

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

MAPLE AND FOOTHILL RESIDENTIAL PROJECT
FONTANA, SAN BERNARDINO COUNTY, CALIFORNIA

MASTER CASE NO. 24-0040
TENTATIVE TRACT MAP NO. 24-0003
DESIGN REVIEW PROJECT NO. 24-0015



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April 2026

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LIST OF ABBREVIATIONS AND ACRONYMS

AAQS	ambient air quality standards
ADA	Americans with Disabilities Act
ADT	average daily traffic
ALUCP	Airport Land Use Compatibility Plan
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
Bcf	billion cubic feet
BMP	Best Management Practice
CalEEMod	California Emissions Estimator Model
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFC	California Fire Code
City	City of Fontana
CNEL	Community Noise Equivalent Level
CO ₂ e	carbon dioxide equivalent
CWA	Federal Clean Water Act
dBA	A-weighted decibels
DCV	Design Capture Volume
DTSC	California Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	United States Environmental Protection Agency

ESA	Environmental Site Assessment
EV	electric vehicle
FUSD	Fontana Unified School District
GHG	greenhouse gas
HVAC	heating, ventilation, and air conditioning
IEUA	Inland Empire Utilities Agency
IS	Initial Study
ITE	Institute of Transportation Engineers
kBTU	thousand British thermal units
L_{eq}	equivalent continuous sound level
LID	Low Impact Development
L_{max}	maximum instantaneous noise level
LOS	level of service
LRA	Local Responsibility Area
LST	localized significance threshold
mgd	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
mpg	miles per gallon
MRF	Materials Recycling Facility
MT	metric ton
ND	Negative Declaration
NPDES	National Pollutant Discharge Elimination System
OIA	Ontario International Airport
PRC	Public Resources Code
REC	Recognized Environmental Condition
RTP	Regional Transportation Plan

RWQCB	Regional Water Quality Control Board
SBCTA	San Bernardino County Transportation Authority
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCS	Sustainable Communities Strategy
SO ₂	sulfur dioxide
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TPM	Tentative Parcel Map
USACE	United States Army Corps of Engineers
USGS	United States Geological Survey
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
VOC	volatile organic compounds
WDR	Waste Discharge Requirement
WQMP	Water Quality Management Plan

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1.0 INTRODUCTION AND PURPOSE OF THE INITIAL STUDY

1.1 INTRODUCTION

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared to evaluate the potential environmental effects of the Maple and Foothill Residential Project (project or proposed project) proposed by Diversified Pacific (Project Applicant) in the City of Fontana (City), in southwestern San Bernardino County, California. The proposed project involves construction and operation of a 265-unit multi-family residential project and associated parking, drive aisles, landscaping, utilities, and site amenities on approximately 8.43 gross acres (8.13 net acres).

Chapter 1.0 of this Initial Study describes the purpose, environmental authorization, the intended uses of the Initial Study, documents incorporated by reference, and the processes and procedures governing the preparation of the environmental document. Pursuant to Section 15367 of the State of California Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines), the City of Fontana (City) is the Lead Agency under the California Environmental Quality Act (CEQA). The City has primary responsibility for compliance with CEQA and consideration of the proposed project.

The Initial Study is organized as follows:

- **Chapter 1.0, Introduction and Purpose of the Initial Study**, discusses the Initial Study's purpose, intended uses, and public review process.
- **Chapter 2.0, Project Description**, provides a detailed description of the existing site conditions and proposed project, including requested approvals and entitlements.
- **Chapter 3.0, Project Outline**, includes the lead agency contact and project sponsor contact and a summary of the project description and location .
- **Chapter 4.0, Environmental Factors Potentially Affected**, identifies the potential environmental factors that would be affected by the proposed project and determines that an Initial Study will be prepared pursuant to CEQA.
- **Chapter 5.0, CEQA Environmental Checklist**, includes a checklist and accompanying analyses of the project's potential environmental effects. The analysis identifies the proposed project's environmental impact level for each environmental issue.
- **Chapter 6.0, List of Preparers**, includes the list of preparers.
- **Chapter 7.0, References**, details the references cited throughout the document.
- **Appendices** include the technical materials prepared to support the analyses contained in the Initial Study.

1.2 PURPOSE OF THE INITIAL STUDY

CEQA requires that the proposed project be reviewed to determine the environmental effects that would result if the project were approved and implemented. The City, as the Lead Agency, has the responsibility for preparing and adopting the associated environmental document prior to consideration of the proposed project. The City has the authority to approve discretionary actions relating to implementation of the proposed project.

This Initial Study has been prepared in accordance with the relevant provisions of CEQA (California Public Resources Code Section 21000 et seq.); the CEQA Guidelines,¹ and the rules, regulations, and procedures for implementing CEQA as adopted by the City. The objective of the Initial Study is to inform City decision-makers, representatives of other affected/responsible agencies, the public, and interested parties of the potential environmental consequences of the project.

