Initial Study and Mitigated Negative Declaration (IS/MND)
The Conco Companies
New Industrial Building and Site Improvements
Master Case MCN 23-080, Design Review Case DRP23-016

Prepared for:

CITY OF FONTANA

FONTANA
CALIFORNIA

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Project 7248

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PROJECT INFORMATION SHEET

1. Project Title	The Conco Companies – Industrial Buildings
2. CEQA Lead Agency	**City of Fontana** 8353 Sierra Ave., Fontana, CA 92335 **Alejandro Rico, Associate Planner** E: arico@fontanaca.gov
3. Project Applicant	**Darren Ratekin** **The Conco Companies** 5141 Commercial Circle Concord, CA 94520 E: dratekin@conconow.com
4. Project Location	13052 Dahlia Street, Fontana CA 92337
5. Assessor's Parcel Numbers	APN 0238-112-16
6. Project Site General Plan Designation(s)	General Industrial (I-G)
7. Project Site Zoning Designation(s)	Fontana Gateway Specific Plan
8. Surrounding Land Uses and Setting	The project site is surrounded by industrial uses, including a fulfillment center to the immediate west and a crane service to the immediate east. The project site is bound by Santa Ana Avenue on the north and Dahlia Street on the south.
9. Description of Project	The proposed project consists of the development of an approximately 106,289-square-foot warehouse building on a site of 217,162 square feet (approximately 4.99 acres), plus addition of an outdoor area for continuation of existing storage on the south side of an existing 28,800 square foot building. See **Section 3.0** for additional details.
10. Selected Agencies whose Approval is Required	City of Fontana
11. Have California Native American tribes traditionally and culturally affiliated with the project area	Letters were sent by the City of Fontana (the Lead Agency), to local Native American tribes on January 18, 2024 asking if they wished to

requested consultation pursuant to Public Resources Code § 21080.3.1? If so, has consultation begun?	participate in AB 52 consultation concerning the proposed project in the City of Fontana. Tribes had up to 30 days in which to respond to notification of the project. For the proposed project, those four tribe(s) that requested consultation were contacted by the City per Public Resources Code § 21074. The Gabrieleño – Kizh Nation responded in January 2024 that they wished to consult. That consultation took place through email on June 12, 2024 and July 31, 2024. The San Manuel Band of Mission Indians responded in January 2024 through email in lieu of consultation indicating no specific concerns with the project. The tribe also provided three cultural resource mitigation measures and two tribal cultural resource mitigation measures and asked that they be included as part of the project plan conditions. The Kizh Nation and San Manuel were informed that implementation of the City Conditions of Approval provided for protection of tribal cultural resources, concluding consultation. The remaining three tribes did not respond. In addition, the Morongo Band of Mission Indians (not on the City's AB 52 list) sent an email to UltraSystems requesting consultation on February 14, 2024. This message was provided to the City. The City responded to Morongo on July 31, 2025 asking if they wished to have a meeting – no reply to date. .
12. Other Public Agencies	No other public agencies will review the project.

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Acronym/Abbreviation	Term
AB	Assembly Bill
AB 939	California Integrated Waste Management Act
AMSL	above mean sea level
APE	area of potential effect
ARB	Air Resources Board
ATP	Active Transportation Plan
BAU	business as usual
BMPs	Best Management Practices
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
Caltrans	California Department of Transportation
CAT	Climate Action Team
CBC	California Building Code
CCAA	California Clean Air Act
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CH4	methane
CHRIS	California Historic Resources Inventory System
City	City of Fontana
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO2	carbon dioxide
CO2e	carbon dioxide equivalent
CRC	California Residential Code
CUP	conditional use permit
dB	decibel
dBA	A-weighted decibel scale
DIF	Development Impact Fee
DMA	Drainage Management Areas
DOC	California Department of Conservation
DOSH	California Division of Safety and Health
EIR	Environmental Impact Report
EMS	Emergency Medical Service
EO	Executive Order
EPA	Environmental Protection Agency
FAR	floor area ratio
FFPD	Fontana Fire Protection District
FHA	Fontana Housing Authority
FMMP	Farmland Mapping and Monitoring Program
FPD	Fontana Police Department
FTA	Federal Transit Administration
FUSD	Fontana Unified School District
GHG	greenhouse gas
GPCD	gallons per capita per day

Acronym/Abbreviation	Term
GPEIR	General Plan EIR
GWP	global warming potential
HCP	Habitat Conservation Plan
HFCs	hydrofluorocarbons
HUD	Department of Housing and Urban Development
Hz	hertz
IEUA	Inland Empire Utilities Agency
IFC	International Fire Code
IPCC	Intergovernmental Panel on Climate Change
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
L_{90}	noise level that is exceeded 90% of the time ...
L_{eq}	equivalent noise level
LID	Low Impact Development
L_{max}	root mean square maximum noise level
LOS	Level of Service
LSTs	Localized Significance Thresholds
Map Act	California Subdivision Map Act
MBTA	Migratory Bird Treaty Act
MLD	Most Likely Descendant
MM	mitigation measure
MMTCO2e	million metric tons of CO2e
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
N2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOx	Nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
O3	Ozone
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
PFCs	perfluorocarbons
PM	particulate matter
$PM_{2.5}$	fine particulate matter
PPV	peak particle velocity
RCRA	Resource Conservation and Recovery Act
RMS	root mean square
ROG	Reactive organic gases
RP	Regional Plant
RPS	Renewables Portfolio Standard
RWQCB	Regional Water Quality Control Board

Acronym/Abbreviation	Term
SARWQCB	Santa Ana Regional Water Quality Control Board
SBCIWMP	San Bernardino Countywide Integrated Waste Management Plan
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SF6	sulfur hexafluoride
SIP	State Implementation Plan
SLF	Sacred Lands File
SoCalGas	Southern California Gas Company
SRAs	source receptor areas
STIP	Statewide Transportation Improvement Program
SWMP	Stormwater Management Plan
TACs	Toxic Air Contaminants
TCRs	tribal cultural resources
TMP	Traffic Management Plan
USDA	United States Department of Agricultura
USGS	United States Geological Survey
USEPA	United States Environmental Protection Agency
UWMP	Urban Water Management Plan
VdB	vibration decibels
VMT	vehicle miles traveled
VOC	volatile organic compound

1.0 INTRODUCTION

1.1 Proposed Project

The City of Fontana (City) is processing a request to implement a series of discretionary actions that would ultimately allow for the construction of a 106,288 square foot warehouse on the east side of Calabash Avenue approximately 700 feet north of Santa Ana Avenue (APNs 0236-251-01 through -017).

1.1.1 Project Components

The proposed project would construct a 106,288-square-foot warehouse, which would include 8,000 square feet of office space and 98,288 square feet of warehouse space. The warehouse would have 12 dock doors, and 114 automobile parking stalls. The building would be built on speculation. The future tenant is unknown but is thought likely to be warehouse use. Refer to **Section 3.0**, Project Description, of this document for additional details.

1.1.2 Estimated Construction Schedule

Project construction is anticipated to begin in the Fourth Quarter of 2024 and would last approximately 12 months, ending in 2025.

1.2 Lead Agencies – Environmental Review Implementation

The City of Fontana is the Lead Agency for the proposed project. Pursuant to the California Environmental Quality Act (CEQA) and its implementing regulations,[1] the Lead Agency has the principal responsibility for implementing and approving a project that may have a significant effect on the environment.

1.3 CEQA Overview

1.3.1 Purpose of CEQA

All discretionary projects within California are required to undergo environmental review under CEQA. A Project is defined in CEQA Guidelines § 15378 as the whole of the action having the potential to result in a direct physical change or a reasonably foreseeable indirect change to the environment and is any of the following:

- An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements.
- An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.
- An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

1 Public Resources Code §§ 21000 - 21177 and California Code of Regulations Title 14, Division 6, Chapter 3.

CEQA Guidelines § 15002 lists the basic purposes of CEQA as follows:

- Inform governmental decision makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

1.3.2 Authority to Mitigate under CEQA

CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. Under CEQA Guidelines § 15041 a Lead Agency for a project has the authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the "nexus"[2] and "rough proportionality"[3] standards.

CEQA allows a Lead Agency to approve a project even though the project would cause a significant effect on the environment if the agency makes a fully informed and publicly disclosed decision that there is no feasible way to lessen or avoid the significant effect. In such cases, the Lead Agency must specifically identify expected benefits and other overriding considerations from the project that outweigh the policy of reducing or avoiding significant environmental impacts of the project.

1.4 Purpose of Initial Study

The CEQA process begins with a public agency determining whether the project is subject to CEQA at all. If the project is exempt, the process does not need to proceed any further. If the project is not exempt, the Lead Agency takes the second step and conducts an Initial Study to determine whether the project may have a significant effect on the environment.

The purposes of an Initial Study as listed in § 15063(c) of the CEQA Guidelines are to:

- Provide the Lead Agency with information necessary to decide if an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND) should be prepared.
- Enable a Lead Agency to modify a project to mitigate adverse impacts before an EIR is prepared, thereby enabling the project to qualify for an ND or MND.
- Assist in the preparation of an EIR, if required, by focusing the EIR on adverse effects determined to be significant, identifying the adverse effects determined not to be significant, explaining the reasons for determining that potentially significant adverse effects would not be significant, and identifying whether a program EIR or other process, can be used to analyze adverse environmental effects of the project.
- Facilitate an environmental assessment early during project design.

2 A nexus (i.e., connection) must be established between the mitigation measure and a legitimate governmental interest.

3 The mitigation measure must be "roughly proportional" to the impacts of the Project.

- Provide documentation in the ND or MND that a project would not have a significant effect on the environment.
- Eliminate unnecessary EIRs.
- Determine if a previously prepared EIR could be used for the Project.

In cases where no potentially significant impacts are identified, the Lead Agency may issue an ND, and no mitigation measures would be needed. Where potentially significant impacts are identified, the Lead Agency may determine that mitigation measures would adequately reduce these impacts to less than significant levels. The Lead Agency would then prepare an MND for the proposed project. If the Lead Agency determines that individual or cumulative effects of the proposed project would cause a significant adverse environmental effect that cannot be mitigated to less than significant levels, then the Lead Agency would require an EIR to further analyze these impacts.

1.5 Review and Comment by Other Agencies

Other public agencies are provided the opportunity to review and comment on the IS/MND. Each of these agencies is described briefly below.

- A Responsible Agency (14 CCR § 15381) is a public agency, other than the Lead Agency, that has discretionary approval power over the Project, such as permit issuance or plan approval authority.
- A Trustee Agency[4] (14 CCR § 15386) is a state agency having jurisdiction by law over natural resources affected by a project that is held in trust for the people of the State of California.
- Agencies with Jurisdiction by Law (14 CCR § 15366) are any public agencies who have the authority (1) to grant a permit or other entitlement for use; (2) to provide funding for the project in question; or (3) to exercise authority over resources which may be affected by the project. Furthermore, a city or county will have jurisdiction by law with respect to a project when the city or county having primary jurisdiction over the area involved is: (1) the site of the project; (2) the area in which the major environmental effects will occur; and/or (3) the area in which reside those citizens most directly concerned by any such environmental effects.

1.6 Impact Terminology

The following terminology is used to describe the level of significance of potential impacts:

- A finding of ***no impact*** is appropriate if the analysis concludes that the project would not affect the particular environmental threshold in any way.
- An impact is considered ***less than significant*** if the analysis concludes that the project would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered ***less than significant with mitigation incorporated*** if the analysis concludes that the project would cause no substantial adverse change to the environment with the inclusion of environmental commitments, or other enforceable measures, that would be adopted by the lead agency.

4 The four Trustee Agencies in California listed in CEQA Guidelines § 15386 are California Department of Fish and Wildlife, State Lands Commission, State Department of Parks and Recreation, and University of California.

- An impact is considered potentially significant if the analysis concludes that the project could have a substantial adverse effect on the environment.

An EIR is required if an impact is identified as ***potentially significant***.

1.7 Organization of Initial Study

This IS/MND is organized to satisfy CEQA Guidelines § 15063(d), and includes the following sections:

- **Section 1.0 - Introduction**, which identifies the purpose and scope of the IS/MND.
- **Section 2.0 - Environmental Setting**, which describes the location, existing site conditions, land uses, zoning designations, topography, and vegetation associated with the project site and surrounding area.
- **Section 3.0 - Project Description**, which provides an overview of the project, a description of the proposed development, project phasing during construction, and discretionary actions for the approval of the project.
- **Section 4.0 - Environmental Checklist**, which presents checklist responses for each resource topic to identify and assess impacts associated with the proposed project, and proposes mitigation measures, where needed, to render potential environmental impacts less than significant, where feasible.
- **Section 5.0 - References**, which includes a list of documents cited in the IS/MND.
- **Section 6.0 - List of Preparers**, which identifies the primary authors and technical experts that prepared the Initial Study.
- **Section 7.0 – Mitigation, Monitoring, and Reporting Program**, which identifies the mitigation measures for the proposed project, the responsible/monitoring party, the monitoring action, the enforcement agency, the monitoring agency, and the monitoring phase.

Technical studies and other documents, which include supporting information or analyses used to prepare this IS/MND, are included in the following appendices:

Appendix A	Project Plans
Appendix B	CalEEMod Input And Results for Air Quality Analysis
Appendix C	Biological Resources Database Search
Appendix D1	Cultural Resources Assessment
Appendix D2	Paleontological Resources Records Search
Appendix E	Soils Resources Report
Appendix F	Reserved
Appendix G	Environmental Site Assessment Information
Appendix H1	Drainage Report
Appendix H2	Preliminary Water Quality Management Plan
Appendix I	Limited VMT Analysis

1.8 Findings from the Initial Study

1.8.1 No Impact or Impacts Considered Less than Significant

The project would have no impact or a less than significant impact on the following environmental categories listed in Appendix G of the CEQA Guidelines.

- Aesthetics
- Air Quality
- Agriculture and Forestry Resources
- Energy
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems
- Wildfire

1.8.2 Impacts Considered Less than Significant with Mitigation Measures

Based on Initial Study findings, the project would have a less than significant impact on the following environmental categories listed in Appendix G of the CEQA Guidelines when proposed mitigation measures are implemented.

- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Transportation and Traffic
- Tribal Cultural Resources
- Mandatory Findings of Significance

2.0 ENVIRONMENTAL SETTING

2.1 Project Location

The approximately 7.8-acre project site is located approximately 850 feet east of the intersection of Etiwanda Avenue and Santa Ana Avenue within the City of Fontana (APN 0238-112-16). Santa Ana Avenue abuts the northern portion of the project site, and Dahlia Street abuts the southern portion of the project site. Refer to **Figure 2.1-1**, which shows the project's location regionally, and **Figure 2.1-2**, which shows the project's specific location.

2.2 Project Setting

The project site currently includes a 28,800-square-foot industrial building in the southern portion, with the balance of the project site a dirt lot used for storage and staging of equipment. The project site is located within an industrial portion of the city in the Fontana Gateway Specific Plan area. It is surrounded by industrial developments in all directions (Google Earth Pro, 2024).

2.2.1 Land Use and Zoning

The land use designations and zoning of the project site and surrounding areas are listed in **Table 2.2-1.** The General Plan designation for the project site is General Industrial (I-G) and the site's zoning designation is Fontana Gateway Specific Plan.

Table 2.2-1
SUMMARY OF LAND USE AND ZONING

Location	General Plan	Zoning	Existing Use
Project Site	General Industrial (I-G)	Fontana Gateway Specific Plan	Industrial building and dirt storage lot
Surrounding Areas			
North	General Industrial (I-G)	Fontana Gateway Specific Plan	Lab office
East	General Industrial (I-G)	Fontana Gateway Specific Plan	Crane service
South	General Industrial (I-G)	Fontana Gateway Specific Plan	Manufacturing center
West	General Industrial (I-G)	Fontana Gateway Specific Plan	Fulfillment center

Source: City of Fontana, 2023a; 2023b; Google Earth Pro, 2024

Figure 2.1-1
REGIONAL LOCATION

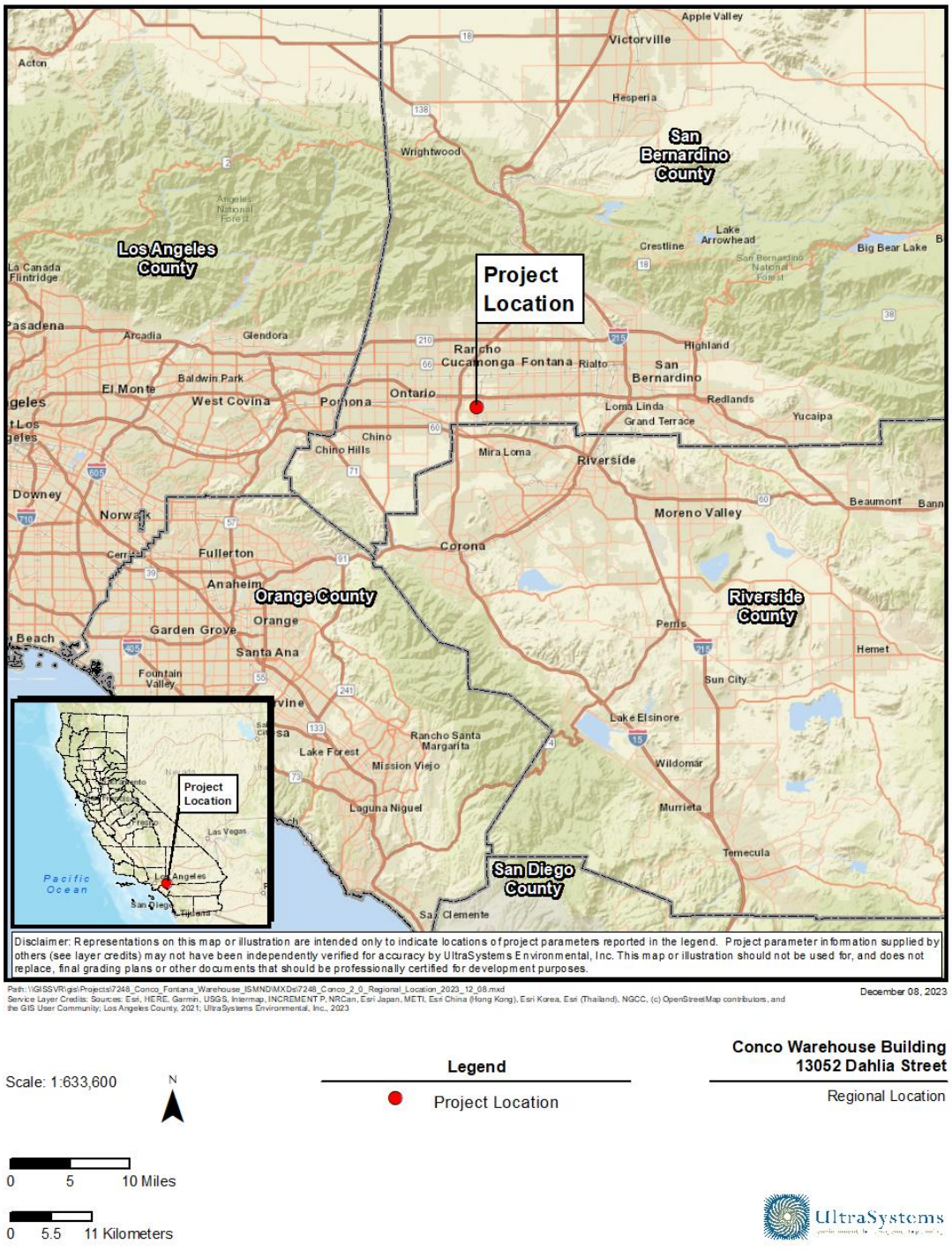


Figure 2.1-2
PROJECT LOCATION



2.3 Existing Characteristics of the Site

2.3.1 Climate and Air Quality

The City of Fontana is characterized by a semi-arid Mediterranean climate that is the result of its location in the South Coast Air Basin (SCAB). The SCAB is a 6,600-square-mile area basin that is usually quite moist near the land surface due to the influence of the marine layer. Other factors that influence the area's climate and meteorology are the terrain and altitude. Fontana is positioned approximately 1,700 feet above mean sea level (AMSL) in its northern half and 1,000 feet AMSL in its southern half. Due to the City being in a valley, heavy early morning fog and low stratus clouds are often persistent. Yearly climate patterns are characterized by warm summers, mild winters, low levels of precipitation, and moderate humidity (Stantec, 2018b p. 5.2-1).

Air quality in Fontana generally fluctuates without a consistent seasonal pattern. Neighboring, high-polluting coastal cities largely influence the air quality in the City and that, coupled with the climate, trap air pollution in the valley. The SCAB is bounded by the San Gabriel, San Bernardino, and San Jacinto Mountains that trap air pollution at their bases. The SCAB fails to meet national ambient air quality standards for ozone and fine particulate matter, and is classified as a "nonattainment area" for those pollutants (Stantec, 2018b, p. 5.2-10).

2.3.2 Geology and Soils

The City of Fontana generally lies within the northern and northwestern portion of the Peninsular Ranges Geomorphic Province of Southern California, which is characterized by northwest-southeast trending faults, folds, and mountain ranges. Much of the region is underlain by terrace deposits, which are unconsolidated sediments (consisting of loose soil materials, such as sand and silt) left by streams on shore benches cut by the ocean faults (Stantec, 2018b, p. 5.5-1).

Although there are no major active faults within the City boundaries, there are a number of faults that border the Lytle Creek alluvial basin, including the Chino, Cucamonga, San Andreas, and San Jacinto faults (Stantec, 2018b, p. 5.5-3).

Soils in the area are characteristic of the Southern California interior alluvial basins and consist of alluvial deposits and floodplain soils. The City is underlain by Holocene and late Pleistocene alluvial deposits of the Lytle Creek alluvial fan. These deposits primarily consist of unconsolidated, gray, cobbly and bouldery alluvium (Stantec, 2018b, p. 5.5-4).

2.3.3 Hydrology

As detailed in the City of Fontana General Plan Update 2015-2035 Draft Environmental Impact Report (Stantec, 2018b, p. 5.8-1), the City is located within the lower Lytle Creek watershed, which forms the northwest portion of the Santa Ana River Watershed. This watershed drains the eastern portion of the San Gabriel Mountains. Daytime temperatures often exceed 100 degrees during the summer in the lower watershed, while temperatures are approximately 10-15 degrees cooler in the upper watershed. The lower portion of Lytle Creek flows through the cities of Fontana, Rialto, San Bernardino, and Colton, as well as a portion of the unincorporated area of San Bernardino County. The upper reaches of Lytle Creek are generally perennial; the lower section of Lytle Creek changes into an intermittent stream with a dry wash below Interstate 15.

2.3.4 Biology

The project site is located in an urbanized area, which provides low habitat value for special-status plant and wildlife species. A detailed description of existing environmental setting for the project site and the surrounding area is provided in **Section 4.4** *Biological Resources* of this Initial Study.

2.3.5 Public Services

The City is served by a full range of public services and utilities. Fire prevention, fire protection and emergency medical service (EMS) for the city are provided by the Fontana Fire Protection Department (FFPD) through a contract with the San Bernardino County Fire Department. The City of Fontana Police Department (FPD) provides police and law enforcement services in the project area. The FPD has 306 full-time employees (188 sworn) and is comprised of four separate divisions: Office of the Chief of Police; Administrative Services; Field Services; and Special Operations. Recreational services within the city are provided by the City's Department of Facilities and Parks, which maintains over 40 parks, sports facilities, and community centers. Library services within the city are provided by the San Bernardino County Library System, which has a total of 32 branch libraries. Within the city of Fontana, there are two libraries, including Fontana Lewis Library and Technology Center, and the Summit Branch Library (Stantec, 2018b, p. 5.12-1 to 5.12-30).

2.3.6 Utilities

The San Gabriel Valley Water Company Fontana Division (SGVWC) provides water services to the project site (SGVWC, 2021). The City of Fontana provides sewer services to the city and wastewater treatment services are provided by the Inland Empire Utilities Authority (IEUA) (Stantec, 2018a, p. 5.12-17). Solid waste disposal services for Fontana are provided by Burrtec Waste Industries, a private company under franchise agreement with the City. Burrtec also operates the City's curbside recycling (including greenwaste recycling) program. Electrical service to the site is provided by Southern California Edison Company through a grid of transmission lines and related facilities. Natural gas is provided by Southern California Gas Company, which maintains a local system of transmission lines, distribution lines and supply regulation stations (City of Fontana Utilities, 2024)

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3.0 PROJECT DESCRIPTION

3.1 Project Background

The City of Fontana (City) is processing a request to implement actions that would ultimately allow for the construction of one new 106,289 square foot concrete tilt-up industrial building and related site improvements on a portion of a site located east of Etiwanda Avenue, running north to south between Santa Ana Avenue and Dahlia Street (APN 0238-112-16). The project is being processed by the City under Master Case Number (MCN) 23-080. In addition to this CEQA documentation, the City will require a Design Review (DRP) 23-016. The City is the Lead Agency for the purposes of the California Environmental Quality Act (CEQA).

The full site, including the proposed new building and an existing building to which an outdoor storage area will be added, comprises 339,744 square feet (7.80 acres) of land area. The southernmost portion of the site contains 2.81 acres and is currently developed with a single 28,800 square foot building located at 13052 Dhalia Street and occupied by the applicant, Gonsalves & Santucci, Inc. dba Conco Companies. The balance of the site (4.99 acres) currently is used for storage and staging of equipment and materials, and will be the site of the proposed new building.

The project is in an urbanized area of the city, south of Interstate 10 and east of Interstate 15 in the Fontana Gateway Specific Plan area, which is primarily a planned industrial land use area encompassing approximately 755 acres in southwest Fontana. The site is surrounded by industrial users, including ACT Fulfillment – Etiwanda to the direct west and Bragg Crane Service to the direct east. Development areas in the Fontana Gateway Specific Plan area, which was adopted in 1987, are zoned General Industrial (M-2). A General Industrial zoning district accommodates the manufacture and treatment of goods from raw materials, high cube/warehousing and logistics, and permits other types of industrial uses not suitable for location in the M-1 District (City of Fontana, 2023a).

3.2 Project Overview

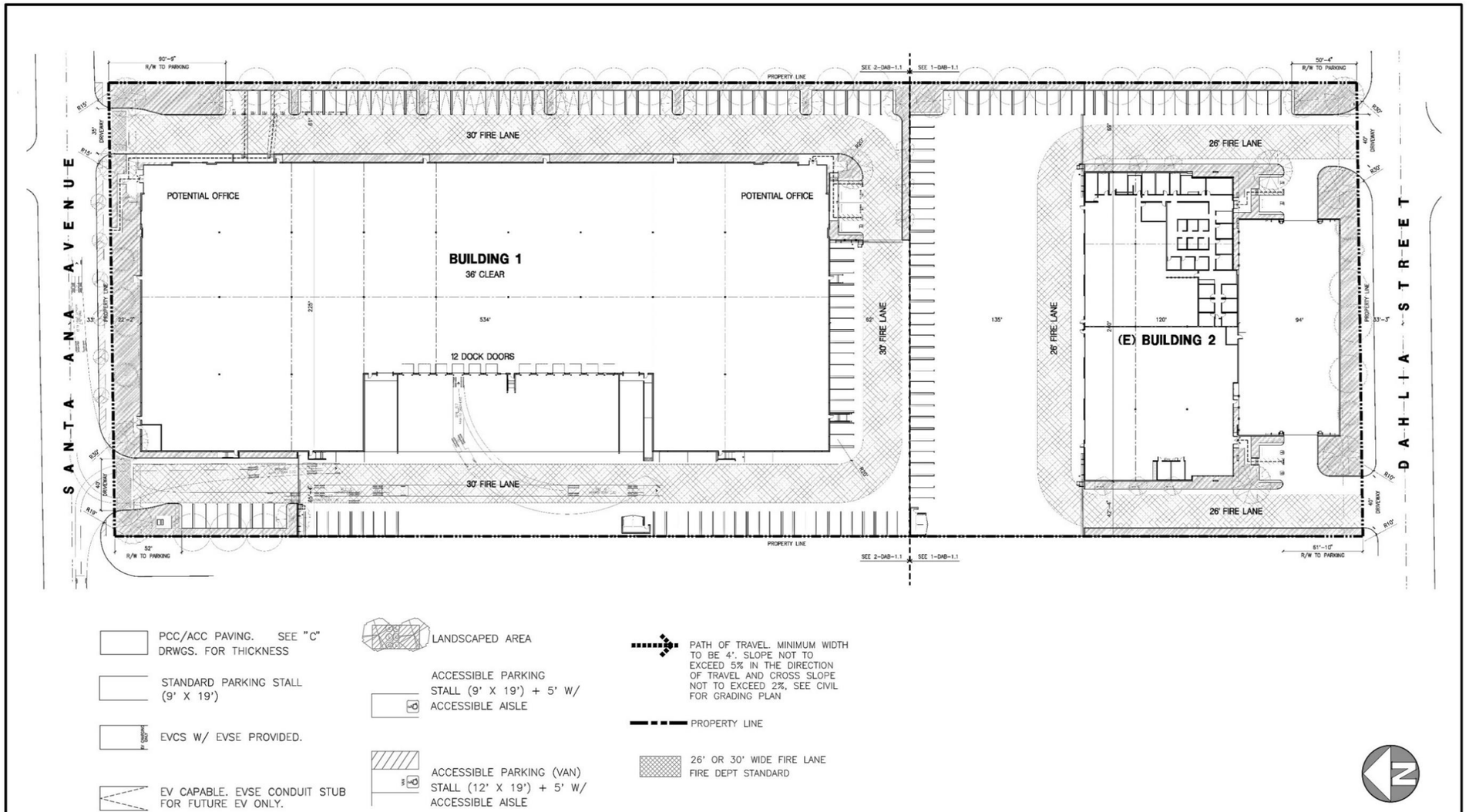
The proposed project consists of the development of an approximately 106,288-square-foot building on a site of 217,234 square feet (approximately 4.99 acres), as well as the addition of an outdoor storage area (enclosed by a screen wall) on the south side of Building 2, which contains 28,800 square feet. The combined floor area ratio (FAR) for Buildings 1 and 2 would be 0.40 (135,088 square feet of building area/339,630 square feet of land area). Maximum FAR under the City zoning is 0.70.

Figure 3.2-1 shows the master site plan, including Building 1 (the proposed project) and Building 2 (the existing building, onto which an outdoor storage area will be added). On the Building 1 site, automobile parking is provided along the east and west boundaries of the site, as well as on the southern end of the proposed building. Thirty-foot wide fire lanes run between the building and parking spaces on the east and west property lines, and between the parking spaces on the south side of the building and the south edge of the Building 1 site. An 8-foot-high wrought iron fence separates the Building 1 and Building 2 sites. Building 2 is used for concrete forming and storage of concrete forming equipment, and would remain in place. Equipment and materials stored in building 2 include concrete pumps, man lifts, forklifts, compressors, generators, dimensional lumber, plywood, formwork hardware, aluminum and steel formwork components, aluminum and steel shoring components, and concrete pump system components (Ratekin, 2024a).

3.2.1 New Construction

The proposed project would construct a 106,289-square-foot warehouse, which would include up to 8,000 square feet of office space and no less than 98,288 square feet of warehouse space. Clear height of the warehouse area is 36 feet. The warehouse would have 12 dock doors on the west side of the

Figure 3.2-1
MASTER SITE PLAN



Disclaimer: Illustration provided by HPA, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: HPA, Inc., January 3, 2024.

Conco Warehouse Building
13052 Dahlia Street

Master Site Plan

building and would provide 114 automobile parking stalls; 114 are required. The building would be built on speculation. The future tenant is unknown but is thought likely to be warehouse use. Building 2, which would remain in place, consists of 14,400 square feet of warehouse space, 9,521 square feet of shop space, and 4,879 square feet of office space.

The maximum height of Building 1 reaches 48.6 feet at the northeast and southeast corners of the building, where the office spaces are located; there is no maximum height limit for the Fontana Gateway Specific Plan area (City of Fontana, 1987). Skylights will be mounted every 32 feet in five north-south rows on the roof of the new Building 1, each one approximately 4 feet x 8 feet; 67 skylights are provided, compared to a requirement for 67 skylights. A complete set of project drawings is included in **Appendix A** to this IS/MND.

Figure 3.2-2 shows the Building 1 floorplan, indicating potential locations of the office space at the northeast and southeast corners of the building, as well as the location of the dock doors on the west side of the building. Total office square footage would be up to 8,000 square feet. As shown in **Figure 3.2-3,** the proposed building would have primarily tilt-up concrete walls, with limited areas of glass at the northeast and southeast corners of the building, where the office space is located. The north elevation of the building fronts on Santa Ana Avenue. Building exteriors will be painted in varying shades of gray with highlights in white and Conco Green (see **Figure 3.2-4**). **Figure 3.2-5** shows elevations of the screen wall that will enclose the outdoor storage area to be added on the south side of Building 2.

Energy-efficient features, including insulated and glazed windows and low E coating on windows, would be incorporated into building design to comply with the provisions of the California Green Building Code, Title 24, Part 11 of the California Code of Regulations. Title 24, Part 11 requires new structures to incorporate a variety of mandatory features to promote green buildings as means to improve energy efficiency, reduce water demand, promote recycling, and other measures.

The project would be designed and constructed in compliance with applicable City codes, including, but not limited to, the 2022 California Building Code, California Plumbing Code, California Mechanical Code, California Electrical Code, and California Building Energy Efficiency Standards.

3.2.1 Project Operations

At the time this Initial Study was prepared, the future tenant(s) of the proposed building were unknown. For the purpose of this environmental analysis, the future uses onsite are assumed to be any of those uses permitted in the General Industrial (M-2) zoning designation within the Fontana Gateway Specific Plan area.[5]

Outdoor storage on the project site is an existing use that does not conform with uses permitted in the M-2 zoning designation. Outdoor storage is permitted in the M-2 zone with a conditional use permit (CUP). The project proposes construction of a concrete pad for continued outdoor storage use next to the south side of Building 2, and includes an application for a CUP to permit continuing outdoor storage use.

[5] The M-2 zoning district within the Fontana Gateway Specific Plan permits a wide variety of industrial and related uses including manufacturing; storage and warehousing; laboratories and research uses; transportation uses including railroad freight terminals; some service businesses including gasoline stations; and some retail uses including home improvement centers (City of Fontana, 1997, pp. 34-40).

Project operation is estimated to generate 46 jobs based on employment density factors from the Southern California Association of Governments (SCAG), as shown below in Table 3.2-1.[6] At most 15 workers are employed in the existing building (Ratekin, 2024).

Table 3.2-1
ESTIMATED PROJECT EMPLOYMENT GENERATION

Land Use	Square feet	Square feet per employee	Employees
Light Manufacturing	98,288	2,605	38
Office	8,000	956	8
Total	106,288	Not applicable	**46**

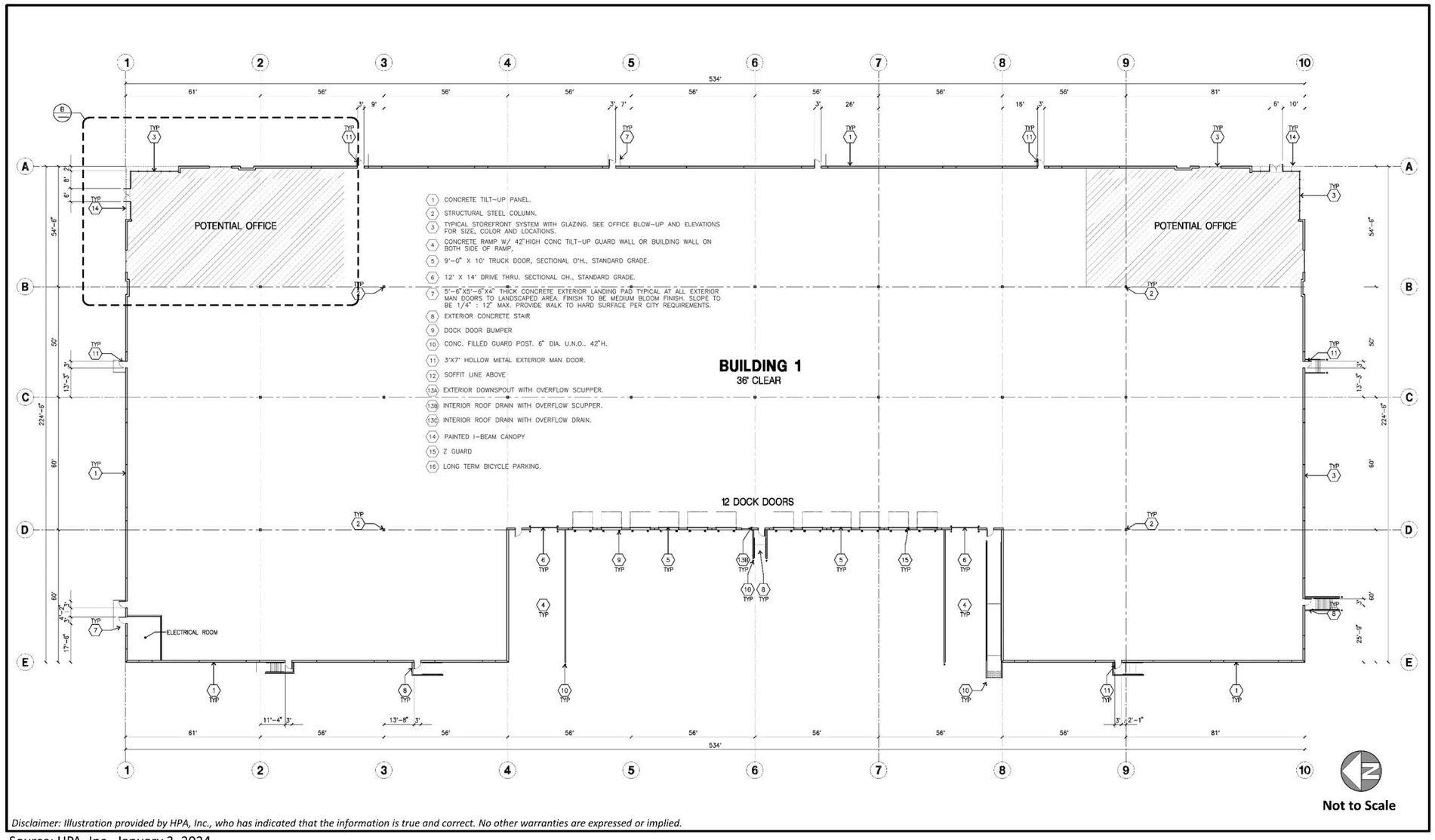
[1] Source: Natelson Company, 2001

3.2.2 Site Access, Circulation and Parking

Primary site ingress and egress to Building 2 would be provided by two driveways along the northern edge on Santa Ana Avenue, at the east and west boundaries of the site. The west driveway (where trucks enter to access the dock area) is 40 feet wide at its entrance, tapering down to 35 feet towards the south, and the east driveway (fire lane) is 35 feet at its entrance, tapering down to 30 feet towards the south. Building 1 would have 12 dock doors and 114 automobile parking stalls, including 78 standard spaces, seven ADA spaces (four ADA standard, one ADA van, one EV ADA standard, one EV ADA Van), 23 non-ADA EV spaces (four standard EV and 19 EV capable) and six parallel spaces.

[6] The employment density factor for light manufacturing is used here for a conservative estimate, as it's very slightly lower than the factor for warehouse use. Light manufacturing and warehousing are both permitted under the Fontana Gateway Specific Plan.

Figure 3.2-2
BUILDING 1 FLOORPLAN



Disclaimer: Illustration provided by HPA, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: HPA, Inc., January 3, 2024.

Conco Warehouse Building
13052 Dahlia Street

Building 1 Floor Plan

Figure 3.2-3
BUILDING 1 ELEVATIONS



Disclaimer: Illustration provided by HPA, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

See Appendix A for additional elevation drawings.

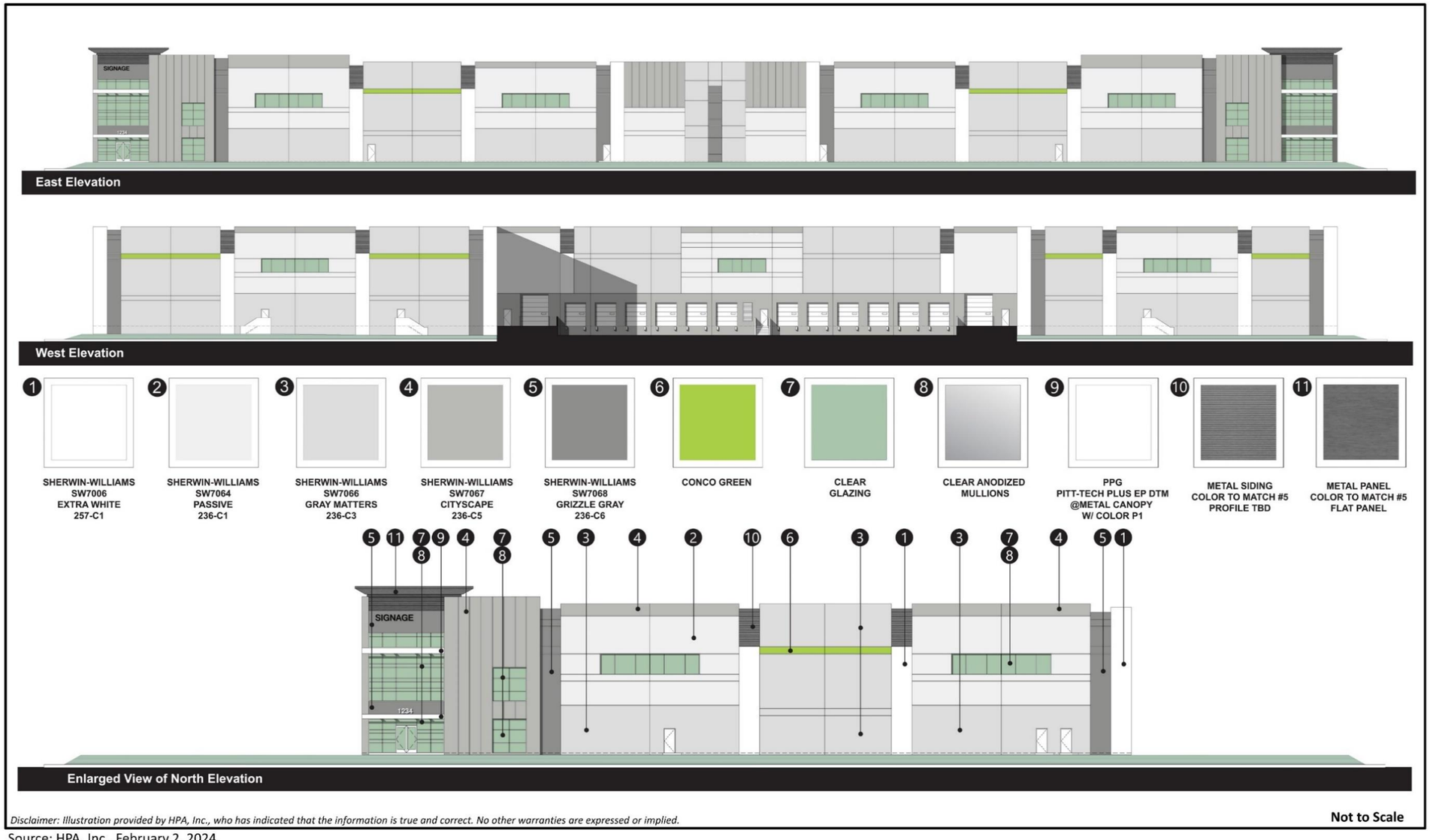
Not to Scale

Source: HPA, Inc., January 19, 2024.

