stream of property tax revenue and sales tax revenue, which would provide funds that could be used by the City of Rialto for the provision of fire and police protection services. The Project would not directly result in the introduction of new residents to the City and, therefore, would have no potential to result in cumulatively-considerable impacts to resident-serving public facilities such as schools, parks, libraries, and other public facilities or services.

Recreation

The Project would have no impact to recreation facilities. Therefore, there is no potential for the Project to contribute to a cumulatively considerable impact under this topic.

Transportation

The Project would not conflict with any City policies addressing the circulation network and would not generate VMT that would have the potential to contribute to a substantial increase in the total citywide or regional VMT. Therefore, implementation of the Project would not contribute to any adverse, cumulatively considerable transportation effects.

Tribal Cultural Resources

Development activities on the Project Site would not impact any known tribal cultural resources. However, there is the remote potential that such resources are buried beneath the surface of the Project Site and could be impacted during construction. Other projects within region would similarly have the potential to impact unknown, subsurface tribal cultural resources during ground-disturbing activities. Therefore, the potential for development on the Project Site to impact subsurface tribal cultural resource deposits is a cumulatively considerable impact. Application of MMs CR-1 though CR-4 would reduce the Project's cumulative impacts to less-than-significant levels.

Utilities and Service Systems

Development of public utility infrastructure is part of an extensive planning process involving utility providers and jurisdictions with discretionary review authority. The coordination process associated with the preparation of infrastructure plans is intended to ensure that adequate public utility services and resources are available to serve both individual development projects and cumulative growth in the region. Each individual development project is subject to review for utility capacity to avoid unanticipated interruptions in service or inadequate supplies. Coordination with the utility providers would allow for the provision of utility services to the Project and other developments. The Project and other planned projects are subject to connection and service fees to offset increased demand and assist in facility expansion and service improvements (at the time of need). Because of the utility planning and coordination activities described above, cumulatively considerable impacts to utilities and service systems would not occur.

Wildfire

The Project Site is not located in an SRA and is not subject to high wildfire hazards; therefore, no cumulatively-considerable impacts associated with wildfire would occur as a result of development of the Project.

c) **Less than Significant Impact.** The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this Initial Study. In instances where the Project has potential to result in direct or indirect adverse effects to human beings (air quality and associated effects on human health from air pollutants, and construction-related noise and potential effects on hearing impairment), project design feature best practices and mitigation measures have been applied to ensure impacts to not rise above a level of significance. With implementation of project design features identified in this MND, construction and operation of the proposed Project would not involve any activities that would result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly.

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City of Fontana (Lead Agency)
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6.0 MITIGATION MONITORING AND REPORTING PROGRAM

6.0 MITIGATION MONITORING AND REPORTING PROGRAM

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
Biological Resources					
Threshold a & d: The Project has the potential to impact nesting birds that are protected by federal and State regulations.	**MM BR-1:** Vegetation-clearing and ground disturbance shall be prohibited during the migratory bird nesting season (February 15 through August 31), unless a migratory bird nesting survey is completed in accordance with the following requirements: a) A nesting bird survey shall be conducted on the Project Site and within suitable habitat located within a 500-foot radius of the Project Site by a qualified biologist within 3 days prior to initiating vegetation clearing or ground disturbance. b) If the survey identifies the presence of active nests, then the nests shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (i) the adult birds have not begun egg-laying and incubation; or (ii) the juveniles from the occupied nests are capable of independent survival. c) If the biologist is not able to verify any of the conditions from sub-item "b," above, then no disturbance shall occur within a buffer zone specified by the qualified biologist for each nest or nesting site. The buffer zone shall be species-appropriate (no less than 100-foot radius around the nest for non-raptors and no more than a 500-foot radius around the nest for raptors) and shall be sufficient to protect the nest from direct and indirect impacts from construction activities, The size and location of buffer zones, if required, shall be based on consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service and shall be subject to review and approval by the City of Fontana. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist with City concurrence verifies that the nests are no longer occupied and/or juvenile birds can survive independently from the nests.	Project Applicant; Project Biologist	City of Fontana Planning Department & Building and Safety Department	Within 3 days prior to initiating vegetation clearing or ground disturbance	Less than Significant Impact with Mitigation Incorporated
Threshold a: Although the Project Site does not contain suitable habitat for the burrowing owl, out of an	**MM BR-2:** Within 30 days prior to grading, a qualified biologist shall conduct a survey on site and make a determination regarding the presence or absence of the burrowing owl. The determination shall be	Project Applicant, Project Biologist	City of Fontana Planning Department & Building and Safety Department	Within 30 days prior to grading.	Less than Significant Impact

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
abundance of caution, the Project Site shall be surveyed prior to grading to ensure the Site is not occupied by the burrowing owl.	documented in a report and shall be submitted, reviewed, and accepted by the City of Fontana prior to the issuance of a grading permit and subject to the following provisions: a) In the event that the pre-construction survey identifies no burrowing owls on the property a grading permit may be issued without restriction. b) In the event that the pre-construction survey identifies the presence of the burrowing owl on the Project Site, then prior to the issuance of a grading permit and prior to the commencement of ground-disturbing activities on the property, the qualified biologist shall passively or actively relocate any burrowing owls. Passive relocation, including the required use of one-way doors to exclude owls from the site and the collapsing of burrows, will occur if the biologist determines that the proximity and availability of alternate habitat is suitable for successful passive relocation. Passive relocation shall follow CDFW relocation protocol and shall only occur between September 15 and February 1. If proximate alternate habitat is not present as determined by the biologist, active relocation shall follow CDFW relocation protocol. The biologist shall confirm in writing that the species has fledged the Project Site or been relocated prior to the issuance of a grading permit.				
Cultural Resources & Tribal Cultural Resources					
Threshold a: The Project has the potential to impact tribal cultural resources that may be buried/masked on the Project Site.	**MM CR-1:** In the event that suspected cultural resources are discovered during Project construction activities: a) Upon discovery of any cultural, tribal cultural, or archaeological resources, cease construction activities in the immediate vicinity of the find shall cease until the find can be assessed. All cultural, tribal and archaeological resources unearthed by Project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant. If the resources are Native American in origin, interested Tribes (as a result of correspondence with area Tribes) shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.	Project Applicant, Project Construction Contractor, Project Archaeologist	City of Fontana Planning Department & Building and Safety Department	Prior to issuance of grading permit and ongoing during ground-disturbing construction activities	Less than Significant Impact with Mitigation Incorporated.

Impact	Mitigation Measure (MM)	Responsible Party	Monitoring Party	Implementation Stage	Level of Significance
	b) Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource along the subsequent laboratory processing and analysis. All Tribal Cultural Resources shall be returned to the Tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to the Tribe or a local school or historical society in the area for educational purposes. c) Archaeological and Native American monitoring and excavation during construction projects shall be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel shall meet the Secretary of the Interior standards for archaeology and have a minimum of 10 years' experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.				