As established in CEQA Guidelines Section 15063(c), the purposes of an Initial Study are to:

- Provide the Lead Agency (City of Fontana) with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR), Negative Declaration (ND), or Mitigated Negative Declaration (MND);
- Enable an applicant or Lead Agency to modify a project, thus mitigating significant impacts before an EIR is prepared, and thereby enabling the project to qualify for an ND or MND;
- Assist in the preparation of an EIR, if one is required;
- Facilitate environmental assessment early in the design of a project;
- Provide a factual basis for finding in an ND or MND that a project will not have a significant effect on the environment;
- Eliminate unnecessary EIRs; and
- Determine whether a previously prepared EIR could be used to evaluate environmental impacts associated with the project.

1.3 INTENDED USE OF THIS INITIAL STUDY

The City formally initiated the environmental review process for the proposed project with receipt of the project application and preparation of this Initial Study. The Initial Study screens out those impacts that would be less than significant and do not warrant mitigation, while identifying those issues that require mitigation to reduce impacts to less than significant levels. As identified in the following analyses, project impacts related to various environmental issues either do not occur, are less than significant (when measured against established significance thresholds), or have been rendered less

¹ California Code of Regulations. Title 14, Chapter 3, Sections 15000 through 15387.

than significant through implementation of mitigation measures. Based on these analytical conclusions, this Initial Study supports adoption of an MND for the proposed project.

CEQA² permits the incorporation by reference of all or portions of other documents that are generally available to the public. The Initial Study has been prepared utilizing information from City planning and environmental documents, technical studies specifically prepared for the project, and other publicly available data. The documents utilized in the Initial Study are identified in Chapter 7.0 and are hereby incorporated by reference. These documents are available for review at the City of Fontana Community Development Department, Planning Division.

1.4 PUBLIC REVIEW OF THE INITIAL STUDY

The Initial Study and a Notice of Intent (NOI) to adopt an MND is being distributed to responsible and trustee agencies, other affected agencies, and other parties for a 20-day public review period. Written comments regarding this Initial Study should be addressed to:

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Comments raised during the 20-day public review period will be considered and addressed prior to adoption of the MND by the City of Fontana Planning Commission.

² CEQA Guidelines Section 15150.

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2.0 PROJECT DESCRIPTION

The proposed project includes the development of a 265-unit multi-family residential project and associated parking, drive aisles, landscaping, utilities, and site amenities on approximately 8.43 gross acres (8.13 net acres) of undeveloped land in the City of Fontana (City).

2.1 PROJECT LOCATION

The project site is located at the northwest corner of Foothill Boulevard and Maple Avenue in the eastern portion of the City of Fontana, in southwestern San Bernardino County, California (Assessor's Parcel Numbers [APNs] 0243-142-01, -02, -03, -04, -05, and -06). The project site is located in Section 4 of Township 1 South, Range 5 West of the San Bernardino Baseline and Meridian, as depicted on the U.S. Geological Survey (USGS) 7.5-minute series Fontana, California quadrangle. Specifically, the center of the project site is at latitude 34°06'28.07" N and longitude -117°24'23.22" W, at an elevation of approximately 1,305 feet above mean sea level. **Figure 1: Project Location and Vicinity** depicts the location of the project site on a regional scale (all figures are located at the end of this chapter).

2.2 EXISTING SETTING

The project site is bounded by Barbee Street to the north, Maple Avenue to the east, Foothill Boulevard to the south, and commercial uses to the west. The City of Rialto is located directly east (across Maple Avenue) of the project site.

The approximately 8.43-acre project site is generally flat and is currently vacant and undeveloped. The entire project site is enclosed with chain-link fencing. A patch of degraded asphalt is located at the southern end of the project site. An abandoned portable building and two shipping containers are present in the northern portion of the project site. Three electric utility poles are located along the southern frontage of the site. A weathered asphalt drive extends north from a concrete driveway entrance on Foothill Boulevard to a widened asphalt paved area in the south-central portion of the site. A second concrete driveway entrance was observed off Foothill Boulevard near the southwest corner of the site. A billboard is located on the southeastern corner of the project site. Except for the southeast corner of the site, no sidewalks are located along the perimeter of the project site.

Vegetation on-site is characteristic of that common in disturbed areas. The project site is dominated by non-native and weedy species, including Russian thistle (*Salsola tragus*), puncture vine (*Tribulus terrestris*), and wild oat (*Avena* sp.). Native plant species, including telegraph weed (*Heterotheca grandiflora*), turkey-mullein (*Croton setiger*), and jimsonweed (*Datura wrightii*) occur at low densities and are scattered on the project site. One tree, a tree-of-heaven (*Ailanthus altissima*), was identified near the center of the project site. Emergent tree-of-heaven saplings were present on the southern portion of the project site.

Neighboring land uses include single-family residential uses to the north; multi-family residential uses (Maple Hills Apartments) to the south; vacant land, a single-family residence, and a multi-family building (Maple Gardens Apartments) to the east (in the City of Rialto); and auto repair/salvage and commercial uses to the west. **Figure 2: Surrounding Land Uses** depicts the project site and

surrounding land uses, and **Figures 3a through 3d: Site Photographs** provide photographs of the existing condition of the project site.