Conco Warehouse Building
13052 Dahlia Street

Building 1 Elevations

Figure 3.2-4
BUILDING 1 COLOR BOARDS

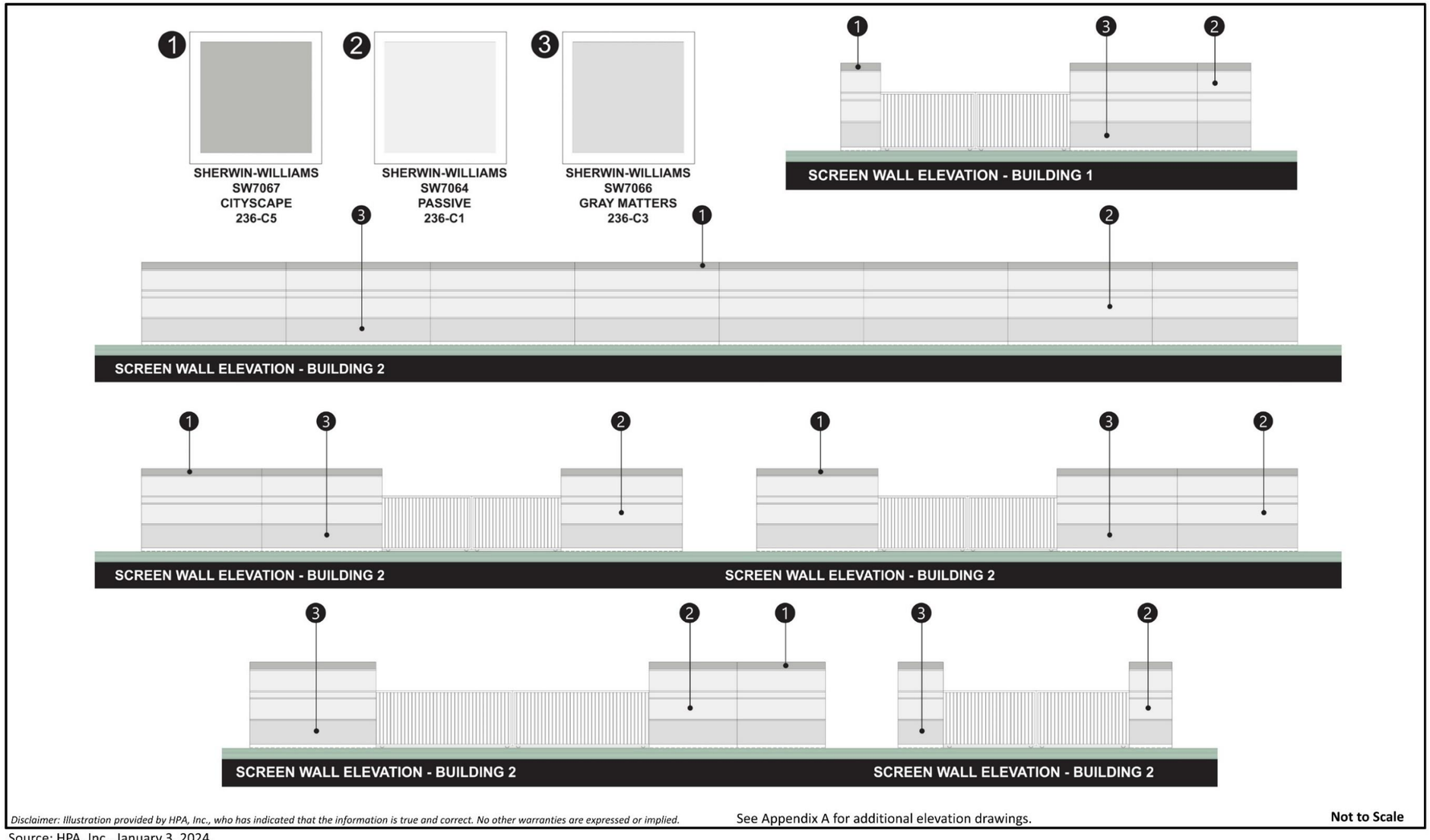


Source: HPA, Inc., February 2, 2024.

Conco Warehouse Building
13052 Dahlia Street

Building 1 Color Boards

Figure 3.2-5
BUILDING 2 SCREEN WALL ELEVATION AND COLOR BOARDS



Disclaimer: Illustration provided by HPA, Inc., who has indicated that the information is true and correct. No other warranties are expressed or implied.

See Appendix A for additional elevation drawings.

Not to Scale

Source: HPA, Inc., January 3, 2024.

Conco Warehouse Building
13052 Dahlia Street

Building 2 Screen Wall Elevations and Color Boards

At Building 2, there are 65 stalls, including 59 standard, two ADA standard, two ADA van and two existing. Altogether, the full site provides 179 stalls, compared to a requirement of 162 stalls. Circulation within the site around Building 1 would be via the 30-foot-wide fire lane that runs along the interior of the perimeter of the site on the east, south and west sides of the building.

3.2.3 Exterior Lighting

The proposed project would include installation of exterior lighting fixtures, as necessary, for safety and security. LED exterior fixtures would be mounted on the wall of the building. Latest LED lighting fixtures with photosensors would be provided. Cut off shields would be provided as necessary to prevent light spillage beyond the project boundary. Parking lot lighting would also utilize LED technology.

Lighting for the project would comply with the requirements of Fontana Municipal Code 30-508, Lighting and Glare, which states, "all lights shall be directed and/or shielded to prevent the light from adversely affecting adjacent residential or commercial properties. No structure or feature shall be permitted which creates adverse glare effects."

3.2.4 Landscaping

As shown in **Figure 3.2-5**, landscaping is planned primarily along the north, east and south property lines, as well as near the northwest corner of Building 1 on the western property line and along the east and west sides of Building 2. Proposed landscaping consists of trees and groundcovers. A total of 17,146 square feet of landscaped area (equal to 7.9 percent of the Building 1 lot area of 217,162 square feet) will be provided, compared to a required total of 15,227 square feet (7.0 percent).

3.2.5 Perimeter Fencing and Exterior Walls

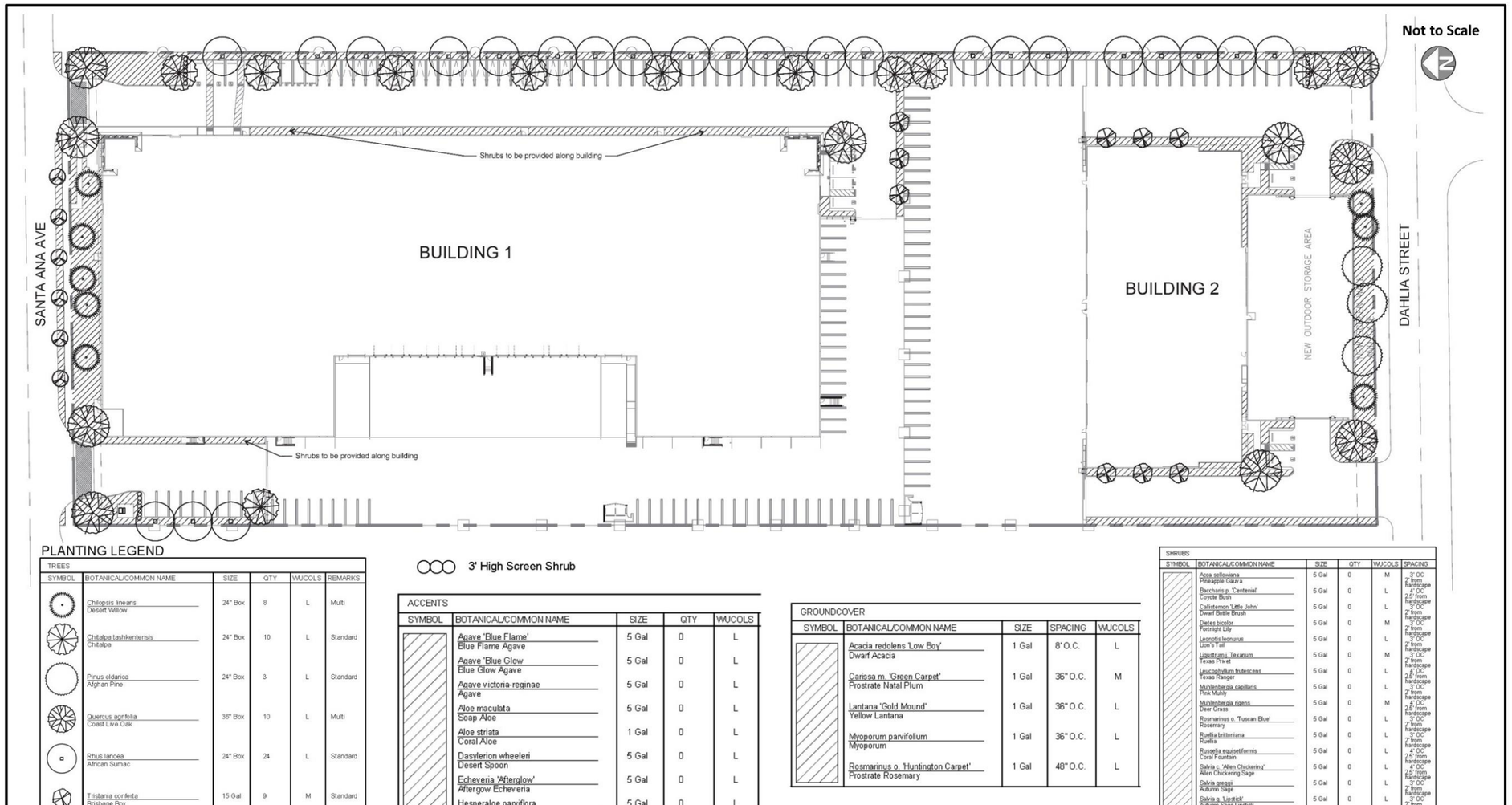
The proposed project would maintain the existing chain link fence along the eastern property line, and an 8-foot-high wrought iron fence would separate the site of Building 1 (to the north) from the Building 2 site (to the south); an 8-foot-high tubular steel fence is installed along most of the western property line, with the exception of an automobile parking area (eight spaces) near the northwest corner of the building, accessed from Santa Ana Avenue. The 40-foot-wide west side driveway into the site, at the south end of the auto parking area, will be controlled by an 8-foot-high telescoping gate, which leads to the truck court area on the west side of the building. Another 8-foot-high telescoping gate will be located near the southeast corner of the building. The various fences and gates are shown in Figure 3.2-6.

3.2.6 Utilities

Sanitary Sewer: The project proposes offsite sewer improvements to connect the sewer lines from the project site to the existing sewer main in Dahlia Avenue. All sewer line sizes and connections are subject to review by the City. The project applicant will work with the City's Public Works Department for necessary approvals and ensure compliance with applicable requirements.

Domestic Water: New water meters would be installed as required to meet the demands calculated by the plumbing contractor for the project and in compliance with the requirements of the City's Public Works Department. The project would extend existing 10-inch water mains from Santa Ana Avenue to the edge of the site. Water would be provided by the Fontana Water Company.

Figure 3.2-5
PRELIMINARY LANDSCAPE PLAN



PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Chilopsis linearis Desert Willow	24" Box	8	L	Multi
	Chitalpa tashkentensis Chitalpa	24" Box	10	L	Standard
	Pinus eldarica Afghan Pine	24" Box	3	L	Standard
	Quercus agrifolia Coast Live Oak	36" Box	10	L	Multi
	Rhus lancea African Sumac	24" Box	24	L	Standard
	Tristania conferta Brisbane Box	15 Gal	9	M	Standard
	Lagerstroemia i 'Muskogee' Crape Myrtle	24" Box	6	M	Street Tree

3' High Screen Shrub

ACCENTS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS
	Agave 'Blue Flame' Blue Flame Agave	5 Gal	0	L
	Agave 'Blue Glow Blue Glow Agave	5 Gal	0	L
	Agave victoria-reginae Agave	5 Gal	0	L
	Aloe maculata Soap Aloe	5 Gal	0	L
	Aloe striata Coral Aloe	1 Gal	0	L
	Dasylerion wheeleri Desert Spoon	5 Gal	0	L
	Echeveria 'Afterglow' Aftergow Echeveria	5 Gal	0	L
	Hesperaloe parviflora Red Yucca	5 Gal	0	L

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS
	Acacia redolens 'Low Boy' Dwarf Acacia	1 Gal	8' O.C.	L
	Carissa m. 'Green Carpet' Prostrate Natal Plum	1 Gal	36" O.C.	M
	Lantana 'Gold Mound' Yellow Lantana	1 Gal	36" O.C.	L
	Myoporum parvifolium Myoporum	1 Gal	36" O.C.	L
	Rosmarinus o. 'Huntington Carpet' Prostrate Rosemary	1 Gal	48" O.C.	L

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	SPACING
	Acca sellowiana Pineapple Guava	5 Gal	0	M	3' OC 2' from hardscape
	Baccharis p. 'Centenial' Coyote Bush	5 Gal	0	L	4' OC 2.5' from hardscape
	Callistemon 'Little John' Dwarf Bottle Brush	5 Gal	0	L	3' OC 2' from hardscape
	Dietes bicolor Fortnight Lily	5 Gal	0	M	3' OC 2' from hardscape
	Leonotis leonurus Lion's Tail	5 Gal	0	L	3' OC 2' from hardscape
	Ligustrum j. Texanum Texas Privet	5 Gal	0	M	3' OC 2' from hardscape
	Leucophyllum frutescens Texas Ranger	5 Gal	0	L	3' OC 2.5' from hardscape
	Muhlenbergia capillaris Pink Muhly	5 Gal	0	L	3' OC 2' from hardscape
	Muhlenbergia rigens Deer Grass	5 Gal	0	M	4' OC 2.5' from hardscape
	Rosmarinus o. 'Tuscan Blue' Rosemary	5 Gal	0	L	3' OC 2' from hardscape
	Ruellia brittoniana Ruellia	5 Gal	0	L	3' OC 2' from hardscape
	Russelia equisetiformes Coral Fountain	5 Gal	0	L	4' OC 2.5' from hardscape
	Salvia c. 'Allen Chickering' Allen Chickering Sage	5 Gal	0	L	3' OC 2.5' from hardscape
	Salvia greggii Autumn Sage	5 Gal	0	L	3' OC 2' from hardscape
	Salvia g. 'Lipstick' Autumn Sage Lipstick	5 Gal	0	L	3' OC 2' from hardscape
	Salvia leucantha Mexican Sage	5 Gal	0	L	3' OC 2' from hardscape
	Westringia fruticosa Coast Rosemary	5 Gal	0	L	5' OC 3' from hardscape
	Westringia f. 'Grey Box Dwarf Coast Rosemary	5 Gal	0	L	3' OC 2' from hardscape

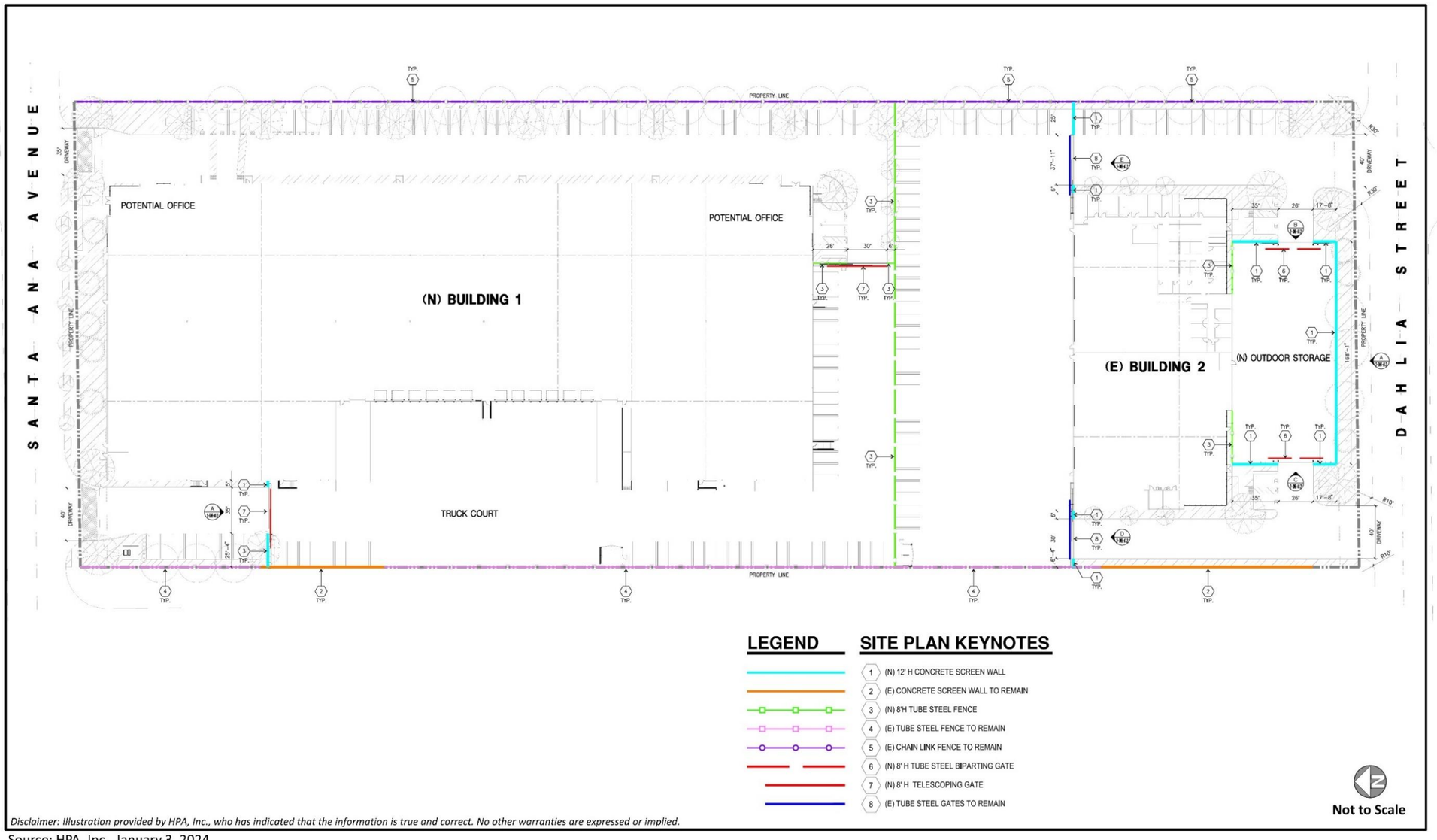
Disclaimer: Illustration provided by Hunter Landscape, who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Hunter Landscape, January 17, 2024.

Conco Warehouse Building
13052 Dahlia Street

Preliminary Landscape Plan

Figure 3.2-6
FENCE AND GATE PLAN



Source: HPA, Inc., January 3, 2024.

Conco Warehouse Building
13052 Dahlia Street

Fence and Gate Plan

Dry Utilities: Natural gas service would be provided to the project site by the Southern California Gas Company (SoCalGas), Electricity would be provided by Southern California Edison Company (SCE), and solid waste disposal would be provided by Burrtec (City of Fontana Utilities, 2020).

Stormwater: According to the Preliminary Drainage Report (see **Appendix H1**), the primary drainage solution for the site will be an underground chamber detention system. This detention chamber system (CMP-2) has an 18-inch outlet pipe that will discharge into the proposed bubbler catch basin in the driveway at the southwest corner of the site. The detention chamber system (CMP-2) will mitigate the developed runoff to less than 90 percent of the existing runoff flow rate. This onsite detention system (CMP-2) will consist of 5-foot diameter perforated CMP system (with four barrels) located upstream under the west driveway/parking area. Ultimately the mitigated runoff will drain down Dahlia Street which will drain to the City Storm Drain System in Etiwanda Avenue and then drain to San Sevaine Channel (Allard Engineering, 2023).

3.3 Construction Activities

3.3.1 Onsite Construction

Construction activities would include earthwork, rebar, structural steel, concrete slab, concrete panels, truss placement, mechanical, electrical, plumbing, glazing, roofing, landscaping, hardscape consisting of asphalt concrete, fencing, associated site utilities, site drainage, and any associated offsite work that may be required. Construction phasing would include earthwork, concrete slab, concrete panels, mechanical, electrical, plumbing, glazing, roofing, landscaping, hardscape consisting of AC and concrete, fencing, associated site utilities, site drainage, and any associated offsite work that may be required. Construction would consist of four phases: 1) site preparation; 2) grading, utilities trenching, and utilities installation; 3) building construction; and 4) paving and landscaping. For safety reasons, temporary barricades would be used to limit access to the site during project construction. Safe access for construction workers would be maintained throughout construction. It is anticipated that up to 30 workers would be onsite during the peak construction phases.

The type of construction equipment utilized during construction is anticipated to include:

- Tractors, loaders, backhoes, dozers, excavators, skip loaders, scrapers, concrete trucks, concrete pumps, concrete vibrators, laser screeds, and dump trucks for site preparation and rough grading.
- Cranes, forklifts, backhoes, skip loaders, trucking, compacting equipment, manlifts, welders, paving-skip loaders, grading equipment, trucking and rollers for building construction.
- Skip loaders, backhoes, trenchers and trucking for utility improvements.
- Bobcats, air compressors, forklifts, and delivery trucks for landscaping and irrigation.

Construction staging areas would be provided within the boundaries of the project site. Construction workers would park vehicles onsite and construction trucks and equipment would also be parked and stored onsite.

3.3.2 Offsite Improvements

The project would include utility improvements (both wet and dry); domestic and fire water, stormwater, sewer, electrical, gas, cable tv and communication.

3.3.3 Construction Schedule

Construction is anticipated to begin approximately four to five months following entitlement, which is anticipated sometime in Second or Third Quarter 2024. Thus, construction would begin sometime in Fourth Quarter 2024 and would last approximately 10 to 12 months, ending in 2025.

3.4 Standard Requirements and Conditions of Approval

The proposed project would be reviewed in detail by applicable City of Fontana departments and divisions that have the responsibility to review land use application compliance with City codes and regulations. City staff is also responsible for reviewing this IS/MND to ensure that it is technically accurate and is in full compliance with CEQA. The departments and divisions at the City of Fontana responsible for technical review include:

- City of Fontana Development Services Department;
- City of Fontana Public Works Department;
- City of Fontana Fire Protection District;
- City of Fontana Engineering Department.

3.5 Discretionary and Ministerial Approvals

The City will require a Design Review for the proposed project; and a Conditional Use Permit for outdoor storage of concrete forming equipment.

Table 3.5-1 identifies the additional permits and approvals required from either the City, other public agencies and/or quasi-public agencies (utilities) subsequent to the approval of the aforementioned Design Review.

Table 3.5-1
MINISTERIAL PERMITS AND APPROVALS

Agency	Permit or Approval
City of Fontana Building & Safety Division	Site plan review and approval, and building permits.
Fontana Fire Protection District	Building plan check and approval. Review for compliance with the California Fire Code, California Building Code, California Health & Safety Code and Fontana Municipal Code. Plans for fire detection and alarm systems, and automatic sprinklers.
Fontana Public Works Department	Approval for proposed offsite utility improvements.
Fontana Water Company	Letter of authorization/consent for proposed improvements to provide water supply connection to new development.

Agency	Permit or Approval
Southern California Gas Company	Letter of authorization/consent for proposed improvements to provide natural gas connection to new development.
Southern California Edison Company	Letter of authorization/consent for proposed improvements to provide electrical connection to new development.

4.0 ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected

The checked topics below indicate that a "Potentially Significant Impact" or a "Less than Significant Impact with Mitigation Required" are likely with project implementation. In the following pages, these impacts will be identified.

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

Determination (To Be Completed by the Lead Agency)

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

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

Signature — Date: 8/20/25

Printed Name: Rina Leung

City of Fontana

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 would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

(2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

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

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

   (a) Earlier Analyses Used. Identify and state where the earlier analysis 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 that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

(6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

(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 significant.

4.1 Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			**X**	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				**X**
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?			**X**	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			**X**	

A "visual environment" includes the built environment (development patterns, buildings, parking areas, and circulation elements) and natural environment features such as hills, vegetation, rock outcroppings, drainage pathways, and soils.

Views are characterized by visual quality, viewer groups and sensitivity, duration, and visual resources.

- *Visual quality* refers to the general aesthetic quality of a view, such as vividness, intactness, and unity.
- *Viewer groups* identify who is most likely to experience the view.
- *High-sensitivity land uses* include residences, schools, playgrounds, religious institutions, and passive outdoor spaces such as parks, playgrounds, and recreation areas.
- *Duration* of a view is the amount of time that a particular view can be seen by a specific viewer group.
- *Visual resources* refer to unique views, and views identified in local plans, from scenic highways, or of specific unique structures or landscape features.

a) Except as provided in Public Resources Code Section 21099 would the project have a substantial adverse effect on a scenic vista?

Less than Significant Impact

Scenic vistas generally include extensive panoramic views of natural features, unusual terrain, or unique urban or historic features, for which the field of view can be wide and extend into the distance, and focal views that focus on a particular object, scene or feature of interest.

The project site is located in an area of Fontana that is characterized by flat topography and industrial development. The City of Fontana is located on a desert valley floor between the San Gabriel Mountains to the north and the Jurupa Hills to the south (Stantec, 2018b, p. 5.1-1). Dominant natural visual resources in the project area comprise scenic vistas from public thoroughfares and open spaces in the vicinity of the project to distant San Gabriel Mountains and foothills of the Jurupa Mountains.

In general, existing views in the project vicinity include distant views of the Jurupa Mountains to the south and distant views of the San Gabriel Mountains to the north. However, views of the Jurupa and San Bernardino Mountains would not be impacted significantly because of the far distance from the project site and the intervening buildings and trees surrounding the project site that partially block views of the mountains (refer to **Figure 4.1-1**). The proposed project building would have a maximum height of 46.5 feet, which would be similar to the buildings adjacent to the site. Additionally, the project area is highly industrial with no high-sensitivity land uses or viewers. The proposed new building would be consistent with the general character of the surrounding neighborhood in terms of architectural style, density, height, bulk, and setback. As mentioned above, there are intervening buildings and trees that block the view of the mountains. The proposed development would not obstruct views of distant mountains and hills for motorists traveling along nearby roadways. Therefore, the project would have less than significant impact on scenic vistas.

b) Except as provided in Public Resources Code Section 21099, would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact

The California Department of Transportation (Caltrans) provides information regarding officially designated or eligible state scenic highways designated as part of the California Scenic Highway Program. According to Caltrans, there are no officially designated scenic highways within or adjacent to the project area, and there are no roadways near the project site that are currently eligible for scenic highway designation as shown in **Figure 4.1-2,** *Scenic Highways*. The closest official state scenic highway, State Route 91 (SR-91), is approximately 20 miles southwest of the project site. Therefore, due to the distance between the project site and nearest state scenic highway, the project would have no impacts on trees, rock outcroppings and historic buildings within a state scenic highway.

Figure 4.1-1
PHOTOS OF SURROUNDING PROJECT AREA



PHOTO 1: View looking north of a laboratory office.



PHOTO 2: View looking east of a crane service center.



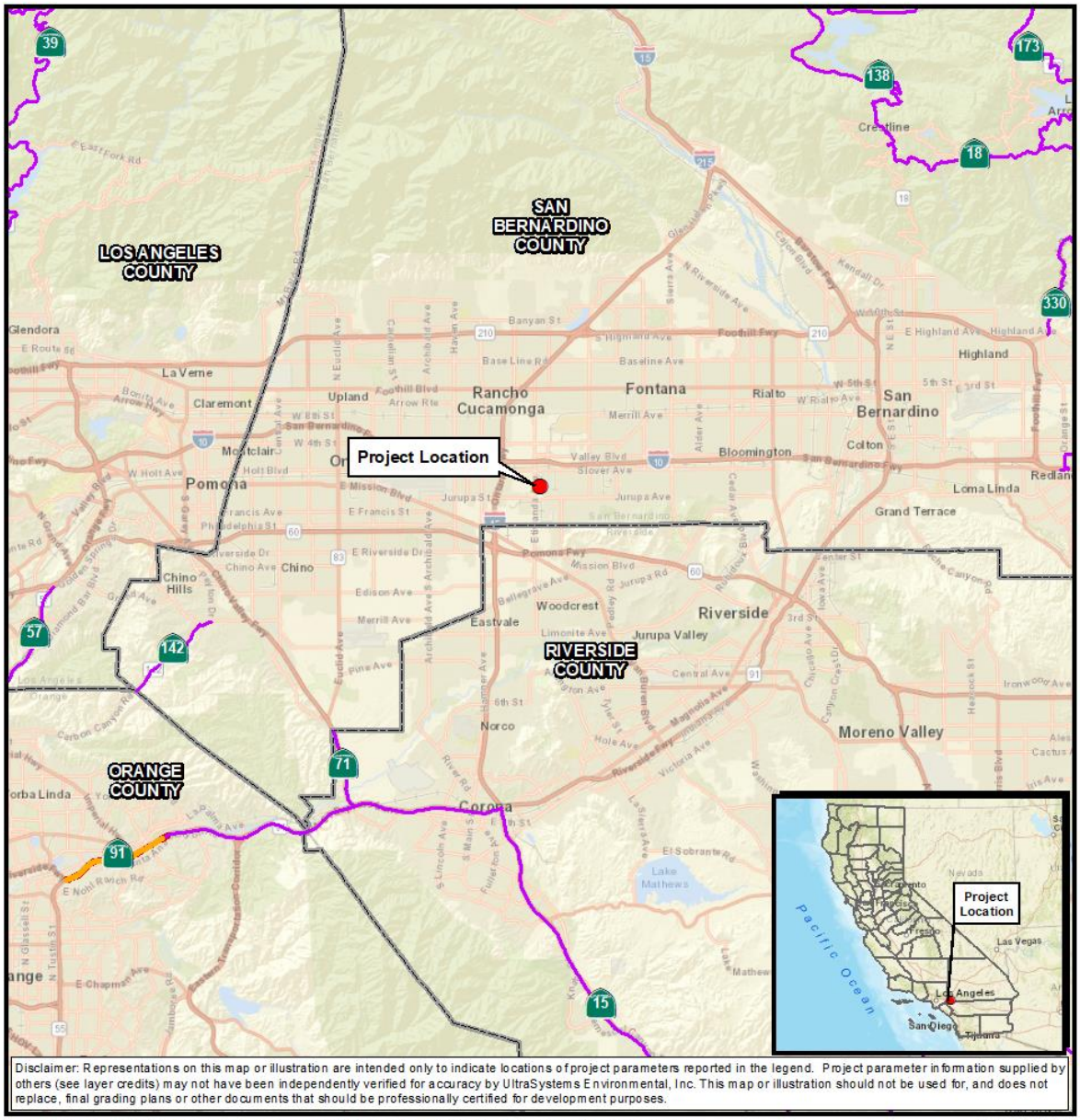
PHOTO 3: View looking south of a manufacturing building.



PHOTO 4: View looking west of a fulfillment center.

Source: UltraSystems Environmental, 2023

Figure 4.1-2
SCENIC HIGHWAYS



c) Except as provided in Public Resources Code Section 21099, would the project 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?

Less than Significant Impact

The project site is located in an urban setting characterized by industrial land uses. **Table 4.1-1** below provides the applicable policies from the City of Fontana General Plan that pertain to aesthetics, along with a description of how the proposed project would be in compliance.

Table 4.1-1
PROJECT COMPLIANCE WITH CITY OF FONTANA GENERAL PLAN POLICIES REGARDING SCENIC QUALITY AND AESTHETICS

General Plan Element	Project Compliance
Land Use Element. Goal 7: Public and private development meets high design standards.	
Policies: • Support high-quality development in design standards and in land use decisions.	The proposed project would construct a high-quality warehouse development that would adhere to the city's design regulations, with ornamental landscaping that would complement the surrounding industrial land uses. Therefore, the proposed project would not conflict with this policy.

Source: Stantec, 2018b, p. 5.1-14

As analyzed above, the proposed project would adhere to applicable aesthetic and scenic quality regulations and policies mandated by the City of Fontana General Plan. Additionally, the proposed project would adhere to the city's Municipal Code, which would ensure that building height, setbacks, building design, parking stalls and screening would be within required threshold levels (City of Fontana Municipal Code, 2023). Therefore, impacts would be less than significant.

d) Except as provided in Public Resources Code Section 21099, would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact

The project site is located in an urban area, which is characterized by medium nighttime ambient light levels. Street lights, traffic on local streets and exterior lighting in nearby developments are the primary sources of light that contribute to the ambient light levels in the project area. The project is surrounded by industrial in all directions (Google Earth Pro, 2024).

The project proposes new exterior lighting throughout the site, including parking lot lighting. Installation of lighting on the building exterior, as well as proposed parking lot lighting would be necessary for safety and nighttime visibility throughout the project site. The new project lighting would be visible from the surrounding area. Therefore, the project's proposed exterior lighting is

expected to contribute to ambient nighttime illumination in the project vicinity. However, the proposed project would comply with City of Fontana Municipal Code § 30-260, Lighting and Glare, which states, "all lights shall be directed and/or shielded to prevent the light from adversely affecting adjacent residential or commercial properties. No structure or feature shall be permitted which creates adverse glare effects" (City of Fontana Municipal Code, 2023). None of the materials proposed would have a mirror finish or would be highly reflective. Refer to **Appendix A** of this document, which provides the proposed project plans.

Adherence to applicable City Municipal Codes would ensure that new sources of light or glare would not adversely affect day or nighttime views in the area. Therefore, impacts from a new source of substantial light or glare would be less than significant.

4.2 Agriculture and Forestry Resources

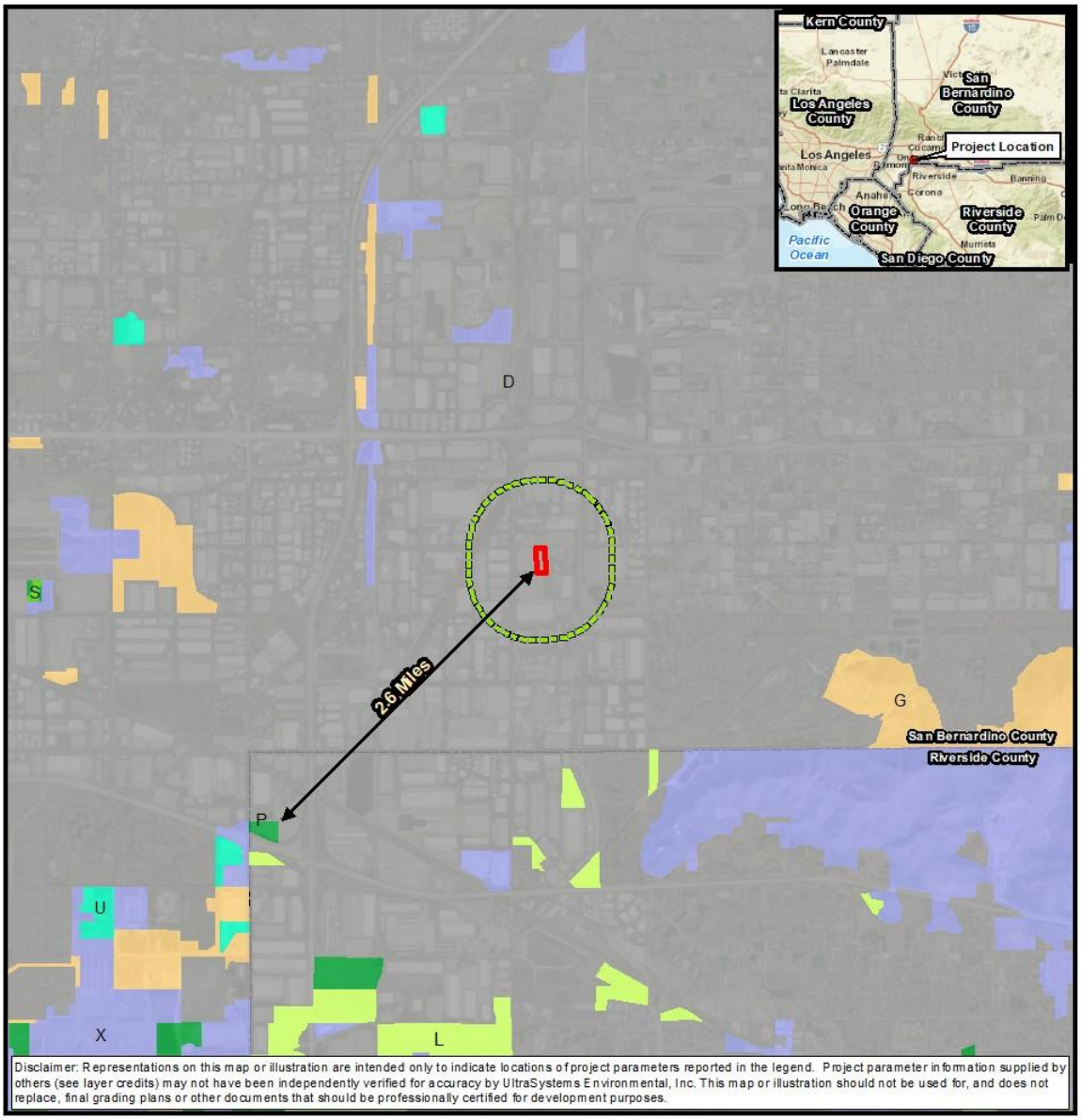
Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				**X**
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				**X**
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Codes § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?				**X**
d) Result in the loss of forest land or conversion of forest land to non-forest use?				**X**
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?				**X**

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

No Impact

The Farmland Mapping and Monitoring Program (FMMP) was established in 1982 by the California Department of Conservation (DOC) to analyze critical agricultural farmlands and observe land conversion change over time. The proposed project is deemed as "Urban and Built-up Land," which means that the land has a building density of at least one building to 1.5 acres of land and is mainly utilized for residential, industrial or other non-agricultural business (DOC, 2023). As shown in **Figure 4.2-1**, the project site is about 2.6 miles from the nearest Prime Farmland. Hence, the project would not convert farmland for non-agricultural use. No impacts would occur.

Figure 4.2-1
IMPORTANT FARMLAND



b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact

The Williamson Act, also known as the California Conservation Act of 1965, authorizes local governments to work with private landowners by negotiating an agreement to tax these landowners at lower rates if they restrict specific pieces of land to agricultural or open space use. According to San Bernardino County's Williamson Act Contract Map, the proposed project is shown as being on land identified as "Urban and Built-Up Land" and does not contain any land under the specific jurisdiction of the Williamson Act (Department of Conservation, 2020a). The City of Fontana's General Plan for 2015-2030 identifies the proposed project area as "I-G," which means it is for General Industrial uses (City of Fontana, 2017). Currently, no agricultural operations are in the vicinity of the site (Google Earth Pro, 2023). Therefore, the project would not conflict with existing zoning for agriculture uses or any Williamson Act contracts. No impacts would occur.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220(g)), timberland (as defined by Public Resources Codes § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104(g))?

No Impact

The proposed project is located in a highly-urbanized setting and is zoned as M-2, indicating that it is General Industrial (Zoning and Development Code, City of Fontana, 2022). The definitions given by Public Resource Code (PRC) § 4526 regarding timberland, by PRC § 12220(g) for forest land, or by California Government Code § 51104(g) for timberland zoned for production do not apply to this type of zoning because forest and timberland do not exist there. Being in a highly-urbanized area, the project would have no impact on either existing forestry or timberland zoning, nor would it cause their rezoning. No impacts would occur.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact

The project is not within a forest area, and it is located on land with a General Plan Land Use Designation of I-G (City of Fontana, 2019a). The project would not bring about the loss or altering of forest land because construction and other related activities would happen specifically on the project site, which is not forest land. Consequently, the proposed project would not result in the loss and/or conversion of forest land. No impacts would occur.

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact

The proposed project is located on land zoned as "M-2," which allows General Industrial uses. It is also surrounded by land with the same zoning. Therefore, the project would not involve other

changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. No impacts would occur.

4.3 Air Quality

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

4.3.1 Pollutants of Concern

Criteria pollutants are air pollutants for which acceptable levels of exposure can be determined and an ambient air quality standard has been established by the U.S. Environmental Protection Agency (USEPA) and/or the California Air Resources Board (ARB). The criteria air pollutants of concern are nitrogen dioxide (NO_2), carbon monoxide (CO), particulate matter (PM_{10} and $PM_{2.5}$), sulfur dioxide (SO_2), lead (Pb), and ozone, and their precursors, such as reactive organic gases (ROG) (which are ozone precursors). Since the proposed Conco warehouse project (proposed project or Project) would not generate appreciable SO_2 or Pb emissions,[7] the analysis doesn't need to include those two pollutants. Below is a description of the remaining air pollutants of concern and their known health effects.

The project is in the San Bernardino County portion of the South Coast Air Basin (SCAB), in which the South Coast Air Quality Management District (SCAQMD) is substantially responsible for air pollution control.

Table 4.3-1 shows the attainment status of the SCAB for each criteria pollutant for both the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS).

7 Sulfur dioxide emissions will be below 0.05 pound per day during construction and below 0.07 pound per day during operations.

Table 4.3-1
FEDERAL AND STATE ATTAINMENT STATUS

Pollutants	Federal Classification	State Classification
Ozone (O_3) – 1-hour standard	Nonattainment (Extreme)	Nonattainment
Ozone (O_3) – 8-hour standard	Nonattainment (Extreme)	
Particulate Matter (PM_{10})	Maintenance (Serious)	Nonattainment
Fine Particulate Matter ($PM_{2.5}$)	Nonattainment (Serious)	Nonattainment
Carbon Monoxide (CO)	Maintenance (Serious)	Attainment
Nitrogen Dioxide (NO_2)	Maintenance (Primary)	Attainment
Sulfur Dioxide (SO_2)	Unclassified	Attainment
Sulfates	No Federal Standards	Attainment
Lead (Pb)		Attainment
Hydrogen Sulfide (H_2S)	Unclassified	
Visibility Reducing Particles		

Sources: ARB, 2020, USEPA, 2022a.

Nitrogen oxides (NO_X) serve as integral participants in the process of photochemical smog production and are precursors for certain particulate compounds that are formed in the atmosphere and for ozone. A precursor is a directly emitted air contaminant that, when released into the atmosphere, forms, causes to be formed, or contributes to the formation of a secondary air contaminant for which an ambient air quality standard (AAQS) has been adopted, or whose presence in the atmosphere will contribute to the violation of one or more AAQSs. When NO_X and ROG are released in the atmosphere, they can chemically react with one another in the presence of sunlight to form ozone. The two major forms of NO_X are nitric oxide (NO) and NO_2. NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO_2 is a reddish-brown pungent gas formed by the combination of NO and oxygen. NO_2 acts as an acute respiratory irritant and eye irritant and increases susceptibility to respiratory pathogens (USEPA, 2011).

Carbon monoxide is a colorless, odorless non-reactive pollutant produced by incomplete combustion of fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft and trains. In urban areas, such as the project location, automobile exhaust accounts for most CO emissions. CO is a non-reactive air pollutant that dissipates relatively quickly; therefore, ambient CO concentrations generally follow the spatial and temporal distributions of vehicular traffic. CO concentrations are influenced by local meteorological conditions, primarily wind speed, topography, and atmospheric stability. CO from motor vehicle exhaust can become locally concentrated when surface-based temperature inversions are combined with calm atmospheric conditions, a typical situation at dusk in urban areas between November and February. The highest levels of CO typically occur during the colder months of the year when inversion conditions are more frequent. In terms of health, CO competes with oxygen, often replacing it in the blood, thus reducing the blood's ability to transport oxygen to vital organs. The results of

excess CO exposure can be dizziness, fatigue, and impairment of central nervous system functions. High concentrations are lethal (USEPA, 2010).

Particulate matter (PM) consists of finely divided solids or liquids, such as soot, dust, aerosols, fumes and mists. Primary PM is emitted directly into the atmosphere from activities such as agricultural operations, industrial processes, construction and demolition activities, and entrainment of road dust into the air. Secondary PM is formed in the atmosphere from predominantly gaseous combustion by-product precursors, such as sulfur oxides, NO_X, and ROGs.

Particle size is a critical characteristic of PM that primarily determines the location of PM deposition along the respiratory system (and associated health effects) as well as the degradation of visibility through light scattering. In the United States, federal and state agencies have focused on two types of PM. PM_{10} corresponds to the fraction of PM no greater than 10 micrometers in aerodynamic diameter and is commonly called respirable particulate matter, while $PM_{2.5}$ refers to the subset of PM_{10} of aerodynamic diameter smaller than 2.5 micrometers, which is commonly called fine particulate matter.

PM_{10} and $PM_{2.5}$ deposition in the lungs results in irritation that triggers a range of inflammation responses, such as mucus secretion and bronchoconstriction, and exacerbates pulmonary dysfunctions, such as asthma, emphysema, and chronic bronchitis. Sufficiently small particles may penetrate the bloodstream and impact functions such as blood coagulation, cardiac autonomic control, and mobilization of inflammatory cells from the bone marrow. Individuals susceptible to higher health risks from exposure to airborne PM_{10} pollution include children, the elderly, smokers, and people of all ages with low pulmonary/cardiovascular function. For these individuals, adverse health effects of PM_{10} pollution include coughing, wheezing, shortness of breath, phlegm, bronchitis, and aggravation of lung or heart disease, leading, for example, to increased risks of hospitalization and mortality from asthma attacks and heart attacks (USEPA, 2022b).