2.3 EXISTING LAND USE

Table 2.A summarizes the land uses, General Plan designations, and zoning designations of the project site and surrounding properties.

Table 2.A: Existing and Proposed Land Uses

Direction	Existing Land Use	Existing General Plan Designation	Proposed General Plan Designation	Existing Zoning Designation	Proposed Zoning Designation
Project Site	Vacant, undeveloped land	R-MFMH Multi-family Medium/High Residential (24.1 – 39.0 du/ac)	No change	R-4 Mult Family Medium/High Density Residential (24.1 – 29 du/ac)	No change
North	Single-family residential	R-SF Single-Family Residential, (2.1 – 5.0 du/ac)	—	R-1 Single-family (2.1 – 5.0 du/ac)	—
East¹	Vacant Single-family and multi-family residential	Residential and Foothill Boulevard Specific Plan	—	R-3 FBSP R-MU (Residential Mixed Use 3.0 – 30.0 du/ac)	—
South	Multi-family residential	R-MF Multi-family Residential (12.1 – 24 du/ac)	—	R-3 Multiple Family (12.1 – 24.0 du/ac)	—
West	Commercial	C-G General Commercial (0.1 – 1.0 FAR)	—	C-2 General Commercial (0.1 – 1.0 FAR)	—

Sources: City of Fontana. State of California. *General Plan Land Use Map*. April 23, 2024.
City of Fontana. State of California. *Zoning District Map*. April 23, 2024.
City of Rialto. *Official City Zoning Map*. Updated July 7, 2013.
City of Rialto. *Foothill Boulevard Specific Plan*. Adopted August 2010.

¹ Located in the City of Rialto

du/ac = dwelling units per acre

FAR = Floor to area ratio

FBSP = Foothill Boulevard Specific Plan

The City's General Plan indicates the R-MFMH land use and R-4 zoning district are intended to provide for higher density multi-family development of up to 39 units per acre.³ Based on the project site and the number of units proposed, the project would provide approximately 32.6 dwelling units per acre (du/ac), which is within the residential density range established by the City for the project site. No land use action to change the General Plan land use designation or zoning district is required.

³ City of Fontana, State of California. *General Plan Update 2015–2035. Chapter 15: Land Use, Zoning, and Urban Design Element*. Page 15.23. Updated July 23, 2023.

2.4 PROPOSED PROJECT

The proposed project involves construction and operation of a 265-unit multi-family residential project and associated parking, drive aisles, landscaping, utilities, and site amenities on approximately 8.43 gross acres (8.13 net acres).⁴ The proposed apartment complex would consist of six buildings, of which two proposed in the center of the project site would be four stories tall, while the remaining four buildings along the project site frontage of Foothill Boulevard and Maple Avenue would be three stories tall. Two community courtyards would be constructed between the four-story buildings and would include one pool and spa, lounge areas, green space, and other amenities. The project would be accessible by residents via one main driveway (full access) on Maple Avenue and a secondary, gated driveway along Foothill Boulevard for right-out maneuvers only that also would provide additional access for emergency and other service vehicles. The building layout of the project site is detailed in **Figure 4: Conceptual Site Plan**.

2.4.1 Project Design

The proposed buildings would have a Spanish-influenced contemporary architectural design accented with various exterior materials, including stucco sand finish, concrete s-tile roofing, stone veneer, and decorative tile. Façade enhancements include decorative metal grills, louvered gable vents, decorative foam corbels, decorative faux wood shutters, fabricated metal railings, and louvered metal awnings. The building design would use these façade enhancements and changes in vertical and horizontal lines, color, and material changes to provide visual interest and vary the scale and massing of the proposed building (see **Figures 5a-c Conceptual Architectural Elevations**.)

Lighting to ensure appropriate security would be installed in parking areas, along on-site pedestrian pathways, and within outdoor common areas. Security lighting is proposed on all building façades. All lighting on the project site would be subject to design review by the Development Advisory Board to ensure on-site lighting complies with local lighting standards, which require light shielding, functional and aesthetic design, and compatibility with surrounding uses. Decorative street lighting would be installed along the Foothill Boulevard frontage.

The project would result in the construction of 347,191 gross square feet of building areas distributed amongst the six proposed buildings (Table 2.B), of which 67.4 percent is proposed as rentable residential space. The project would provide 265 residential units in various one-, two-, and three-bedroom configurations (Table 2.C).

⁴ Per Tentative Tract Map No. 20704, August 2024.

Table 2.B: Building Area

Building Type	Number	Square Footage	Total Square Footage
A (Building 1)	1	134,682	134,682
B (Building 2)	1	89,245	89,245
C (Buildings 3-6)	4	30,618	123,264
Total	6		347,191

Source: Sheet A1.1, Project Summary, Project Plans, August 28, 2024. (Appendix A).

The various units are distributed between the buildings as follows:

- Building 1 would include 74 one-bedroom/one-bathroom units and 27 two-bedroom/two-bathroom units (101 units total).
- Building 2 would provide 37 one-bedroom/one-bathroom units and 31 two-bedroom/two-bathroom units (68 units total).
- Buildings 3 through 6 would each provide 6 one-bedroom/one-bathroom units, 12 two-bedroom/two-bathroom units, and 6 three-bedroom/two-bathroom units (24 units each building 96 units total).

Table 2.C: Net Rentable Area

Unit Type Bedroom(s)/Bathroom(s) ¹	Quantity	Square Feet/Unit	Total Square Footage (all units)
A1 (1/1)	25	610	15,250
A2 (1/1)	30	709	21,270
A3 (1/1)	56	704	39,424
A4 (1/1)	24	756	18,144
B1 (2/2)	45	964	43,380
B2 (2/2)	48	1,030	49,440
B3 (2/2)	13	1,060	13,780
C1 (3/2)	24	1,393	33,576
Total	265		234,264

Source: Source: Sheet A1.1, Project Summary, Project Plans, August 28, 2024. (Appendix A).

¹ Letters correspond to the building types listed in Table 2.B. Numbers correspond to the types of units for each building type.

Each unit would include a minimum of 125 cubic feet of interior storage space and a minimum of 80 square feet of private outdoor space in the form of a patio (ground level) or balcony. Buildings 1 and 2 would be accessible by stairs and elevators and would facilitate solid waste and recycling disposal via trash chutes on each floor which terminate in trash rooms located on the ground floors. Residents in Buildings 3 through 6 would bring trash and recyclable material to one of three trash enclosures located within nearby parking areas.

2.4.2 Site Access

The project would be accessible by residents via one main driveway (full access) on Maple Avenue and a secondary, gated driveway along Foothill Boulevard for right-out maneuvers only that also would provide additional access for emergency and other service vehicles. The project provides a 30-foot drive aisle around and between buildings 1 and 2, allowing emergency access to the center portion of the site. Buildings 3-6 are bounded by 30-foot drive aisles and public rights-of-way, allowing emergency access to the perimeter of the site. Vehicular access to private parking areas is through gated entry at the project entrances. All entry security gates would include an override switch to allow access by emergency responders. All points of site access and driveway aprons are designed and would be constructed to adequate widths for public safety pursuant to local requirements.

The project would be subject to design review by the Development Advisory Board which would ensure that entrances and exits would be marked with appropriate directional signage, and all site access points, and driveway aprons would be constructed to adequate widths for public safety. The fire access plan for the project is shown in **Figure 6: Fire Access Plan**.

2.4.3 Pedestrian, Bicycle, and Transit Connectivity

Omnitrans Route 312 provides service to Fontana, Rialto, Muscoy, and California State University San Bernardino. Route 312 operates at 60-minute headways during the week with major stops including the Fontana Metrolink Transit Center. The nearest stop is located on the northeast corner of Linden Avenue and Foothill Boulevard, approximately 0.25 mile east of the project site.

Omnitrans Route 314 provides service between San Bernardino and Fontana via Rialto. Route 314 travels along Foothill Boulevard operating with 20-minute headways during peak hours and 30-minute headways during off-peak hours. Major stops include the San Bernardino Transit Center and the Fontana Metrolink Transit Center (located at 16777 Orange Way, approximately 2.0 miles southwest of the site.) The project includes a bus turnout along Foothill Boulevard along the southern frontage of the site to accommodate Route 314.

Currently, there no existing bicycle facilities in the vicinity of the project site. An existing `Class III bike lane is present on Alder Avenue, approximately 0.65 mile west of the project site. According to Chapter 9, Community Mobility and Circulation, of the City's General Plan (Exhibit 9.6), Class II⁵ bike lanes are planned along Foothill Boulevard and Maple Avenue along the project frontages to be implemented by the City under a separate action.

Sidewalks in the project vicinity are provided on south side of Foothill Boulevard, on the north side of Foothill Boulevard west of the project site, on the east side of Maple Avenue near the existing multi-family uses, and on the north side of Barbee Street. The proposed project would construct a 5-foot-wide sidewalk and a landscaped parkway along the frontages of Maple Avenue (west side) and Barbee Street (south side), and a 6-foot sidewalk with a landscaped parkway along the north side of Foothill

⁵ Class II (Bicycle Lanes) is a bicycle lane that is a portion of the roadway that has been designated by striping, signing, and pavement markings for the preferential and exclusive use of bicyclists. Bicycle lanes are always located on both sides of the road (except one-way streets) and allow bicyclists to ride in the same direction as adjacent motor vehicle traffic. Class III (Bike Routes) generally employ bikeway signage, and may also use pavement markings, to guide bicyclists to popular destinations on low-volume, bike-friendly roadways.

Boulevard. Internal pedestrian access is provided among buildings via concrete sidewalks. Pedestrian access gates are provided along Barbee Street (1) and Foothill Boulevard (3).