Reactive organic gases (ROG) are defined as any compound of carbon, excluding CO, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions. It should be noted that there are no state or national ambient air quality standards for ROG because ROGs are not classified as criteria pollutants. They are regulated, however, because a reduction in ROG emissions reduces certain chemical reactions that contribute to the formation of ozone. ROGs are also transformed into organic aerosols in the atmosphere, which contribute to higher PM_{10} and lower visibility. The term "ROG" is used by the ARB for this air quality analysis and is defined the same as the federal term "volatile organic compound" (VOC).

Ozone is a secondary pollutant produced through a series of photochemical reactions involving ROG and NO_X. Ozone creation requires ROG and NO_X to be available for approximately three hours in a stable atmosphere with strong sunlight. Because of the long reaction time, peak ozone concentrations frequently occur downwind of the sites where the precursor pollutants are emitted. Thus, ozone is considered a regional, rather than a local, pollutant. The health effects of ozone include eye and respiratory irritation, reduction of resistance to lung infection and possible aggravation of pulmonary conditions in persons with lung disease. Ozone is also damaging to vegetation and untreated rubber (USEPA, 2022c).

4.3.2 Climate/Meteorology

Air quality is affected by both the rate and location of pollutant emissions, and by meteorological conditions that influence movement and dispersal of pollutants. Atmospheric conditions such as wind speed, wind direction, and air temperature gradients, along with local topography, provide the link between air pollutant emissions and air quality.

The project site is located wholly within the SCAB, which includes all of Orange County, as well as the non-desert portions of Los Angeles, Riverside, and San Bernardino Counties. The distinctive climate of the SCAB is determined by its terrain and geographical location. The SCAB is in a coastal plain with connecting broad valleys and low hills, bounded by the Pacific Ocean in the southwest quadrant with high mountains forming the remainder of the perimeter. The general region lies in the semi-permanent high-pressure zone of the eastern Pacific. Thus, the climate is mild, tempered by cool sea breezes. This usually mild climatological pattern is interrupted infrequently by periods of extremely hot weather, winter storms, or Santa Ana winds (SCAQMD, 1993).

The average annual maximum and minimum temperatures in the project area, as determined from the nearest meteorological station, Fontana Kaiser (#043120; latitude 34.08333°; longitude -117.5167°) (WRCC, 2023), which is approximately 1.95 miles northwest of the project site, are 73.6 degrees Fahrenheit (°F) and 48.5°F, respectively. Average winter (December, January, and February) high and low temperatures are approximately 68.2°F and 44.5°F, respectively, and average summer (June, July, and August) high and low temperatures are approximately 92.0°F and 60.6°F, respectively. The annual average of total precipitation is approximately 15.32 inches, which occurs mostly during the winter and relatively infrequently during the summer. Monthly precipitation averages approximately 2.9 inches during the winter (December, January, and February), approximately 1.4 inches during the spring (March, April, and May), approximately 0.8 inch during the fall (September, October, and November), and approximately 0.05 inch during the summer (June, July, and August).

4.3.3 Local Air Quality

The SCAQMD has divided the SCAB into source receptor areas (SRAs), based on similar meteorological and topographical features. The project site is in SCAQMD's Central San Bernardino Valley air monitoring area (SRA 34), which is served by the SCAQMD's Fontana-Arrow Monitoring Station, located about 3.54 miles northeast of the proposed project site, at 14360 Arrow Highway in Fontana (SCAQMD, 2022a). Criteria pollutants monitored at the Fontana-Arrow Monitoring Station include ozone, PM_{10}, $PM_{2.5}$, and NO_2. CO has not been monitored in the SCAB since 2012. The ambient air quality data in the project vicinity as recorded from 2020 through 2022, along with applicable standards, are shown in **Table 4.3-2**.

Table 4.3-2
AMBIENT AIR QUALITY MONITORING DATA

Air Pollutant	Standard/Exceedance	2020	2021	2022
Ozone (O_3)	Max. 1-hour Concentration (ppm) Max. 8-hour Concentration (ppm) # Days > Federal 8-hour Std. of 0.070 ppm # Days > California 1-hour Std. of 0.09 ppm # Days > California 8-hour Std. of 0.070 ppm	0.151 0.112 89 56 91	0.124 0.104 89 44 83	0.144 0.108 68 44 70
Respirable Particulate Matter (PM_{10})	Max. 24-hour Concentration (µg/m^3) Est. # Days > Fed. 24-hour Std. of 150 µg/m^3 Federal Annual Average (12 µg/m^3)	76.8 ND 37.9	73.8 ND 30.1	62.4 0 32.0
Fine Particulate Matter ($PM_{2.5}$)	Max. 24-hour Concentration (µg/m^3) # Days > Fed. 24-hour Std. of 35 µg/m^3 State Annual Average (12 µg/m^3)	57.6 12.3 12.7	55.1 5.9 12.0	38.1 3.0 10.8
Nitrogen Dioxide (NO_2)	Max. 1-hour Concentration (ppm) State Annual Average (0.030 ppm) # Days > California 1-hour Std. of 0.18 ppm	0.057 0.018 0	0.060 0.018 0	0.050 0.017 0

Source: ARB, 2023
ND - There was insufficient (or no) data available to determine the value.

4.3.4 Air Quality Management Plan (AQMP)

The SCAQMD is required to produce plans to show how air quality will be improved in the region. The California Clean Air Act (CCAA) requires that these plans be updated triennially to incorporate the most recent available technical information.[8] A multi-level partnership of governmental agencies at the federal, state, regional, and local levels implements the programs contained in these plans. Agencies involved include the USEPA, ARB, local governments, Southern California Association of Governments (SCAG), and SCAQMD. The SCAQMD and SCAG are responsible for formulating and implementing the Air Quality Management Plan (AQMP) for the SCAB. The SCAQMD updates its AQMP every three years.

The 2022 AQMP (SCAQMD, 2022b) was adopted by the SCAQMD Board on December 2, 2022. It focuses on reducing ozone by limiting the emissions of NO_x, which is a key reactant in ozone formation. The NO_x reductions are through extensive use of zero emission technologies across all stationary and mobile sources categories. The majority of NO_x emissions are from heavy-duty trucks, ships and other state and federally regulated mobile sources that are mostly beyond the SCAQMD's control. The SCAQMD's primary authority is over stationary sources, which account for approximately 20 percent of the SCAB's NO_x emissions.

The AQMP incorporates updated emission inventory methodologies for various source categories and incorporates the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) prepared by SCAG (2020). The 2020-2045 RTP/SCS was determined to conform to the federally mandated State Implementation Plan for the attainment and maintenance of the NAAQS. county and city general plans.

[8] CCAA of 1988.

4.3.5 Sensitive Receptors

Some people, such as individuals with respiratory illnesses or impaired lung function because of other illnesses, persons over 65 years of age, and children under 14, are particularly sensitive to certain pollutants. Facilities and structures where these sensitive people live or spend considerable amounts of time are known as sensitive receptors. For the purposes of a CEQA analysis, the SCAQMD considers a sensitive receptor to be a receptor such as a residence, hospital, or convalescent facility where it is possible that an individual could remain for 24 hours (Chico and Koizumi, 2008, p. 3-2). Commercial and industrial facilities are not included in the definition of sensitive receptor, because employees typically are present for shorter periods of time, such as eight hours. Therefore, applying a 24-hour standard for PM_{10} is appropriate not only because the averaging period for the state standard is 24 hours, but because the sensitive receptor would be present at the location for the full 24 hours.

The nearest sensitive receptor to the project site is a single-family residence located 4,534 feet southwest of the project site along Jurupa Avenue (See **Figure 4.3-1**.).

4.3.6 Applicable South Coast Air Quality Management District Rules

Rule 403 (Fugitive Dust Rule)

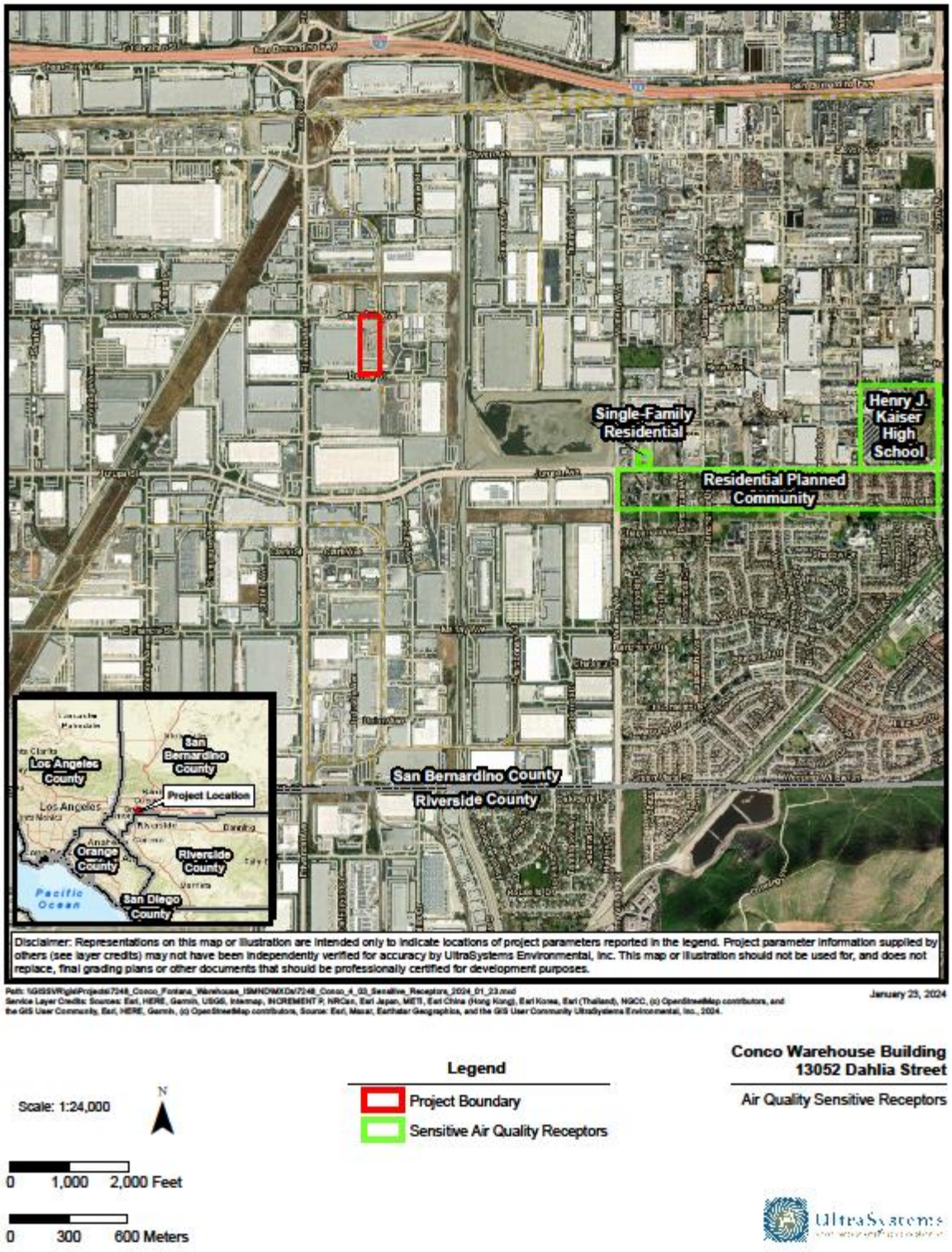
During construction, the project would be subject to SCAQMD Rule 403 (fugitive dust). SCAQMD Rule 403 does not require a permit for construction activities, per se; rather, it sets forth general and specific requirements for all construction sites (as well as other fugitive dust sources) in the SCAB. The general requirement prohibits a person from causing or allowing emissions of fugitive dust from construction (or other fugitive dust source) such that the presence of such dust remains visible in the atmosphere beyond the property line of the emissions source. SCAQMD Rule 403 also prohibits construction activity from causing an incremental PM_{10} concentration impact, as the difference between upwind and downwind samples, at the property line of more than 50 micrograms per cubic meter as determined through PM_{10} high volume sampling. The concentration standard and associated PM_{10} sampling do not apply if specific measures identified in the rules are implemented and appropriately documented.

Other requirements of Rule 403 include not causing or allowing emissions of fugitive dust that would remain visible beyond the property line; no track-out extending 25 feet or more in cumulative length and all track-out to be removed at conclusion of each workday; and using the applicable best available control measures included in Table 1 of Rule 403.

Rule 1113 (Architectural Coatings)

Construction of this project will include the application of architectural coatings and be subject to SCAQMD Rule 1113 (Architectural Coatings). Rule 1113 requires whoever applies, stores at a worksite, or solicits the application of architectural coatings to use coatings that contain VOC less than or equal to the VOC limits specified in Table 1 of the rule.

Figure 4.3-1
SENSITIVE RECEPTORS



Rule 2305 (Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions [WAIRE] Program)

The purpose of this rule is to reduce local and regional emissions of nitrogen oxides and particulate matter, and to facilitate local and regional emission reductions associated with warehouses and the

mobile sources attracted to warehouses in order to assist in meeting state and federal air quality standards for ozone and fine particulate matter. This rule is applicable to warehouses located in the SCAQMD's jurisdiction that have 100,000 square feet or more of indoor floor space in a single building).

The WAIRE Program requires warehouse operators to earn a minimum number of "WAIRE points" during a 12-month compliance period. The required number of points is called the "WAIRE Points Compliance Obligation (WPCO)." The WPCO is the product of a weighted number of annual truck trips, the factor 0.0025, and an annual adjustment value that starts out less than 1 for the first few years of the rule's implementation and becomes 1 from 2026 onwards. The truck trip weighting is based on vehicle weight class.

To meet the WPCO, a facility has to earn WAIRE points. One way is to take various actions to reduce emissions, such as serving 365 zero-emissions (ZE) trucks in one year or installing a hydrogen fueling station. A second option is to develop, apply for and implement a "Custom WAIRE Plan" that achieves quantifiable, verifiable and real NO_x and diesel particulate matter (DPM) emissions within the SCAQMD and within three miles of the warehouse. The third method is by paying a mitigation fee every year. In lieu of earning the required number of WAIRE points, a warehouse facility, land owner, or operator may choose to satisfy all or any remaining part of its WPCO through payment of a mitigation fee of $1,000 for each WAIRE Point and the fee should be paid no later than when the applicable Annual WAIRE Report for that compliance period is due.

The future project tenant would be responsible for compliance with the WAIRE program and would choose the option and actions for program compliance.

4.3.7 Impact Analysis

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less than Significant Impact

The South Coast 2022 AQMP, discussed above, incorporates land use assumptions from local general plans and regional growth projections developed by SCAG to estimate stationary and mobile air emissions associated with projected population and planned land uses. If the proposed land use is consistent with the local general plan, then the impact of the project is presumed to have been accounted for in the AQMP. This is because the land use and transportation control sections of the AQMP are based on the SCAG regional growth forecasts, which incorporate projections from local general plans. The project site is located in the Fontana Gateway Specific Plan area and is zoned General Industrial (M-2) (City of Fontana, 2023a). The land use and zoning would continue to be consistent with the local plans and the impacts of the project are still accounted for in the AQMP.

Another measurement tool in evaluating consistency with the AQMP is to determine whether a project would generate population and employment growth and, if so, whether that growth would

exceed the growth rates forecasted in the AQMP and how the project would accommodate the expected increase in population or employment. The project would not create increases in population and overall vehicle miles traveled (VMT) (RK Engineering Group, 2023) beyond those forecasted in the AQMP.

According to a trip generation and VMT screening analysis performed for this project (RK Engineering Group, 2023), the project has been screened out from a full VMT analysis based on the Project Net Daily Trips Less Than 500 ADT criterion and may be presumed to have a less than significant impact on VMT under CEQA (City of Fontana, 2020b).

Additionally, to assist the implementation of the AQMP, projects must not create regionally significant emissions of regulated pollutants from either short-term construction or long-term operations. The SCAQMD has developed criteria in the form of emissions thresholds for determining whether emissions from a project are regionally significant (SCAQMD, 2019). They are useful for estimating whether a project is likely to result in a violation of the NAAQS and/or whether the project is in conformity with plans to achieve attainment. SCAQMD's significance thresholds for criteria pollutant emissions during construction activities and project operation are summarized in **Table 4.3-3**. A project is considered to have a regional air quality impact if emissions from its construction and/or operational activities exceed the corresponding SCAQMD significance thresholds.

Table 4.3-3
SCAQMD EMISSIONS THRESHOLDS FOR SIGNIFICANT REGIONAL IMPACTS

Pollutant	Construction Thresholds (lbs/day)	Operational Thresholds (lbs/day)
Volatile Organic Compounds (VOC)	75	55
Nitrogen Oxides (NO_x)	100	55
Carbon Monoxide (CO)	550	550
Sulfur Oxides (SO_x)	150	150
Particulate Matter (PM_{10})	150	150
Fine Particulate Matter ($PM_{2.5}$)	55	55

Source: SCAQMD, 2023.
Note: lbs = pounds.

Regional Construction Emissions

Construction activities for the project are anticipated to begin in September 2024 and end in November 2025 and would have five construction phases:

- **Site Preparation**
- **Grading**
- **Building Construction**
- **Paving**
- **Architectural Coating**

Table 4.3-4 shows the project schedule used for the air quality, GHG emissions, and noise analyses.

Table 4.3-4
CONSTRUCTION SCHEDULE

Construction Phase	Start	End
Site Preparation	September 2, 2024	September 27, 2024
Grading	September 28, 2024	October 25, 2024
Building Construction	October 26, 2024	October 2, 2025
Paving	October 3, 2025	October 31, 2025
Architectural Coating	November 1, 2025	November 29, 2025

These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants. Mobile sources (such as diesel-fueled equipment onsite and traveling to and from the project site) would primarily generate NO_X emissions. The quantity of emissions generated daily would vary, depending on the amount and types of construction activities occurring at the same time.

Estimated criteria pollutant emissions from the project's onsite and offsite project construction activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2022.1.1.21 (CAPCOA, 2022). CalEEMod is a planning tool for estimating emissions related to land use projects. Model-predicted project emissions are compared with applicable thresholds to assess regional air quality impacts. Offroad construction equipment information was supplied by the client but CalEEMod defaults were used for onroad construction traffic inputs.

As shown in **Table 4.3-5**, construction emissions would not exceed SCAQMD regional thresholds. Therefore, the project's short-term regional air quality impacts would be **less than significant**. Refer to **Appendix B** of this document for the air quality calculations.

Table 4.3-5
MAXIMUM DAILY REGIONAL CONSTRUCTION EMISSIONS

Construction Activity	Maximum Emissions (lbs/day)				
	ROG	**NO_x**	**CO**	**PM_{10}**	**$PM_{2.5}$**
Maximum Emissions, 2024	**3.74**	36.0	34.4	9.49	5.47
Maximum Emissions, 2025	**25.4**	11.3	16.8	1.16	0.58
SCAQMD Significance Thresholds	***75***	***100***	***550***	***150***	***55***
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by UltraSystems with CalEEMod (Version 2022.1.1.21) (CAPCOA, 2022), SCAQMD, 2019.

Regional Operational Emissions

The proposed project consists of the development of an approximately 106,288-square-foot building containing 98,288 square feet of warehouse space and 8,000 square feet of office space on an approximately 4.99-acre site. The project site is located in the Fontana Gateway Specific Plan area

and is zoned General Industrial (M-2) (City of Fontana, 2023a). Operational emissions generated by area sources, motor vehicles and energy demand would result from normal day-to-day activities of the project. The results of these calculations are presented in **Table 4.3-6**. As seen in the table, for each criteria pollutant, operational emissions would be below the pollutant's SCAQMD significance threshold. Therefore, regional operational emissions would be **less than significant.**

Table 4.3-6
MAXIMUM DAILY PROJECT OPERATIONAL EMISSIONS

Emission Source	Pollutant (lbs/day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Area Source Emissions	3.18	0.04	4.62	0.01	0.01
Energy Source Emissions	0.03	0.56	0.47	0.04	0.04
Mobile Source Emissions	2.03	2.71	24.5	5.37	1.39
Total Operational Emissions	**5.24**	**3.31**	**29.59**	**5.42**	**1.44**
SCAQMD Significance Thresholds	***55***	***55***	***550***	***150***	***55***
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by UltraSystems with CalEEMod (Version 2022.1.1.21) (CAPCOA, 2022). SCAQMD, 2019.

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

Less than Significant Impact

Since the SCAB is currently in nonattainment for ozone, PM_{10} and $PM_{2.5}$, related projects may exceed an air quality standard or contribute to an existing or projected air quality exceedance. The SCAQMD neither recommends quantified analyses of construction and/or operational emissions from multiple development projects nor provides methodologies or thresholds of significance to be used to assess the cumulative emissions generated by multiple cumulative projects. Instead, the District recommends that a project's potential contribution to cumulative impacts be assessed by utilizing the same significance criteria as those for project-specific impacts. Furthermore, the SCAQMD states that if an individual development project generates less-than-significant construction or operational emissions impacts, then the development project would not contribute to a cumulatively considerable increase in emissions for those pollutants for which the Basin is in nonattainment.

As discussed above, the mass daily construction and operational emissions generated by the project would not exceed any of the SCAQMD's significance thresholds. Also, as discussed below, localized emissions generated by the Project would not exceed the SCAQMD's Localized Significance Thresholds (LSTs). Therefore, the project would not contribute a cumulatively considerable increase in emissions for the pollutants that the SCAB is in nonattainment. Thus, cumulative air quality impacts associated with the project would be less than significant.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact

Construction of the project would generate short-term and intermittent emissions. Following the SCAQMD's *Final Localized Significance Threshold Methodology* (Chico and Koizumi, 2008), only onsite construction emissions were considered in the localized significance analysis. The single-family residence located 4,534 feet (1,382 meters) southwest of the project site along Jurupa Avenue, is the nearest sensitive receptor. According to the methodology, screening tables may not apply to project sites larger than five acres (Chico and Koizumi, 2008, p. 3-4) and since the project site is 4.99 acres and the nearest sensitive receptor is 1,382 meters, the threshold is calculated for 4.99 acres and sensitive receptors are considered at 500 meters (1,640 feet).[9] Localized significance thresholds for projects in Source Receptor Area 34 (Central San Bernardino Valley) were obtained from tables in Appendix C of the aforementioned methodology. **Table 4.3-7** shows the results of the localized significance analysis for the project. Localized short-term air quality impacts from construction of the project would be **less than significant**.

Table 4.3-7
RESULTS OF LOCALIZED SIGNIFICANCE ANALYSIS

Nearest Sensitive Receptor	Maximum Onsite Construction Emissions (pounds/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
Maximum daily unmitigated emissions	**36.0**	**32.9**	**9.3**	**5.4**
SCAQMD LST for 4.99 acres @ 500 meters	*778*	*27,665*	*229*	*120*
Significant (Yes or No)	**No**	**No**	**No**	**No**

Source: Calculated by UltraSystems with CalEEMod (2022.1.1.21) (CAPCOA, 2022).

Screening Health Risk Assessment for Project Operations

A formal operational health risk assessment for a warehouse project in Fontana that was almost 1.2 times as large as the proposed project (Rogozen and Paitimusa, 2019) (Appendix B2) concluded that the maximum individual cancer risk from exposure to diesel particulate matter was less than the SCAQMD CEQA significance threshold of 10 in a million in all parts of the modeling domain (i.e., onsite and in the surrounding neighborhood). Noncancer risks were also found to be less than significant. In light of that finding, and the significantly smaller size of the Conco warehouse project, the potential impact would be less than significant.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact

A project-related significant adverse effect could occur if construction or operation of the proposed project would result in generation of odors that would be perceptible in adjacent sensitive areas. According to the SCAQMD *CEQA Air Quality Handbook (SCAQMD, 1993)*, land uses and industrial operations that are associated with odor complaints include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and

[9] This threshold evaluates the project's potential to expose sensitive receptors to substantial pollutant concentrations, as this siting option represents the worst-case scenario for construction-related impacts.

fiberglass molding. While the proposed building would be built on speculation, the future tenant is considered most likely to be logistics use and not to be any of the land use types associated with odor complaints. Potential sources that may emit odors during construction activities include equipment exhaust. Odors from these sources would be localized and generally confined to the immediate area surrounding the project. The project would use typical construction techniques, and the odors would be typical of most construction sites and temporary in nature.

The project would not create substantial objectionable odors and this impact would be less than significant.

4.4 Biological Resources

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		**X**		
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 US Fish and Wildlife Service?				**X**
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?				**X**
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native nursery sites?			**X**	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			**X**	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				**X**

4.4.1 Methodology

UltraSystems biologists researched readily available information, including relevant literature, databases, agency websites, various previously completed reports and management plans, GIS data, maps, aerial imagery from public domain sources, and in-house records to identify the following: 1) habitats, special-status plant and wildlife species, jurisdictional waters, critical habitats, and wildlife corridors that may occur in and near the project site; and 2) local or regional plans, policies, and regulations that may apply to the project. Sources accessed by UltraSystems for analysis include:

- United States Geological Survey (USGS) 7.5-Minute Topographic Map Guasti Quadrangle and current aerial imagery (USGS, 2015; Google Earth Pro, 2024).
- The Web Soil Survey, provided by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) (Soil Survey Staff, 2024).
- California Department of Fish and Wildlife (CDFW) BIOS Habitat Connectivity Viewer (CDFW, 2024a).
- California Natural Diversity Database (CNDDB), provided by the CDFW (CNDDB, 2023a).
- Information, Planning and Conservation (IPaC), provided by the United States Fish and Wildlife Service (USFWS; USFWS, 2023a).
- National Wetlands Inventory (NWI), provided by the USFWS (USFWS, 2023b).
- Inventory of Rare and Endangered Plants of California, 8th Edition, provided by the California Native Plant Society (CNPS, 2023a).
- *A Manual of California Vegetation*, Online Edition (CNPS, 2023b).
- National Hydrography Dataset, provided by the USGS (USGS, 2023).
- Sawyer, J.O., T. Keeler-Wolf, J.M. Evens, 2009. *A Manual of California Vegetation, Second Edition,* provided by California Native Plant Society Press.
- EPA Waters GeoViewer, provided by USEPA (USEPA, 2022f).

Plant and wildlife species listed under the federal Endangered Species Act (ESA) or under the California Endangered Species Act (CESA) are referred to collectively as *listed species* in this section. Plant and wildlife species not listed under ESA or CESA but still protected by federal agencies, state agencies, local or regional plans and/or nonprofit resource organizations, such as the California Native Plant Society (CNPS), are collectively referred to as *sensitive species* in this section. The term *special-status species* is used when collectively referring to both listed and sensitive species.

Aerial imagery was overlaid with geospatial data by utilizing Geographic Information System (GIS) software to identify documented observations of the following biological or environmental components within the project vicinity:

(1) Previously recorded observations within the project vicinity and geographic range of special-status species and potentially suitable habitats

(2) Special-status vegetation communities

(3) Protected management lands

(4) Proposed and final critical habitats

(5) Waters of the State and waters of the U.S., including wetlands

(6) Wildlife corridors

An analysis of the biological study area (BSA), which comprises the project site plus a 500-foot buffer around its perimeter, was conducted by UltraSystems biologists to evaluate habitat conditions and assess potential impacts to biological resources (refer to **Figure 4.4 1** *Project Boundary and Biological Study Area [BSA]).*

The project site contains disturbed and developed/ornamental land cover and contains the existing Conco Companies facility. The BSA contains segments of Dahlia Street in the southern segment and Santa Ana Avenue in the northern segment, with other paved surfaces and landscaped areas (Google Earth Pro, 2024). There are several ornamental trees in the BSA, which are propagated typically in landscape designs for aesthetic purposes.

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

Less Than Significant with Mitigation Incorporated

Plants: 10-Mile Radius

Based on a literature review of publicly available databases (CNDDB, 2023a; CNPS, 2023a; USFWS, 2023a), a total of 30 special-status plant species (six listed and 24 sensitive), were identified as having been recorded within a 10-mile radius of the project site (plant inventory). Refer to **Appendix C** *Special-Status Species Inventory and Occurrence Potential* Determination for a complete list of all species evaluated in the plant inventory, general habitat information of those species, their respective status rankings, and the definitions of those status rankings.

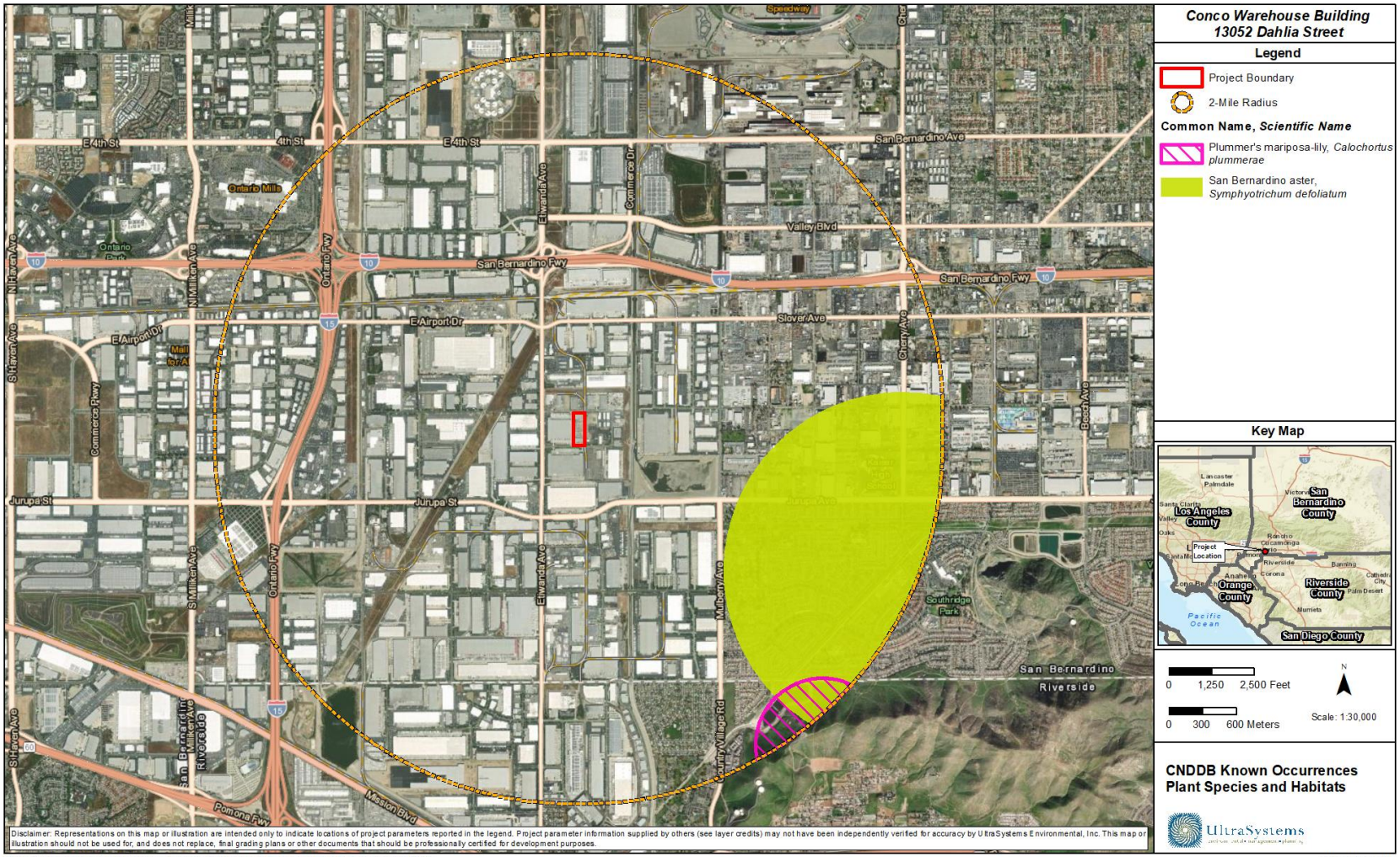
Plants: CNDDB Two-Mile Query

Two of the 30 species in the plant inventory, San Bernardino aster (*Symphyotrichum defoliatum*) and Plummer's mariposa-lily (*Calochortus plummerae*), have been reported within a two-mile radius from the project (CNDDB, 2023a). Both species were determined to be not expected to occur by results of the literature review (see **Figure 4.4-2,** *CNDDB Known Occurrences: Plant Species and Habitats*). Suitable habitat types to support these two abovementioned species include cismontane woodlands, coastal scrub, lower montane coniferous forests, meadows, seeps, marshes, swamps, and vernally mesic valley and foothill grasslands (Calflora, 2024). The BSA does not provide any of these habitat conditions.

Figure 4.4-1
PROJECT BOUNDARY AND BIOLOGICAL STUDY AREA (BSA)



Figure 4.4-2
CNDDB KNOWN OCCURRENCES PLANT SPECIES AND HABITATS – TWO-MILE RADIUS



Furthermore, soils on the site are extremely compacted; soil compaction, in addition to the activity of the existing facility, would prevent special-status plant species from dispersing onto the site.

The results of the literature review determined that none of the species evaluated in the plant inventory are expected to occur in the BSA due to the following factors: lack of suitable habitat and/or the site is outside of the known elevation, and/or general distribution of the target species. The BSA contains highly disturbed and developed/ornamental areas with impermeable surfaces, significantly limiting the likelihood that special-status plant species would establish there. No impacts to special-status plant species are expected as a result of the project, and mitigation is not required.

Wildlife: 10-Mile Radius

Based on a literature review of publicly available databases (CNDDB, 2023a; eBird 2023; USFWS 2023a; iNaturalist 2024) for reported occurrences within a 10-mile radius of the project site, a total of 50 special-status wildlife species (18 listed and 32 sensitive) were identified as having been recorded within a 10-mile radius of the project site (wildlife inventory). Refer to **Appendix C** *Special-Status Species Inventory and Occurrence Potential Determination* for a complete list of all species evaluated, their respective status rankings, and the definitions of those status rankings.

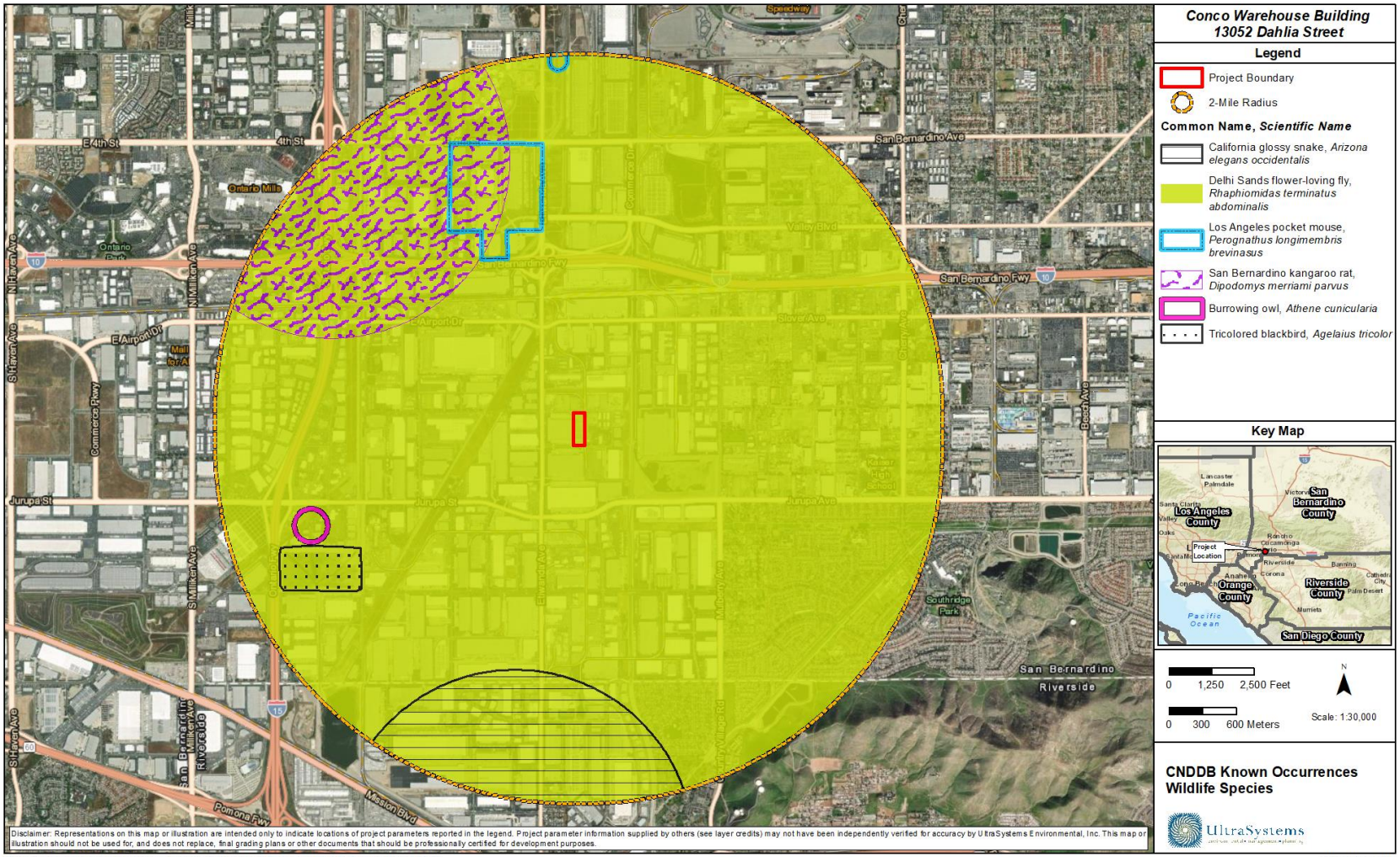
The special-status species reported in the literature review were evaluated as to their potential to occur in the BSA based on habitat, geographic and elevational range and site conditions. Due to biological and physical disturbances within the BSA, it was determined that there is a lack of suitable habitat to support the majority of the species in the wildlife inventory. First, some species for which the BSA overlaps with the appropriate elevation range and species range were excluded because the level of human activity in the surrounding areas generates more noise than ambient conditions and represents a threat level to most species. Second, there is significant coverage by impermeable (developed) surfaces that cannot support vegetation that is necessary to create suitable habitat to support most of these species. Many of the wildlife species in the wildlife inventory require native vegetation for their foraging and nesting requirements. Thus, these species would not be able to access sufficient foraging habitat or cover for nesting or shelter requirements. Lastly, the project site contains the existing Conco Companies facility. Disturbances (including, but not limited to, compacted soils) related to facility functions would likely deter special-status wildlife from utilizing the project BSA for essential functions. Two sensitive species were determined to have a low potential to occur by results of the literature review. These species are further discussed below.

Wildlife: CNDDB Two-Mile Query

Six of the 50 species in the wildlife inventory have been reported within a two-mile radius from the project (CNDDB, 2023a; see **Figure 4.4-3,** *CNDDB Known Occurrences: Wildlife Species*).

- burrowing owl (*Athene cunicularia*)
- California glossy snake (*Arizona eglans occidentalis*)
- Delhi Sands flower-loving fly (*Rhaphiomidas terminates abdominalis*)
- Los Angeles Pocket mouse (*Perognathus longimembris brevinasus*)
- San Bernardino kangaroo rat (*Dipodomys merriami parvus*)
- tricolored blackbird (*Agelaius tricolor*)

Figure 4.4-3
CNDDB KNOWN OCCURRENCES: WILDLIFE SPECIES – TWO MILE RADIUS



Delhi Sands flower-loving fly has been previously recorded on the project site (CNDDB, 2023a; see **Figure 4.4-3** *CNDDB Known Occurrences: Wildlife Species*), but was determined to not be expected to occur because the BSA does not provide the soils (Delhi sands) necessary to support this species.

The remainder of the abovementioned species were determined to be not expected to occur in the BSA by results of the literature review. These species require one or more of the following habitat conditions, all of which are absent from the BSA: friable soils, sufficient coverage of native vegetation, aquatic habitats, and lack or environmental disturbances.

Low Potential to Occur in the BSA

Two sensitive wildlife species, Cooper's hawk (*Accipiter cooperii)* and western mastiff bat (*Eumops perotis californicus*), were determined to have a low potential to occur within the BSA.

Results of the literature review determined that the majority of the species evaluated in the wildlife inventory are not expected to occur within the BSA. The two sensitive wildlife species determined to have a low potential to occur in the BSA are discussed further below. It is not anticipated that the project would significantly impact these species because they were only determined to have a low potential to occur in the BSA, and these mobile species would likely utilize alternate areas during project activities.

Cooper's hawk (*Accipiter cooperii*) Cooper's hawks are medium-sized hawks of the woodlands. These raptors are commonly sighted in parks, neighborhoods, over fields, and even along busy streets if there are large trees nearby for perching, and adequate prey species such as other birds and small mammals. They prefer to breed in more densely wooded areas than those that occur in the BSA, such as woodland openings and edges of riparian and oak habitat (Cornell Lab or Ornithology, 2023). Cooper's hawks build nests in pines, oaks, Douglas-firs, beeches, spruces, and other trees (Cornell Lab of Ornithology, 2024).

Cooper's hawk is relatively adaptive to urbanized settings such as the BSA and could utilize the area for passage (fly-over), hunting, and foraging. The BSA does not provide optimal nesting woodland habitat to support this species. As discussed previously, the project is not anticipated to significantly impact Cooper's hawk. In the event Cooper's hawk is discovered in the BSA during preconstruction breeding bird survey (see Mitigation Measure BIO-1 below), implementation of Mitigation Measure BIO-1 would reduce impacts to Cooper's hawk to less than significant.

Western mastiff bat (*Eumops perotis californicus*) Western mastiff bat is an uncommon resident in southeastern San Joaquin Valley and Coastal Ranges from Monterey County southward through southern California, from the coast eastward to the Colorado Desert. The species occurs in many open, semi-arid-to-arid habitats, including conifer and deciduous woodlands, coastal scrub, annual and perennial grasslands, palm oases, chaparral, desert scrub, and urban areas. Crevices in cliff faces, high buildings, trees, and tunnels are required for roosting; this species is non-migratory, and moves among alternate daytime roosts. Western mastiff bats roost alone or in small colonies, usually of fewer than 100 bats; however, this species also commonly shares roosts with other large bats such as big brown bat (*Eptesicus fuscus*), pallid bat (*Antrozous pallidus*), and Brazilian free-tailed bat (*Tadarida brasiliensis*; Zeiner, et al., 1988-1990).

Western mastiff bat may occasionally roost in urban structures and ornamental trees. Although there is a building and several ornamental trees on the project site, these structures do not provide adequate roost sites for this species because they lack roosting locations from which the bats could

perform a vertical drop of at least ten feet to initiate flight. Urbanized settings are not considered optimal to support this species; the BSA does not provide high-quality habitat. There is a low potential for this species to forage onsite. However, it is not anticipated that this species would roost on the project site or elsewhere within the BSA. As discussed previously, the project is not anticipated to significantly impact western mastiff bat.

Migratory Bird Treaty Act (MBTA) Birds

The ornamental trees within the BSA could provide suitable future or current nesting sites, including nesting sites for species such as those observed during the field evaluation. In addition, bare grounds on the project site could support ground nesting birds such as horned lark (*Eremophila alpestris*), killdeer (*Charadrius vociferus*), and others.

Migratory birds are protected by the MBTA and also by the California Fish and Game Code, which renders it unlawful to take[10] migratory birds, and their nests, eggs, and young. California courts have held that take includes incidental take and is not limited to hunting and fishing and other activities that are specifically intended to kill protected fish and wildlife.

The project could potentially result in adverse impacts to MBTA birds through removal of suitable nesting areas and project activities that would cause increased dust, vibration, noise, and other disturbances. Implementation of a pre-construction breeding bird survey (**BIO-1**), discussed below, is recommended as mitigation to offset these impacts.

Mitigation Measures

If construction occurs during the nesting season, indirect impacts to migratory birds could occur from increased noise, vibration, and dust during construction. This could adversely affect the breeding behavior of some birds, and lead to the loss (take) of eggs and chicks, or nest abandonment. To maintain compliance with the MBTA and Fish and Game Code, and to avoid impacts or take of migratory non-game breeding birds and other native birds, their nests, young, and eggs, the following measures will be implemented. Impacts to nesting birds would be a potential significant impact if protected breeding birds are present; therefore, the measures below will help to reduce direct and indirect impacts caused by construction-related activities to less than significant levels.

The following mitigation measures will be implemented to minimize or avoid potential impacts to breeding birds. Implementation of mitigation measure (MM) **BIO-1** (discussed below) would minimize or avoid significant impacts to special-status wildlife species to a less than significant level.

MM BIO-1: Pre-Construction Breeding Bird Survey

If construction activities (including demolition, site clearance, grading, utilities installation, building construction, paving, or staging) are anticipated to commence during the nesting season (between January 1 and August 31 of any given year, or as determined by a local CDFW office), the project proponent shall retain a qualified avian biologist shall conduct a preconstruction nesting bird survey between three to seven days prior to construction.

[10] California Fish and Game Code Section 86 defines *take* as to *hunt, pursue, catch, capture, kill, or attempt to hunt, pursue, catch, capture, or kill* (CDFW, 2024b).

In accordance with the MBTA and CFGC (§§ 3503, 3503.5, 3513), if a breeding bird territory (i.e., an area where courtship, territorial, or nest material gathering behaviors are observed) or an active bird nest is located during the pre-construction survey and will potentially be impacted by demolition or construction activities, the site will be mapped and location provided to the construction foreman, City, and project applicant. The qualified biologist will establish a buffer zone around the active nest, which will be delimited (using fencing, stakes, flagging, orange snow fencing, or etc.) at a minimum of 100 feetfor the detected species. The biologist will determine the appropriate buffer size based on the planned activities and tolerances of the nesting birds. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities.

The survey will be conducted between three to seven days prior to the onset of scheduled activities, including building demolition and vegetation trimming or removal and will include all potential nest sites, such as open ground, trees, shrubs, grasses, burrows, and structures during the breeding season.

The project applicant will conduct the pre-construction survey and subsequent removal of all physical features that could potentially serve as avian nest sites (e.g., staging and stockpiling, structure removal, clear and grub, grading, fill, etc.) to avoid impacts to nesting birds.

Monitoring at least once per week by the qualified avian biologist will be performed to determine when nesting is complete. After the nesting cycle is complete, project activities may begin within the buffer zone.

If no breeding birds or active nests are observed during the preconstruction survey or they are observed and will not be impacted, project activities may begin and no further mitigation will be required.

Level of Significance After Mitigation

With implementation of **BIO-1**, the project would result in less than significant impacts to MBTA birds, and no additional mitigation is proposed.

b) Would the project have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact

The project site is comprised of disturbed and developed/ornamental land covers, which contains the existing Conco Companies facility that will remain. The BSA also contains primarily paved areas, buildings, sidewalks, and some ornamental vegetation for landscaping purposes. The BSA does not support riparian habitat or other sensitive natural communities (CDFW, 2023). The project would not impact riparian habitat, or sensitive natural communities identified in local, regional state, or federal plans, policies, or regulations. No impact is anticipated in this regard; no mitigation is

proposed. Land cover types mapped within the BSA are discussed below and shown in **Figure 4.4-4**, *Land Cover Types*.

Land Cover Types

Developed/Ornamental: Developed/ornamental land cover type may generally include man-made structures such as houses, sidewalks, buildings, parks, water tanks, flood control channels, transportation infrastructure (roads, bridges), and ornamental landscaping consisting of non-native plant species that occurs in parks, gardens, buildings, and parking lots. Approximately 2.36 acres of developed/ornamental land cover was mapped on the project site, comprising the southern segment. Approximately 44.17 acres of developed/ornamental land cover was mapped in the BSA, comprising the majority of its area.

Disturbed: Disturbed areas that comprise the majority of the project site and other areas in the BSA are characterized by highly compacted surfaces. These surfaces contain highly compacted gravelly soils. surfaces with gravel or highly compacted soils where there is very low cover of ruderal vegetation. Approximately 11.92 acres of disturbed land cover was mapped within the BSA; approximately 5.45 acres were mapped on the project site, comprising its northern segment.

The BSA does not support riparian habitats or other sensitive natural communities (CDFW, 2023; Google Earth, 2024). The project would not cause impacts on riparian habitat or sensitive natural communities identified in local, regional state, or federal plans, policies, or regulations. No impacts are anticipated in this regard; no mitigation is proposed.

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

No Impact

As previously discussed, the project site is situated in a developed area surrounded by commercial and industrial facilities. Wetlands, including marshes, vernal pools, and other waters of the U.S. or State, were not observed during the evaluation. The project would not directly remove, fill, or interrupt the hydrology of state or federal protected wetlands. No impacts are anticipated in this regard; no mitigation is proposed.

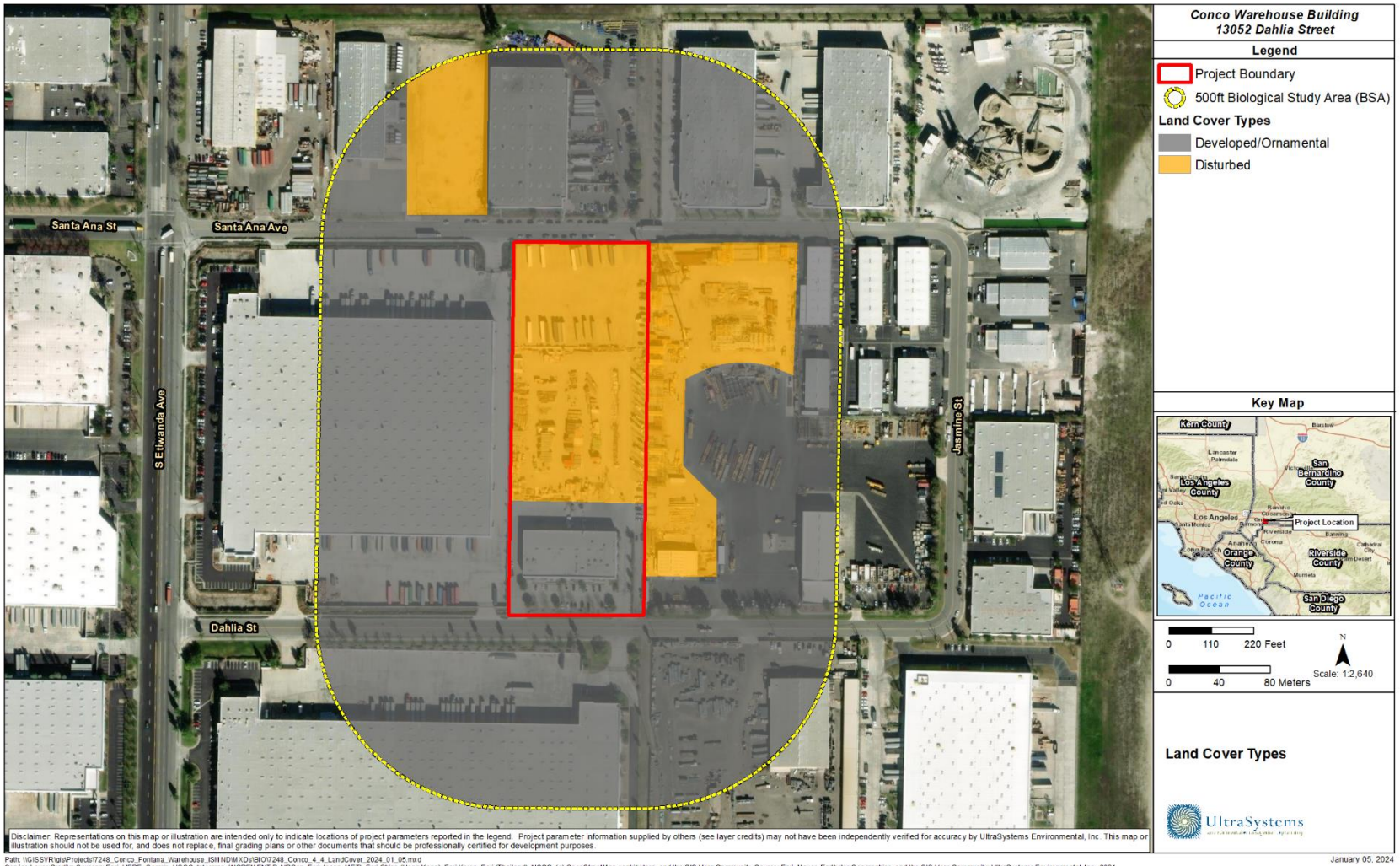
d) Would the project interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?

Less Than Significant Impact

The project site and surrounding areas do not support resident or migratory fish species or wildlife nursery sites.

A wildlife corridor is a connection of habitat, generally native vegetation, which joins two or more larger areas of similar habitat that are otherwise separated by natural barriers, changes in vegetation

Figure 4.4-4
LAND COVER TYPES



composition, or land permanently altered for human activities (e.g., parks, cemeteries); and by infrastructure, including roads, railroads, residential development, or fencing.

Wildlife corridors may either be contiguous strips of vegetation and habitat, such as ridgelines or riverbeds, or intermittent patches of habitat or physical features spaced closely enough to allow safe travel. Corridors can be natural, such as a riparian corridor, or man-made, such as culverts, tunnels, drainage pipes, walls, underpasses, overpasses, or streets. Man-made corridors are often referred to as "wildlife crossings" and they allow wildlife to pass over, under, or through physical barriers that otherwise hinder movement. Wildlife corridors also vary greatly in size, shape, and composition.

Due to the urbanization of the region, movement of some mammals that require larger dispersal distances would likely be deterred. Species that are less restricted in movement and/or are well-adapted to urbanized areas such as raccoon, skunk, coyote, and mountain lion (*Puma concolor*) likely move through areas of the BSA. The project area and a portion of the BSA support habitat, including movement habitat, for species on a local scale (habitat for bird, and mammal species).

Predators (e.g., coyotes) and smaller mammals (e.g., raccoons [*Procyon lotor*] and striped skunks [*Mephitis mephitis*]) are known to use washes (natural and channelized), culverts, underpasses, and city streets for travelling, often but not necessarily limited to overnight hours when human activity decreases (Baker and Timm, 1998; Grubbs and Krausman, 2009; Ng et. al., 2004).

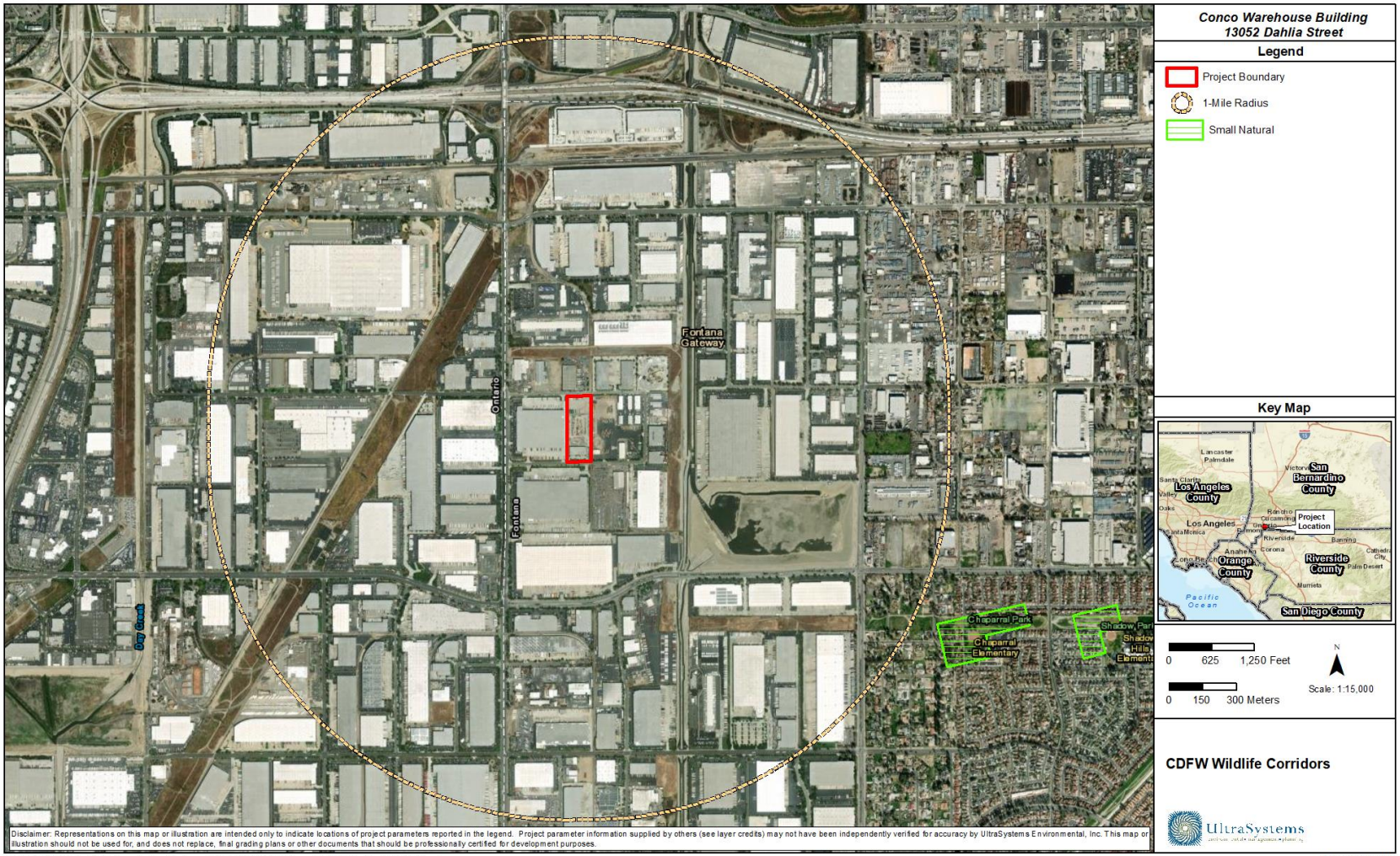
The BSA does not overlap with CDFW wildlife corridors (CDFW, 2024a). The nearest wildlife corridors, two CDFW Small Natural Areas, are located approximately 1.2 mile southeast from the project site (see **Figure 4.4-5**, *Wildlife Corridors*). Examination of aerial imagery indicates that the BSA potentially acts as a local movement corridor (i.e., hunting, foraging, and movement area). However, due to existing urbanization within the BSA, the project would not interfere with or impede the movement of any resident or migratory fish or wildlife species or the use of established resident or migratory wildlife corridors. No impact would occur.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant Impact

The ornamental trees lining the southern extent of the project boundary (Google Earth Pro, 2024) will not be removed or otherwise significantly impacted by project activities. Fugitive dust and mud splatter generated by construction may affect trees by settling on plant surfaces and inhibiting metabolic processes such as photosynthesis and respiration; however, these effects are expected to be less than significant because project construction will take place approximately 260 feet from these trees. No conflicts with the Fontana Code of Ordinances, Chapter 28, Article III, Section 28 (City Tree Ordinance; City of Fontana, 1993) are anticipated as a result of the project. Less than significant impact is anticipated in this regard; no mitigation is required.

Figure 4.4-5
CDFW WILDLIFE CORRIDORS



Path: \\GISSVR\gis\Projects\7248_Conco_Fontana_Warehouse_ISMND\MXDs\BIO\7248_Conco_4_4_WildlifeCorridors_2023_12_11.mxd
Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community; Spencer, W.D., P. Beier, K. Penrod, K. Winters, C. Paulman, H. Rustigian-Romsos, J. Strittholt, M. Parisi, and A. Pettler. 2010. California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California. Prepared for California Department of Transportation, California Department of Fish and Game, and Federal Highways Administration; BIOS , 2008-2019; UltraSystems Environmental, Inc., 2023.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Communities Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact

The proposed project is not located within an HCP, NCCP, or other approved HCP area (CDFW, 2024a) and therefore would not conflict with the provisions of an adopted habitat conservation plan, natural communities conservation plan, or other approved local, regional, or state habitat conservation plan. No impacts would occur and no mitigation is proposed.

4.5 Cultural Resources

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

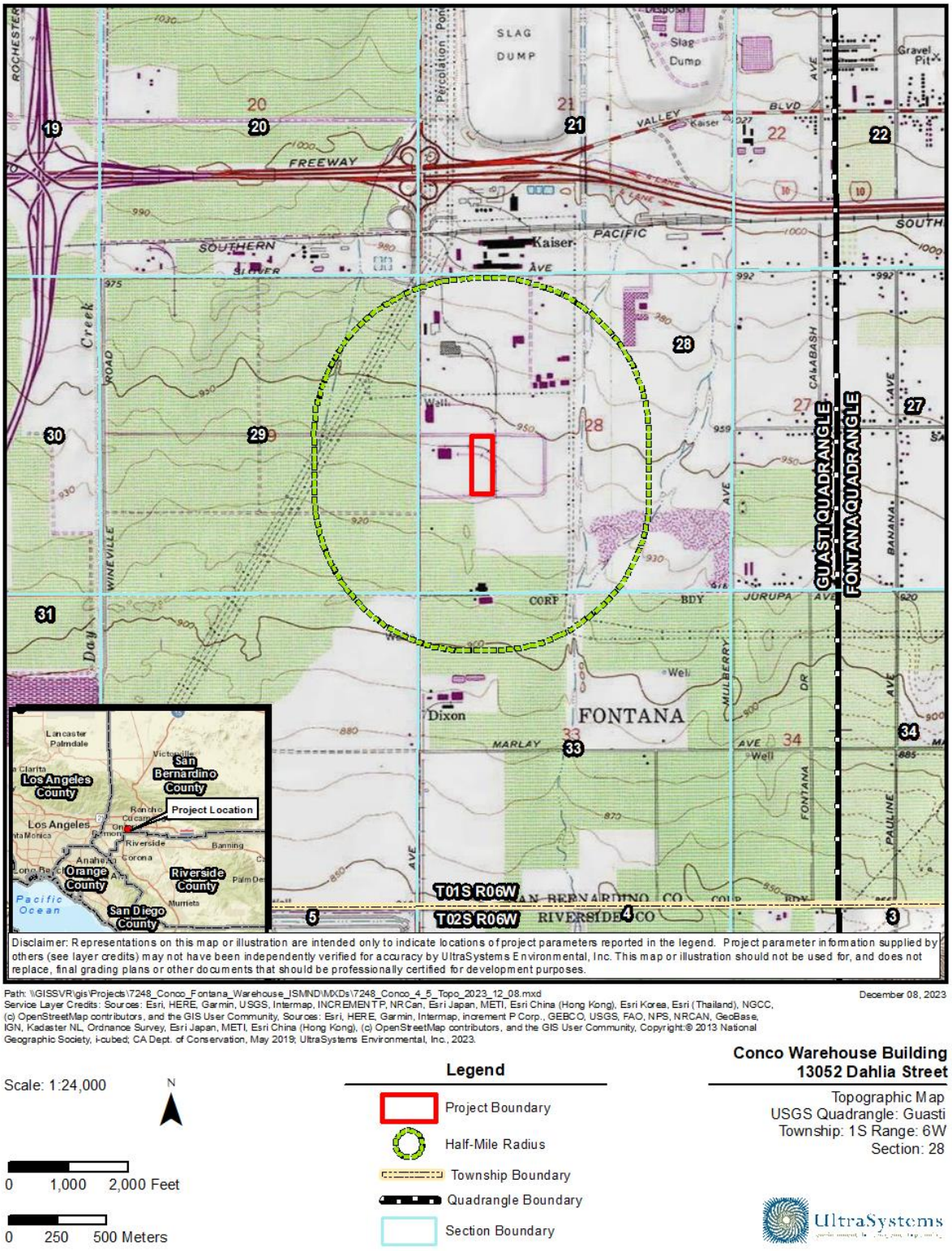
4.5.1 Methods

A cultural resources analysis was conducted for the Conco Companies Warehouse project site in the City of Fontana by UltraSystems Environmental Inc. (UltraSystems) (O'Neil, et al. 2024; see **Appendix D1**). **Figure 4.5-1** shows boundaries of the project site and a 0.5-mile radius around the site. The study includes a California Historic Resources Inventory System (CHRIS) records and literature search received from the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton for cultural resources in the project boundary and the 0.5-mile radius. Additionally, a request was made to the Native American Heritage Commission (NAHC) to conduct a search of its Sacred Lands File (SLF) for potential traditional cultural properties as well as to provide a list of local Native American tribes and tribal representatives to contact. The NAHC request was made on December 12, 2023, and a reply was received on January 4, 2024; letters were sent to the listed tribes on January 5, 2024 (see Attachment C in **Appendix D1**). Finally, a pedestrian survey of the project boundary was completed on January 18, 2024.

4.5.2 Existing Conditions

Based on the cultural resources records search, it was determined that no historic cultural resources or prehistoric archeological sites have been recorded previously within the project site boundary, or area of potential affect (APE). Within the 0.5-mile buffer zone of the APE, there were eight previously recorded historic-era cultural resources, but no prehistoric archaeological sites have been recorded (see **Appendix D1**, Section 4.1). No historic or prehistoric resources were observed during the field survey.

Figure 4.5-1
TOPOGRAPHIC MAP



4.5.3 Impacts Assessment

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

No Impact

A historical resource is defined in § 15064.5(a)(3) of the CEQA Guidelines as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period or method of construction; representing the work of an important creative individual; or possessing high artistic values. Resources listed in, or determined eligible for, the California Register of Historical Resources (CRHR), included in a local register, or identified as significant in a historic resource survey are also considered as historical resources under CEQA.

Similarly, the National Register of Historic Places (NRHP) criteria (contained in 36 CFR 60.4) are used to evaluate resources when complying with Section 106 of the National Historic Preservation Act (NHPA). Specifically, the NRHP criteria state that eligible resources comprise districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that: (a) are associated with events that have made a significant contribution to the broad patterns of our history; or (b) that are associated with the lives of persons significant in our past; or (c) that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values, or that represent a significant distinguishable entity whose components may lack individual distinction; or (d) that have yielded or may be likely to yield, information important to history or prehistory.

A substantial adverse change in the significance of a historical resource as a result of a project or development is considered a significant impact on the environment. Substantial adverse change is defined as physical demolition, relocation, or alteration of a resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. Direct impacts are those that cause substantial adverse physical change to a historic property. Indirect impacts are those that cause substantial adverse change to the immediate surroundings of a historic property, such that the significance of a historical resource would be materially impaired.

The cultural resources records search conducted at the SCCIC determined that no prehistoric or historic-era resources have been recorded within a 0.5-mile radius of the APE of the project boundary (Table 4.1-1 in **Appendix D1**), nor within the APE.

According to records at the SCCIC, no previous cultural resource surveys have included a portion of the project site (APE), but there have been five surveys conducted within the 0.5-mile radius project buffer that were not within the project APE (**Appendix D1**).

No historic buildings were identified within the project site as a result of the project site's field survey.

Based on the results of the records search and the onsite field survey it is unlikely that historical cultural resources would be adversely affected by construction of the project.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Less than Significant Impact with Mitigation Incorporated

An archaeological resource is defined in § 15064.5(c) of the CEQA Guidelines as a site, area or place determined to be historically significant as defined in § 15064(a) of the CEQA Guidelines, or as a unique archaeological resource defined in § 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically recognized important prehistoric or historic event or person. The project parcel has been highly disturbed by the construction of the existing building in the southern portion of the site. It is highly unlikely that undisturbed unique archeological resources exist on the project site as determined by the cultural resources investigation conducted by UltraSystems, which included a CHRIS records search of the project site and 0.5-mile radius, a search of the SLF by the NAHC, and pedestrian field survey.

The cultural resources records search conducted at the SCCIC determined that there are no known prehistoric cultural resource sites or isolates recorded within a 0.5-mile radius of the project boundary (Table 4.1-1 in **Appendix D**). The records search revealed that eight historic resources have been recorded within 0.5 mile of the project site, but none of them were located within the project boundary.

A NAHC SLF search was conducted in an undefined area around the project site. The NAHC provided a response letter dated January 4, 2024, which was negative for the presence of traditional cultural properties within this area. The NAHC also provided UltraSystems with a list of local Native American tribes and specific tribal representatives to contact regarding this project. Subsequently, 44 representatives of the 23 Native American tribes were contacted with a letter and email on January 5, 2024 requesting a reply if they have knowledge of cultural resources in the area that they could provide, and asking if they had any questions or concerns regarding the project. These letters are presented in Section 4.2 and Attachment C of **Appendix D** of this IS/MND. The contacted tribes are:

- Agua Caliente Band of Cahuilla Indians
- Augustine Band of Cahuilla Mission Indians
- Cabazon Band of Mission Indians
- Cahuilla Band of Indians
- Gabrielino Band of Mission Indians – Kizh Nation
- Gabrielino/Tongva San Gabriel Band of Mission Indians
- Gabrielino/Tongva Nation
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino-Tongva Tribe
- Juaneño Band of Mission Indians, Acjachemen Nation – Belardes
- Juaneño Band of Mission Indians, Acjachemen Nation – 84A
- Los Coyotes Band of Cahuilla and Cupeno Indians
- Morongo Band of Mission Indians Pala Band of Mission Indians
- Pala Band of Mission Indians
- Pechanga Band of Luiseno Indians
- Quechan Tribe of the Fort Yuma Reservation
- Ramona Band of Cahuilla
- Rincon Band of Luiseno Indians
- San Manuel Band of Mission Indians
- Santa Rosa Band of Cahuilla Indians
- Serrano Nation of Mission Indians
- Soboba Band of Luiseno Indians
- Torres-Martinez Desert Cahuilla Indians

There were five responses to this outreach.

The Agua Caliente Band of Mission Indians, in an email response on January 8, 2024 from Xitaly Madrigal, Cultural Resources Analyst, indicated that the project is not located within the Tribe's Traditional Use Area, and they would defer to the other tribes in the area.

The Augustine Band of Cahuilla Mission Indians, in a response on January 9, 2024 from Ana Rios, Administrative Assistant, indicated that the tribe is unaware of specific cultural resources that may be affected by the project; however, in the event of discovery of cultural resources the tribe would like to be informed.

An email response received January 12, 2024 from Lorrie Gregory of the Cahuilla Band of Indians, indicated no known knowledge of cultural resources in the project area; however, since the project is within Cahuilla traditional land use, the tribe request cultural materials associated with the project for review.

The San Manuel Band of Mission Indians responded January 9, 2024 in an email from Raylene Borrego, Cultural Resources Technician, indicating that based on their current knowledge, the proposed project area is not sensitive for cultural resources; however, the project is located within Serrano Ancestral Territory and is therefore of interest to the Tribe. As such, San Manuel wishes to engage in consultation pursuant to AB 52.

Also, the Torres-Martinez Desert Cahuilla Indians, in an email from Mr. Resvaloso on January 16, 2024, indicated that the project area is located outside of their Desert Cahuilla Settlement pattern, and therefore would defer to closer tribes within that area – the San Manual Band of Mission Indians, and the Soboba Band of Luiseno Indians (see Attachment C in **Appendix D1**) .

Following up on the initial contacts, telephone calls were conducted on January 29, 2024 to the tribal entities who had not already responded. Thirteen calls were placed with no direct answer and so messages were left describing the project and requesting a response. These were to: the Cabazon Band of Mission Indians, the Gabrieleno Band of Mission Indians – Kizh Nation, the Gabrieleno / Tongva San Gabriel Band of Mission Indians, the Gabrieleno / Tongva Nation, the Gabrieleno – Tongva Tribe, the Juaneño Band of Mission Indians Acjachemen Nation -Belardes, the Juaneño Band of Mission Indians Acjachemen Nation 84A, the Los Coyotes Band of Cahuilla and Cupeño Indians, the Morongo Band of Mission Indians, the Pechanga Band of Indians, the Ramona Band of Cahuilla, the Santa Rosa Band of Mission Indians, and the Serrano Nation of Mission Indian (see **Attachment C** in **Appendix D1)**.

Five of the tribes called did answer and provided information regarding the project site. These were the Gabrielino Tongva Indians of California Tribal Council, the Pala Band of Mission Indians, the Quechan Tribe of the Fort Yuma Reservation, the Rincon Band of Luiseño Indians, and the Soboba Band of Luiseño Indians.

Ms. Conley, Cultural Resource Coordinator for the Gabrielino Tongva Indians of California Tribal Council, indicated that the tribe has no comment and would defer to the Gabrieleno / Tongva Nation.

Ms. Wallick, Assistant THPO for the Pala Band of Mission Indians, indicated that the tribe has no comment and would defer to the more local tribes.

Mr. Scott, Acting Chairman for the Quechan Tribe of the Fort Yuma Reservation, indicated that the tribe has no comment and would defer to the more local tribes.

Ms. Madrigal, THPO for the Rincon Band of Luiseño Indians, stated that she would take a look at the email/letter that was sent out to her regarding the project and would get back with a response after having done so; to date, there has been no response.

Ms. Valdez, Cultural Resource Specialist for the Soboba Band of Luiseño Indians, indicated that the tribe has no comment and would defer to the San Manuel Band of Mission Indians and the Gabrieleno/Tongva San Gabriel Band of Mission Indians. (See **Section 4.3** and **Attachment C** in **Appendix D1**.)

The City of Fontana prepared Conditions of Approval (COA), including Cultural Conditions. In summary this provides for the evaluation (by the qualified archaeologist and tribal monitor), treatment and curation of any tribal cultural or archaeological resource that may be discovered, including stop work in the vicinity of the find; also that preservation in place is preferred treatment, but if not feasible then an archaeological data recovery excavation to remove the resource with subsequent processing and analysis, along with the tribal cultural resources being returned to the tribe; also that archaeological and Native American monitoring shall be conducted with that monitoring and excavation to be consistent with professional standards; and that the principal archaeological personnel shall meet the Secretary of the Interior standards and experience as a principal investigator with Native American archaeological sites in southern California. See the **MMRP Table 7.0-1** below for full text of the COA.

The result of the pedestrian survey was negative for both prehistoric and historic sites and isolates on the project site. Based on the results of the records search and the onsite field survey, it is unlikely that cultural resources or tribal resources would be adversely affected by construction of the project.

However, grading activities associated with development of the project would cause new subsurface disturbance and may result in the unanticipated discovery of unique historic and/or prehistoric archeological resources. In the event of an unanticipated discovery, implementation of COA Cultural Condition -1 described above would ensure that impacts on archeological resources would be less than significant.

Also, Mitigation Measure (MM) **CUL-1** is recommended to train workers to recognize prehistoric and historic cultural resources as well as paleontological resources (see **Section 4.7,** *Geology and Soils*) if they should appear during subsurface construction activities and inform them of reporting procedures. If cultural resources are observed and reported, this would lead to the implementation of the COA Cultural Conditions - 1 noted above.

Mitigation Measure

MM CUL-1 Prior to the commencement of grading or excavation, workers conducting construction activities and their foremen will receive Worker Environmental Awareness Program (WEAP) training from a qualified archaeologist regarding the potential for sensitive archaeological and paleontological resources to be unearthed during grading activities. The purpose of the WEAP training is to ensure compliance with relevant federal, state and local regulations for the protection of archaeological and paleontological resources that may be encountered during subsurface construction activities. The WEAP will be prepared specifically for the Conco

Companies warehouse project which will construct a 106,288-square-foot warehouse on 4.99 acres in Fontana. The workers will be directed to report any unusual specimens of bone, stone, ceramics or other archaeological artifacts or features observed during grading and/or other construction activities to their foremen and to cease grading activities in the immediate vicinity of the discovery until a qualified archaeologist or Native American cultural monitor is notified of the discovery by the Superintendent of the project site and can assess their significance. The WEAP shall be implemented to educate all construction personnel of the region's cultural and paleontological resources and the regulations that must be adhered to by all workers throughout the duration of project construction.

Training materials shall be language-appropriate for all construction personnel. Upon completion of the WEAP, workers shall sign a form stating that they attended the program, understand all protection measures, and shall abide by all the rules of the WEAP. A record of all trained personnel shall be kept with the construction foreman at the project field construction office and shall be made available to any resource agency personnel. If new construction personnel are added to the project later, the construction foreman shall ensure that new personnel receive training before they start working. The archaeologist shall provide hard copies of the WEAP presentation to the construction foreman.

Level of Significance After Mitigation

With implementation of mitigation measure **CUL-1** above, and the Conditions of Approval Cultural Conditions - 1 (see **MMRP Table 7.0-1** below), potential impacts related to archaeological resources would be less than significant.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant with Mitigation Incorporated

As previously discussed in **Section 4.5 b** above, the project would be built on a parcel that has been highly disturbed throughout. No human remains have been previously identified or recorded onsite. It is unlikely that undisturbed unique archaeological resources exist on the project site. The project proposes grading activities for the implementation of infrastructure that includes water, sewer and utility lines. Grading and trenching activities associated with development of the project would cause new subsurface disturbance and could result in the unanticipated discovery of unknown human remains, including those interred outside of formal cemeteries. In the unlikely event of an unanticipated discovery, implementation of mitigation measure **CUL-2** and adherence to applicable codes and regulations would ensure that impacts related to the accidental discovery of human remains would be less than significant.

California Health and Safety Code § 7050.5 identifies procedures for the discovery of human remains. CEQA § 15064.5 indicates the process for determining the significance of impacts on archaeological and historical resources. California Public Resources Code § 5097.98 stipulates the notification process during the discovery of Native American human remains, descendants, disposition of human remains, and associated artifacts.

Mitigation Measure

MM CUL-2: If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the San Bernardino County Coroner shall be notified (§ 5097.98 of the Public Resources Code). The Coroner shall determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they shall contact the NAHC. The NAHC shall be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) shall be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD shall make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

Level of Significance After Mitigation

With implementation of mitigation measure **CUL-2** above, potential impacts related to human remains would be less than significant.

4.6 Energy

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

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

Electricity

Construction Use

Southern California Edison (SCE) will provide electric power for the proposed project. Temporary electric power for as-necessary lighting and electronic equipment would be provided by SCE. The amount of electricity used during construction would be temporary and minimal, as demand would primarily stem from use of electrically powered hand tools. Therefore, project construction would not result in wasteful, inefficient, or unnecessary consumption of electricity, and impacts would be less than significant.

Operational Use

Project operation would require electricity for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, and electronics. Additionally, the supply, conveyance, treatment, and distribution of water used by the project would indirectly result in electricity usage. The California Emissions Estimator Model (CalEEMod), as part of the air quality and greenhouse gas emissions analyses (refer to **Section 4.3** and **Section 4.8**), was used to estimate the electricity demand for the proposed project. The per capita values are based on an estimated employee population of 114 which was provided by the client (Kim, Personal Communication, 2024). Projected energy usage for the operational phase of the Conco Companies Industrial Buildings project is summarized in **Table 4.6-1**.

Table 4.6-1
ESTIMATED PROJECT OPERATIONAL ENERGY USE

Energy Type	Units	Value	Per Capita[a]
Onroad Motor Vehicle Travel (Fuel)[b]	Gallons gasoline/year	97,034	851
	Gallons diesel/year	15,297	134
Electricity Use	Kilowatt-hours per year	633,764	5,559
Natural Gas Use	1,000 BTU per year	2,088,061	18,316

[a] Based upon estimated employee population of 114; see **Section 4.14**. The per capita value for the onroad motor vehicle fuel consumption is calculated from fuel consumption by passenger vehicles (automobiles and light-duty trucks).
[b] Onroad Motor Vehicle Fuel Consumption calculated by UltraSystems using EMFAC2021(v1.0.2) emissions inventory web platform tool (ARB, 2022) and CalEEMod (2022.1.1.21) (CAPCOA, 2023); see **Appendix B1**.
Electricity use calculated by UltraSystems with CalEEMod (2022.1.1.21).

Natural Gas

Construction Use

Southern California Gas Company (SoCalGas) will provide natural gas for the proposed project. Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Any minor amounts of natural gas that may be consumed as a result of project construction would be temporary and negligible and would not have an adverse effect; therefore, construction would not result in wasteful, inefficient, or unnecessary consumption of natural gas. Therefore, impacts would be less than significant.

Operational Use

Natural gas consumption during operation would be required for various purposes, including building heating and cooling. The California Emissions Estimator Model (CalEEMod), as part of the air quality and greenhouse gas emissions analyses (refer to **Section 4.3** and **Section 4.8**), was used to estimate natural gas demand for the proposed project, which is presented in **Table 4.6-1.**

Petroleum

Construction Use

Petroleum-based fuel consumed by construction equipment would be the primary energy resource expended during construction. Transportation of construction materials and construction workers would also result in petroleum consumption. Heavy-duty construction equipment, vendor trucks, and haul trucks would use diesel fuel. Construction workers would likely travel to and from the project area in gasoline-powered vehicles. Construction for the proposed project is anticipated to take 14 months, from September 2024 to November 2025. Because of the short-term nature of construction and relatively small scale of the project, the project's petroleum consumption would be

negligible when compared to California's daily total use of approximately 1.8 million barrels of petroleum.

During project construction, trucks and construction equipment would be required to comply with the ARB's anti-idling regulations. ARB's In-Use Off-Road Diesel Fueled Fleets regulation would also apply (CARB, 2016). Vehicles driven to or from the project site (delivery trucks, construction employee vehicles, etc.) are subject to fuel efficiency standards established by the federal government. Therefore, project construction activities regarding fuel use would not result in wasteful, inefficient, or unnecessary consumption, and impacts would be less than significant.

Operational Use

During operations, the majority of fuel consumption resulting from the project would involve the use of motor vehicles traveling to and from the project site, as well as fuels used for alternative modes of transportation that may be used by employees and visitors to the project site. Annual project operation petroleum usage from on-road motor vehicle fuel consumption was estimated using the California Air Resources Board Emission Factor model (EMFAC2021). The California Emissions Estimator Model (CalEEMod), as part of the air quality and greenhouse gas emissions analyses (refer to **Section 4.3** and **Section 4.8**), was used to estimate the project's vehicle miles travelled (VMT) which was included in the EMFAC analysis to predict annual diesel and gasoline fuel consumption.

The project would comply with all applicable regulations and codes that require achievement of various levels of energy efficiency in building operation. These include (1) the 2022 California's Energy Efficiency Standards for Nonresidential Buildings (California Code of Regulations Title 24, Part 6), and (2) the 2022 California Green Building Standards Code (CalGreen; California Code of Regulations Title 24 Part 11).

As shown in **Table 4.6-1**, the project would consume approximately 112,331 gallons of petroleum-based fuel per year during operation. By comparison, approximately 25 billion gallons of petroleum were consumed in California in 2021 (EIA, 2023). The anticipated increase in consumption associated with one year of project operation is 0.0004 percent of the statewide use. Although implementation of the project would result in an increase in petroleum use during operation, over time, vehicles would use less petroleum due to advances in fuel economy.

The project would consume approximately 633,764 kilowatt-hours (kWh) of electricity per year and 2,088,061 thousand British thermal units (kBTU) of natural gas per year. By comparison, in 2022, the latest year for which data are available, approximately 10,328 gigawatt hours of electricity were consumed by SCE nonresidential customers in San Bernardino County (CEC, 2023a). SoCalGas supplied approximately 29,472,194 million British thermal units (MMBtu) in 2022 for the nonresidential customer service area in that same year (CEC, 2023b). The increase in electricity and natural gas demand at the project site would be negligible relative to the use in SCE's and SoCalGas's service areas.

Continued use of energy resources is consistent with the anticipated growth within the city and the general vicinity and would not result in energy consumption that would require a significant increase in energy production for the energy provider. Based on the information provided above, the proposed project would have a less than significant impact regarding wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than Significant Impact

Title 24 Building Energy Efficiency Standards

The initial Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations) were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Compliance with Title 24 will result in a decrease in GHG emissions.

The Title 24 standards are updated on a three-year schedule, with the most current 2022 standards adopted on August 11, 2021. In December 2021, the 2022 standards were approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The Building Energy Efficiency Standards (Energy Code) apply to newly constructed buildings, additions, and alterations. They are a vital pillar of California's climate action plan. The 2022 Energy Code will produce benefits to support the state's public health, climate, and clean energy goals by encouraging implementation of efficient electric heat pumps, establishing electric-ready requirements for new homes, expanding solar photovoltaic and battery storage standards, strengthening ventilation standards, and more. Buildings with permit applications applied for on or after January 1, 2023, must comply with the 2022 Energy Code. Public Resources Code §§ 25402 subdivisions (a)-(b) and § 25402.1 emphasize the importance of building design and construction flexibility by requiring the California Energy Commission (CEC) to establish performance standards, in the form of an "energy budget" in terms of the energy consumption per square foot of floor space (CEC, 2022).

The provisions of Title 24, Part 6 apply to all buildings for which an application for a building permit or renewal of an existing permit is required by law. They regulate design and construction of the building envelope, space-conditioning and water-heating systems, indoor and outdoor lighting systems of buildings, and signs located either indoors or outdoors. Title 24, Part 6 specifies mandatory, prescriptive and performance measures, all designed to optimize energy use in buildings and decrease overall consumption of energy to construct and operate residential and nonresidential buildings. Mandatory measures establish requirements for manufacturing, construction, and installation of certain systems, equipment, and building components that are installed in buildings.

Title 24 California Green Building Standards Code

The California Green Building Standards Code (Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics.

The proposed project would be designed with energy-efficient features, including insulated and glazed windows and low-E coating on windows, and will be built in compliance with the California Green Building Standards (CAL Green) Code (California Code of Regulations, Title 24, Part 11).

City of Fontana General Plan

Chapter 12, *Sustainability and Resilience*, of the City of Fontana General Plan focuses on resource efficiency and planning for climate change within the elements of health, transportation, land use, open space preservation, and infrastructure. It includes policies for new development that promote energy-efficient development in Fontana; meet state energy efficiency goals for new construction; promote green building through guidelines, awards and nonfinancial incentives; and continue to promote and implement best practices to conserve water (Stantec, et al., 2018a).

Further, the roadway network in the vicinity of the project site is served by Omnitrans, the public transit agency serving the San Bernardino Valley consisting of 28 fixed-route services (Omnitrans, 2024). Employees and visitors would be able to access the project site via the public transit system, thereby reducing transportation-related fuel demand.

The proposed project would adhere to applicable federal, state, and local requirements for energy efficiency, including Title 24 standards and General Plan Chapter 12, Sustainability and Resilience. Therefore, impacts would be less than significant.

4.7 Geology and Soils

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most 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.			**X**	
ii) Strong seismic ground shaking?			**X**	
iii) Seismic-related ground failure, including liquefaction?			**X**	
iv) Landslides?			**X**	
b) Result in substantial soil erosion or the loss of topsoil?			**X**	
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?			**X**	
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?			**X**	
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?				**X**
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		**X**		

This section is based on tthe Report of Geotechnical Evaluations and Soils' Infiltration Rates for WQMP-BMP Stormwater Disposal System Design, Planned Industrial Warehouse to Existing Conco

Company, completed by Soils Southwest, Inc. on February 13, 2024; a complete copy of this Report is included as Appendix E to this IS/MND .

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

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less than Significant Impact

The Alquist-Priolo Zones Special Studies Act defines active faults as those that have experienced surface displacement or movement during the last 11,650 years (i.e., during the Holocene Period). The project site is located in the seismically active region of Southern California; however, the project site is not located within an Alquist-Priolo (AP) Earthquake Hazard Zone (see **Figure 4.7-1** *Alquist-Priolo Earthquake Fault Zones*). The nearest Alquist-Priolo Earthquake Hazard Zone is the Etiwanda Avenue fault, located approximately 6.8 miles north of the project site. This fault is capable of a magnitude 7.0 earthquake and is approximately 2.2 miles in length (USGS, 2023a; SCEDC, 2023).

The Cucamonga Fault, which follows the base of the San Gabriel Mountains, is approximately 7.6 miles north from the project site and is approximately 0.8 mile north of the Etiwanda Fault Zone. The Cucamonga Fault Zone experiences major ruptures approximate every 600 to 700 years; its most recent rupture was in the very recent Holocene, and both the surface ruptures and time of most recent activity make this fault zone an Alquist-Priolo Earthquake Fault Zone. This fault zone is capable of producing an earthquake with a probable magnitude of between 6.0 and 7.0 (USGS, 2023a; SCEDC, 2023).

Although the Cucamonga and Etiwanda Faults are capable of producing earthquakes with probable magnitudes of 6.0 to 7.0, the project is at least 6.8 miles south from the nearest AP Earthquake Hazard Zone (Etiwanda Fault). Moreover, the project would be constructed in accordance with standard engineering practices and design criteria prescribed by the current California Building Code (CBC; Title 24 California Code of Regulations [CCR]), which would reduce the significance of potential impacts of seismic and geologic hazards. The CBC also dictates detailed design requirements, structural design, soils and foundations considerations, and regulates the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions (CBC, 2022). This would ensure that public safety risks resulting from potential seismic shaking event would be minimized, and impacts would be less than significant. These practice and design criteria would minimize the potential risks associated with rupture of an Alquist-Priolo earthquake fault. Therefore, impacts would be less than significant and no mitigation would be required.

ii) Strong seismic ground shaking?