2.4.4 Landscaping, Walls, and Fencing

The City requires at least 15 percent of the site area to be landscaped (53,104 square feet). The project provides a total of 97,980 square feet of outdoor landscaping, or approximately 27.6 percent of the net area of the site.

The proposed project would incorporate landscaping throughout the project site through a combination of accent plantings/groundcovers, shrubs, and trees along the majority of the site perimeter and include additional trees and landscape material within common areas, adjacent to buildings, and within frontage parkways. Trees along project frontages will include a variety of 24-inch box trees (yellow trumpet tree, Australian willow, and southern magnolia). Plant material in perimeter and common areas would include a variety of pine, cypress, olive, palm, and palo verde species, minimally sized as 24-inch box specimens. Shrub and groundcover plant materials include various species of yarrow, agave, bougainvillea, fescue, yucca, flax, rosemary and similar species. Hedge planting would be provided along Barbee Street to screen on-site parking areas.

The project landscaped areas would utilize an irrigation system combining various technologies for targeting watering and water conservation goals. Shrubs and ground cover areas would utilize drip irrigation delivering water directly to the plant material. Trees would receive water via bubblers allowing deep, infrequent irrigation. Each irrigated zone would have its own dedicated valve ensuring individualized water based on the specific needs of the plant material. The site would be serviced by a new point of water connection with a dedicated potable water lines and backflow preventer. A smart controller, flow sensor, and master valve would be installed to prevent excess irrigation during rain event. All planting and irrigation would adhere to the City's Water Conservation Ordinance 1895. All mechanical equipment will be screened by plant material. **Figure 7: Conceptual Landscape Plan** provides the proposed project's conceptual landscape design.

Behind the sidewalk and landscape parkways along the project frontages, the project would provide perimeter fencing as follows:

- Along Barbee Street: Four-foot tall tubular steel fencing atop a two-foot tan precision block wall with 6.5-foot tall pilasters (100 feet off center) with stone veneer;
- Along Maple Avenue and Foothill Boulevard: Six-foot tall tubular steel with 6.5-foot tall pilasters (50 feet off center) with stone veneer; and
- Along the western project boundary: Six-foot tall tan split-face block wall.

A six-foot tall screen wall with stone veneer would be provided at the northeast corner of the site to screen the on-site tot lot. Monument entry walls with stone-veneer would be provided at the Maple Avenue entry. Monument wall signage with stone veneer would be provided at the corner of Maple Avenue and Foothill Boulevard (see **Figure 8: Conceptual Wall and Fence Plan**).

2.4.5 Project Amenities

In addition to private open space (see **Figure 9a: Open Space Plan**) in individual units, the project provides the following common indoor amenities in Building 1:

- Fitness and yoga rooms (1,263 and 484 square feet)
- Lounges (2) (407 and 1,003 square feet)
- Co-working space (822 square feet)
- Remote offices (2) (271 square feet each)
- Clubroom with fireplace, seating, game table, dining, and kitchen areas (1,700 square feet)
- Lobby/leasing lounge (1,078 square feet)
- Dedicated mail and parcel room (788 square feet)

The project includes a variety of outdoor amenities at the following locations:

Building 1 Courtyard:

- 32' x 60' pool
- 10' x 12' spa
- Cabanas
- Fire Pits (2) with seating
- Lounge seating areas (3)
- BBQ area (2)
- Game table area
- Natural grass lawn
- Enhanced pool deck paving (may include colored concrete, stamped concrete, natural stone or concrete pavers)

Building 2 Courtyard:

- Natural grass lawn
- "Pebble" seating
- Dining tables with umbrellas
- BBQ areas (2)
- Enhanced paving

Northeast corner amenities (Building 3):

- Tot lot
- "Pebble" seating and seat walls
- Synthetic turf area
- Pet relief area

Southeast corner amenities (Buildings 4, 5 and 6):

- Enhanced paving
- BBQ areas (2)
- Outdoor seating and seat walls
- Synthetic turf area

The private outdoor amenities are detailed in **Figure 9b: Outdoor Amenities**.

2.4.6 Drainage

The 8.43-acre project site exhibits level topography and is currently vacant, undeveloped, and predominately pervious. Under the current condition, storm water runoff drains southeast on the existing surface and discharges into the street gutter along Foothill Boulevard, which then drains into the Rialto Channel.

The entire project site consists of a single drainage area (DA-1) with two (2) drainage management areas on the western (DMA-1) and eastern (DMA-2) halves of the property, respectively. The proposed on-site drainage system consists of swales, ribbon gutter, storm drains, and grate inlets with filter inserts throughout the drainage management areas. In the developed condition, the proposed development would create impervious areas on approximately 88 percent of the site.⁶

The primary drainage solution for the site would be an underground infiltration/detention chamber system (CMP-1) to be constructed approximately six feet deep for low flow infiltration and high flow detention. The bottom 2.7 feet of the CMP-1 structure (including one foot of rock backfill at bottom) would be used for infiltration of the low flow (water quality retention volume). The lower portion of CMP-1 structure would be perforated for infiltration. High flows would be detained in the top 4.3 feet of the unperforated portion of the 6-foot CMP-1 structure. The CMP-1 infiltration/detention chamber system would include 8-inch and 18-inch outlet pipes for discharge into an existing catch basin along Foothill Boulevard at the southeast corner of the site. Stormwater discharge would then flow along the existing City Storm drain system in Foothill Boulevard to the Rialto Channel (see **Figure 10: Post Development Drainage Plan**).