Less than Significant Impact

The nearest fault, an unnamed fault near Fontana approximately 5.6 miles in length (see **Figure 4.7- 2**, *Regionally Active Faults;* USGS, 2023a), is located approximately 1.9 miles northeast from the project site (Bryant 2017); however, little information on this fault is available (USGS 2023a;

CGS 2023). Although this unnamed fault is located approximately 1.9 miles from the project site, the proposed project would comply with applicable federal, state, and local regulations, including current California Building Code (Title 24, CCR) as described in 4.7(a)(i), which would minimize the potential risks associated with strong seismic ground shaking (CBC, 2022). Therefore, impacts would be less than significant and no mitigation would be required.

Figure 4.7-1
ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES

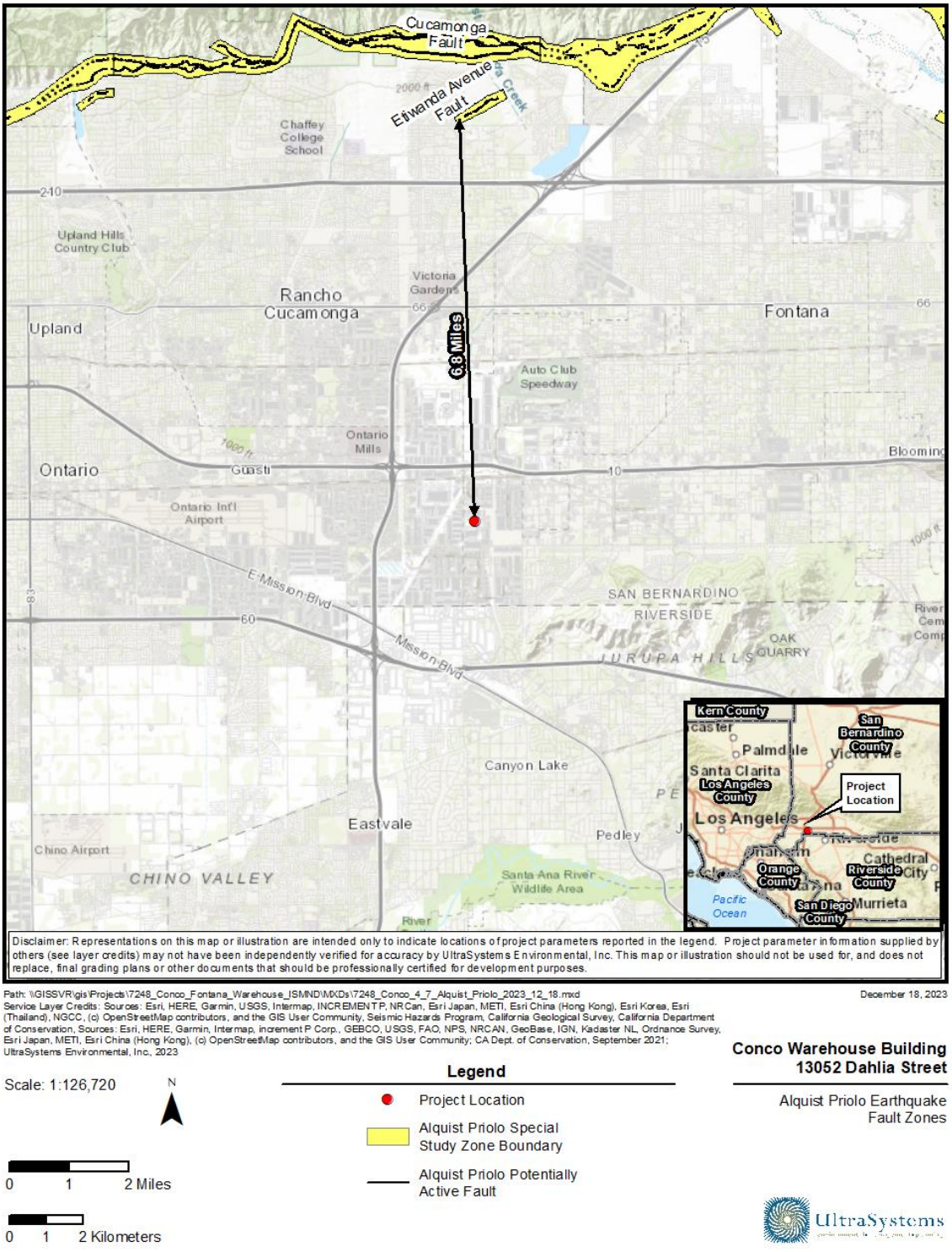


Figure 4.7-2
REGIONALLY ACTIVE FAULTS



Disclaimer: Representations on this map or illustration are intended only to indicate locations of project parameters reported in the legend. Project parameter information supplied by others (see layer credits) may not have been independently verified for accuracy by UltraSystems Environmental, Inc. This map or illustration should not be used for, and does not replace, final grading plans or other documents that should be professionally certified for development purposes.

Path: \\GISSVR\gis\Projects\7248_Conco_Fontana_Warehouse_ISMND\MXDs\7248_Conco_2_0_Active_Faults_2023_12_18.mxd

December 18, 2023

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community; U.S. Geological Survey, 2019; UltraSystems Environmental, Inc., 2023.

Conco Warehouse Building
13052 Dahlia Street

Regional Faults

Scale: 1:63,360

N

Legend

Project Boundary

Older Quaternary Faults

0 0.5 1 Miles

0 0.5 1 Kilometers

UltraSystems

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact

Liquefaction is the sudden decrease in the strength of cohesionless soils due to dynamic or cyclic shaking. Saturated soils behave temporarily as a viscous fluid (liquefaction) and consequently lose Other capacity to support the structures built on them. The potential for liquefaction decreases with increasing clay and gravel content but increases as the ground acceleration and duration of shaking increase. Liquefaction potential has been found to be the greatest where the groundwater level and loose sands occur within 50 feet of the ground surface.

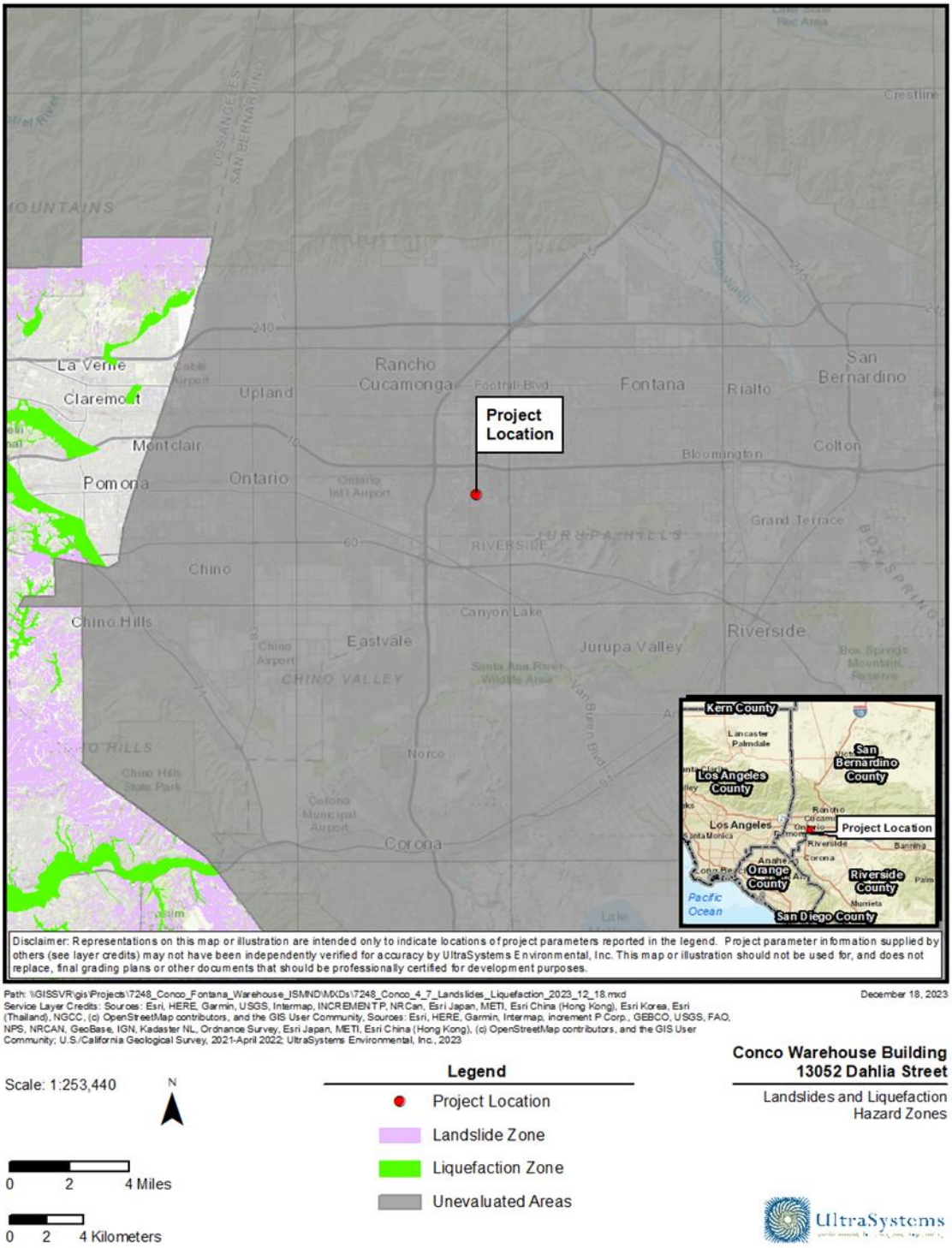
The project site is considered non-susceptible to liquefaction due to the depth to groundwater, which was not found to depths of 31 feet below ground surface during geotechnical exploration of the site (Soils Southwest, 2024, p. 8). Therefore, impacts would be less than significant and no mitigation would be required.

iv) Landslides?

Less than Significant

The site and surroundings are relatively flat; therefore, the potential for earthquake-induced landslides onsite is considered remote (Soils Southwest, 2024, p. 9). Impacts would be less than significant and no mitigation is needed.

Figure 4.7-3
LANDSLIDES AND LIQUEFACTION HAZARD ZONES



b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact

Construction

The U.S. Department of Agriculture, Natural Resources Conservation Service (USDA, NRCS) Web Soil Survey (see **Appendix E** has mapped two soil types on the project site: Tujunga loamy sand, 0 to 5 percent slopes (TuB); and Tujunga gravelly loamy sand, 0 to 9 percent slopes (TvC; Soil Survey Staff 2023).

The Web Soil Survey provides soil erosion factors for both soil types mapped on the project site. Erosion factor K indicates the susceptibility of a soil to sheet and rill erosion by water. The estimates are based primarily on percentage of silt, sand, and organic matter and on soil structure and saturated hydraulic conductivity (Ksat). Values of K range from 0.02 to 0.69. Other factors being equal, the higher the K value, the more susceptible the soil is to sheet and rill erosion by water (Soil Survey Staff, 2023).

A wind erodibility group (WEG) consists of soils that have similar properties affecting their susceptibility to wind erosion in cultivated areas. The soils assigned to group 1 are the most susceptible to wind erosion, and those assigned to group 8 are the least susceptible (Soil Survey Staff, 2023). **Table 4.7-1** reports selected properties of soils mapped on the project site.

Table 4.7-1
SELECTED PROPERTIES OF MAPPED SOIL UNITS

Name	Symbol	K Factor, Whole Soil	Wind Erodibility Group (WEG)	Percent Clay	Plasticity Index
Tujunga loamy sand, 0 to 5 percent slopes	TuB	.15	2	3.0	0.0
Tujunga gravelly loamy sand, 0 to 9 percent slopes	TvC	.10	2	2.5	0.0

Source: Soil Survey Staff, 2023.

Based on their K Factor, Whole Soil, both TvC and TuB soils have a low susceptibility to sheet and rill erosion by water, as shown in **Table 4.7-1**. However, both of these soils are highly susceptible to wind erosion, which could potentially result in soil erosion and the loss of topsoil.

The project owner would be required by the California State Water Resources Control Board (SWRCB) to obtain coverage under a *National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities* (General Permit; Order No. 2022-0057-DWQ, NPDES No. CAS000002)). The General Permit regulates discharges to waters of the U.S. from stormwater and authorized non-stormwater associated with construction activity from sites that disturb one or more acres of land.

The Construction General Permit requires potential dischargers of pollutants into waters of the U.S. to prepare a site-specific Stormwater Pollution Prevention Plan (SWPPP), which establishes enforceable limits on discharges, requires effluent monitoring, designates reporting requirements,

and requires construction best management practices (BMPs) to reduce or eliminate point and non-point source discharges of pollutants, including sediment resulting from wind or water erosion.

As further detailed in **Section 4.10**, *Hydrology and Water Quality,* the project applicant would be required to obtain a General Permit prior to project construction. This General Permit would require the project owner, to prepare and implement a SWPPP prior to ground-disturbing construction activities to identify construction BMPs to avoid or minimize soil erosion, including soil erosion by wind.

Implementation of wind and water erosion BMPs during construction are intended to minimize or avoid soil erosion. Therefore, construction-related impacts regarding soil erosion or the loss of top soil would be less than significant and mitigation is not required.

Operation

The permeable landscaped areas would be managed to minimize erosion, as required by the County of San Bernardino Municipal Separate Storm Sewer Systems (MS4) permit (Order No. R8-2010-0036; see **Section 4.10[a]**). Impacts from soil erosion or the loss of topsoil would be less than significant because the proposed project must be designed to retain, to the maximum extent practicable, stormwater and sediment (via erosion) generated on the project. Therefore, the potential for substantial soil erosion or the loss of topsoil during the operational phase of the project would be less than significant. Mitigation is not required.

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

Less than Significant Impact

The project site is located on geologic surficial deposits mapped as alluvial fan deposits, alluvial wash deposits (Holocene period), and young alluvial fan deposits (Holocene to Late Pleistocene period). These deposits encompass alluvium, lake, playa, and terrace deposits; both unconsolidated and semi-consolidated (Stoneburg 2024).

Landslides

As mentioned previously, the project site is located in an area that has generally flat topography and is highly developed (Google Earth Pro, 2024). The project site is not within an area evaluated for landslide hazards; Additionally, as detailed in the City of Fontana Local Hazard Mitigation Plan (LHMP), there have been no reported historical occurrences of landslides in the City of Fontana (City of Fontana, 2017a). Therefore, potential impacts anticipated in regard to landslides would be less than significant, and no mitigation would be required.

Lateral Spreading

Seismically-induced lateral spreading involves primarily lateral movement of earth materials due to ground shaking. It differs from slope failure in that complete ground failure involving large movement does not occur due to the relatively smaller gradient of the initial ground surface. Lateral spreading is demonstrated by near-vertical cracks with predominantly horizontal movement of the soil mass involved. The topography at the project site and in the immediate vicinity of the site is

characterized by very shallow slopes, with no significant nearby slopes or embankments. Under these circumstances, the potential for lateral spreading at the project site is considered low. Therefore, impacts from lateral spreading would be less than significant and no mitigation would be required.

Subsidence

Soil shrinkage and/or bulking as a result of remedial grading depends on several factors including the depth of over-excavation, the grading method and equipment utilized, and average relative compaction. The proposed project would adhere to the applicable federal, state, and local regulations including current California Building Standards Code (Title 24, CCR) which would minimize the potential risks associated with soil shrinkage and/or bulking. Therefore, impacts would be less than significant and no mitigation would be required.

Liquefaction

As detailed above, the project site would not encounter groundwater, which was measured at approximately 286 feet bgs (CASGEM, 2024). Therefore, impacts resulting from liquefaction would be less than significant and no mitigation would be required.

Collapse

Collapsible soils consist of loose, dry, low-density materials that collapse and compact with the addition of water or excessive loading. These soils are distributed throughout the southwestern United States, specifically in areas of young alluvial fans, debris flow sediments, and loess (wind-blown sediment) deposits. Soil collapse occurs when the land surface is saturated at depths greater than those reached by typical rain events. This saturation eliminates the clay bonds holding the soil grains together. Similar to expansive soils, collapsible soils result in structural damage such as cracking of the foundation, floors, and walls in response to settlement.

The project site is located on alluvial fan deposits, alluvial wash deposits (Holocene period), and young alluvial fan deposits (Holocene to Late Pleistocene period; Stoneburg 2024). However, the soils mapped on the project site have low representative clay values (3.0 percent and 2.5 percent, respectively; see **Table 4.7-1**). Additionally, the proposed project would comply with applicable federal, state, and local regulations, including current California Building Standards Code (Title 24, CCR) which would minimize the potential risks associated with soil collapse. Therefore, impacts would be less than significant and no mitigation would be required.

c) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Less than Significant Impact

Expansive soils shrink and swell with changes in soil moisture. Soil moisture may change from landscape irrigation, rainfall, and utility leakage. Repeated changes in soil volume due to water content fluctuations may compromise structure foundations. Expansive soils are commonly very fine-grained with high to very high percentages of clay. Design provisions such as adequate reinforcements, deeper foundations or other measures may help alleviate the effects of soil expansion but may not completely eliminate the problem.

The soils mapped on the project site have Plasticity Index rating of 0.0 percent for both soil types (Soil Survey Staff 2023); both of these ratings correlate to an expansion potential of "Very Low" (Day, 2000).

The project would not be located on an expansive soil, and project-related impacts resulting from expansive soils would be less than significant. No mitigation is proposed.

d) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact

As proposed, the project would join the City's existing sewage system through a connection on Dahlia Street; therefore the project would not include septic tanks or alternative waste water disposal systems (see **Section 3.2.6**, *Utilities*). For this reason, no impacts associated with septic tanks or alternative waste water disposal systems would occur and mitigation is not required.

e) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact with Mitigation Incorporated

The project site boundary is underlain by a mix of alluvial deposits from the Holocene and late Pleistocene epochs (Morton and Miller 2006, in Stoneburg 2024). While Holocene alluvial units are considered to be of high preservation value, material found there is unlikely to be fossil material due to the modern associated dates of the deposits. Pleistocene alluvial deposits, however, are considered to be of high preservation value and are likely to contain fossils (Stoneburg 2024).

The degree of paleontological sensitivity of a particular area is based on various factors including the documented presence of fossiliferous resources on a site or in nearby areas, the presence of documented fossils within a particular geologic formation, and whether or not the original depositional environment of the sediments is one that might have been conducive to the accumulation of organic remains that might have become fossilized over time. Holocene (11,700 years before present) alluvium is generally considered to be geologically too young to contain significant nonrenewable paleontological resources, and is therefore typically considered to have low paleontological sensitivity. However, Pleistocene (over 11,700 years old) alluvial and alluvial fan deposits often yield important terrestrial vertebrate fossils, such as extinct mammoths, mastodons, giant ground sloths, extinct species of horse, bison, camel, saber-toothed cats, and others. A portion of the deposits that underlie the project site are late Pleistocene sediments and are thus considered a high-value paleontological resource.

Any substantial excavations below the uppermost layers should be closely monitored to quickly and professionally collect any specimens without impeding development. Grading and excavation activities associated with development of the project would cause new subsurface disturbance and could result in the unanticipated discovery of paleontological resources. In the event of an unexpected discovery, implementation of mitigation measure **GEO-1** would ensure paleontological resources or unique geologic features are not significantly affected.

Mitigation Measure

MM GEO-1 The project proponent shall retain a qualified paleontologist on-call during ground disturbances during the project construction phase (to include demolition, site preparation, grading, utilities installation, building construction, and paving). If paleontological resources are uncovered during project construction, the contractor shall halt construction activities within 50 feet of the find and notify the City of Fontana . The on-call paleontologist shall be notified and shall recover, analyze, and curate the find(s). Subsequently, the monitor shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that are found during construction on the project site.

Level of Significance After Mitigation

With implementation of mitigation measure **GEO-1** above, potential impacts related to paleontological resources would be less than significant.

4.8 Greenhouse Gas Emissions

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

4.8.1 Background Information on Greenhouse Gas Emissions

4.8.1.1 Introduction

Life on earth depends on energy coming from the sun. About half the light reaching Earth's atmosphere passes through the air and clouds to the surface, where it is absorbed and then radiated upward in the form of infrared heat. About 90 percent of this heat is then absorbed by carbon dioxide (CO_2) and other greenhouse gases (GHG) and radiated back toward the surface, which is warmed to a life-supporting average of 59 degrees Fahrenheit (°F) (NASA, 2023).

Human activities are changing the natural greenhouse. Over the last century, the burning of fossil fuels such as coal and oil has increased the concentration of atmospheric CO_2. This happens because the coal or oil burning process combines carbon in the fuel with oxygen in the air to make CO_2. To a lesser extent, the clearing of land for agriculture, industry, and other human activities has increased concentrations of GHGs (NASA, 2023).

GHGs are defined under the California Global Warming Solutions Act of 2006 (AB 32) as CO_2, methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF_6). Associated with each GHG species is a "global warming potential" (GWP), which is a value used to compare the abilities of different GHGs to trap heat in the atmosphere. GWPs are based on the heat absorbing ability of each gas relative to that of CO_2, as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years). The GWPs of CH_4 and N_2O are 25 and 298, respectively (GMI, 2023). "Carbon dioxide equivalent" (CO_2e) emissions are calculated by weighting each GHG compound's emissions by its GWP and then summing the products. HFCs, PFCs, and SF_6 would not be emitted in significant amounts by the Conco Warehouse Project sources, so they are not discussed further.

Carbon Dioxide (CO_2). Carbon dioxide is a colorless, odorless gas consisting of molecules made up of two oxygen atoms and one carbon atom. It is produced when an organic carbon compound (such as wood) or fossilized organic matter (such as coal, oil, or natural gas) is burned in the presence of oxygen. Since the industrial revolution began in the mid-1700s, industrial activities have increased in scale and distribution. Prior to the industrial revolution, CO_2 concentrations were stable at a range of 275 to 285 ppm (IPCC, 2007). The National Oceanic and Atmospheric Administration's Earth System Research Laboratory indicates that the global concentration of CO_2 was 416.59 parts per

million (ppm) in August 2023 (ESRL, 2023). These concentrations of CO_2 exceed by far the natural range over the last 650,000 years (180 to 300 ppm) as determined from ice cores.

Methane (CH_4). Methane is a colorless, odorless non-toxic gas consisting of molecules made up of four hydrogen atoms and one carbon atom. CH_4 is combustible, and is the main constituent of natural gas, a fossil fuel. It is released when organic matter decomposes in low oxygen environments. Natural sources include wetlands, swamps and marshes, termites, and oceans. Anthropogenic sources include the mining of fossil fuels and transportation of natural gas, digestive processes in ruminant animals such as cattle, rice paddies, and the buried waste in landfills. Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of CH_4. Other anthropogenic sources include fossil-fuel combustion and biomass burning.

Nitrous Oxide (N_2O). Nitrous oxide is a colorless, non-flammable gas with a sweetish odor, commonly known as "laughing gas," and sometimes used as an anesthetic. N_2O is naturally produced in the oceans and in rainforests (USEPA, 2011). Manmade sources of N_2O include the use of fertilizers in agriculture, nylon and nitric acid production, cars with catalytic converters and the burning of organic matter. Concentrations of N_2O also began to rise at the beginning of the industrial revolution.

4.8.2 Regulatory Setting

GHGs are regulated at the national, state, and air basin level; each agency has a different degree of control. The USEPA regulates at the national level; the ARB regulates at the state level; and the SCAQMD regulates at the air basin level in the Conco Buildings project area.

Federal Regulations

The USEPA collects several types of GHG emissions data. These data help policy makers, businesses, and the USEPA track GHG emissions trends and identify opportunities for reducing emissions and increasing efficiency. The USEPA has been maintaining a national inventory of GHG emissions since 1990 and in 2009 established mandatory reporting of GHG emissions from large GHG emissions sources.

The EPA is also achieving GHG reductions through partnerships and initiatives, evaluating policy options, costs, and benefits, advancing the science, partnering internationally and with states, localities, and tribe, and helping communities adapt.

Corporate Average Fuel Economy (CAFE) Standards

In May 2010, the USEPA finalized the first-ever national GHG emissions standards under the Clean Air Act, and the National Highway Traffic Safety Administration (NHTSA) finalized Corporate Average Fuel Economy (CAFE) standards under the Energy Policy and Conservation Act. The 2010 CAFE standards were for model year 2012 through 2016 light-duty vehicles (USEPA, 2023a). In April 2020, NHTSA and USEPA amended the CAFE and GHG emissions standards for passenger cars and light trucks and established new less stringent standards, covering model years 2021 through 2026 (NHTSA, 2021).

Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule

On September 27, 2019, the USEPA and the NHTSA published the Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program (NHTSA, 2020), which revoked California's

authority to set its own GHG emissions standards and set zero emission vehicle (ZEV) mandates in California. The loss of the ZEV sales requirements would likely result in additional gasoline-fueled vehicles being sold in the State and criteria emissions increasing. On April 30, 2020, USEPA and NHTSA issued the Final SAFE Rule (USEPA, 2023b), which relaxed the federal GHG emissions and CAFE standards resulting in the probable increase of CO_2 emissions. However, this regulation was repealed on December 21, 2021 by the Biden administration (NHTSA, 2021).

State Regulations

Executive Order (EO) S 3-05

On June 1, 2005, the governor issued EO S 3-05, which set the following GHG emission reduction targets:

- By 2010, reduce GHG emissions to 2000 levels;
- By 2020, reduce GHG emissions to 1990 levels;
- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

To meet these targets, the Climate Action Team (CAT)[11] prepared a report to the Governor in 2006 that contained recommendations and strategies to help ensure that the targets in EO S-3-05 are met.

Assembly Bill 32 (AB 32)

In 2006, the California State Legislature enacted the California Global Warming Solutions Act of 2006, also known as AB 32. AB 32 focuses on reducing GHG emissions in California. AB 32 required that GHGs emitted in California be reduced to 1990 levels by the year 2020. The ARB is the state agency charged with monitoring and regulating sources of emissions of GHGs that cause global warming. AB 32 also required that by January 1, 2008, the ARB determine what the statewide GHG emissions level was in 1990, and that it approve a statewide GHG emissions limit, so it may be applied to the 2020 benchmark. The ARB approved a 1990 GHG emissions level of 427 million metric tons of CO_2e ($MMTCO_2e$), on December 6, 2007, in its Staff Report. Therefore, in 2020, emissions in California were required to be at or below 427 $MMTCO_2e$.

Under the "business as usual or (BAU)" scenario established in 2008, statewide emissions were increasing at a rate of approximately one percent per year, as noted below. It was determined that the 2020 estimated BAU of 596 $MMTCO_2e$ would have required a 28 percent reduction to reach the 1990 level of 427 $MMTCO_2e$.

Climate Change Scoping Plan

The first AB 32 Scoping Plan (ARB, 2008) contained the main strategies to achieve the 2020 emissions cap. The plan was developed by the ARB with input from the CAT and proposed a comprehensive set of actions designed to reduce overall carbon emissions in California, improve the environment, reduce oil dependency, diversify energy sources, and enhance public health while creating new jobs and improving the state's economy. The GHG reduction strategies contained in the

[11] The Climate Action Team (CAT) members are state agency secretaries and the heads of agencies, boards, and departments, led by the Secretary of the California Environmental Protection Agency (Cal/EPA). They coordinate statewide efforts to implement global warming emission reduction programs and the state's Climate Adaptation Strategy.

AB 32 Scoping Plan included direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

In May 2014, the ARB adopted the First Update to the AB 32 Scoping Plan (ARB, 2014). This update identified the next steps for California's leadership on climate change. It described progress made to meet the near-term objectives of AB 32 and defined California's climate change priorities and activities for the next several years. It also framed activities and issues facing the state as it develops an integrated framework for achieving both air quality and climate goals in California beyond 2020.

In the original AB 32 Scoping Plan, the ARB approved a total statewide GHG 1990 emissions level and 2020 emissions limit of 427 million metric tons (MT) of CO_2e. As part of the update, the ARB revised the 2020 Statewide limit to 431 million MT of CO_2e, an approximately one percent increase from the original estimate. The 2020 Business as Usual forecast in the update is 509 million MT of CO_2e. The state would have needed to reduce those emissions by 15.3 percent to meet the 431 million MT of CO_2e 2020 limit.

In November 2017, the ARB published the 2017 AB 32 Scoping Plan (ARB, 2017), which built upon the former AB 32 Scoping Plan and updates by outlining priorities and recommendations for the state to achieve its 2030 GHG target of a 40 percent reduction in GHGs by 2030, compared to 1990 levels. The major elements of the framework proposed were: enhancement of the Renewables Portfolio Standard (RPS) and the Low Carbon Fuel Standard (LCFS); a Mobile Source Strategy, Sustainable Freight Action Plan, Short Lived Climate Pollutant Reduction Strategy, Sustainable Communities Strategies, and a Post 2020 Cap and Trade Program; a 20 percent reduction in GHG emissions from the refinery sector; and an Integrated Natural and Working Lands Action Plan.

On November 16, 2022, the ARB circulated its Final 2022 Scoping Plan for Achieving Carbon Neutrality (ARB, 2022). It identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 or earlier. Through the lens of carbon neutrality, the plan expands the scope to more meaningfully consider how our natural and working lands (NWL) contribute to our long-term climate goal.

Renewables Portfolio Standard (Scoping Action E-3)

The California Energy Commission estimates that in 2000 about 12 percent of California's retail electric load was met with renewable resources. Renewable energy includes (but is not limited to) wind, solar, geothermal, small hydroelectric, biomass, anaerobic digestion, and landfill gas. California's current RPS is intended to increase that share to 44 percent by 2024. Increased use of renewables will decrease California's reliance on fossil fuels, thus reducing emissions of GHGs from the electricity sector. Governor Brown signed into legislation Senate Bill (SB) 350 in October 2015, which requires retail sellers and publicly-owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030**.**

Senate Bill 375 (SB 375)

Senate Bill (SB) 375 passed the Senate on August 30, 2008, and was signed by the Governor on September 30, 2008. Per SB 375, the transportation sector is the largest contributor of GHG emissions and contributes approximately 45 percent of the GHG emissions in California, with automobiles and light trucks alone contributing almost 30 percent. SB 375 indicates that GHGs from automobiles and light trucks can be reduced by new vehicle technology. However, significant reductions from changed

land use patterns and improved transportation also are necessary. SB 375 states, "Without improved land use and transportation policy, California will not be able to achieve the goals of AB 32." SB 375 does the following: (1) requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions; (2) aligns planning for transportation and housing; and (3) creates specified incentives for the implementation of the strategies.

Executive Order B-30-15

On April 29, 2015, the governor issued Executive Order B-30-15, which added an interim target of GHG emissions reductions to help ensure the State meets its 80 percent reduction by 2050, as set in EO S-3-05. The interim target is reducing GHG emissions by 40 percent by 2030. It also directs state agencies to update the Scoping Plan, update Adaptation Strategy every three years, and take climate change into account in their planning and investment strategies. Additionally, it requires the state's Five-Year Infrastructure Plan will take current and future climate change impacts into account in all infrastructure projects**.**

Title 24

California Code of Regulations Title 24 Part 6: California's Building Energy Efficiency Standards for Residential and Nonresidential Buildings, was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. Although these standards were not originally intended to reduce GHGs, energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The standards are updated every three years, to allow consideration and possible incorporation of new energy efficient technologies and methods. The 2019 standards were a major step towards meeting the Zero Net Energy goal by the year 2030. The latest iteration is the 2022 Energy Code, adopted on August 11, 2021, that builds upon California's goals towards building decarbonization and net carbon neutrality by emphasizing energy efficient innovations (CEC, 2022b). Its four areas of focus for the construction of new buildings include encouraging electric heat pump technology, establishing electric-ready requirements, expanding solar photovoltaic (PV) system and battery storage standards, and strengthening ventilation standards.

San Bernardino Greenhouse Gas Emissions Reduction Plan

The County of San Bernardino is committed to planning sustainably for the future while ensuring a livable, equitable, and economically vibrant community. Planning sustainably includes acknowledging the local role in climate change and how the County can mitigate its greenhouse gas (GHG) emissions and prepare for (i.e., adapt to) anticipated climate-related changes. The County adopted its first Greenhouse Gas Emissions Reduction Plan (GHGRP) in September 2011 and updated it in June 2021 (LSA Associates, 2021). The GHGRP provided the GHG emissions inventory for the year 2007, and the target of reducing GHG emissions 15 percent below 2007 levels by 2020. The County has implemented strategies to reduce its GHG emissions identified in the 2011 GHGRP, which has helped the County meet its 2020 GHG reduction targets. Since the adoption of County's GHGRP, the State has enacted new climate change regulations, most notably Senate Bill (SB) 32, which provides statewide targets to reduce GHG emissions to 40 percent below 2007 levels by 2030 (LSA Associates, 2021).

The State has set goals for reducing GHG emissions by 2020, 2030, and 2045 through AB 32, SB 32, SB-100, EO-B-55-18. The State passed an executive order (EO-B-55-18), which mandates statewide

net carbon neutrality by 2045. In the interim, the State has also provided a target of 40 percent below 2020 levels by 2030. The County has identified this target as 40 percent below 2020 emission levels by 2030. The 2030 target will put the County on a path toward the State's long-term goal to achieve zero net carbon emissions by 2045 (LSA Associates, 2021). As shown in **Table 4.8-1**, in 2030, San Bernardino County would need to reduce its emissions to 1,754,098 $MTCO_2e$ to meet the GHG reduction target of 40 percent below 2020 levels.

Table 4.8-1
SAN BERNARDINO COUNTY GHG REDUCTION TARGETS FOR COUNTYWIDE EMISSIONS

Strategy	Target
2020 Target	15 percent below 2007 baseline levels
2020 Emissions Goal ($MTCO_2e$)	5,315,000
2030 Target	40 percent below 2020 BAU levels
2030 Emissions Goal ($MTCO_2e$)	1,754,098

Source: San Bernardino County GHG Reduction Plan Update, (LSA Associates, Inc., 2021, p.22), $MTCO_2e$ = metric tons of carbon dioxide equivalent.

City of Fontana

The City of Fontana approved and adopted a General Plan on November 13, 2018. Chapter 12 of the plan on Sustainability and Resilience addresses policies for Fontana to meet the greenhouse gas reduction goals for 2030 and subsequent goals set by the state. These policies include continuing to collaborate with San Bernardino County Transportation Authority on greenhouse gas inventories and climate action planning. The state goals focus on reducing greenhouse gas emissions to 40 percent below 1990 levels by 2030 by increasing renewable electricity production to 50 percent. Major sources of greenhouse gases in Fontana include onroad transportation (comprising 39 percent) and building energy (comprising 51 percent) (City of Fontana, 2023c). To reduce GHG, Fontana is using LED lighting in new developments, energy savings in wastewater treatments, and implementing Smart Bus technologies. Fontana is incorporating land use strategies and transit-oriented development to reduce vehicle miles traveled, which will also decrease GHG emissions.

4.8.3 Impact Thresholds

The following thresholds of significance are based on criteria in **Appendix G** of the State CEQA Guidelines. A project has the potential to create a significant environmental impact if it would:

- Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or

- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of GHG.

4.8.4 Impact Analysis

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact

California has enacted several pieces of legislation that relate to GHG emissions and climate change, much of which set aggressive goals for GHG reductions within the state. Per Senate Bill 97, the California Natural Resources Agency adopted amendments to the CEQA Guidelines, which address the specific obligations of public agencies when analyzing GHG emissions under CEQA to determine a project's effects on the environment. However, neither a threshold of significance nor any specific mitigations are included or provided in these CEQA Guideline amendments.

GHG Significance Threshold

Neither the City of Fontana, the SCAQMD nor the State CEQA Guidelines Amendments provide adopted quantitative thresholds of significance for addressing a commercial project's GHG emissions. Nonetheless, § 15064.4 of the CEQA Guidelines serves to assist lead agencies in determining the significance of the impacts of GHGs. As required in § 15064.4, this analysis includes an impact determination based on: (1) an estimate of the amount of greenhouse gas emissions resulting from the project; (2) a qualitative analysis or performance based standards; (3) a quantification of the extent to which the project increases greenhouse gas emissions as compared to the existing environmental setting; and (4) the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

SCAQMD's guidance uses a tiered approach rather than a single numerical emissions threshold. If a project's GHG emissions "fail" the non-significance of a given tier, then one goes to the next one.

The threshold selected for this analysis is Tier 3, which establishes a screening significance threshold level to determine significance using a 90 percent emission capture rate. For Tier 3, the SCAQMD estimated that at a threshold of approximately 3,000 metric tons (tonnes) CO_2e per year, emissions would capture 90 percent of the GHG emissions from new residential or commercial projects (SCAQMD, 2008).

Construction GHG Emissions

Construction is an episodic, temporary source of GHG emissions. Emissions are generally associated with the operation of construction equipment, import or export of soil, and the disposal of construction waste. To be consistent with the guidance from the SCAQMD for calculating criteria pollutants from construction activities, only GHG emissions from onsite construction activities and offsite hauling and construction worker commuting are considered as project generated. As explained by the California Air Pollution Control Officers Association (CAPCOA) in its 2008 white paper (CAPCOA, 2022), the information needed to characterize GHG emissions from manufacture, transport, and end of life of construction materials would be speculative at the CEQA analysis level; CEQA does not require an evaluation of speculative impacts (CEQA Guidelines § 15145). Therefore, the construction analysis does not consider such GHG emissions but does consider non speculative ones.

Estimated criteria pollutant emissions from the Conco Industrial Buildings project were calculated using the California Emissions Estimator Model (CalEEMod), Version 2022.1.1.21 (CAPCOA, 2022), which was described in **Section 4.3.7**. The results of this analysis are presented in **Table 4.8-2**. The total construction GHG emissions would be **491 metric tons CO_2e**. Consistent with SCAQMD recommendations and to ensure that construction emissions are assessed in a quantitative sense, construction GHG emissions have been amortized over a 30-year period. The amortized value, **16.37 $MTCO_2e$**, has been added to the Conco Industrial Buildings Project's annual operational GHG emissions. **For each construction year, annual GHG emissions would be far below the threshold of 3,000 MT of CO_2e per year and therefore would be less than significant. No mitigation is necessary.**

Table 4.8-2
PROJECT CONSTRUCTION-RELATED GHG EMISSIONS

Year/Phase	Annual Emissions (MT/yr)			
	CO_2	CH_4	N_2O	CO_2e
2024	155	0.01	< 0.005	157
2025	330	0.02	0.01	334
Total	**485**	**0.03**	**0.01**	**491**

***Source**: Calculated by UltraSystems with CalEEMod (Version 2022.1.1.21) (CAPCOA, 2022).*

Operational GHG Emissions

The proposed Conco Industrial Buildings Project would construct a 106,289-square-foot warehouse, which would include approximately 8,000 square feet of office space and 98,288 square feet of warehouse space, which would result in operational emissions from area sources, motor vehicles, and energy demand. The operational GHG emissions calculated by CalEEMod Version 2022.1.1.21 (CAPCOA, 2022) are shown in **Table 4.8-3**. Total annual unmitigated emissions from the Conco Industrial Buildings Project, including the amortized construction emissions, would be **1,466 $MTCO_2e$ per year**.[12]

Table 4.8-3
PROJECT OPERATIONAL GHG EMISSIONS

Emission Source	Estimated Project Generated CO_2e Emissions (Metric Tons per Year)
Area Sources	2.16
Energy Demand (Electricity & Natural Gas)	265
Mobile (Motor Vehicles)	969
Solid Waste Generation	63.7

[12] Calculations are provided in **Appendix B1**.

Emission Source	Estimated Project Generated CO_2e Emissions (Metric Tons per Year)
Water Demand	150
Construction Emissions[a]	16.37
Total	**1,466**

[a] *Total construction GHG emissions were amortized over 30 years and added to those resulting from the operation of the project.*

Source: *Calculated by UltraSystems with CalEEMod (Version 2022.1.1.21) (CAPCOA, 2022).*

Therefore, under the first significance criterion, GHG emissions would be less than significant, and no mitigation is necessary.

b.) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHG?

Less than Significant Impact

The City of Fontana does not have an adopted climate action plan. An approach to identifying potential conflict with GHG reduction plans, policies, or regulations is to examine General Plan provisions that prescribe or enable GHG emissions control. The Final EIR for the General Plan Update (City of Fontana, 2018b) lists policies in the General Plan Update that reduce GHG emissions and help to quantify emissions reductions. However, the policies prescribe actions to be taken by the City, and not measures to be implemented by a project proponent. Nevertheless, the proposed project would not conflict with any of the GHG emission reduction policies; an analysis of project consistency with General Plan policies intended to reduce GHG emissions is provided in **Section 4.11,**. Therefore, the project would not hinder the implementation of General Plan policies for reducing GHG emissions.

4.9 Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		
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?		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
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?				X
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?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?		X		
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

The analysis in this section is based in part upon the RecCheck radius search for 13502 Dahlia Street, Fontana, CA 92337 completed by ERS Inc. on January 17, 2024. A complete copy of this Report is included as Appendix G to this IS/MND.

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less than Significant Impact with Mitigation Incorporated

Construction

Transportation of hazardous materials/waste is regulated by *California Code of Regulations* (CCR) Title 26. The California Highway Patrol (CHP) and the California Department of Transportation (Caltrans) enforce federal and state regulations and respond to hazardous materials transportation emergencies. Emergency responses are coordinated as necessary among federal, state and local governmental authorities and private persons through a state-mandated Emergency Response Plan. Due to the significant short-term risks to public health and the environment associated with hazardous waste management during transportation of wastes, specific Commercial Hazardous Waste Shipping Routes are designated with the intent of minimizing the distance that wastes are transported and the proximity to vulnerable locations.

The proposed project includes the construction of a warehouse. Construction activities would be temporary and would involve transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Chemical transport, storage, and use would comply with Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Occupational Safety and Health Administration (OSHA); California hazardous waste control law; California Division of Safety and Health (DOSH); South Coast Air Quality Management District (SCAQMD), and the City of Fontana Fire Protection District requirements. The proposed project would comply with all applicable laws and regulations. Construction impacts in regard to hazardous materials would be less then significant.

Operation

At the time this IS/MND was prepared, the future tenant(s) of the proposed building were unknown. For the purpose of environmental analysis, the future uses onsite are assumed to be any of those uses permitted by the City of Fontana's General Plan land use designation of General Industrial (I-G), and the City's Municipal Code. During operations, the future tenant may require the routine transport of hazardous materials for maintaining supplies onsite and for disposal of waste offsite. Transportation of hazardous materials can result in accidental spills, leaks, toxic releases, fire, or explosion.

The residences nearest to the project site are located along Jurupa Avenue, approximately 0.75 mile southeast of the project site. Since hazardous materials must not be transported through existing residential areas, the tenant would propose routes that are surrounded primarily by existing industrial land uses. The project site is located within the Fontana Gateway Specific Plan, an industrial-zoned portion of the City. Therefore, if any accidental releases of hazardous materials were to occur, they would be anticipated to occur in the primarily industrial areas and along roads leading to and from the project site.

The United States Department of Transportation (USDOT) Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials, as described in Title 49 of the Code of Federal Regulations (CFR), and implemented by Title 13 of the CFR. Appropriate documentation would be provided for all hazardous waste that is transported, as required by existing hazardous materials regulations. Chapter 6.95 of the California Health and Safety

Code requires businesses that handle more than a specified amount of hazardous materials onsite to submit a Hazardous Materials Business Plan to firefighters, health officials, planners, public safety officers, health care providers, regulatory agencies, and other interested persons (see mitigation measure **MM HAZ-1** below). The business plan must include an inventory of the hazardous materials handled, facility floor plans showing where hazardous materials are stored, an emergency response plan, and provisions for employee safety and emergency response training.

Further, proper documentation would be required to identify which hazardous materials would be transported and which routes they would be transported along. Therefore, **MM HAZ-1** (see below) would be implemented to ensure that the future tenant would provide proper hazardous materials transportation information.

In addition to the suggested mitigation measure the future tenant would be required to comply with existing regulations, standards, and guidelines established by the US Environmental Protection Agency, State of California, County of San Bernardino, and City of Fontana related to storage, use, and disposal of hazardous materials, which would reduce the potential risk of hazardous materials exposure to a level that is less than significant.

Mitigation Measures

The following mitigation measure would be adopted to minimize or avoid impacts related to routine transport, use, or disposal of hazardous materials:

MM HAZ-1 In the event that the future tenant will handle hazardous materials above the reportable quantity threshold specified in the tenant's Hazardous Materials Business Plan (HMBP) pursuant to California Code of Regulations Title 19 Sections 5010.1 et seq. The HMBP shall contain in inventory of hazardous materials at the facility; emergency response plans and procedures to be followed in the event of a reportable release or threatened release of a hazardous material; requirements to train employees in safety procedures in the event of a release or threatened release of a hazardous material; and a site map depicting loading areas, internal roads, adjacent streets, storm and sewer drains, site entrances/exits, emergency shutoffs, evacuation staging areas, hazardous material handling and storage areas, and emergency response equipment. The tenant shall, in coordination with the City of Fontana, identify routes along which hazardous materials may routinely be transported. Transportation routes for hazardous materials shall comply with California Vehicle Code Sections 31303(b) (the transportation shall be on state or interstate highways which offer the least overall transit time whenever practicable); and 31303(c) (the transporter shall avoid, whenever practicable, congested thoroughfares, places where crowds are assembled, and residence districts as defined in [California Vehicle Code] Section 515). The tenant and the City shall consider distances of routes to sensitive areas such hospitals, schools, handicapped facilities, prisons and stadiums in their selection of hazardous materials transportation routes, in accordance with Code of Federal Regulations Title 49 Section 397.71(b)(9)(vi).

Level of Significance After Mitigation

In addition to compliance with the established regulatory framework, mitigation measure **HAZ-1** requires implementation of an emergency response plan and designated transportation route(s) to ensure that potentially significant impacts regarding hazardous materials are minimized or

eliminated. Impacts to the public or the environment resulting from the routine transport, use, or disposal of hazardous materials would be less than significant after mitigation.

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

Less than Significant Impact with Mitigation Incorporated

Construction

Project construction would involve transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Chemical transport, storage, and use would comply with Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Occupational Safety and Health Administration (OSHA); California hazardous waste control law (California Health and Safety Code, Division 20, Chapter 6.5, Hazardous Waste Control); California Division of Safety and Health (DOSH); and San Bernardino County Fire Protection District (SBCFPD) requirements. The construction contractor would maintain equipment and supplies onsite for containing and cleaning up small spills of hazardous materials; and in the event of a release of hazardous materials of quantity and/or toxicity that onsite workers could not safely contain and clean up, would notify the SBCFPD immediately.[13] Therefore, compliance with applicable laws and regulations during project construction would reduce the potential for accidental releases of hazardous materials, and construction hazards impacts would be less than significant and no mitigation is required.

Operation

As the future tenant(s) of the proposed project are not known at this time, there is a potential that the proposed project could create a significant hazard to the public or the environment during operation through accidental release of hazardous materials. Typical incidents that could result in accidental release of hazardous materials involve: leaking storage tanks; spills during transport; inappropriate storage; inappropriate use; and/or natural disasters. Accidental releases such as these could cause contamination of soil, surface water, groundwater, and toxic fumes. Depending on the nature and extent of the contamination, groundwater supplies could become unsuitable for use as a domestic water source. Human exposure to contaminated soil or water could have potential health effects depending on a variety of factors, including the nature of the contaminant and the degree of exposure.

Chemicals and wastes stored in aboveground or underground storage tanks would follow guidelines mandated by the federal and state agencies. Aboveground tanks storing hazardous chemicals would have secondary containment to collect fluids that are accidentally released. Underground storage tanks and connecting piping would be double-walled and would have monitoring devices with alarms installed to constantly monitor for unauthorized releases in accordance with federal and state standards.

[13] The San Bernardino County Fire Protection District (SBCFPD) is the Certified Unified Program Agency (CUPA) for Riverside County; the Certified Unified Program coordinates and makes consistent enforcement of several state and federal regulations governing hazardous materials. DEH also provides emergency responses to hazardous materials incidents in Calaveras County (SBCFPD, 2024).

Applicable existing standards include the Cal/OSHA operational requirements, California Health and Safety Code § 25270.7, and Fontana Fire Protection District regulations regarding the installation and operation of underground tanks. These existing measures would minimize impacts to a less than significant level.

Transportation of hazardous materials could result in accidental spills, leaks, toxic releases, fire, or explosion, and there is a potential for licensed vendors to transport hazardous materials to and from the project site. As discussed previously, the proposed project is subject to compliance with all applicable federal, state, and local laws (including Title 49 of the CFR) and regulations pertaining to the transport, use, disposal, handling, and storage of hazardous waste. Additionally, with the implementation of mitigation measure **HAZ-1**, the future tenant would coordinate with the city to ensure that transportation of hazardous materials would create less than significant impacts. Therefore, with compliance with these regulations and mitigation measures, the proposed project would reduce the likelihood and severity of accidents during transit, thereby ensuring that potential impacts would be less than significant.

Mitigation Measures

Refer to mitigation measure **HAZ-1** above.

Level of Significance After Mitigation

In addition to compliance with established regulatory framework, mitigation measure **HAZ-1** requires implementation of an emergency response plan and designated transportation route(s). Impacts regarding the accidental release of hazardous materials would be less than significant with the implementation of mitigation.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact

The project is not located within 0.25 mile of a school. The closest school to the project site, Henry J. Kaiser High School, is approximately 1.6 miles east of the project site (Google Earth Pro, 2023). Therefore, there would be no impact.

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

No Impact

Government Code § 65962.5 requires the Department of Toxic Substances Control (DTSC) to compile and update, at least annually, lists of the following:

- Hazardous waste and substances sites from the DTSC EnviroStor database.
- Leaking Underground Storage Tank (LUST) sites by county and fiscal year in the State Water Resources Control Board (SWRCB) GeoTracker database.

- Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside waste management units.
- SWRCB Cease and Desist Orders (CDOs) and Cleanup and Abatement Orders (CAOs).
- Hazardous waste facilities subject to corrective action pursuant to § 25187.5 of the Health and Safety Code, identified by DTSC.

These lists are collectively referred to as the "Cortese List". The project site is not included in the Cortese List (CalEPA, 2023). The project site (the existing building at 13052 Dahlia Street) is listed as a small quantity generator of hazardous wastes (SQG) on the Resource Conservation and Reclamation Act (RCRA) database under the name Force Offshore LLC (ERS, 2024, p. 29). One Cortese List site is listed within 0.25 mile of the project site: CBI NA-CON Inc. at 11001 Etiwanda Avenue, a LUST site. A gasoline release affected soil; the case was closed in 1992 (see **Figure 4.9-1**; ERS, 2024). Hazardous materials sites within 0.125 mile (660 feet) of the project site are listed in **Table 4.9-1** below.

Table 4.9-1
HAZARDOUS MATERIALS SITES WITHIN 660 FEET OF THE PROJECT SITE

Site Name **Address** **Distance and Direction from project site**	**Additional information**
Home Shopping Network Fulfillment Center 13423 Santa Ana Avenue	SQG
Patrick Industries, Inc. 13050 Santa Ana Ave 0.11 mile north	Hazmat handler and hazardous waste generator: San Bernardino County Fire Department
Karan and Associates 13181 Santa Ana Ave 0.11 mile north	Hazmat handler: San Bernardino County Fire Department
RReef Mgmt, Conway Logistics 13101 Dahlia St 0.12 mile southeast	Permitted air emissions source: South Coast Air Quality Management District

Source: ERS, 2024

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

Less than Significant Impact

The closest airport to the project site, the Ontario International Airport, is located approximately 3.2 miles west of the project site (see **Figure 4.9-2**; Google Earth Pro, 2024). The project is located within Ontario International Airport's 60-65 dB CNEL Noise Impact Zone (ONT-IAC, 2018a). However, warehouses under Industrial, Manufacturing, and Storage Uses are in the "Normally Compatible Land

Use" category (ONT-IAC, 2018). Therefore, the project is a permitted use and impacts would be less than significant.

Figure 4.9-1
CORTESE LIST SITES

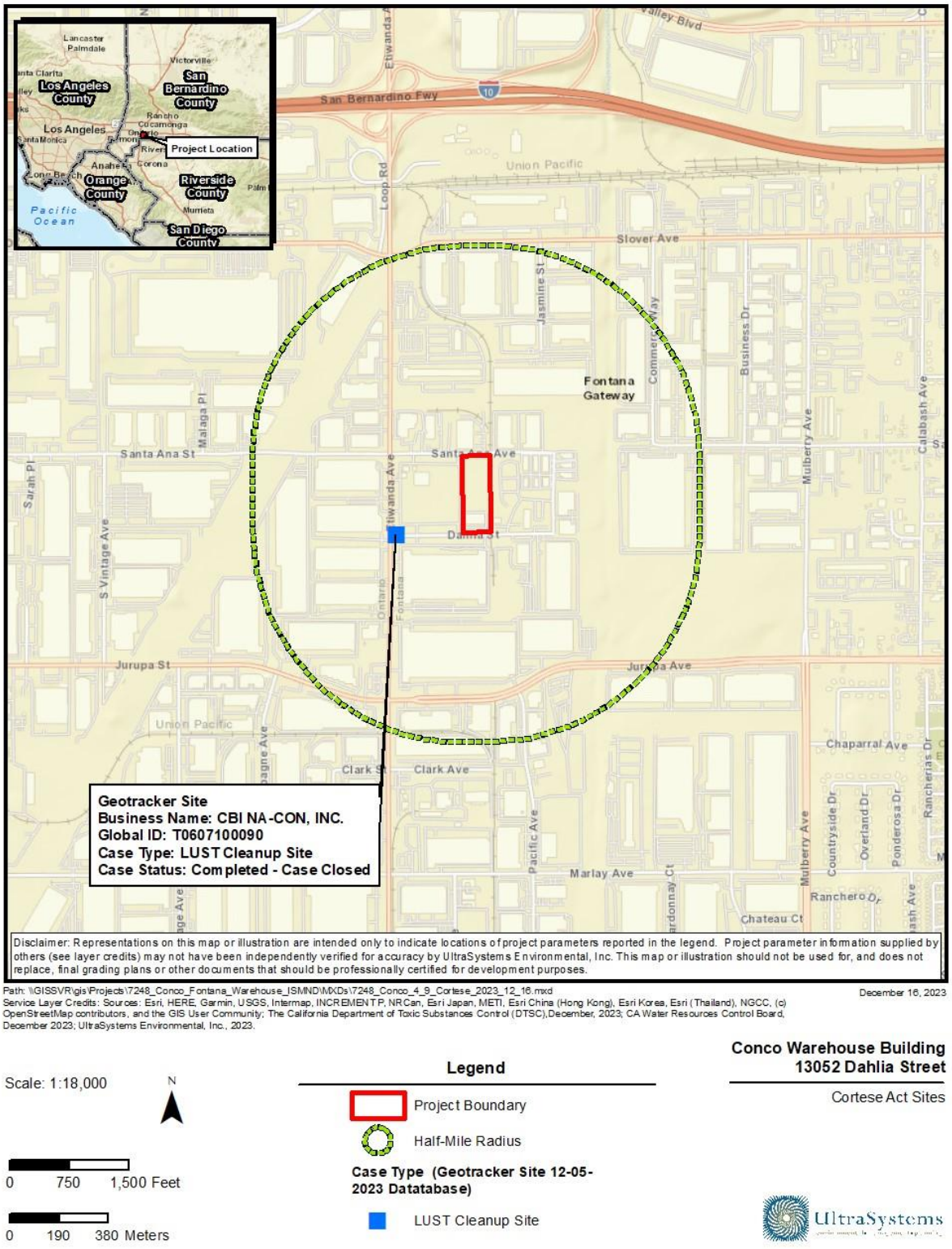
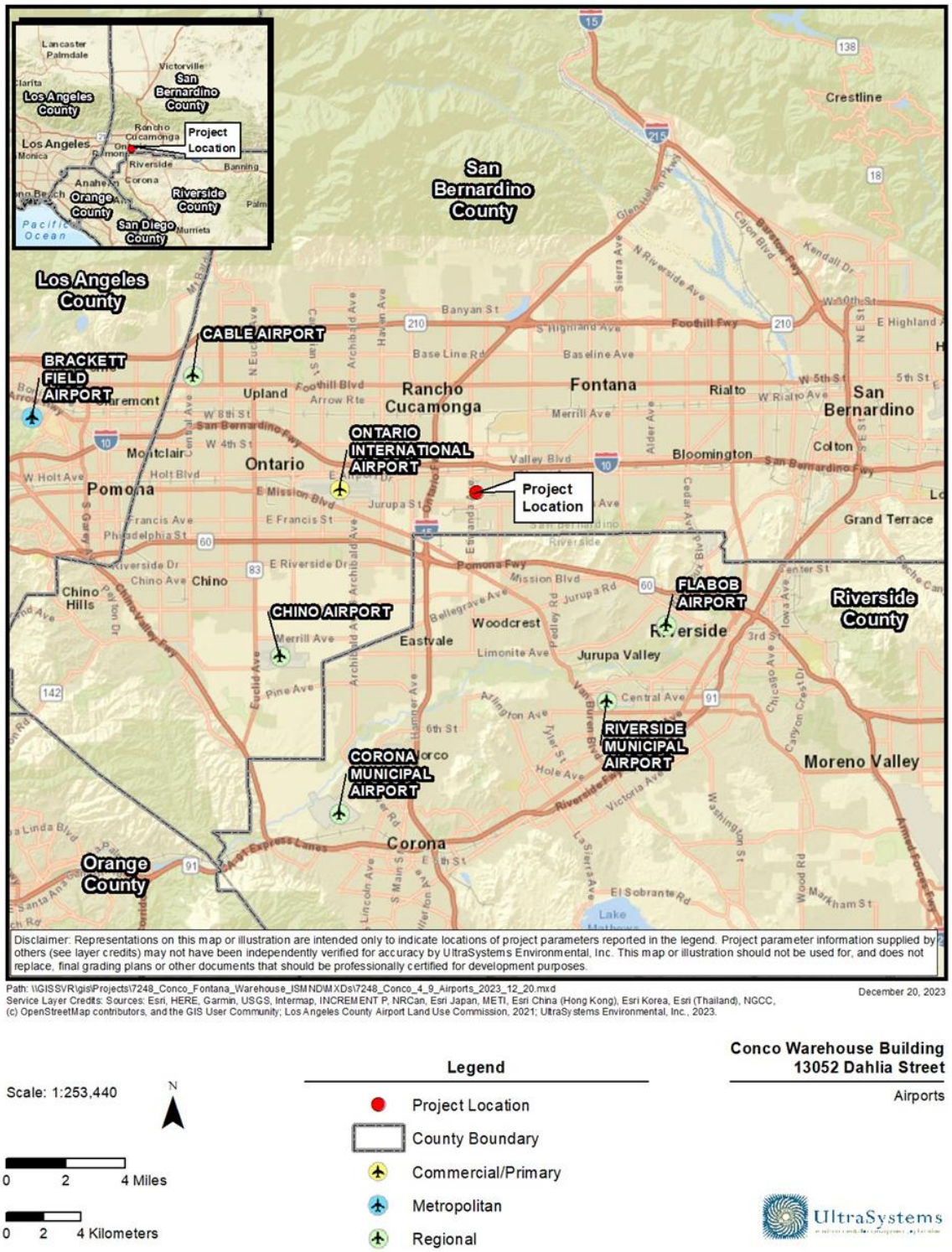


Figure 4.9-2
AIRPORTS



f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant with Mitigation Incorporated

Construction

The project would comply with applicable City regulations, such as City's Fire Code, in regard to providing adequate emergency access. Prior to the issuance of building permits, the City of Fontana would review project site plans, including location of all buildings, fences, access driveways and other features that may affect emergency access. Fire lanes would be provided for adequate emergency access. The site design for the proposed project includes access and fire lanes that would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. All onsite access and sight-distance requirements would be in accordance with City and Caltrans design requirements. The City's review process and compliance with applicable regulations and standards would ensure that adequate emergency access would be provided at the project site at all times.

Additionally, as discussed in **Section 4.17**, *Transportation and Traffic*, the City requires preparation and implementation of a Traffic Management Plan (TMP) for all projects that require construction in the public right-of-way (ROW). The TMP must be reviewed and approved by the City's Traffic Engineer prior to the start of construction activity in the public ROW. The typical TMP requires such things as the installation of K-rail between the construction area and open traffic lanes, the use of flagmen and directional signage to direct traffic where only one travel lane is available or when equipment movement creates temporary hazards, and the installation of steel plates to cover trenches under construction. Emergency access must be maintained. Therefore, the proposed project would implement mitigation measure **TRANS-1**. With implementation of mitigation measure **TRANS-1**, impacts in regard to emergency access during construction would be less than significant.

Mitigation Measures

Refer to mitigation measure **TRANS-1** in Section 4.17.

Level of Significance After Mitigation

After implementation of mitigation measure **TRANS-1** above, the project would have less than significant construction-phase impacts on emergency access.

Operation

City of Fontana Local Hazard Mitigation Plan

The purpose of the City's Local Hazard Mitigation Plan (LHMP) is to provide a plan for reducing and/or eliminating risk in the City of Fontana. The goals of the LHMP are to: protect life, property, and the environment; improve public awareness; protect the continuity of government; and improve emergency management preparedness, collaboration and outreach. The LHMP states that interstates would serve as major emergency response and evacuation routes (City of Fontana, 2017, p. 124). The proposed project would not be adjacent to any interstates; therefore, the proposed project would not interfere with the City of Fontana's emergency response and evacuation routes. Additionally, as mentioned above, the proposed project design would undergo a site design review to ensure that

there would be adequate emergency ingress and egress within the project site. Therefore, the proposed project would have less than significant impacts in regard to emergency and evacuation plans.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

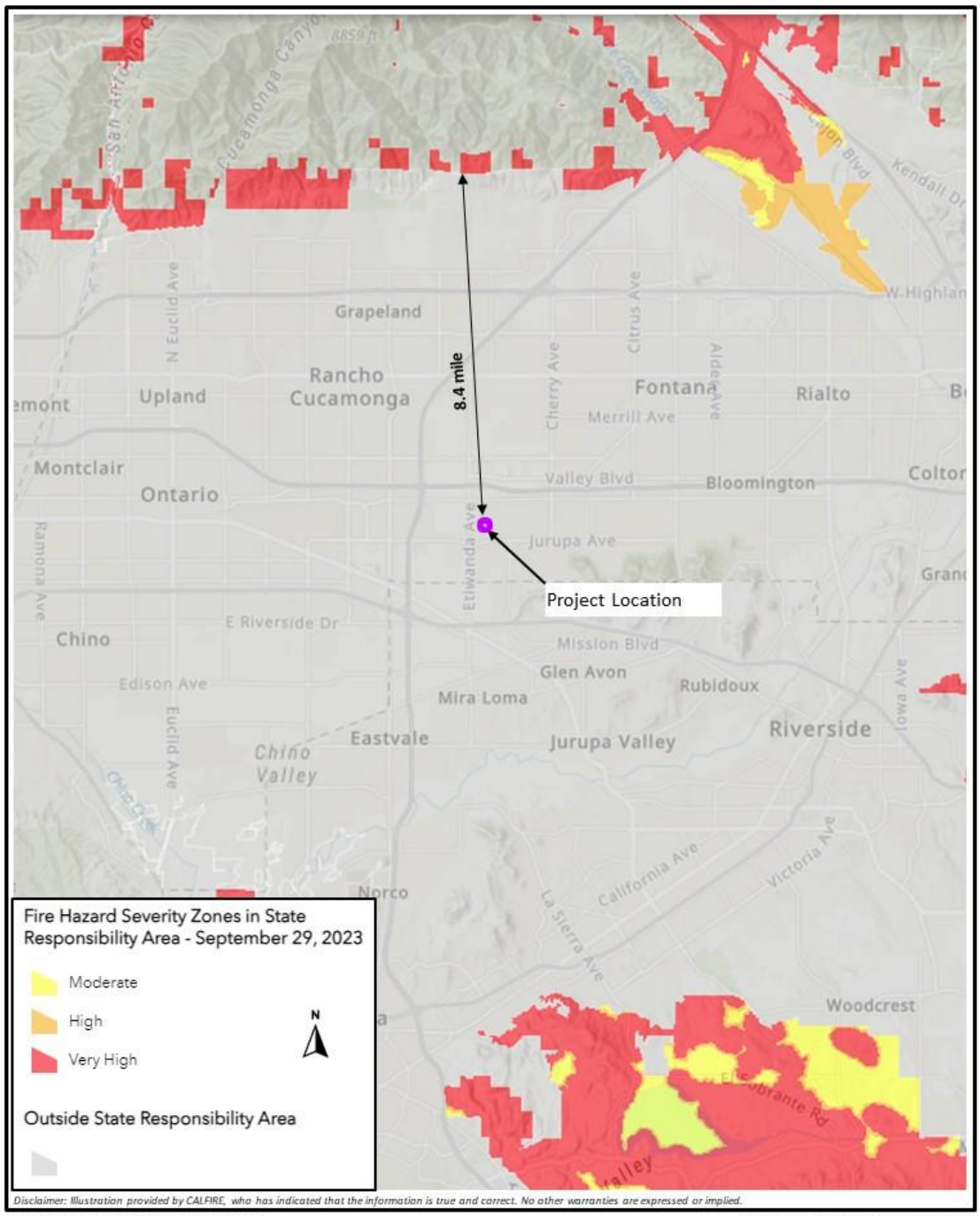
No Impact

The California Department of Forestry and Fire Protection (CAL FIRE) developed Fire Hazard Severity Zones (FHSZ) for State Responsibility Areas (SRA) and Very High FHSZs for Local Responsibility Areas (LRA). As shown on **Figure 4.9-3** *Fire Hazard Severity Zone– State Responsibility Area* and **Figure 4.9-4**, *Fire Hazard Severity Zone – Local Responsibility Area*, the project site is not located within either an SRA FHSZ or a Very High FHSZ LRA for San Bernardino County (CAL FIRE, 2023).

The State of California Department of Forestry and Fire Protection (CAL FIRE) has created, and continues to revise, a map of all FHSZs within the state, including those in the City. The "Very High FHSZ" can be used to enforce enhanced regulations from the State Fire Marshal published within the California Building Code that relate to ignition and ember-resistive building construction within the city.

The proposed project site is located within an industrialized area, and is surrounded by development. The project site is not located adjacent to wildlands that may increase the risk of wildland fires. Additionally, the project would be developed in compliance with all applicable fire codes. The project would have no impact.

Figure 4.9-3
FIRE HAZARD SEVERITY ZONE– STATE RESPONSIBILITY AREA



Source: CALFIRE FRAP, September 29, 2023.

Conco Warehouse Building
13052 Dahlia Street
Fire Hazard Severity Zone
State Responsibility Area (SRA)

Figure 4.9-4
FIRE HAZARD SEVERITY ZONE – LOCAL RESPONSIBILITY AREA



4.10 Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			**X**	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			**X**	
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 offsite;			**X**	
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			**X**	
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			**X**	
(iv) impede or redirect flood flows?				**X**
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				**X**
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				**X**

UltraSystems staff researched readily available information, including: 1) relevant literature, databases, agency web sites, various previously completed reports and management plans, GIS data, maps, aerial imagery from public domain sources, and in-house records; 2) local or regional plans, policies, and regulations that may apply to the project;

In addition, the following technical studies prepared by Allard Engineering for the Conco Industrial Site were utilized in the analysis:

- *Preliminary Water Quality Management Plan for the Conco Industrial Site* (WQMP; Allard Engineering, 2023a).

- *Preliminary Drainage Report for the Conco Industrial Site* (Drainage Report; Allard Engineering, 2023b).

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less than Significant Impact

The project site is currently developed. Under existing conditions, stormwater leaving the project site drains south on to Dahlia Street, and then into the existing City storm drain system at the intersection of Dahlia Street and Etiwanda Avenue. This storm drain discharges into the San Sevaine Channel. From San Sevaine Channel, stormwater discharges into the Santa Ana River (Reach 3; Allard Engineering, 2023a), which is a water of the U.S.

Impacts related to water quality would occur during four different periods: (1) during the demolition phase and (2) during the earthwork and construction phase, when the potential for erosion, siltation, and sedimentation would be the greatest; (3) following construction, prior to the establishment of ground cover in the landscaped areas, when the erosion potential may remain relatively high; and (4) following completion of the project, when impacts related to sedimentation would diminish, but those associated with urban runoff would increase.

Construction Pollutant Controls

The project owner would be required by the California State Water Resources Control Board (SWRCB) to obtain coverage under a *National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities* (General Permit; Order No. 2022-0057-DWQ, NPDES No. CAS000002)). The General Permit regulates discharges to waters of the U.S. from stormwater and authorized non-stormwater associated with construction activity from sites that disturb one or more acres of land.

The Construction General Permit requires potential dischargers of pollutants into waters of the U.S. to prepare a site-specific Stormwater Pollution Prevention Plan (SWPPP), which establishes enforceable limits on discharges, requires effluent monitoring, designates reporting requirements, and requires construction best management practices (BMPs) to reduce or eliminate point and non-point source discharges of pollutants, including sediment resulting from wind or erosion.

The project would be required to obtain a General Permit, prepare an SWPPP, and implement construction stormwater BMPs prior to commencement of construction activities. Additionally, BMPs must be maintained, inspected before and after each precipitation event, and repaired or replaced as necessary. Because the project is required by the SWRCB to comply with all applicable conditions of General Permit Order No. 2022-0057-DWQ, NPDES No. CAS000002, potential violations of water quality standards or stormwater and authorized non-stormwater discharge requirements during project construction would be less than significant.

Operational Pollutant Controls

The *National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for the San Bernardino County Flood Control District, the County of San Bernardino, and the Incorporated Cities of San Bernardino County within the Santa Ana Region Area-Wide Urban Storm Water Runoff Management Program* regulates, through Order No. R8-2010-0036 and NPDES No.

CAS618036, the discharge of pollutants into waters of the U.S. through stormwater and urban runoff conveyance systems, including flood control facilities. These conveyance systems are commonly referred to as municipal separate storm sewer systems (MS4s), or storm drains. In this context, the NPDES Permit is also referred to as an MS4 Permit.

Pursuant to the MS4 Permit, Principal Permittees (i.e., the San Bernardino County Flood Control District) and Co-Permittees (the City of Fontana is a Co-Permittee) must regulate discharges of pollutants in urban runoff from anthropogenic sources into storm water conveyance systems within their jurisdiction.

As new development and redevelopment occurs, it can significantly increase pollutant loads in stormwater and urban runoff, because increased population density results in proportionately higher levels of vehicle emissions, vehicle maintenance wastes, municipal sewage wastes, household hazardous wastes, fertilizers, pet waste, trash, and other anthropogenic pollutants (SWRCB, 2013). The San Bernardino County MS4 Permit requires new development and significant redevelopment projects to incorporate post-construction low-impact development (LID) BMPs into project design to reduce or eliminate the quantity, and improve the quality of, stormwater being discharged from the project site.

A preliminary Water Quality Management Plan (Allard Engineering, 2023a) has been prepared for the proposed project site, in accordance with the MS4 Permit, and is included herein as **Appendix H2**. The MS4 and the associated WQMP require the implementation of Low Impact Development (LID) features to ensure that most stormwater runoff is treated and retained onsite.

The project is a proposed redevelopment/expansion of an existing commercial site. The project also proposes frontage parkway improvements that include a sidewalk, planters, and curb and gutter. The site would consist of a single drainage management area (DMA-1) based on proposed onsite flow patterns. DMA-1 measures 7.8 acres and includes a proposed Contech infiltration/retention chamber System-1 for water quality retention/infiltration; a network of storm drainpipes/ribbon gutters/valley gutters conveyance systems, including grate inlets with trash baskets/filters for pre-treatment; and a bubbler catch basin and a Contech detention chamber system for high flow detention and mitigation (Allard Engineering 2023a, p. 1-1).

The proposed detention chamber system (CMP-2) has an 18" outlet pipe that will discharge into the proposed bubbler catch basin in the driveway at the southwest corner of the site. The detention chamber system (CMP-2) will mitigate the developed runoff to less than 90 percent of the existing runoff flow rate. This onsite detention system (CMP-2) will consist of a five-foot diameter perforated CMP system (with 4-barrels) located upstream in the west driveway/parking area (Allard Engineering, 2023b; pg. 3).

Stormwater will be conveyed to the underground Infiltration/Retention Chamber System-1/existing dry well system via the proposed/existing storm drain system onsite for water quality mitigation. The site is exempt for Hydrological Conditions of Concern (HCOC) mitigation in low flow situation.

For storms larger than the 100-year storm event, the runoff will overflow the Infiltration/Retention Chamber System and will drain into the Detention Chamber System for high flow mitigation. The Detention Chamber will outflow via pipe at a mitigated flow rate into the bubbler catch basin at the southwest corner. Whereas the existing drywell system will overflow on surface and drain into the bubbler catch basin at the southwest corner, water from bubbler catch basin will drain out on surface into the proposed parkway drain which will discharge into the frontal street gutter in Dahlia Street.

Water will follow the existing street gutter and drain into the existing City storm drain system. (Allard Engineering, 2023a; p. 4-6 to 4-7).

The WQMP also includes non-structural source control BMPs including storm drain system stenciling and signage, education of tenants and property owners on stormwater BMPs, activity restrictions, landscape management BMPs, BMP maintenance, compliance with applicable local water quality ordinances, spill contingency plan, litter/debris control program, employee training, catch basin inspection program, housekeeping of loading docks, vacuuming, and compliance with all applicable NPDES permits. (Allard Engineering, 2023a; p. 4-10 to 4-12).

With implementation of construction and operational BMPs, potential impacts to water quality would be less than significant and mitigation is not proposed.

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

Less Than Significant Impact

The project site is in the Chino Subbasin of the Upper Santa Ana Valley Groundwater Basin (DWR, 2003). The proposed project is within the service area of the Fontana Water Company (FWC; FWC, 2023a). The water supply for the FWC service area is from Lytle Creek surface flow, wells in the Lytle Basin, Rialto Basin, Chino Basin, and another groundwater basin known as No Man's Land. Water from the California State Water Project is purchased from the Inland Empire Utilities Agency and San Bernardino Valley Municipal Water District. A portion of the water supply can be purchased from Cucamonga Valley Water District during water shortages or under emergency situations (FWC, 2023b). Groundwater supplies available to FWC are expected to increase from 21,533 acre-feet in 2025 to 25,883 acre-feet in 2045, and to comprise about half of FWC's total water supplies in each of those years (West Yost, 2021, p. 6-29).

Projected future water demands have been estimated based on the anticipated population growth, based on population projections from the Southern California Association of Governments; and assuming continuation of existing General Plan land use designations in most of the City (SCAG; West Yost, 2021, Appendix E, p. 7). The proposed warehouse building is permitted in the General Plan designation onsite, and thus is accounted for in FWC water demand projections. Project operation is estimated to use about 6,742 gallons per day (gpd) of water based on 125 percent of wastewater generation rates from the Los Angeles County Sanitation Districts (LACSD, 2024).

Table 4.10-1
ESTIMATED PROJECT WATER DEMAND

Land Use	Square feet	Water Demand, gallons per day	
		Per 1,000 square feet	Total
Warehouse	98,288	48.75	4,792
Office	8,000	243.75	1,950
Total	**106,288**	Not applicable	**6,742**

[1] Source: LACSD, 2024

Under existing conditions, approximately 41 percent of the project site is impervious; as proposed, including installation of LID BMPs, impervious area would increase to approximately 92 percent (Allard Engineering, 2023a, p. 4-8 and p. 4-18). However, the proposed LID measures described in **Section 4.10 a)**, *Operational Pollutant Controls,* would maximize the volume of stormwater runoff that would be captured and allowed to infiltrate the soil to add to groundwater recharge. These LID measures are described in detail and illustrated in the WQMP (Allard Engineering, 2023a), presented in **Appendix H2**.

The proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge, or impede sustainable groundwater management of the basin. Project-related impacts would be less than significant, and no mitigation is proposed.

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

i) Result in substantial erosion or siltation on- or offsite;

Less Than Significant Impact

The proposed project site is situated on relatively level ground, with a slope of approximately 1.5 percent (Allard Engineering, 2023a, p. 4-8). No water features, including streams or rivers were observed on the project site.

Site preparation and grading at the project site would comply with City of Fontana grading code requirements. Furthermore, construction of the proposed project would disturb more than one acre of ground and therefore, as noted earlier, it would be required to obtain coverage under the Construction General Permit. Dischargers whose projects disturb one or more acres of soil are required to obtain coverage under the General Permit (Order No. 2022-0057-DWQ, NPDES No. CAS000002) from the SWRCB. Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling and excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility (SWRCB, 2022).

The General Permit requires the development of a SWPPP by a certified qualified SWPPP developer. The required SWPPP would be project-specific and would prescribe site-specific stormwater BMPs which would be intended to minimize or avoid onsite erosion, through either stormwater or wind, and thus minimize or avoid siltation in receiving waters.

With implementation of a project-specific SWPPP and proper maintenance and replacement of required stormwater BMPs (as necessary), potential impacts resulting in substantial erosion or siltation on- or offsite would be minimized or avoided, and impacts would be less than significant. No mitigation is proposed.

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

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff;

Less than Significant Impact

As detailed in the proposed project's WQMP and in **Section 4.10 a) above,** the proposed project would incorporate operational LID BMPs in compliance with MS4 requirements. The proposed site drainage area consists of a single drainage management area (DMA-1) based on the proposed flow pattern onsite. DMA-1 would include existing drywell systems and a proposed Contech infiltration/retention chamber System-1 for water volume retention/infiltration; a network of storm drain pipes/ribbon gutters/valley gutters conveyance system including grate inlets with trash baskets/filters for pre-treatment; a bubbler catch basin; and a Contech detention chamber system for high flow detention and mitigation. Stormwater will be conveyed to the underground Infiltration/Retention Chamber System-1/existing dry well system via the proposed /existing storm drain system onsite for water quality mitigation (Allard Engineering, 2023a; p. 4-6 to 4-7).

The MS4 also requires the implementation of water quality features to ensure that runoff is treated prior to discharge into receiving waters (infiltration), storm drains or other regional conveyance facilities, as described above. With adherence to existing state water quality requirements, including MS4 requirements, the proposed project would minimize or avoid causing a substantial increase in the rate or amount of surface runoff in a manner which would not: (1) result in flooding on- or offsite; (2) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff; or (3) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant; mitigation is not required.

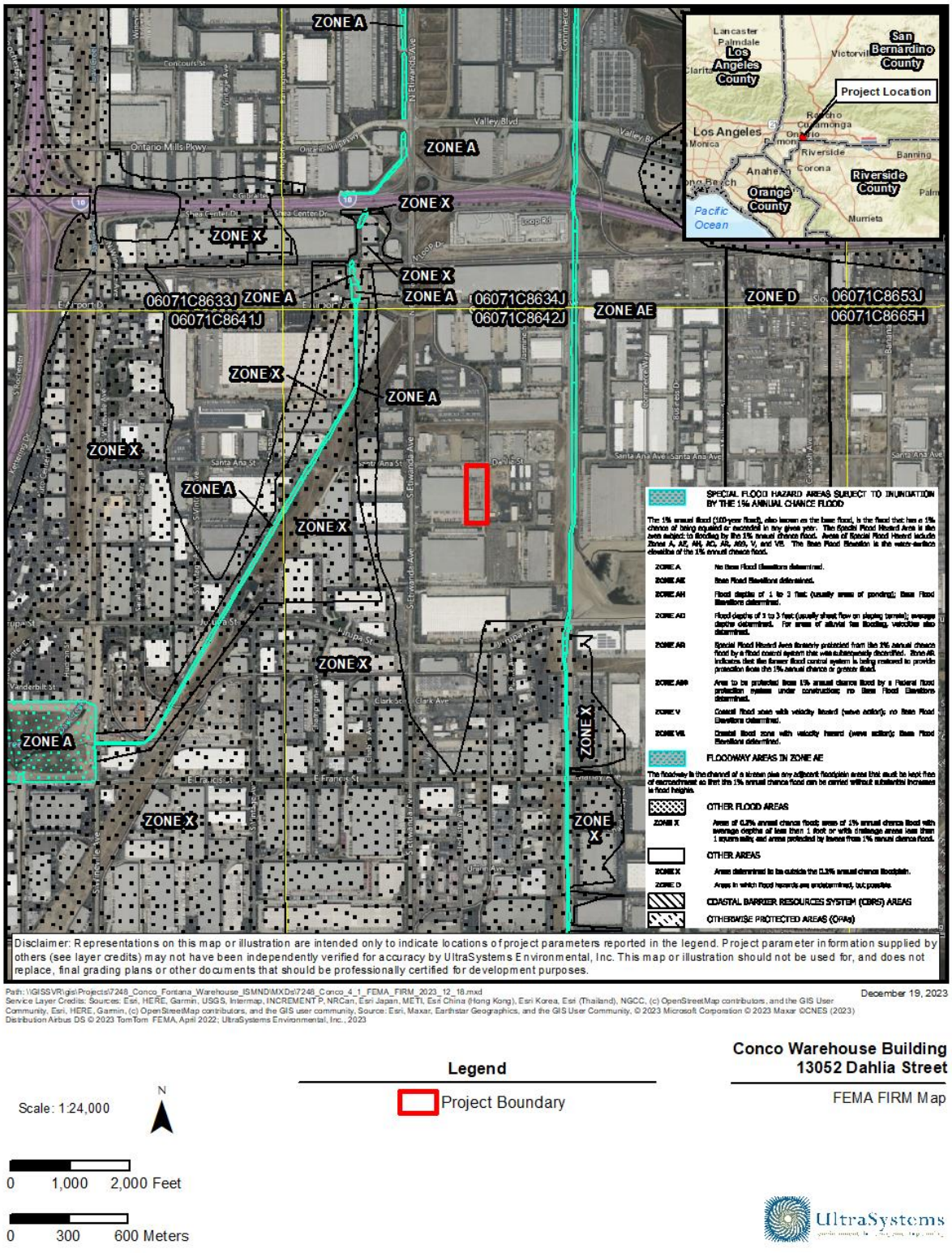
iv) Impede or redirect flood flows?

No Impact

The project site is located on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for San Bernardino County, California and Incorporated Areas (Map Number 06071C8642J, effective September 26, 2014; FEMA, 2014). FEMA has mapped the project site as Zone X, *Areas determined to be outside the 0.2% annual chance floodplain (FEMA; 2014, 2023a, b).* See **Figure 4.10-1**.

Since the project site is above the 100- and 500-year floodplains, it is not anticipated that floodwaters would reach the project site, or that the proposed project would impede or redirect flood flows. Therefore, no impacts associated with flooding would occur, and no mitigation is proposed.

Figure 4.10-1
FEMA FIRM MAP



Since the project site is above the 100- and 500-year floodplains, it is not anticipated that floodwaters would reach the project site, or that the proposed project would impede or redirect flood flows. Therefore, no impacts associated with flooding would occur, and no mitigation is proposed.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact

As described in **Section 4.10-iv) above**, the proposed project site is above the 100-year and the 500-year flood hazard zones and it is not anticipated that the site would become inundated due to flood.

A tsunami is a sea wave (or series of waves) of local or distant origin that results from large-scale seafloor displacements associated with large earthquakes, major submarine slides, or exploding volcanic islands (California Seismic Safety Commission, 2023). Tsunami Inundation Zones are not mapped for San Bernardino County. The closest mapped zones are in Orange County. A review of the Orange County, California Tsunami Inundation Maps (CGS, 2023a) revealed that the tsunami inundation zone nearest to the proposed project site is at Huntington Beach in Orange County, approximately 38 miles southwest of the project site. Therefore, it is not anticipated that the proposed project would become inundated due to a tsunami.

A seiche is an oscillating wave caused by wind, tidal forces, earthquakes, landslides and other phenomena in a closed or partially closed water body such as a river, lake, reservoir, pond, and other large inland water body. A review of aerial imagery (Google Earth Pro, 2023) revealed no water bodies large enough to support a seiche within a five-mile radius of the proposed project site. Therefore, it is not anticipated that the proposed project would be inundated by a seiche.

Per the County of San Bernardino General Plan Hazard Overlays map (County of San Bernardino, 2010), the project site is located outside of a dam inundation area. Additionally, the City of Fontana Local Hazard Mitigation Plan (City of Fontana, 2017, p. 37) states there is no major dam located upstream from the Fontana area; therefore, the city currently is not susceptible to dam inundation.

Because of the project's inland location, relatively flat topography, and lack of an adjacent body of water, the project site would not be at risk of flood hazard, tsunami, or seiche, and therefore would not be at risk of release of pollutants through inundation. No impact would occur, and no mitigation is proposed.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact

As detailed in the WQMP prepared for the project and discussed in **Section 4.10 a), t**he project design would comply with all applicable City of Fontana regulations regarding stormwater runoff, as well as the San Bernardino County MS4 permit (Order No. R8-2010-0036, NPDES No. CAS618036) to which the City of Fontana is a signatory, and the LID capture and infiltration facilities would, through natural infiltration of soils, ensure that the water quality objectives of the Santa Ana Regional Water Quality Control Board's (RWQCB; Region 8) Water Quality Control Plan (Basin Plan; RWQCB, 2017

are met. It is not anticipated that the proposed project would conflict with or obstruct implementation of a water quality control plan.

According to the Fontana Water Company (FWC)'s 2020 Urban Water Management Plan, FWC is well-positioned to withstand the effects of a single dry year and a five-year drought at any period between 2025 and 2045. FWC's drought risk was specifically assessed between 2021 and 2025, assuming that the next five years are dry years. In each case, water supplies comfortably meet water demands. This remains true whether the drought occurs in 2021, 2045, or any year between (SGVWC, 2020).

No conflicts with the implementation of a water quality control plan or sustainable groundwater plan are anticipated as a result of the project, and mitigation is not proposed.

4.11 Land Use and Planning

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Physically divide an established community?				**X**
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?				**X**

a) Would the project physically divide an established community?

No Impact

The project site currently consists of an industrial building and a dirt lot that serves as storage for industrial equipment (Google Earth Pro, 2024). The proposed project would stay within its boundaries and would not expand into right-of-way or adjacent properties. Therefore, the project would not divide an established community, and there would be no impact.

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

No Impact

As shown in **Figure 4.11-1**, the City's General Plan land use designation for the project site is General Industrial (I-G) (City of Fontana, 2023a). As shown in **Figure 4.11-2**, the City's zoning designation for the project site is Fontana Gateway Specific Plan (City of Fontana, 2023b). The I-G land use designation is allowed to be developed with uses such as manufacturing, warehousing, fabrication, assembly, processing, trucking, equipment, automobile and truck sales and services (City of Fontana, 2023d). The Fontana Gateway Specific Plan is primarily a planned industrial land use that would provide economic development and job opportunities (City of Fontana, 1997, p. 1). The proposed project would develop an industrial warehouse on the underutilized portion of the project site, which would provide economic development and job opportunities within the City compared to existing conditions. Additionally, the project would adhere to all of the applicable development regulations of the City's Municipal Code and the Fontana Gateway Specific Plan. Therefore, the project would be consistent with applicable land use plan, policy, or regulations, and would result in no impact.