The Design Capture Volume (DCV) is the volume of stormwater runoff that must be captured and treated by stormwater BMPs. The infiltration area within DMA 1 and the proposed underground infiltration/detention system would be designed to store and infiltrate the DCV in accordance with the Santa Ana Regional Water Quality Control Board (RWQCB) National Pollutant Discharge Elimination System (NPDES) 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 Stormwater Runoff Management Program (Order No. R8-2010-0036, NPDES No. CAS618036) (San Bernardino County MS4 Permit).

⁶ Allard Engineering. *Preliminary Water Quality Management Plan for APN: 0243-142-01, Foothill Blvd and Maple Avenue Project*. WQMP No. WQMPPC24-00031. August 2024. Page 1-1. (Appendix H1).

2.4.7 Parking

Proposed parking at the project site would comply with the City's minimum parking requirements as codified in Municipal Code Table 30-685. The project site would include a total of 464 vehicle parking stalls. Parking would be provided in standard stalls, garages, and carport areas (see Table 2.D).

Table 2.D: Parking Summary

Parking Required	
Unit Type	Quantity
One bedroom (135 units)	236
Two bedrooms (106 units)	186
Three bedrooms (24 units)	42
Total (265 units)	464
Parking Provided	
Resident Parking	Quantity
Standard Stall	170
Garages	100
Carports	194
Total	464

Source: Sheet A1.1, Project Summary, *Project Plans*, August 28, 2024. (Appendix A).

The California Green Building Standards Code (CalGreen) Section 4.106.4.2.2 identifies the following electric vehicle (EV) requirements for multifamily developments with more than 20 units: Five (5) percent of the total number of parking spaces ("EV Chargers") shall be equipped with Level 2 electrical vehicle supply equipment (EVSE); ten (10) percent of the total number of parking spaces shall be capable⁷ ("EV Capable") of supporting future Level 2 EVSE; and twenty-five (25) percent of the total number of parking spaces shall be equipped with low power Level 2 EV charging receptacles ("EV Ready"). Per these requirements, the project provides 24 EV charging spaces, 47 EV Capable spaces, and 116 EV Ready⁸ spaces (187 EV spaces total). As required, 179 of these are standard (5-foot width) spaces, with 8 spaces provided with a width of 8 feet (See CalGreen Code Section 4.106.2.2.1.2).

2.4.8 Infrastructure and Off-Site Improvements

The project would result in the installation of asphalt concrete, curb, gutter along the Barbee Street, Maple Avenue, and Foothill Boulevard frontages. Two streetlights would be installed each on Barbee Street and Maple Avenue, two decorative streetlights would be installed on Foothill Boulevard. The proposed project would also include 2 feet of right-of-way dedication and a 5-foot-wide sidewalk and a landscaped parkway along the frontages of Maple Avenue (west side) and Barbee Street (south side), and 19 feet of right-of-way dedication and a 6-foot sidewalk and landscaped parkway along the north side of Foothill Boulevard (see **Figure 11: Public Improvement Cross Sections** and **Figure 12: Tentative Tract 20704**). The existing bus bench at the southeast corner of the site would be relocated to the bus turnout provided along the southern project frontage along Foothill Boulevard.

⁷ EV-capable stalls include installation of electrical panel capacity with a dedicated branch circuit and continuous raceway from the panel to the future EV parking spot.

⁸ EV-ready stalls include installation of electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet.

The three existing power poles along the Foothill Boulevard would be removed and the distribution circuit relocated underground along the site frontage. Additionally, the proposed project would interconnect to existing sewer, water, electric, and telecommunications utilities within the Foothill Boulevard right-of-way. As permitted, the design of the required solar system may be installed on rooftops and/or covered parking areas. The location, configuration, and capacity of any required solar energy systems would be determined in accordance with applicable provisions of the California Energy Code (2022 Building Energy Efficiency Standards) and in consultation with the City.

2.4.9 Construction

Construction is anticipated to begin in July 2025 and will last through July 2026. The construction schedule utilized in the analysis is shown in Table 2.E. Activities would include grubbing the site of existing vegetation, removal of approximately 3,000 square feet of on-site structures, rough grading, paving, construction of the proposed multi-family residential buildings, parking areas, and drive aisles, and the installation of lighting, fencing, and landscaping. The proposed project also includes trenching and or improvements within or along adjacent right-of-way to provide public improvements (e.g., sidewalks) or to facilitate utility interconnection.