Figure 4.11-1
PROJECT SITE CURRENT GENERAL PLAN LAND USE DESIGNATIONS

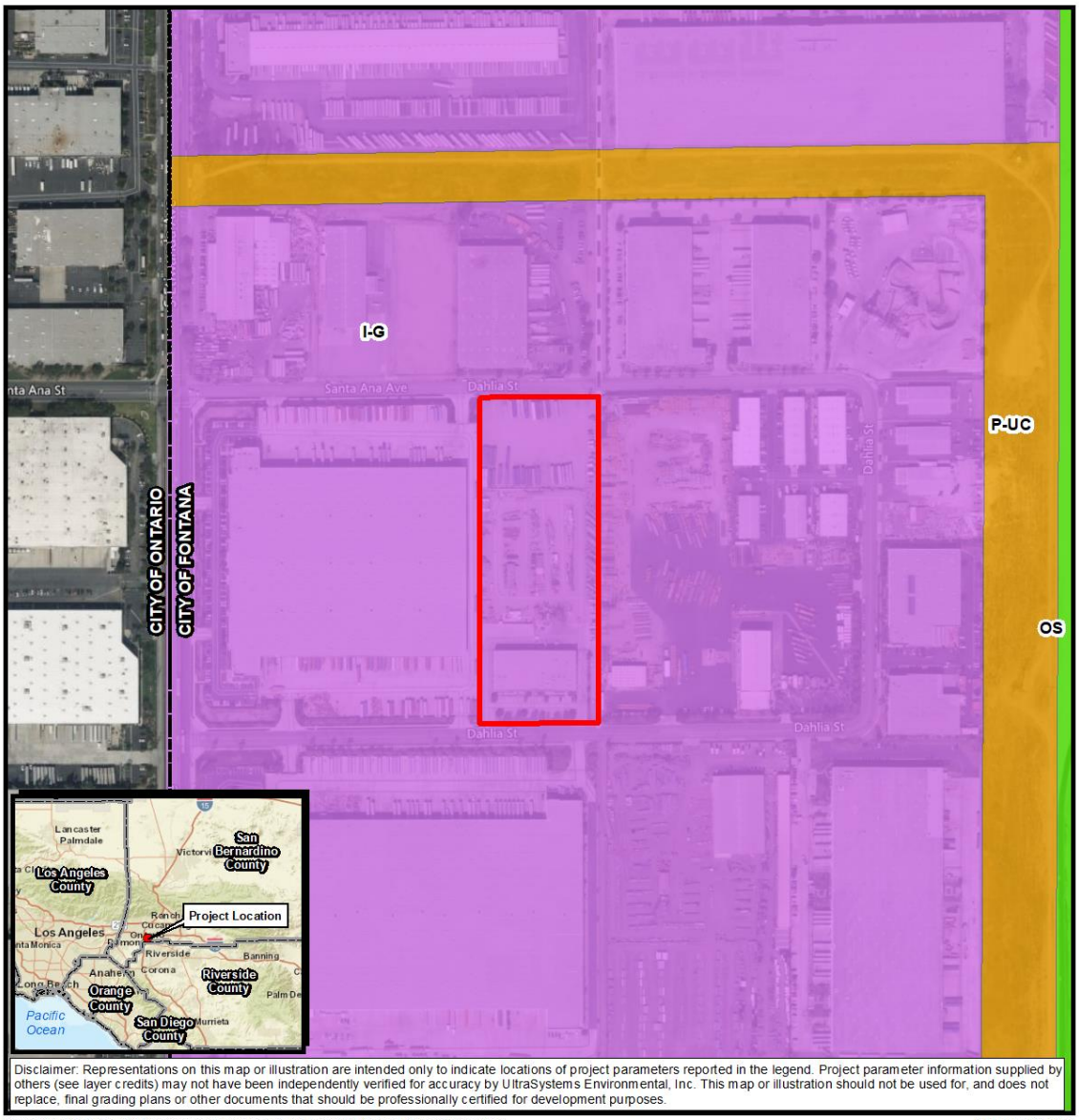
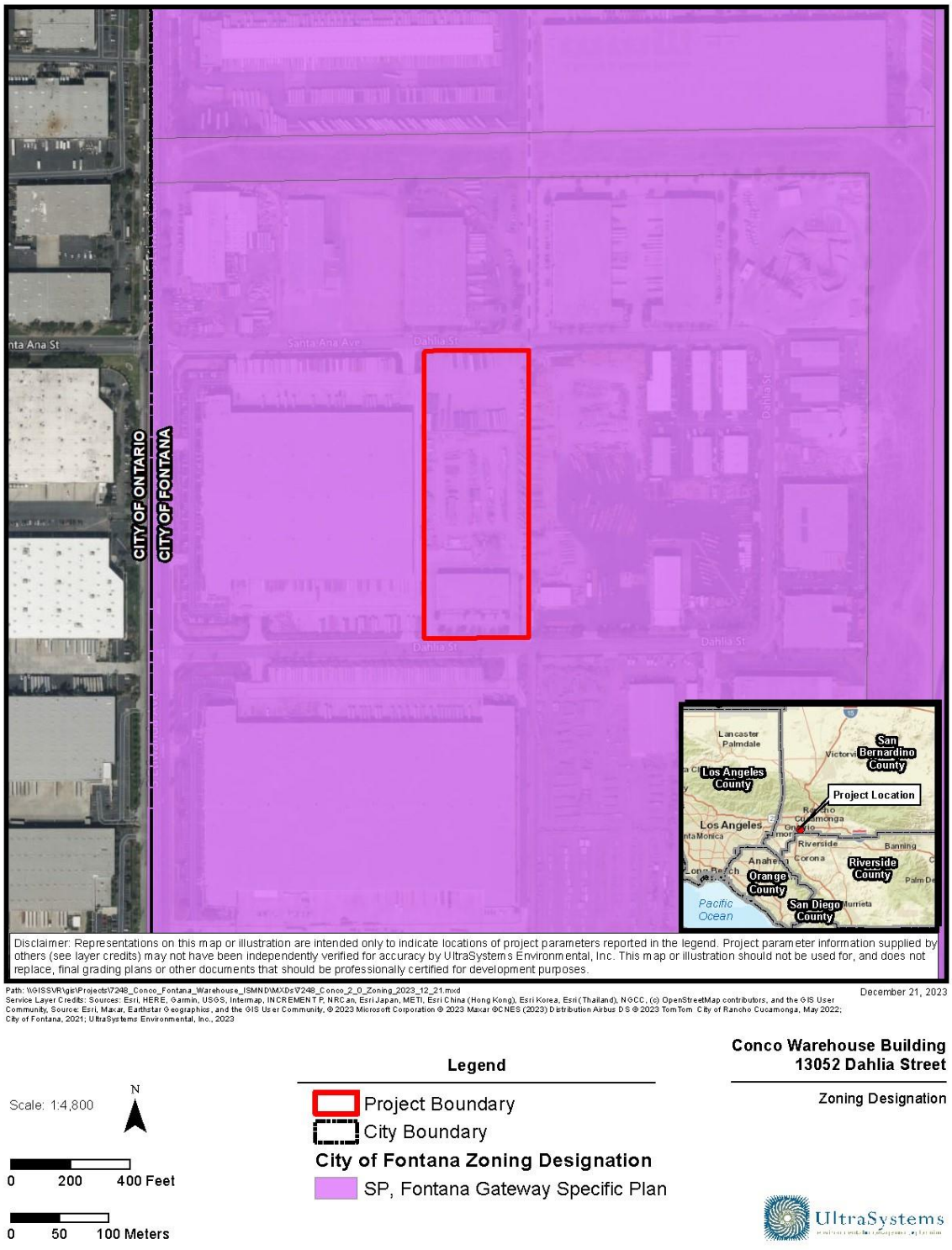


Figure 4.11-2
PROJECT SITE CURRENT ZONING DESIGNATIONS



4.12 Mineral Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			**X**	
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?			**X**	

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Less Than Significant Impact

The proposed project site is located within Mineral Resource Zone (MRZ)-3 as shown in **Figure 4.12-1**. The MRZ-3 classification is divided into two sub-classifications (3a and 3b), based on knowledge of the economic characteristics of the resources. An example of an MRZ-3a area would be where there is direct evidence of surface exposure of a geologic unit, such as a limestone body, known to be or to contain a mineral resource elsewhere but that has not been sampled or tested at the current location. An example of an MRZ-3b area would be where there is indirect evidence such as a geophysical or geochemical anomaly along a permissible structure which indicates the possible presence of a mineral deposit, or that an ore-forming process was operative (DOC, 2000. pp. 5-6).

According to the Land Use, Zoning, and Urban Design section of the City of Fontana General Plan, the City does not include mining in any of its zoning categories (Stantec, 2018a). It is unlikely that anyone would propose establishing new surface mining operations within the city since mining is not allowed within the city. According to the 'Well Finder' tool generated by the California Department of Conservation Division of Oil, Gas, & Geothermal Resources, the project site is not located near (i.e., within one mile of) any oil or gas wells or geothermal wells. The nearest active oil or gas well is located 12.5 miles to the southwest as shown in **Figure 4.12-2,** and the nearest active geothermal well is located 14 miles to the northeast of the project as shown in **Figure 4.12-3**.

Although this project is located within MRZ-3, the project cannot and will not interfere with the availability of these resources since they cannot be accessed due to the City of Fontana's General Plan, which does not allow active mining within the city limits. Therefore, the project site is not an important local mineral resource recovery site and the project would have less than a significant impact on the availability of known mineral and oil-based resources of value to the region or state residents, and on any locally important mineral resource recovery sites.

Figure 4.12-1
DESIGNATED MINERAL RESOURCE ZONES

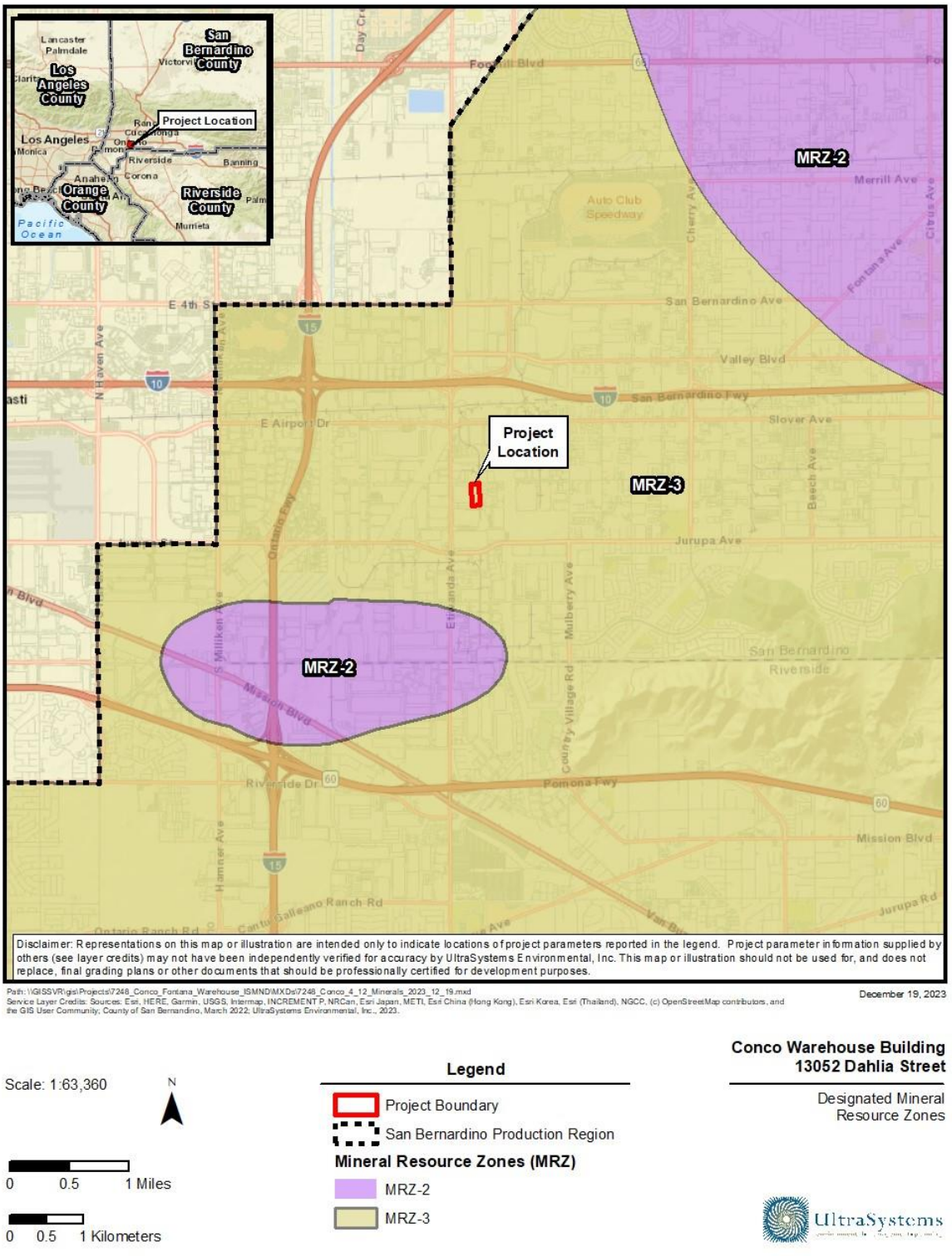


Figure 4.12-2
OIL & GAS WELLS AND FIELDS

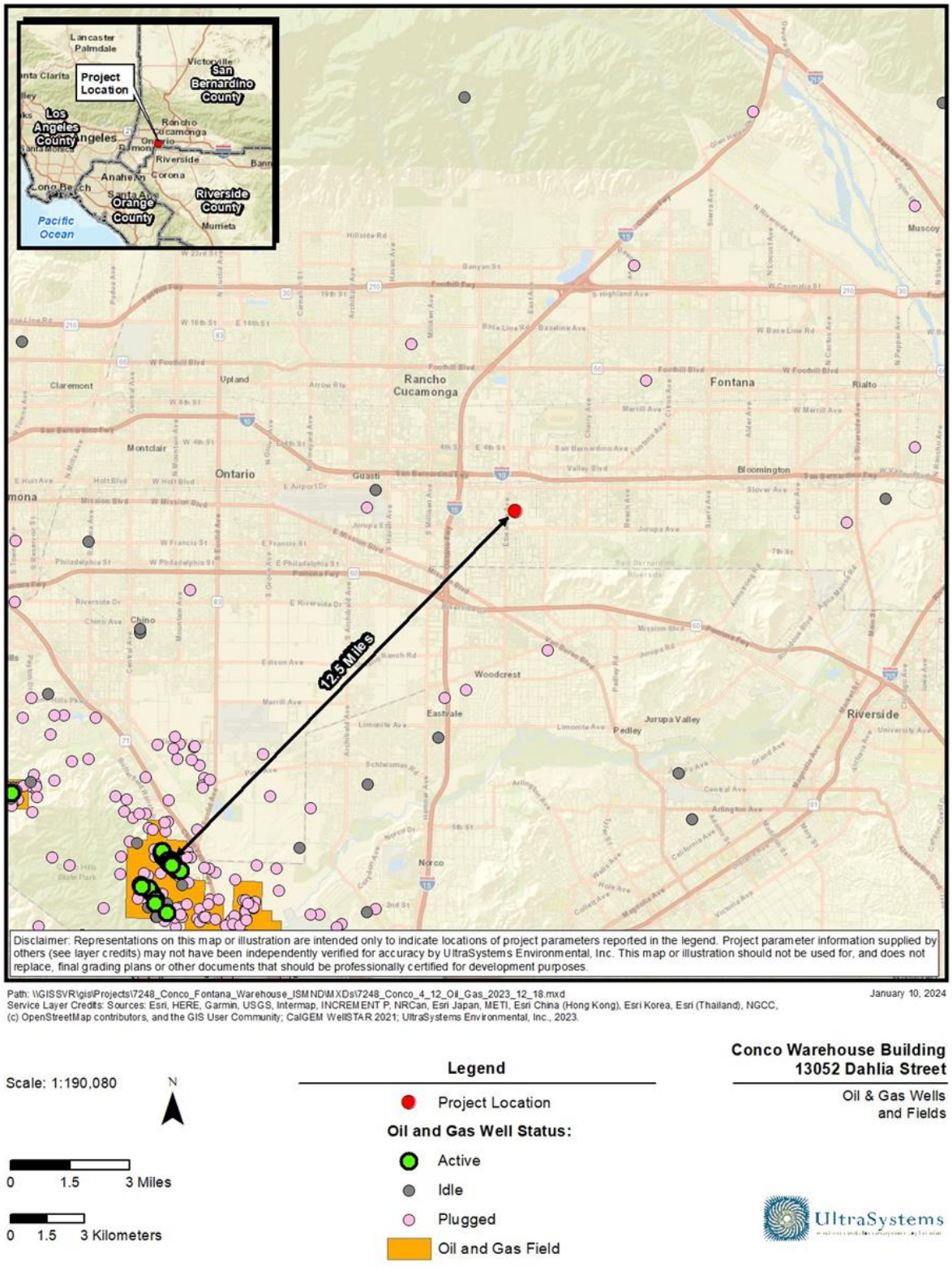


Figure 4.12-3
GEOTHERMAL WELLS



4.13 Noise

Would the project result in:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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?			**X**	
b) Generation of excessive groundborne vibration or groundborne noise levels?			**X**	
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?			**X**	

4.13.1 Characteristics of Sound

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The decibel (dB) scale is a logarithmic scale that describes the physical intensity of the pressure vibrations that make up any sound. The pitch of the sound is related to the frequency of the pressure vibration. Because the human ear is not equally sensitive to all frequencies, a special frequency-dependent rating scale is used to relate noise to human sensitivity. The A-weighted decibel scale (dBA) provides this compensation by discriminating against upper and lower frequencies in a manner approximating the sensitivity of the human ear. The scale is based on a reference pressure level of 20 micropascals (zero dBA). The scale ranges from zero (for the average least perceptible sound) to about 130 (for the average human pain level).

4.13.2 Noise Measurement Scales

Several rating scales have been developed to analyze adverse effects of community noise on people. Since environmental noise fluctuates over time, these scales consider that the effect of noise on people depends largely upon the total acoustical energy content of the noise, as well as the time of day when the noise occurs. Those that are applicable to this analysis are as follows:

- L_{eq}, the equivalent noise level, is an average of sound level over a defined time period (such as 1 minute, 15 minutes, 1 hour or 24 hours). Thus, the L_{eq} of a time-varying noise and that of a steady noise are the same if they deliver the same acoustic energy to the ear during exposure.

- L_{90} is a noise level that is exceeded 90 percent of the time at a given location; it is often used as a measure of "background" noise.
- L_{max} is the root mean square (RMS) maximum noise level during the measurement interval. This measurement is calculated by taking the RMS of all peak noise levels within the sampling interval. Lmax is distinct from the peak noise level, which only includes the single highest measurement within a measurement interval.
- CNEL, the Community Noise Equivalent Level, is a 24-hour average Leq with a 4.77-dBA "penalty" added to noise during the hours of 7:00 p.m. to 10:00 p.m., and a 10-dBA penalty added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime (Caltrans, 2013). The logarithmic effect of these additions is that a 60-dBA 24-hour L_{eq} would result in a calculation of 66.7 dBA CNEL.
- L_{dn}, the day-night average noise, is a 24-hour average Leq with an additional 10-dBA "penalty" added to noise that occurs between 10 p.m. and 7 a.m. The L_{dn} metric yields values within 1 dBA of the CNEL metric. As a matter of practice, L_{dn} and CNEL values are considered to be equivalent and are treated as such in this assessment.

4.13.3 Existing Noise

The City of Fontana 2015 General Plan Noise and Safety Element (Stantec, 2018a, p. 11-9) defines "noise-sensitive" uses as areas of 24 hours per day of exposure, such as residential uses, hospitals, rest homes, long-term care facilities, and mental care facilities. Sensitive receivers[14] for shorter-term exposures are defined as schools, libraries, places of worship, and passive recreation uses.

The only sensitive receivers in the project vicinity are single-family residences south, southeast and southwest of the project site and Henry J. Kaiser High School to the southeast, along Jurupa Avenue. Sensitive receiver areas are shown in **Figure 4.13-1**. **Table 4.13-1** summarizes information about selected individual sensitive receivers. The nearest sensitive receiver to the Proposed Project site is 4,485 feet away.

Table 4.13-1
SENSITIVE RECEIVERS

Description	Location	Distance From Site Boundary (feet)[a]
Single-Family Residence	11340 Countryside Drive	4,485
Henry J Kaiser High School	11155 Almond Avenue	8,254

14 The representative targets of adverse noise impacts are called "sensitive receivers" in this document, while those of adverse air quality impacts are termed "sensitive receptors."

Figure 4.13-1
SENSITIVE RECEIVERS



4.13.4 Regulatory Setting

State of California

The most current guidelines prepared by the state noise officer are contained in Appendix D of the General Plan Guidelines issued by the Governor's Office of Planning and Research (OPR) in 2017 (OPR, 2017). These guidelines establish four categories for judging the severity of noise intrusion on specified land uses:

- **Normally Acceptable**: Is generally acceptable, with no mitigation necessary.
- **Conditionally Acceptable**: May require some mitigation, as established through a noise study.
- **Normally Unacceptable**: Requires substantial mitigation.
- **Clearly unacceptable**: Probably cannot be mitigated to a less-than-significant level.

The OPR noise compatibility guidelines assign ranges of CNEL values to each of these categories. The ranges differ for different types of sensitive receivers, and are shown in **Table 4.13-2**.

Table 4.13-2
CALIFORNIA LAND USE COMPATIBILITY FOR COMMUNITY NOISE SOURCES

Land Use Category	Noise Exposure (dBA, CNEL)						
	55	60	65	70	75	80	
Residential – Low-Density Single-Family, Duplex, Mobile Homes							
Residential – Multiple Family							
Transient Lodging – Motel, Hotels							
Schools, Libraries, Churches, Hospitals, Nursing Homes							
Auditoriums, Concert Halls, Amphitheaters							
Sports Arena, Outdoor Spectator Sports							
Playgrounds, Neighborhood Parks							

Land Use Category	Noise Exposure (dBA, CNEL)						
	55	60	65	70	75	80	
Golf Courses, Riding Stables, Water Recreation, Cemeteries							
Office Buildings, Business Commercial and Professional							
Industrial, Manufacturing, Utilities, Agriculture							

	Normally Acceptable: Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction without any special noise insulation requirements.
	Conditionally Acceptable: New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply system or air conditioning will normally suffice.
	Normally Unacceptable: New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
	Clearly Unacceptable: New construction or development should generally not be undertaken.

Source: Governor's Office of Planning and Research, 2017.

City of Fontana General Plan Noise and Safety Element

The City of Fontana General Plan EIR Noise and Safety Element (Stantec, 2018a) has the following goals, policies and actions that apply to proposed project:

Goal 1: The City of Fontana protects sensitive land uses from excessive noise by diligent planning through 2035 (Stantec, 2018a, p.11.12).

Policies

- New sensitive land uses shall be prohibited in incompatible areas.
- Noise-tolerant land uses shall be guided into areas irrevocably committed to land uses that are noise-producing, such as transportation corridors.
- Where sensitive uses are to be placed along transportation routes, mitigation shall be provided to ensure compliance with state-mandated noise levels.
- Noise spillover or encroachment from commercial, industrial and educational land uses shall be minimized into adjoining residential neighborhoods or noise-sensitive uses.

Actions

A. The following uses shall be considered noise-sensitive and discouraged in areas in excess of 65 dBA CNEL (Community Noise Equivalent Level): Residential Uses; Hospitals; Rest Homes; Long Term Care Facilities; and Mental Care Facilities.

B. The following uses shall be considered noise-sensitive and discouraged in areas in excess of 65 $L_{eq}(12)$ (Equivalent Continuous Sound Level): Schools; Libraries; Places of Worship; and Passive Recreation Uses.

C. The State of California Office of Planning and Research General Plan Guidelines shall be followed with respect to acoustical study requirements.

Goal 2: The City of Fontana provides a diverse and efficiently operated ground transportation system that generates the minimum feasible noise on its residents through 2035 (Stantec, 2018a, p.11.13).

Actions

A. On-road trucking activities shall continue to be regulated in the City to ensure noise impacts are minimized, including the implementation of truck-routes based on traffic studies.

B. Development that generates increased traffic and subsequent increases in the ambient noise level adjacent to noise-sensitive land uses shall provide appropriate mitigation measures.

C. Noise mitigation practices shall be employed when designing all future streets and highways, and when improvements occur along existing highway segments.

Goal 3: The City of Fontana's residents are protected from the negative effects of "spill over" noise (Stantec, 2018a, p.11.13).

Policy

- Residential land uses and areas identified as noise-sensitive shall be protected from excessive noise from non-transportation sources including industrial, commercial, and residential activities and equipment.

Actions

A. Projects located in commercial areas shall not exceed stationary-source noise standards at the property line of proximate residential or commercial uses.

B. Industrial uses shall not exceed commercial or residential stationary source noise standards at the most proximate land uses.

C. Non-transportation noise shall be considered in land use planning decisions.

D. Construction shall be performed as quietly as feasible when performed in proximity to residential or other noise-sensitive land uses.

City of Fontana Municipal Code

The City of Fontana's Municipal Code[15] contains several provisions potentially related to construction and operation of the proposed project. Prohibited noises enumerated in Chapter 18 (Nuisances), Article II. - Noise include:[16]

- *Construction or repairing of buildings or structures*. The erection (including excavating), demolition, alteration or repair of any building or structure other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or structure or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done on weekdays within the hours of 6:00 p.m. and 7:00 a.m., upon application being made at the time the permit for the work is awarded or during the progress of the work.[17]

- *Noise near schools, courts, place of worship or hospitals*. The creation of any loud, excessive, impulsive or intrusive noise on any street adjacent to any school, institution of learning, places of worship or court while the premises are in use, or adjacent to any hospital which unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital; provided conspicuous signs are displayed in such streets indicating that the street is a school, hospital or court street.[18]

- *Blowers*. The operation of any noise-creating blower or power fan or any internal combustion engine other than from the hours of 7:00 a.m. and 6:00 p.m. on a weekday and the hours of 8:00 a.m. and 5:00 p.m. on a Saturday, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.[19]

- *Piledrivers, hammers, etc.* The operation between the hours of 6:00 p.m. and 7:00 a.m. of any piledriver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud, excessive, impulsive or intrusive noise.[20]

City of Fontana Conditions of Approval

The construction contractor shall use the following source controls at all times:

15 https://library.municode.com/ca/fontana/codes/code_of_ordinances?nodeId=CO_CH18NU_ARTIINO.
16 City of Fontana Municipal Code, Chapter 18, Article II, §§ 18-63(a)(7), (8), (10), and (11). Last revised September 11, 2007.
17 City of Fontana Municipal Code § 18-63(b)(7).
18 City of Fontana Municipal Code § 18-63(b)(8).
19 City of Fontana Municipal Code § 18-63(b)(11).
20 City of Fontana Municipal Code § 18-63(b)(10).

a. Construction shall be limited to 7:00 am to 6:00 pm on weekdays, 8:00 am to 5:00 pm on Saturdays, and no construction on Sundays and Holidays unless it is approved by the building inspector for cases that are considered urgently necessary as defined in Section 18-63(b)(7) of the Municipal Code.

b. For all noise-producing equipment, use types and models that have the lowest horsepower and the lowest noise generating potential practical for their intended use.

c. The construction contractor will ensure that all construction equipment, fixed or mobile, is properly operating (tuned-up) and lubricated, and that mufflers are working adequately.

d. Have only necessary equipment onsite.

e. Use manually-adjustable or ambient-sensitive backup alarms. When working adjacent to residential use(s), the construction contractor will also use the following path controls, except where not physically feasible, when necessary:

- Install portable noise barriers, including solid structures and noise blankets, between the active noise sources and the nearest noise receivers.
- Temporarily enclose localized and stationary noise sources.
- Store and maintain equipment, building materials, and waste materials as far as practical from as many sensitive receivers as practical.

4.13.5 Significance Thresholds

The City of Fontana has not published explicit thresholds for use in determining significance of noise impacts under CEQA. In keeping with standard practice, two criteria were used in this analysis for judging noise impacts. First, noise levels generated by the proposed project must comply with all relevant federal, state, and local standards and regulations. Noise impacts on the surrounding community are limited by local noise ordinances, which are implemented through investigations in response to nuisance complaints. It is assumed that all existing applicable regulations for the construction and operation of the proposed project would be enforced. In addition, the proposed project should not produce noise levels that are incompatible with adjacent noise-sensitive land uses.

The second measure of impact used in this analysis is a significant increase in noise levels above existing ambient noise levels as a result of the introduction of a new noise source. An increase in noise level due to a new noise source has a potential to adversely impact people. The proposed project would have a significant noise impact if it would do any of the following:

- Expose persons to or generate noise levels in excess of standards recommended in the City of Fontana General Plan Noise Element.
- Generate construction noise exceeding 80 dBA L_{eq} (FTA, 2018, p. 179).
- Include construction activities in or within 500 feet of residential areas between 6:00 p.m. of one day and 7:00 a.m. of the next day, without a permit.
- Contribute, with other local construction projects, to a significant cumulative noise impact.

- Increase operational exposures at sensitive receivers (mainly because of an increase in traffic flow) by 5 dBA L_{eq} or more.

4.13.6 Impact Analysis

c) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant Impact

The Proposed Project includes the construction of a 106,289-square-foot warehouse, which would include approximately 8.000 square feet of office space and 98,288 square feet of warehouse space. The warehouse would have 12 dock doors on the west side of the building and would provide 117 automobile parking stalls; 114 are required. Construction activities, especially with heavy equipment operation, would create noise effects on and adjacent to the construction site. Long-term noise impacts include project-generated onsite and offsite operational noise sources. Onsite noise sources from the operation of the warehouse facility would include the use of mechanical equipment such as air conditioners, landscaping and building maintenance activities, and onsite truck travel. Offsite noise would be attributable to project-induced traffic, which would cause an incremental increase in noise levels within and near the project vicinity. Each is described below.

Short-Term Construction Noise

Noise impacts from construction activities are a function of the noise generated by the operation of construction equipment and onroad delivery and worker commuter vehicles, the location of equipment, and the timing and duration of the noise-generating activities. The nearest sensitive receivers to the Proposed Project site include the residential neighborhood located 4,485 feet southwest of the Project site and Henry J Kaiser High School located approximately 8,254 feet to the east. Given the distance of the sensitive receivers from the Proposed Project site, and the presence of intervening buildings, exposures would be relatively low and the total exposures at the nearest sensitive receivers would be below the short-term exposure criterion of 80 dBA L_{eq}. As a result, impacts would be less than significant.

Operational Noise

Onsite

Onsite noise sources from the proposed warehouse facility would include operation of rooftop mechanical equipment such as air conditioners, parking lot activities, and truck deliveries. Noise levels from these sources are generally lower than those from the traffic on streets bordering the project site. For example, noise levels for typical air conditioning units and heat pumps are about 60 dBA L_{eq} at 50 feet (Janello and Thill, 2018, p. 43). With distance-related attenuation, exposures to sensitive receivers would be comparable to or less than existing ambient noise levels.

Furthermore, § 18-63 of the City of Fontana Development Code limits onsite noise impacts of the operation of any noise-creating blower or power fan or any internal combustion engine other than from the hours of 7:00 a.m. to 6:00 p.m. on a weekday and the hours of 8:00 a.m. to 5:00 p.m. on a Saturday, the operation of which causes noise due to the explosion of operating gases or fluids, unless

the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

Since the Proposed Project site is already located in an industrial area and not near any sensitive receivers, onsite noise from the Proposed Project would not significantly impact ambient noise levels in the vicinity. Impacts would be less than significant.

Mobile Sources

The principal noise source in the project area is traffic on local streets. The project may contribute to a permanent increase in ambient noise levels in the project vicinity due to project-generated vehicle traffic on neighborhood roadways and at intersections. A noise impact would occur if the project contributes to a permanent increase in ambient noise levels affecting sensitive receivers along roadways that would carry project-generated traffic.

Because the Project is already located within a noisy environment and is not near any sensitive receivers, roadway noise associated with project operation would not expose a land use to noise levels that are considered incompatible with or in excess of adopted standards, and impacts would be less than significant.

d) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact

Vibration is sound radiated through the ground. Vibration can result from a source (e.g., subway operations, vehicles, machinery equipment, etc.) that causes the adjacent ground to move, thereby creating vibration waves that propagate through the soil to the foundations of nearby buildings. This effect is referred to as groundborne vibration. The peak particle velocity (PPV) or the root-mean-square (RMS) velocity is usually used to describe vibration levels. PPV is defined as the maximum instantaneous peak of the vibration level, while RMS is defined as the square root of the average of the squared amplitude of the level. PPV is typically used for evaluating potential building damage, while RMS velocity in decibels (VdB) is typically more suitable for evaluating human response (FTA, 2018, pp. 110-111).

The background vibration velocity level in residential areas is usually around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for most people. Most perceptible indoor vibration is caused by sources within buildings such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest is from approximately 50 VdB to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings (FTA, 2018, p. 120).

Construction Vibration

Construction activities for the project have the potential to generate low levels of groundborne vibration. The operation of construction equipment generates vibrations that propagate through the ground and diminishes in intensity with distance from the source. Vibration impacts can range from

no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage of buildings at the highest levels. The construction activities associated with the project could have an adverse impact on both sensitive structures (i.e., building damage) and populations (i.e., annoyance). Given the Project's distance from the nearest sensitive receivers and its current location within an industrial zone, Project construction would not result in generation of excessive groundborne vibration or groundborne noise levels on sensitive receivers or the nearby area. Impacts would be less than significant.

Operational Vibration

Groundborne vibration at the project site and immediate vicinity currently results from heavy-duty vehicular travel (e.g., freight trucks) on the nearby local roadways, and the project would not result in a substantial increase of these heavy-duty vehicles on the public roadways.[21] Considering the distances to sensitive receivers (the nearest being nearly 4,500 feet from the project site), project operation will not generate groundborne vibration that could cause significant impacts respecting either architectural damage or human annoyance. Therefore, vibration impacts associated with operation of the project would be less than significant.

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

Less Than Significant Impact

The closest public airport is the Ontario International Airport, located approximately 4.5 miles due west of the project site. The project site lies within the 60- to 65-dBA CNEL noise impact zone of that airport (ONT-IAC, 2018a). However, according to the Ontario International Airport Land Use Compatibility Plan, warehouses are a "normally compatible land use" at any level of exposure (ONT-IAC, 2018b, pp. 2-47 to 2-50). No people will reside in the project area in the operational phase, and the designation of "normally compatible land use" takes into account exposure to onsite workers. Therefore, noise impacts would be less than significant.

21 CalEEMod results indicate an ADT of 22 for heavy duty trucks.

4.14 Population and Housing

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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)?			**X**	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				**X**

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

Less than Significant Impact

The project proposes a 107,670-square-foot warehouse building. It does not involve construction of any residential uses or expansion of existing infrastructure. The project is estimated to generate 46 operational jobs, as shown below in **Table 4.14-1,** based on employment density factors from the Southern California Association of Governments. Project construction would also generate a small number of temporary jobs. It is anticipated that employees from the local workforce would be hired during both the construction and operational phases of the project. Existing employment in the existing building onsite is estimated at 15 workers (Ratekin, 2024b).

Table 4.14-1
ESTIMATED PROJECT EMPLOYMENT GENERATION

Land Use	Square feet	Square feet per employee	Employees
Light Manufacturing	98,288	2,605	38
Office	8,000	956	8
Total	106,288	Not applicable	**46**

[1] **Source**: Natelson Company, 2001

Therefore, less than significant impacts would occur regarding unplanned growth as a result of the project. Based on the discussion above, a less than significant impact would occur.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact

The project site is currently zoned Fontana Gateway Specific Plan, and surrounding streets include Dahlia Street and Santa Ana Avenue. The project site does not contain any residential structures. Therefore, the project would not displace any housing or people, and the project would not necessitate the construction of replacement housing. No impact would occur.

4.15 Public Services

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			**X**	
b) Police protection?			**X**	
c) Schools?				**X**
d) Parks?			**X**	
e) Other public facilities?				**X**

a) Fire Protection?

Less than Significant Impact

Fire prevention, fire protection, and emergency response services for the city of Fontana are provided by the Fontana Fire Protection District (FFPD) through a contract with the San Bernardino County Fire Department. The FFPD also investigates and mitigates hazardous materials and has firefighters with special expertise in wildfires. The FFPD is staffed with 119 full-time personnel, 108 safety employees, and 11 non-safety personnel (Stantec, 2018b, p. 5.12-4). The FFPD has a response time goal for all service calls to arrive on the scene in six minutes or less (City of Fontana, 2020a, p. 357).

There are seven fire stations in the city. Fire Station 74 is the closest to the project site and is located at 11500 Live Oak Avenue, approximately 2.3 miles to the east. This station is located in the southern Fontana community of Southridge and is staffed with one captain, one engineer, and one firefighter medic and has one medic engine (City of Fontana, 2024).

The project proposes a 106,289-square-foot warehouse. The project site is not located in a Very High Fire Hazard Severity Zone (CAL FIRE, 2024). The project would comply with Fontana Municipal Code Section 5-425, City of Fontana Fire Code (Municode.com, 2024) and with applicable portions of the City of Fontana Municipal Code, Chapter 11: Fire Prevention.

Furthermore, the adequacy of existing water pressure and water availability in the project area would be verified by the FFPD during the proposed project's plan check review process. Compliance with the above-mentioned codes and FFPD standards is mandatory and routinely conditioned upon projects. The project, once operational, would be inspected periodically by the FFPD.

The Fontana Fire Protection District collects development mitigation fees for fire facilities which would be available to fund additional fire protection facilities as needed. The project's demands on fire protection services would have a less than significant impact.

b) Police Protection?

Less than Significant Impact

The City of Fontana Police Department (FPD) provides police and law enforcement services in the project area. The Fontana Police Station is at 17005 Upland Avenue, approximately 5.9 miles northeast of the project site (Google Earth Pro, 2023). As of 2020, the latest date for which such information is available, the FPD had 188 sworn officers and is comprised of four divisions: Office of the Chief of Police, Administrative Services, Field Services, and Special Operations (City of Fontana, 2024). With an estimated population of 214,436 in 2020, the City of Fontana standard for police protection prescribes a ratio of 1.4 sworn police officers per 1,000 residents (Stantec, 2018b. p. 5.12-1) (City of Fontana, 2020a. p. 33). Demands for police protection are generated by the population and the total building area in police agencies' service areas. The project development would not add population in FPD's service area. The increase in building area of 106,288 square feet would be minor and is permitted under the Fontana Gateway Specific Plan.

Therefore, less than significant impacts on police protection services would occur.

c) Schools?

No Impact

The project site is located within the Fontana Unified School District (FUSD). FUSD provides public education for 36,536 students and includes 29 elementary schools, seven middle schools, and five high schools (FUSD, 2023). FUSD schools serving the project site include Shadow Hill Elementary (grades K-5), Southridge Middle School (grades 6-8), and Henry J Kaiser High School (grades 9-12). Shadow Hill Elementary School is 2.25 miles south of the project site at 14300 Shadow Drive. Southridge Middle School is 1.50 miles southwest of the project site at 11851 Cherry Avenue. Henry J. Kaiser High School is 2.5 miles south of the project site at 11155 Almond Avenue (Google Earth Pro, 2023). Demands for schools are generated by the numbers of households in the school's service areas. The project does not propose any new residential uses. Therefore, no impact on schools would occur.

d) Parks?

Less than Significant Impact

The City owns 41 public parks totaling 335 acres. Martin Tudor Jurupa Hills /Mary Vagle Center/ Regional Park, 861 acres in the southern part of Fontana, brings the total park acreage in the City to 1,196 acres (Stantec, 2018b, p. 5.12-30). The City of Fontana's park-to-resident ratio minimum standard is five acres of public parkland per 1,000 persons. The city has an estimated population of 208,393 residents (Census, 2023). Therefore, the city's existing parkland ratio is 5.08 acres per 1000 residents, which meets the established General Plan parkland ratio goal.

Demands for parks are generated by the population in the parks' service areas. The project does not propose residential land uses and is not anticipated to add new residents to the city. While it is possible that employees at the project site may visit nearby parks, the potential impact would be less than significant.

e) Other Public Facilities?

No Impact

Library services in the city are provided by the San Bernardino County Library System, which is comprised of 32 branch libraries. Within the city of Fontana, there are three libraries: the Fontana Lewis Library and Technology Center located at 8437 Sierra Avenue; the Summit Branch Library located at 15551 Summit Avenue; and the Kaiser High School Library located at 11155 Almond Avenue (SBCL, 2023). The Kaiser High School Library is located approximately 1.6 miles east of the project site (Google Earth Pro, 2024). Demands for libraries are generated by the population in the libraries' service areas. The project does not propose development of housing, and project development would not increase population. Therefore, the project would have no impact on other public facilities.

4.16 Recreation

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

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

Less Than Significant Impact

Recreational services in the city of Fontana are provided by the City's Department of Facilities and Parks, which maintains over 40 parks, sports facilities, and community centers (City of Fontana, 2020a). The City's park acreage standard is five acres of public park land per 1,000 residents. The City currently has approximately 1,359 acres total in parks and land for public use, enough to meet this performance standard (Stantec, 2018a, p. 7.10).

The project proposes a 107,670-square-foot industrial building. The residential population is not expected to increase as a result of the proposed project. While the project would create limited employment opportunities (both during the construction and operational phases), it is anticipated that employees from the local workforce would be hired during both phases. Moreover, the land uses nearest to the project site are primarily general industrial.

The parks nearest to the project, all within three miles in the City of Fontana, include Chaparral Park at 11415 Rancherias Drive, and Oak Park at 14180 Live Oak Avenue, to the southeast of the project site. In addition, Southridge Park at 14501 Live Oak Ave and Southridge Village Open Space Reserve are located to the southeast from the project site. It is possible that employees at the project site may visit these parks; however, the potential impact of these visits on parks would be less than significant.

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

No Impact

The project does not propose new or expanded recreational facilities that would have potential adverse effects on the environment. Therefore, no impact would occur.

4.17 Transportation

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

The analysis below is based on a Trip Generation and Vehicle Miles Traveled (VMT) Screening Analysis, which was conducted by RK Engineering, Inc. on May 22, 2023 (Refer to **Appendix I**). The trip generation assessment estimates the combination of existing and future vehicular trips from the project site based on the implementation of the proposed project.

a) Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than Significant Impact

The proposed project is east of Etiwanda Avenue, running north to south between Santa Ana Avenue and Dahlia Street. Santa Ana Avenue and Dahlia Street are classified as local streets, but Etiwanda Avenue is classified as a Major Highway in the General Plan (City of Fontana, 2018a, p. 9.10). Vehicular access to the project is proposed via two full-access unsignalized driveways located along Santa Ana Street. Access for pedestrians from the public right-of-way (ROW) to the building on site would also be via the walkway along Santa Ana Avenue.

The project site's primary connection to the nearest regional transportation corridor, the I-10 Freeway, approximately 0.75 miles to the north, is from Etiwanda Avenue, approximately 1,000 feet to the west of the project site (Google Earth Pro, 2024). The nearest public transit facility (i.e., bus or train stop) is the Omnitrans bus stop about 2,500 feet southwest of the project site, at the intersection of Jurupa Avenue and Etiwanda Avenue, serviced by the Omnitrans Route 82 with buses every 60 minutes. (Omnitrans, 2024).

No Class I, II, or III bikeways are located along Etiwanda Avenue or anywhere else near the project site. The nearest bicycle trail is located on Cherry Avenue between Slover Avenue and Jurupa Avenue, approximately two miles to the east (City of Fontana, 2018a, p. 9.11). There will be no conflict with present or future bicycle or pedestrian facilities.

The following City and County plans, ordinances, and policies would apply to the project.

Fontana General Plan – Chapter 9: Community Mobility and Circulation Element

The Community Mobility and Circulation Element of the Fontana General Plan is focused on connecting neighborhoods and city destinations by expanding transportation choice in Fontana. While the element supports continuing programs to improve travel by cars and trucks, it provides guidance on expanding the options for transit and "active transportation" (pedestrian and bicycle mobility) for Fontana. It is aligned with the SCAG 2016-2040 RTP/SCS concepts of Neighborhood Mobility Areas and Livable Corridors (City of Fontana, 2018a, p. 9.3). The proposed project would conform to the City of Fontana Standard Design Guidelines (City of Fontana, 2023e), and therefore the proposed project would not conflict with the General Plan.

City of Fontana Active Transportation Plan (ATP)

The 2017 Fontana ATP is used to implement infrastructure improvements for better connectivity throughout Fontana, to surrounding cities, and to the region by providing safe and comfortable walking and bicycling linkages (City of Fontana, 2018b, p. 5.13-14). The proposed project would not create walking or bicycling linkages, and therefore the proposed project would not conflict with ATP.

City of Fontana Development Impact Fee (DIF) Program

The City's DIF program was adopted pursuant to Government Code § 66000 et seq. Fontana's Development Services Department oversees the use of the DIF fees, which fund projects in the City's capital improvement program (City of Fontana, 2018b, p. 5.13-14). The proposed project is not part of the DIF program, and therefore the proposed project would not conflict with the DIF program.

San Bernardino County Congestion Management Program

The CMP intends to provide the analytical basis for transportation decisions through the Statewide Transportation Improvement Program (STIP) process, a multi-year capital improvement program of transportation projects on and off the State Highway System. The San Bernardino County CMP, published by the San Bernardino County Transportation Authority, defines a network of state highways and arterials in the county and provides guidelines regarding level of service (LOS) standards, impact criteria, and a process for mitigation of impacts on CMP facilities (City of Fontana, 2018b, p. 5.2-13 & 14).