Table 2.E: Construction Duration

Construction Activity	Start Date	End Date	Days
Demolition	7/1/2025	7/28/2025	20
Site Preparation	7/29/2025	8/1/2025	10
Grading	8/12/2025	9/8/2025	20
Building Construction	9/9/2025	7/27/2026	230
Paving	6/30/2026	7/27/2027	20
Architectural Coating	6/16/2026	7/27/2026	30

Source: Table 3-3, *Maple Apartment Air Quality Impact Analysis City of Fontana*. Urban Crossroads. May 8, 2024. (Appendix B).

During grading activities, on-site soils would be excavated and recompacted in accordance with recommendations identified in the project-specific geotechnical investigation and the California Building Code (CBC) to accommodate the proposed buildings, parking areas, and utility infrastructure. Anticipated construction equipment to be used includes rubber-tired dozers, tractors/loaders/backhoes, excavators, graders, scrapers, cranes, forklifts, generators, welders, air compressors, and paving equipment.

Construction parking and staging would occur on the project site. However, temporary lane closures and/or detours may be necessary along adjacent roadways during project construction. Construction hours would conform to City standards and be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday and 7:00 a.m. to 5:00 p.m. on Saturday. Per client provided data, this analysis assumes that earthwork activities would generally balance on-site, and no import or export of soil is required.⁹

⁹ Urban Crossroads. *Maple Apartment Air Quality Impact Analysis City of Fontana*. Page 29. May 8, 2024. (Appendix B).

2.5 METHODOLOGY

The analysis in this IS/MND provides an environmental review of the project pursuant to CEQA. The details of this proposed project, off-site improvements, and associated actions have been characterized in this section and are also addressed in detail throughout Chapter 5.0 of this IS/MND.

2.6 PROJECT APPROVALS

The City of Fontana is the Lead Agency as set forth in *CEQA Guidelines* Section 21067 and is expected to use this IS/MND in consideration of the proposed Maple and Foothill Residential Project and associated actions. These actions may include, but are not limited to, the following:

- Master Case Number 24-0040;
- Tentative Tract Map No. 24-0003; and
- Design Review Project No. 24-0015

The project requires approvals from other regulatory agencies and are listed as follows:

- **State Water Resources Control Board:** Applicant must submit a Notice of Intent to comply with the Construction General Permit;¹⁰
- **Utility Providers:** Applicant must obtain connection permits.

¹⁰ Construction General Permit requirements are transferred to local agencies by way of the NPDES program. Since the City of Fontana (lead agency) complies with the NPDES program guidelines, the State Water Resources Control Board is not a responsible agency or trustee agency with jurisdiction over the proposed project.

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LEGEND

 Project Location



0 75 150
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SOURCE: Nearmap (8/27/2024)

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FIGURE 1

Maple and Foothill Residential Project
Regional and Project Location

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LSA

LEGEND

 Project Location



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FEET

SOURCE: Nearmap (8/27/2024)

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FIGURE 2

Maple and Foothill Residential Project
Surrounding Land Use

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Photograph 1: South project boundary along Foothill Boulevard – view west.



Photograph 2: South project boundary along Foothill Boulevard – view east.

LSA

FIGURE 3a

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Photograph 3: West project boundary – view south.



Photograph 4: Southwest project boundary – view north.

LSA

FIGURE 3b

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Photograph 5: Northern project boundary, Barbee Street – view east.



Photograph 6: Northern project boundary, Barbee Street – view west.

LSA

FIGURE 3c

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Photograph 7: Eastern project boundary, Maple Street – view north.