With certain exceptions, the minimum acceptable Level of Service (LOS) for San Bernardino County Congestion Management Plan (CMP) facilities is defined as LOS "E." More specifically, the CMP states, "In no case shall the LOS standards established be below the LOS "E" or the current level, whichever is farthest from LOS "A." When the LOS on a segment or at an intersection fails to attain the established LOS standard, a deficiency plan shall be adopted pursuant to Section 65089.4" (SANBAG, 2016, p. 2-1).

As mentioned above, the project would have primary and emergency access along Santa Ana Avenue and regional corridor access via Etiwanda Avenue, with access to the I-10 Freeway. As per the General Plan DEIR of the City's General Plan Update 2015-2035, the section of Etiwanda Avenue that is located between Jurupa Avenue and Slover Avenue currently operates at a LOS "D" (City of Fontana, 2018b, p. 5.13-9). Etiwanda Avenue is specified as a San Bernardino CMP roadway within the City of Fontana and is forecast to operate equal to or less than the CMP threshold of LOS "E" (City of Fontana,

2018b, p. 5.13-35) Therefore, the service level is not expected to change once the proposed project is constructed and operational, due to the limited number of daily trips created by the project.

Given that the proposed project would not interfere with public transit or bicycle transportation, or conflict with the provisions of the City General Plan's Circulation Element, the City's ATP and San Bernardino's CMP, the project impact would be less than significant.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact

The City of Fontana Traffic Impact Analysis (TIA) Guidelines For Vehicle Miles Traveled (VMT) and Level of Service Assessment (Guidelines) provide recommendations in the form of thresholds of significance and methodology for identifying VMT-related impacts. The proposed project is subject to a VMT analysis and will adhere to the recommendations and practices described in the City's guidelines (RK Engineering, 2023. p. 3).

The City of Fontana has developed four types of screening criteria that can be applied to effectively screen projects from project-level assessment. The screening steps are identified below:

- Step 1: Transit Priority Area (TPA) Screening
- Step 2: Low VMT Area Screening
- Step 3: Low Project Type Screening
- Step 4: Project Net Daily Trips Less Than 500 Average Daily Trips (ADT)

As specified in the Guidelines, a detailed traffic impact analysis will be required if a project is forecast to generate 50 or more peak hour trips to any intersection. If a project is expected to generate less than 50 peak hour trips, a traffic analysis shall not be required, and a trip generation memorandum will be considered sufficient for traffic analysis purposes. Based on the net project trip generation (i.e., 24 AM PCE peak hour trips and 25 PM PCE peak hour trips), the proposed project is not required to prepare a traffic impact analysis and is not expected to result in any significant adverse impacts on the operations of the roadway network and intersections (RK Engineering Group, Inc., 2023. p. 4).

Furthermore, consistent with the Guidelines, the proposed project is screened out from a full VMT analysis based on Step 4: Project Net Daily Trips Less than 500 ADT screening criteria (refer to **Table 4.17-1**). Therefore, it is presumed to have a less than significant impact on VMT under CEQA.

Table 4.17-1
PROJECT TRIP GENERATION

Land Use	ITE Code	Qty	DU[1]	Trip Type	Peak Hour						Daily
					AM			PM			
					In	Out	Total	In	Out	Total	
Proposed Land Uses Trip Generation Rates[2]											
Warehouse	150	--	TSF[3]	All Vehicles	0.09	0.08	0.17	0.06	0.12	0.18	1.17
				Trucks	0.01	0.02	0.03	0.02	0.02	0.04	0.35
				Passenger Cars	0.07	0.07	0.14	0.04	0.10	0.14	1.36
Proposed Project Vehicle Trip Generation											
Proposed Project	150	207.15	TSF	All Vehicles	9	9	18	6	13	19	184
Vehicle Mixed Trip Generation[4]											
Passenger Vehicles (79.57%)					8	6	14	5	10	15	146
2-Axel Trucks (3.46%)					0	1	1	0	1	1	6
3-Axel Trucks (4.64%)					0	1	1	0	1	1	9
4-Axel Trucks (12.33%)					1	1	2	1	1	2	23
Total Trucks[5]					1	3	4	1	3	4	38
Total Proposed Project Non-PCE Trip Generation					***9***	***9***	***18***	***6***	***13***	***19***	***185***
PCE Trip Generation[6]											
Passenger Vehicles (PCE = 1.0)					8	6	14	5	10	15	146
2-Axel Trucks (PCE = 2.0)					0	2	2	0	2	2	12
3-Axel Trucks (PCE = 2.5)					0	2	3	0	2	3	23
4-Axel Trucks (PCE = 3.0)					3	3	6	3	3	6	69
Total Proposed Project PCE Trip Generation [A]					***11***	***13***	***24***	***8***	***17***	***25***	***250***

Source: RK Engineering Group Inc., 2023 (i.e., **Appendix H**)

[1] DU = Dwelling Units

[2] AM peak hour total, PM peak hour total, and daily trip generation rates for Warehouse land use are referenced from the *ITE Trip Generation Manual* (11th Edition, 2021). Peak hour in and out trip generation rates were derived utilizing passenger vehicle and truck fleet mix splits referenced from the *City of Fontana Truck Trip Generation Study* (August 2003).

[3] TSF = Thousand Square Feet

[4] The truck fleet mix (i.e., entering and exiting splits) is based on the "Heavy Warehouse" land use category's recommended large truck mix referenced from the *City of Fontana Truck Trip Generation Study* (August 2003).

[5] Recommended PCE Factors per *City of Fontana Traffic Impact Analysis (TIA) Guidelines For Vehicles Miles Traveled (VMT) and Level of Service Assessment* (October 2020).

[6] PCE = Passenger Car Equivalent

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

Less than Significant Impact

Vehicles would access the facility via one of the two driveways along Santa Ana Avenue. Access for pedestrians from the public right-of-way (ROW) to the building on site would be via the walkway along Santa Ana Avenue. All onsite access and sight-distance setbacks would be in accordance with the City of Fontana design requirements. The project would not substantially alter or impact roads, sight lines, or offsite land uses. The proposed project would not house or utilize farm equipment, construction equipment, or other unusually slow vehicles that would present a traffic hazard. Therefore, the project would not increase hazards due to a geometric design feature, and the impacts would be less than significant.

d) Would the project result in inadequate emergency access?

Less than Significant Impact with Mitigation Incorporated

Construction

During the project construction phase, lanes and sidewalks may be temporarily closed off. To ensure that circulation and emergency access during construction are adequate, the City requires preparation and implementation of a Transportation Management Plan (TMP) for all projects that require construction in the public ROW. Therefore, the proposed project would implement the mitigation measure **TRANS-1**. With the implementation of the mitigation measure **TRANS-1**, the impacts regarding emergency access during construction would be less than significant.

Operation

The project would comply with applicable City regulations, such as the requirement to comply with the city's Fire Code concerning providing adequate emergency access, as well as the California Building Standards Code. Prior to the issuance of building permits, the City of Fontana would review project site plans, including the location of all buildings, fences, access driveways, and other features that may affect emergency access. Fire lanes would be provided for adequate emergency access. The site design for the proposed project includes access and fire lanes that would accommodate emergency ingress and egress by fire trucks, police units, and ambulance/paramedic vehicles. All onsite access and sight-distance requirements would be in accordance with City and Caltrans design requirements. The City's review process and compliance with applicable regulations and standards would ensure that adequate emergency access would be provided at the project site at all times. Therefore, the proposed project would not result in inadequate emergency access and there would be no impact in this regard.

Mitigation Measures

MM TRANS-1 The Transportation Management Plan (TMP) must be reviewed and approved by the City's Traffic Engineer prior to the start of construction activities in the public ROW. The typical TMP requires measures to minimize hazards arising from lane closures and/or from movement of construction equipment, such as installation of a K-rail between the construction area and open traffic lanes, the use of flaggers, and directional signage to direct traffic;, and to minimize hazards from open trenches, the installation of steel plates to cover trenches. The TMP also requires that Emergency access be maintained at all times.

Level of Significance After Mitigation

After the implementation of the mitigation measure **TRANS-1** as described above, the project would have less than significant construction-phase impacts on emergency access.

4.18 Tribal Cultural Resources

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
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)?				**X**
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		**X**		

4.18.1 Methods

Information from the Phase I Cultural Resources Inventory Report, dated February 12, 2024 (see **Appendix D1**), prepared by UltraSystems for the Conco Companies Warehouse project describes the research for and analysis of potential cultural resources data conducted for the project. This research included a cultural resources record search by the SCCIC, a SLF record search by the NAHC, and a pedestrian survey assessment (see **Section 4.5** above).

No prehistoric or historic archaeological resources were observed during the field survey. The cultural resources records search by the SCCIC determined that no historic cultural resources or prehistoric archeological sites have been recorded previously within the project site boundary, or area of potential affect (APE) (see **Appendix D1**, Section 4.1). The results of the pedestrian assessment indicate it is highly unlikely that prehistoric properties would be adversely affected by

construction of the project. The sources described above suggest that there is a low potential for finding prehistoric resources.

The NAHC's Sacred Land File records search (see Attachment C of **Appendix D1** of this IS/MND) was negative for the local presence of a Traditional Cultural Resource (TCR) site.

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

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

No Impact

The Cultural Resources investigation determined that there are no historical resources or TCRs listed or eligible for listing in the California Register of Historic Resources (CRHR) as defined in Public Resources Code section 5020.1(k) within the project site or within a 0.5-mile radius surrounding the project site. Therefore, no impact would occur.

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

Less than Significant Impact with Mitigation Incorporated

Assembly Bill 52 (AB 52) requires meaningful consultation with California Native American Tribes regarding potential impacts on TCRs, as defined in Public Resources Code § 21074. TCRs are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either eligible or listed in the California Register of Historical Resources or local register of historical resources (California Natural Resources Agency [CNRA], 2007).

As part of the AB 52 process, Native American tribes must submit a written request to a lead agency to be notified of projects within their traditionally and culturally affiliated area. The lead agency must provide written, formal notification to those tribes within 14 days of deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receiving the AB 52 notification if they want to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the tribe's request. Consultation concludes when either (1) the parties agree to mitigation measures (MMs) to avoid a significant effect on a TCR, or (2) a party, acting in good faith and after reasonable effort, concludes mutual agreement cannot be reached.

In compliance with AB 52, letters were sent by the City of Fontana's Planning Department (City) to all applicable Native American Tribes. Rina Leung, Senior Planner with the City's Community Development Department, initially took the lead for this process. The letters were sent January 18,

2024 by certified mail to the following tribes (George Velarde, Assistant Planner, personal communications to S. O'Neil via email January 18 and January 22, 2024):

- Gabrieleño Band of Mission Indians – Kizh Nation,
- Gabrieleno/Tongva San Gabriel Band of Mission Indians,
- San Manuel Band of Mission Indians,
- Soboba Band of Luiseno Indians, and
- Torres-Martinez Desert Cahuilla Indians.

The Gabrieleño Band of Mission Indians – Kizh Nation (Kizh Nation) contacted the City January 8, 2024 prior to the City letters being sent to tribal representatives notifying them of AB 52 consultation. They also contacted the City via email January 18, 2024, requesting consultation in an exchange of emails stating they will provide the City with written comments in lieu of a meeting. (George Velarde, Assistant Planner, personal communications to S. O'Neil via email January 30, 2024). A meeting had not been arranged to date and the Kizh Nation did not yet provide suggested mitigation measures (Alex Rico, Associate Planner, personal communication to S. O'Neil via telephone call May 21, 2024.) On May 21, 2024 Mr. Rico contacted the Kizh Nation to ask about conducting consultation and the tribe responded they did want a meeting, but no date was set. On June 10, 2025 Mr. Rico sent an email to the Kizh Nation stating that an email response with tribal information would be acceptable in lieu of a meeting. On June 12, 2024 via email the Kizh Nation provided Mr. Rico with tribal background, information on tribal cultural resources in the project region, as well as suggested mitigation measures. In an email July 31, 2024, Mr. Rico thanked the tribe for the material they provided and noted that "the materials provided and note that the maps, articles and other resources provided are a general overview of the City as a whole. In the absence of substantial evidence demonstrating significant impacts as required by California Public Resources Code Section 21074, the City has, nevertheless, included preservation of tribal cultural resources as a condition of project approval.". Mr. Rico thanked the tribe for participating in the consultation process

Kristen Tuosto with the San Manuel Band of Mission Indians (aka Yuhaaviatem of San Manuelo Nation) responded to Rina Leung, Senior Planner, on January 25, 2024 stating that the project site is within traditional Serrano territory and that, while the Tribe did not have any concerns with the project as planned, they provided three cultural resource mitigation measures and two tribal cultural resource mitigation measures, and requesting that they be made part of the project plan conditions. Mr. Rico determined the City's Conditions of Approval (COA)for the project meet San Manuel's concerns expressed in their several suggested mitigation measures (A. Rico, Associate Planner, personal communication to S. O'Neil via telephone call May 21, 2024). The COA were provided to the tribe by email on July 22, 2025. Mr. Rico and City staff determined that San Manuel Band did not request consultation, and that inclusion of the City's COA in this IS/MND meets the TCR concerns expressed by the tribe (A. Rico, personal communications to S. O'Neil via telephone calls July 31 and August 5, 2024). The tribe provided edits to the COA to Mr. Rico on August 6, 2025. They were edited by the City on August 13, 2025 and the edits were agreed upon by the tribe on August 14, 2025.

On February 14, 2024 Laura Chatterton, Cultural Resource Specialist for the Morongo Band of Mission Indians (not a tribe on the City's AB 52 contact list) sent an email to S. O'Neil stating that they will request AB 52 consultation; this email was forwarded to Mr. Rico February 15, 2024 which he acknowledged February 21, 2024. Despite not being required by AB 52, Mr. Rico responded to the Morongo Band via email on July 31, 2025 asking if they wish to conduct consultation for this project (A. Rico, personal communications to S. O'Neil via telephone call July 31, 2024). There has been no response to date (A. Rico, personal communications to S. O'Neil via telephone call August 5, 2024).

There has been no response from the Gabrielino/Tongva San Gabriel Band, the Soboba Band of Luiseño Indians, or from the Torres-Martinez Desert Cahuilla Indians (Velarde, Assistant Planner, personal communications to S. O'Neil via email February 6, 2024; and A. Rico, Assistant Panner, personal communication to S. O'Neil via telephone call May 21, 2024).

Mr. Velardes was replaced February 8, 2024 as the City's Project Manager by Alex Rico (Velarde, Assistant Planner, personal communications to S. O'Neil via email February 6, 2024).

No prehistoric archaeological resources were observed during the field survey. Previous cultural resources surveys within the 0.5-mile radius resulted in no archaeological sites or isolates being recorded. The NAHC's search of their SLF was negative for the presence of a traditional cultural resource in the project area. During the cultural resources record search by the SCCIC, no record of prehistoric resources was found. The results of the pedestrian assessment indicate it is highly unlikely that prehistoric properties will be adversely affected by construction of the project. The cultural resource study findings at the SCCIC and other sources suggest that there is a low potential for finding resources.

Mitigation for minimizing impacts on potential TCRs is applicable to the project site because the land at the site was largely used for agriculture through the late 19th into the 20th century, and development for commercial use did not take place until the late 20th century. With the resulting disturbance, the potential for subsurface prehistoric deposits is considered to be low. However, mitigation would be implemented to further reduce potential impacts to a less than significant level. The applicable preservation measures and associated mitigation measure related to TCRs are described below.

In lieu of specific TCR mitigation measures, the City of Fontana's COA and the Cultural Resource Mitigation Measures will be applied. The San Manuel Band of Mission Indians reviewed these measures and accepted them with suggested edits. These COA were compared to the measures provided by the Kizh Nation and the three measures concerning Native American monitoring, unanticipated discovery of Tribal Cultural Resource objects, human remains and associated funerary, or ceremonial objects are directly covered under the COA and the mitigation measures provided under the Cultural Resources section; **CUL-1** and **CUL-2**.

In summary, the COA provides for the evaluation (by the qualified archaeologist and tribal monitor), treatment and curation of any tribal cultural or archaeological resource that may be discovered; this includes required stop work in the vicinity of the find during the evaluation and treatment; also that preservation in place is the preferred treatment, but if not feasible then an archaeological data recovery excavation to remove the resource with subsequent processing and analysis would be conducted, along with the tribal cultural resources being returned to the tribe; also that archaeological and Native American monitoring shall be conducted with that monitoring and excavation to be consistent with professional standards; and that the principal archaeological personnel shall meet the Secretary of the Interior standards and experience as a principal investigator with Native American archaeological sites in southern California. (See the **MMRP Table 7.0-1** below for full text of the COA.)

Also, see Mitigation Measure (MM) **CUL-1** (see **Section 4.5**) which is provided to train workers to recognize prehistoric and historic cultural resources if they should appear during subsurface construction activities and inform them of reporting procedures. If cultural resources are observed and reported, this would lead to the implementation of the COA Cultural Conditions - 1 provided in **Section 4.5** and described above.

Level of Significance After Mitigation

With implementation of mitigation measure **CUL-1** and the Conditions of Approval Cultural Conditions - 1 (see **Section 4.5** above and **MMRP Table 7.0-1** below), potential impacts related to archaeological resources would be less than significant.

Also, with implementation of mitigation measure **CUL-2** (see **Section 4.5** above), potential impacts related to human remains would be less than significant.

4.19 Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			**X**	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			**X**	
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?			**X**	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			**X**	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			**X**	

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less than Significant Impact

Domestic Water: As detailed in **threshold 4.19 b)** below, there would be sufficient water supplies to serve the project site. Therefore, the proposed project would not require new or expanded water facilities. The project would have a less than significant impact.

Wastewater Treatment: The City's sanitary sewer system involves more than 437 miles of sewer lines and pump stations (Stantec, 2018a, p. 10.7). Regional domestic wastewater treatment services

are provided under the Regional Sewer Service Contract with the Inland Empire Utilities Agency (IEUA). The City's wastewater is treated at the IEUA's Regional Plant 4 (RP-4) in the City of Rancho Cucamonga. The plant has undergone several expansions to increase the wastewater treatment capacity to its current 14 million gallons per day (mgd). The plant treats an average effluent wastewater flow of approximately 10 mgd (IEUA, 2024).

The project proposes additional industrial development on 4.99 acres of an approximately 7.80-acre site. As shown in **Table 4.19-1**, the proposed project is estimated to generate approximately 5,393 gallons per day of wastewater based on wastewater generation factors from the Los Angeles County Sanitation District (LACSD, 2024). . The wastewater estimated to be generated by the proposed project per day is a fraction of IEUA's RP-4 residual capacity of about 4 mgd. Therefore, there is sufficient capacity available at the RP-4 to meet the needs of the proposed project.

Table 4.19-1
ESTIMATED PROJECT WASTEWATER GENERATION

Land Use	Square feet	Wastewater Generation, gallons per day	
		Per 1,000 square feet	Total
Warehouse	98,288	39	3,833
Office	8,000	195	1,560
Total	**106,288**	Not applicable	**5,393**

[1] **Source**: LACSD, 2024

The project proposes offsite sewer improvements to connect the sewer lines from the project site to the existing sewer network in Dahlia Avenue. All sewer line sizes and connections are subject to review by the City. The project applicant will work with the City's Public Works Department for necessary approvals and ensure compliance with applicable requirements. No new treatment facilities or expanded entitlements will be required. Therefore, the project would have a less than significant impact regarding wastewater treatment.

Stormwater Drainage: The Santa Ana Regional Water Quality Control Board (SARWQCB) is responsible for implementing and overseeing National Pollutant Discharge Elimination System (NPDES) programs for the City of Fontana. The project would be required by the California State Water Resources Control Board (SWRCB) to obtain coverage under a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ, as authorized by Section 402 of the Clean Water Act). The project would be required to obtain an NPDES permit, prepare a Stormwater Pollution Prevention Plan (SWPPP), and implement Best Management Practices (BMPs) prior to commencement of construction activities; additionally, BMPs must be maintained, inspected after each precipitation event, and repaired or replaced as necessary (Stantec, 2018b, p. 5.12-23 - 5.12-24).

The San Bernardino County Area-Wide Urban Storm Water Runoff Management Program regulates, through Order No. R8-2010-0036, the discharge of pollutants into waters of the U.S. through stormwater and urban runoff conveyance systems, including flood control facilities. These conveyance systems are commonly referred to as municipal separate storm sewer systems (MS4s), or storm drains. Pursuant to the NPDES Permit (NPDES, also referred to as an MS4 Permit; NPDES No. CAS618036), Principal Permittees (i.e., San Bernardino County Flood Control District) and Co-Permittees (the City of Fontana is a Co-Permittee) must regulate discharges of pollutants in urban runoff from anthropogenic sources into storm water conveyance systems within their jurisdiction.

Project compliance with regulatory requirements would reduce potential erosion/siltation impacts during the construction phase of the project to a less than significant level. The proposed project would be designed in compliance with applicable City of Fontana regulations regarding stormwater runoff and the project would be reviewed by the City of Fontana Public Works Department to ensure that the development would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems. Refer to **Section 4.10**, *Hydrology and Water Quality,* for additional information.

Under existing conditions, stormwater leaving the project site drains south on to Dahlia Street, and then into the existing City storm drain system at the intersection of Dahlia Street and Etiwanda Avenue. This storm drain discharges into the San Sevaine Channel. From San Sevaine Channel, stormwater discharges into the Santa Ana River (Reach 3; Allard Engineering, 2023a), which is a water of the U.S.

Electric Power: Electric power for the City of Fontana is provided by Southern California Edison (SCE) (City of Fontana Utilities, 2023). The proposed project is located in a developed area, and infrastructure for providing electric power to the area is well established. SCE typically utilizes existing utility corridors to reduce environmental impacts, and has energy-efficiency programs to reduce energy usage and maintain reliable service throughout the year (SCE, 2021). The project would be constructed in accordance with all applicable Title 24 regulations, and would not necessitate the construction or relocation of electric power facilities. Therefore, a less than significant impact would occur.

Natural Gas: The Southern California Gas Company (SoCalGas) is the primary distributor of retail and wholesale natural gas across Southern California, including the City of Fontana. SoCalGas provides services to residential, commercial, and industrial consumers, and also provides gas for electric generation customers. In its 2022 California Gas Report, SoCalGas analyzed a 14-year demand period, from 2022-2035, to determine its ability to meet projected demand (California Gas and Electric Utilities, 2022. p. 115).

SoCalGas expects total gas demand to decline 1.5 percent annually from 2022 to 2035 as a result of energy-efficiency standards and programs, renewable electricity goals, modest economic growth in its service region, and advanced metering infrastructure (California Gas and Electric Utilities, 2022, p. 115). Moreover, SoCalGas plans on implementing aggressive energy-efficiency programs that will result in natural gas savings across all sectors that will ensure longevity of its natural gas supplies and adequate generation rates (California Gas and Electric Utilities, 2022, p. 133). Therefore, anticipated natural gas supply is adequate to meet demand in the SoCalGas region, and the proposed project is not expected to impact this determination. Thus, no natural gas facilities would have to be constructed or relocated, and a less than significant impact would occur.

Telecommunications Facilities: Telecommunication services, including internet, phone, and television, for the city of Fontana are provided by AT&T (City of Fontana Utilities, 2023). AT&T operates two cell towers within the city boundaries. The proposed project would not interfere with operation of AT&T's facilities, and a less than significant impact would occur.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant Impact

The Fontana Water Company (FWC) provides water services to the project site (FWC, 2021). FWC water use projections are based on continuation of existing General Plan land uses in most of the city—including the project site—and forecasts of future population (West Yost, 2021, p. 3-6). The General Plan designation for the project site is I-G (General Industrial) within the Fontana Gateway Specific Plan area. The project proposes industrial use conforming with the existing General Plan designation. Therefore, project water use is included in FWC forecasts of future water use. As detailed in **Table 4.19-2**, the City of Fontana would have adequate water during normal, dry and multiple dry years. Therefore, FWC would be able to adequately supply water to the project and would not require the development of an additional water supplies to serve the project. Impacts would be less than significant.

TABLE 4.19-2
SUPPLY AND DEMAND COMPARISON: NORMAL AND DRY YEARS (acre-feet per year)

		2025	2030	2035	2040	2045
NORMAL WATER YEARS						
Supply totals		45,593	46,909	48,655	50,442	51,943
Demand totals		45,593	46,909	48,655	50,442	51,943
Difference		0	0	0	0	0
SINGLE DRY YEARS						
Supply totals		34,006	34,987	36,297	37,623	38,742
Demand totals		34,006	34,987	36,297	37,623	38,742
Difference		0	0	0	0	0
MULTIPLE DRY YEARS						
First year	Supply totals	42,886	44,124	45,776	47,447	48,859
	Demand totals	42,886	44,124	45,776	47,447	48,859
	Difference	0	0	0	0	0
Second year	Supply totals	41,415	42,610	44,206	45,820	47,183
	Demand totals	41,415	42,610	44,206	45,820	47,183
	Difference	0	0	0	0	0

		2025	2030	2035	2040	2045
Third year	Supply totals	34,074	35,057	36,369	37,697	38,819
	Demand totals	34,074	35,057	36,369	37,697	38,819
	Difference	0	0	0	0	0
Fourth year	Supply totals	34,006	34,987	36,297	37,623	38,742
	Demand totals	34,006	34,987	36,297	37,623	38,742
	Difference	0	0	0	0	0
Fifth year	Supply totals	36,526	37,580	38,987	40,411	41,613
	Demand totals	36,526	37,580	38,987	40,411	41,613
	Difference	0	0	0	0	0

Source: West Yost, 2021, p. 7-6 – 7-8

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

Less than Significant Impact

As described under **threshold 4.19 a)** above, the volume of wastewater generated by the project represents only a small fraction of the existing daily capacity of the wastewater treatment facility providing service in the area. Therefore, the wastewater anticipated to be generated by the project would be within the existing capacity of the wastewater treatment provider and less than significant impacts would occur.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact

Solid waste disposal services for Fontana are provided by Burrtec Waste Industries, a private company under franchise agreement with the City. Burrtec also operates the City's curbside recycling (including green waste recycling) program. Currently, the Mid-Valley Sanitary Landfill located adjacent to the City of Fontana, in Rialto, is the primary solid waste depository for the area (Stantec, 2018a, 5.12-20).

The current permitted solid waste disposal at the Mid-Valley Landfill is 7,500 tons per day. The facility has 61,219,377 tons of capacity remaining and the anticipated life for the landfill at its currently permitted capacity is through 2045 (CalRecycle, 2023).

Project construction and operation would generate solid waste requiring disposal at local landfills. Materials generated during construction of the project would include paper, cardboard, metal, plastics, glass, concrete, lumber scraps and other materials. During construction (short-term) and operation (long-term), bulk solid waste, excess building material, fill, and other construction-related solid waste, would be disposed of in a manner consistent with State of California Integrated Waste Management Act of 1989 and would be removed from the project site. Existing regulations related to recycling during construction and operation phases of the project require that the project provide readily accessible areas that serve the entire building and are identified for the depositing, storage, and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, and metals.

The project is anticipated to have 114 employees (Ratekin, 2024) which, using the solid waste generation rate in **Table 4.19-3**, would result in an estimated generation of 242 tons of waste per year. As discussed above, the current permitted solid waste disposal at the Mid-Valley Landfill is 7,500 tons per day. Therefore, the project's construction and operational wastes would represent a small fraction of the City's daily and maximum landfill capacity.

Table 4.19-3
ESTIMATED PROJECT-GENERATED SOLID WASTE

Land Use	Square Feet	Solid Waste Generation, pounds per day	
		Per square foot	total
Industrial	106,289	0.0125[1]	1,329, or 242 tons per year

Notes:
[1] Cal Recycle, 2006. The generation rate is the median of two rates provided in the source.

Since sufficient permitted landfill capacity exists to support operation of the proposed project, no adverse impact on either solid waste collection service or the landfill disposal system would occur. Therefore, project impacts on existing solid waste disposal facilities would be less than significant.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact

In 1989, the California Legislature enacted the California Integrated Waste Management Act (AB 939), in an effort to address solid waste problems and capacities in a comprehensive manner. The law required each city and county to divert 50 percent of its waste from landfills by the year 2000.

The San Bernardino Countywide Integrated Waste Management Plan (SBCIWMP) outlines the goals, policies, and programs the County and its cities would implement to create an integrated and cost-effective waste management system that complies with the provisions of AB 939 and its diversion mandates. The Infrastructure and Green Systems Element of the City of Fontana General Plan outlines programs to reduce, recycle and properly divert solid waste from sanitary landfills (Stantec, 2018a, p. 10.8).

Solid waste generated by the project would be collected by Burrtec Waste Industries, the designated waste hauler, and transported offsite to transfer facilities and landfills for reuse, recycling and/or disposal, as appropriate (Stantec, 2018b, p. 5.12-20). Burrtec delivers solid waste to the Mid-Valley Landfill, which operates under a permit from San Bernardino County Department of Public Health, Solid Waste Management Division which requires regular reporting and monitors compliance.

The proposed project would comply with the SBCIWMP and the City's waste reduction procedures and comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, state, and federal solid waste disposal standards, thereby ensuring that the solid waste stream to regional landfills is reduced in accordance with existing regulations. Impacts are considered less than significant.

4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				**X**
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?				**X**
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				**X**
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				**X**

a) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact

As shown in **Figure 4.9-1** in **Section 4.9** of this IS/MND, the project site is not located in a State Responsibility Area (SRA) (i.e., where the State is responsible for the costs of wildfire prevention and suppression). The nearest SRA to the project site is in unincorporated lands of the County of San Bernardino approximately 8.4 miles to the north. In addition, as shown in **Figure 4.9-2** the project site is not located in a Very High Fire Hazard Severity Zone (VHFHSZ) within a Local Responsibility Area (LRA), (i.e., where cities or counties are responsible for the costs of wildfire prevention and suppression). The nearest VHFHSZ in LRA to the project site is about 1.3 miles to the southeast within the City of Fontana. Therefore, the proposed project would not "substantially impair an adopted emergency response plan or emergency evacuation plan" and as such would have no impact.

b) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project due to slope, 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?

No Impact

As indicated under item a) above the project site is not located in or near a SRA or a VHFHSZ within a LRA. Therefore, the proposed project would not, "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" and as such would have no impact.

c) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact

As indicated under item a) above the project site is not located in or near a SRA or a VHFHSZ within a LRA. Therefore, the proposed project would not "require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment" and as such would have no impact.

d) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact

As indicated under item a) above, the project site is not located in or near a SRA or a VHFHSZ within a LRA. Therefore, the proposed project would not "expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes" and as such would have no impact.

4.21 Mandatory Findings of Significance

Does the project have:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) 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?		**X**		
b) Impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			**X**	
c) Environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		**X**		

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?

Less than Significant Impact with Mitigation

Section 4.4 of this document addresses the impacts on biological resources. The project site is located in a highly urbanized area characterized by commercial and industrial development containing disturbed and developed/urban land cover and contains the existing Conco Companies facility.

Two of the 30 species in the plant inventory, San Bernardino aster (Symphyotrichum defoliatum) and Plummer's mariposa lily (Calochortus plummerae), were reported within a two-mile radius from

the project. No appropriate habitat type is provided to support these two species of plants within the project area.

The results of the literature review determined that most of the species evaluated in the wildlife inventory are not expected to occur within the project site. The two species of sensitive wildlife determined to have a low potential to occur within the project site are discussed in **Section 4.4**. It is not anticipated that the project would significantly impact these species because they were only determined to have a low potential to occur in the area and these nomadic species would likely utilize alternate areas during project activities.

The project site supports ornamental vegetation that could potentially provide cover and nesting habitat for bird species that have adapted to urban areas and are protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code. The mitigation measure (**MM) BIO-1**, as discussed in **Section 4.4,** will be implemented to minimize or avoid potential impacts on breeding birds. Therefore, the project would have a less than significant impact on plant and wildlife species.

The project site is located on geological surficial deposits mapped as alluvial fan deposits and alluvial wash deposits from the Holocene period, and young alluvial fan deposits from the Holocene to the late Pleistocene, discussed in **Section 4.7**. **MM GEO-1** will be implemented to ensure that if paleontological resources are uncovered during project construction, the on-call paleontologist shall be notified and provided the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, the monitor shall remain on site for the duration of disturbance to the ground to ensure the protection of any other resources found during construction on the project site. Therefore, the project would have a less than significant impact on paleontological resources.

Section 4.5 and Section 4.18 of this document address potential impacts on Cultural Resources and Tribal Cultural Resources. The project would be built on vacant land that has been graded. Based on the Cultural Resources records search, it was determined that no historic cultural resources have been previously recorded within the project site boundary. The result of the pedestrian survey was negative for both prehistoric and historic sites and isolates on the project site. Based on the results of the records search and tribal consultation, it is unlikely that cultural resources or tribal resources would be adversely affected by construction of the project. No human remains have been previously identified or recorded on site. It is unlikely that there are undisturbed unique archaeological resources on the project site. However, grading activities associated with the development of the project would cause new subsurface disturbance and could potentially result in the unanticipated discovery of archaeological resources. The **COA CUL-1**, **MM CUL-1**, and **MM CUL-2** are recommended to reduce potential impacts on archeological resources and human remains to a less than significant level.

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

Less than Significant Impact

The proposed project would be consistent with regional plans and programs that address environmental factors such as air quality, water quality, and other applicable regulations that have been adopted by public agencies with jurisdiction over the project to prevent or mitigate environmental effects.

Sections 4.3 and **4.13** of this Initial Study address the potential impacts related to Air Quality and Noise, respectively. As detailed in **Section 4.3**, the impacts on air quality associated with the construction and operation of the project would be less than significant and do not warrant mitigation. As detailed in **Section 4.13,** the impacts of construction and operational noise associated with the project site were found to be less than significant and do not warrant mitigation.

The project would create employment opportunities during both the construction and operational phases; employees from the local workforce would be hired during the construction and operational phases of the project. The project is not of the scope or scale to induce people to move from outside of the project area to work on the proposed project. The project does not include a housing component or otherwise support an increase in the resident population of the city and would utilize existing infrastructure for its operation. Therefore, the indirect population growth resulting solely from the project is expected to be less than significant.

Because the project would not increase individual environmental impacts after the recommended mitigation measures are implemented, the incremental contribution to cumulative impacts is anticipated to be less than significant.

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

Less than Significant Impact with Mitigation

As detailed in **Section 4.9** (Hazards and Hazardous Materials), current ongoing remediation would result in less than significant impacts. Furthermore, the future tenant is unknown at this time and the use of specific hazardous materials is unknown. With the implementation of the mitigation measures **HAZ-1, HAZ-2,** and **HAZ-3,** the potential impacts associated with the handling of hazardous materials would be less than significant.

Additionally, as discussed in **Section 4.17**, Transportation and Traffic, the City requires preparation and implementation of a Traffic Management Plan for all projects that require construction in the public right-of-way to the implementation of safety measures during construction and ensure emergency access is maintained. Therefore, with the implementation of **MM TRANS-1,** the construction and operational traffic impacts associated with the project would be less than significant.

Since the project would not cause substantial adverse effects on human beings after the recommended mitigation measures are implemented, the impact is anticipated to be less than significant.

As discussed in **Sections 4.1** through **4.20** of this document, after the implementation of mitigation measures, it was found that the possible adverse environmental effects were less than significant on humans, either directly or indirectly. Therefore, less than significant impacts would occur.

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7.0 MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) has been prepared in conformance with § 21081.6 of the Public Resources Code and § 15097 of the California Environmental Quality Act (CEQA) Guidelines, which requires all state and local agencies to establish monitoring or reporting programs whenever approval of a project relies upon a Mitigated Negative Declaration (MND) or an Environmental Impact Report (EIR). The MMRP ensures implementation of the measures being imposed to mitigate or avoid the significant adverse environmental impacts identified through the use of monitoring and reporting. Monitoring is generally an ongoing or periodic process of project oversight; reporting generally consists of a written compliance review that is presented to the decision-making body or authorized staff person.

It is the intent of the MMRP to: (1) provide a framework for document implementation of the required mitigation; (2) identify monitoring/reporting responsibility; (3) provide a record of the monitoring/reporting; and (4) ensure compliance with those mitigation measures that are within the responsibility of the lead agency and/or project applicant to implement.

The following subjects require mitigation:
Biological Resources
Cultural Resources
Geology and Soils
Hazards and Hazardous Materials
Transportation
Tribal Cultural Resources

The following subjects do not require mitigation:
Aesthetics
Agriculture and Forestry
Air Quality
Energy
Greenhouse Gas Emissions
Hydrology and Water Quality
Land Use and Planning
Mineral Resources
Noise
Population and Housing
Public Services
Recreation
Utilities and Services
Wildfire

Table 7.0-1 lists impacts, mitigation measures adopted by the City of Fontana in connection with approval of the proposed project, level of significance after mitigation, responsible and monitoring parties, and the project phase in which the measures are to be implemented. Only those environmental topics for which mitigation is required are listed in this Mitigation, Monitoring and Reporting Program.

Table 7.0-1
MITIGATION MONITORING AND REPORTING PROGRAM

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resources				
Threshold 4.4a): Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	**MM BIO-1: Pre-Construction Breeding Bird Survey** If construction activities, including staging, are anticipated to commence during the nesting season (between January 1 and August 31 of any given year, or as determined by a local CDFW office), a qualified avian biologist shall conduct a preconstruction nesting bird survey between three to seven days prior to construction. In accordance with the MBTA and CFGC (§§ 3503, 3503.5, 3513), if an active bird nest of a species protected by the MBTA is located during the pre-construction survey and would potentially be affected, a no-activity buffer zone shall be delineated on maps and marked in the field by fencing, stakes, flagging, or other means up to 500 feet for raptors, or 100 feet for non-raptors. Materials used to demarcate the nests will be removed as soon as work is complete, or the fledglings have left the nest. The qualified avian biologist will determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species. The survey will be conducted between three to seven days prior to the onset of scheduled activities, including building demolition and vegetation trimming or removal and will include all potential nest sites, such as open ground, trees, shrubs, grasses, burrows, and structures during the breeding season.	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. Project Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	The project applicant will make every effort to conduct the pre-construction survey and subsequent removal of all physical features that could potentially serve as avian nest sites (e.g., staging and stockpiling, structure removal, clear and grub, grading, fill, etc.) to avoid impacts to nesting birds. If a breeding bird territory or an active bird nest is located during the pre-construction survey and will potentially be impacted by demolition or construction activities, the site will be mapped, and location provided to the construction supervisor, City, and project applicant. The qualified biologist will establish a buffer zone around the active nest, which will be delimited (fencing, stakes, flagging, orange snow fencing, etc.) at a minimum of 100 feet, or as the qualified biologist determines is appropriate, for the detected species. The biologist will determine the appropriate buffer size based on the planned activities and tolerances of the nesting birds. This no-activity buffer zone will not be disturbed until a qualified biologist has determined that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be impacted by project activities. Periodic monitoring by a qualified avian biologist will be performed to determine when nesting is complete. After the nesting cycle is complete, project activities may begin within the buffer zone.			
4.5 Cultural Resources				

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.5b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	**Conditions of Approval -- Cultural Conditions 1:** Upon discovery of any tribal cultural or archaeological resources, cease construction activities in the immediate vicinity (60-foot buffer) of the find until the find can be assessed. All tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist meeting the Secretary of Interior standards, tribal monitor, and representatives from the Consulting Tribes to provide Tribal input with regards to significance and treatment. 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 reburial in the project footprint. Work may continue on other parts of the project while evaluation takes place. Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, the SOI archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to the Consulting Tribes for review and comment. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly. 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.	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. Prior to Project Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code enforced for the duration of the project. 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.			
Threshold 4.5b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	**MM CUL 1:** Prior to the commencement of grading or excavation, workers conducting construction activities and their supervisors will receive Worker Environmental Awareness Program (WEAP) training from a qualified archaeologist regarding the potential for sensitive archaeological and paleontological resources to be unearthed during grading activities. The workers will be directed to report any unusual specimens of bone, stone, ceramics or other archaeological artifacts or features observed during grading and/or other construction activities to their supervisors and to cease grading activities in the immediate vicinity of the discovery until a qualified archaeologist or Native American cultural monitor	Project Applicant	Field Verification	1.City of Fontana 2.City of Fontana 3.Prior to Project Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	is notified of the discovery by the Superintendent of the project site and can assess their significance. WEAP shall be implemented to educate all construction personnel about the area's environmental conditions and the regulations that must be adhered to by all workers throughout the duration of project construction. Training materials shall be language-appropriate for all construction personnel. Upon completion of the WEAP, workers shall sign a form stating that they attended the program, understand all protection measures, and shall abide by all the rules of the WEAP. A record of all trained personnel shall be kept with the construction supervisor at the project field construction office and shall be made available to any resource agency personnel. If new construction personnel are added to the project later, the construction supervisor shall ensure that new personnel receive training before they start working. The archaeologist shall provide hard copies of the WEAP presentation to the construction supervisor.			
Threshold 4.5b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	With implementation of **Conditions of Approval CC-1** and mitigation measure **CUL-1** above, potential impacts related to archaeological resources would be less than significant.	Refer to mitigation measures **COA CC-1** and **CUL-1** above.	Refer to mitigation measures **COA CC-1** and **CUL-1** above.	Refer to mitigation measures **COA CC-1** and **CUL-1** above.
Threshold 4.5c) Would the project disturb any human	**MM CUL-2**: If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the San Bernardino County Coroner	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
remains, including those interred outside of formal cemeteries?	will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the Native American Heritage Commission (NAHC). The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).			3. Project Construction
4.7 Geology and Soils				
Threshold 4.7f) Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	**MM PALEO-1:** If paleontological resources are uncovered during project construction, the contractor shall halt construction activities in the immediate area and notify the City. The on-call paleontologist shall be notified and afforded the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, the monitor shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that are found during construction on the project site	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. Project Construction
4.9 Hazards and Hazardous Materials				

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.9a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? and, **Threshold 4.9b)** 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?	**MM HAZ-1:** In the event that the future tenant will handle hazardous materials above the reportable quantity threshold, threshold specified in the tenant's Hazardous Materials Business Plan (HMBP) pursuant to California Code of Regulations Title 19 Sections 5010.1 et seq. The HMBP shall contain in inventory of hazardous materials at the facility; emergency response plans and procedures to be followed in the event of a reportable release or threatened release of a hazardous material; requirements to train employees in safety procedures in the event of a release or threatened release of a hazardous material; and a site map depicting loading areas, internal roads, adjacent streets, storm and sewer drains, site entrances/exits, emergency shutoffs, evacuation staging areas, hazardous material handling and storage areas, and emergency response equipment. The tenant shall, in coordination with the City of Fontana, identify routes along which hazardous materials may routinely be transported. Transportation routes for hazardous materials shall comply with California Vehicle Code Sections 31303(b) (the transportation shall be on state or interstate highways which offer the least overall transit time whenever practicable); and 31303(c) (the transporter shall avoid, whenever practicable, congested thoroughfares, places where crowds are assembled, and residence districts as defined in [California Vehicle Code] Section 515). The tenant and the City shall consider distances of routes to sensitive areas such hospitals, schools, handicapped facilities, prisons and stadiums in their selection of hazardous materials transportation routes, in accordance with Code of Federal Regulations Title 49 Section 397.71(b)(9)(vi).	Future Tenant	Review and Approval of a Hazardous Materials Business Plan	1. County of San Bernardino Fire Department 2. City of Fontana 3. Post-Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.9f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Refer to mitigation measure **TRANS-1** below.	Refer to mitigation measure **TRANS-1** below.	Refer to mitigation measure **TRANS-1** below.	Refer to mitigation measure **TRANS-1** below.
4.17 Transportation				
Threshold 4.17d) Would the project result in inadequate emergency access?	**MM TRANS-1:** The Transportation Management Plan (TMP) must be reviewed and approved by the City's Traffic Engineer prior to the start of construction activity in the public ROW. The typical TMP requires such things as the installation of a K-rail between the construction area and open traffic lanes, the use of flaggers and directional signage to direct traffic where only one travel lane is available or when equipment movement creates temporary hazards, and the installation of steel plates to cover trenches under construction. Emergency access must be maintained at all times.	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. During Construction
4.18 Tribal Cultural Resources				

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
Threshold 4.18a)(ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Refer to **City Conditions of Approval Cultural Conditions-1**, and mitigation measures **MM CUL-1** and **MM CUL-2** above.	Project Applicant	Field Verification, Review and Approval of Cultural Resources Monitoring and Treatment Plan	1. Native American Tribes and City of Fontana 2. City of Fontana 3. During Construction