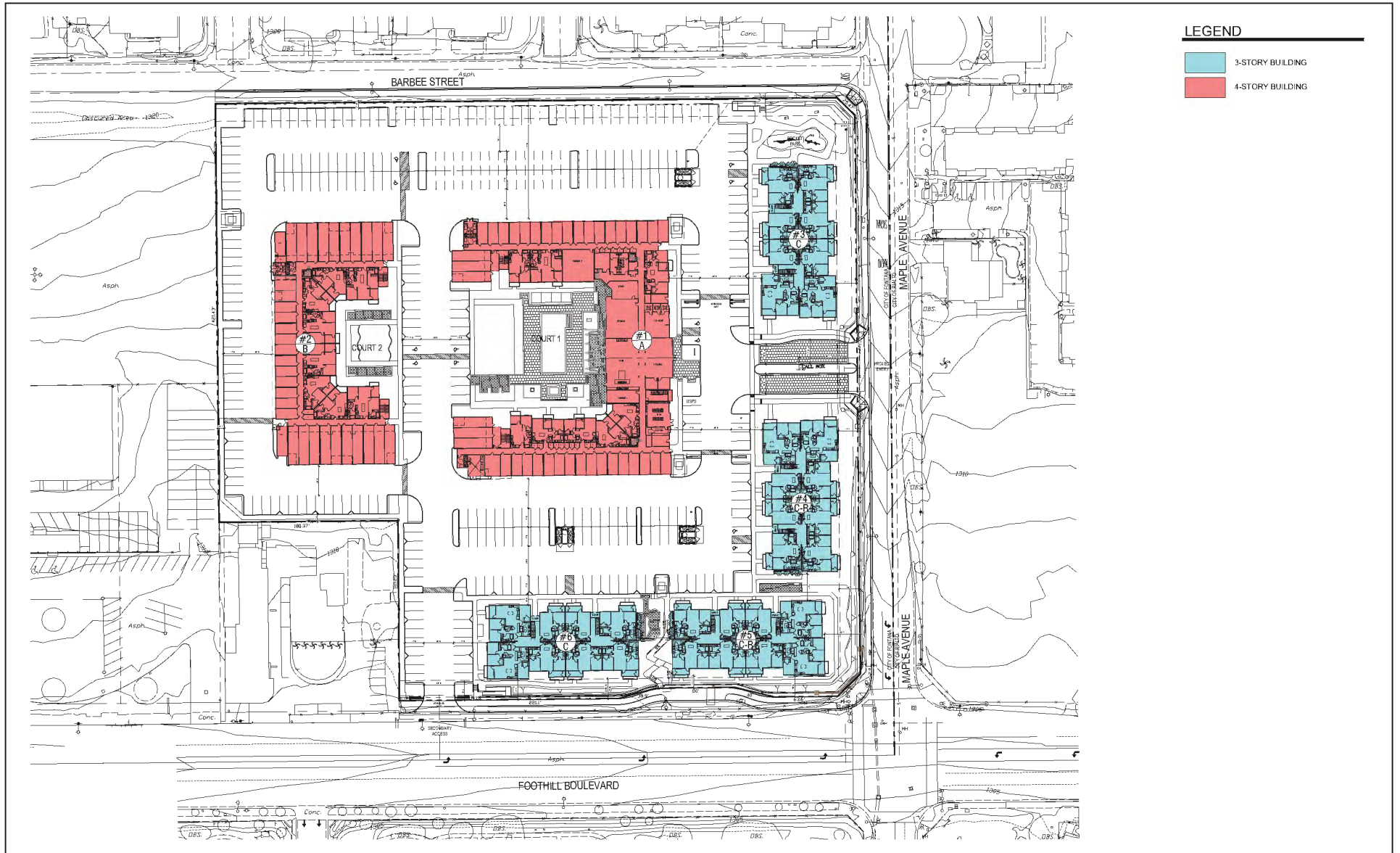


Photograph 8: Center of project site, view south.

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FIGURE 3d

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SOURCE: Sheet A1.2, Project Plans, AO, August 28, 2024

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FIGURE 4

Maple and Foothill Residential Project
Conceptual Site Plan

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EAST ELEVATION-1



SOUTH ELEVATION-2



WEST ELEVATION-3



NORTH ELEVATION-4

MATERIAL / COLOR LEGEND

- 1 SPANISH TILE ROOFING
- 2 EXTERIOR STUCCO
- 3 DECORATIVE GABLE VENT
- 4 ALUMINUM SPOTLIGHT CLAMP SYSTEM
- 5 VINYL SIDING
- 6 STONE VENEER
- 7 METAL AWNING
- 8 METAL RAILINGS
- 9 DECORATIVE GABLE DETAIL
- 10 SECTIONAL GARAGE DOOR
- 11 DECORATIVE TILE
- 12 DECORATIVE LOUVERED VENT
- 13 DECORATIVE TRIM
- 14 DECORATIVE CHIMNEY

FOR FURTHER INFORMATION, REFERENCE HERE TO THE SLOPE AND MATERIAL BOARD

KEY MAP-A

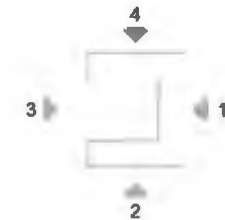


FIGURE 5a

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EAST ELEVATION-1



SOUTH ELEVATION-2



WEST ELEVATION-3



NORTH ELEVATION-4

MATERIAL / COLOR LEGEND

1	BRICK (1/2" x 8" x 16")
2	EXTERIOR BRICK
3	CONCRETE (2" x 8" x 16")
4	ALUMINUM STOREFRONT GLAZING SYSTEM
5	WHITE FINISH
6	STONE FINISH
7	METAL FINISH
8	METAL FINISH
9	CONCRETE (2" x 8" x 16")
10	METAL FINISH
11	CONCRETE (2" x 8" x 16")
12	CONCRETE (2" x 8" x 16")
13	CONCRETE (2" x 8" x 16")
14	CONCRETE (2" x 8" x 16")

FOR FURTHER INFORMATION, REFER TO THE SLOPE AND MATERIAL BOARD.

KEY MAP-B

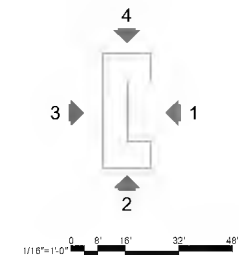


FIGURE 5b

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FIGURE 5c

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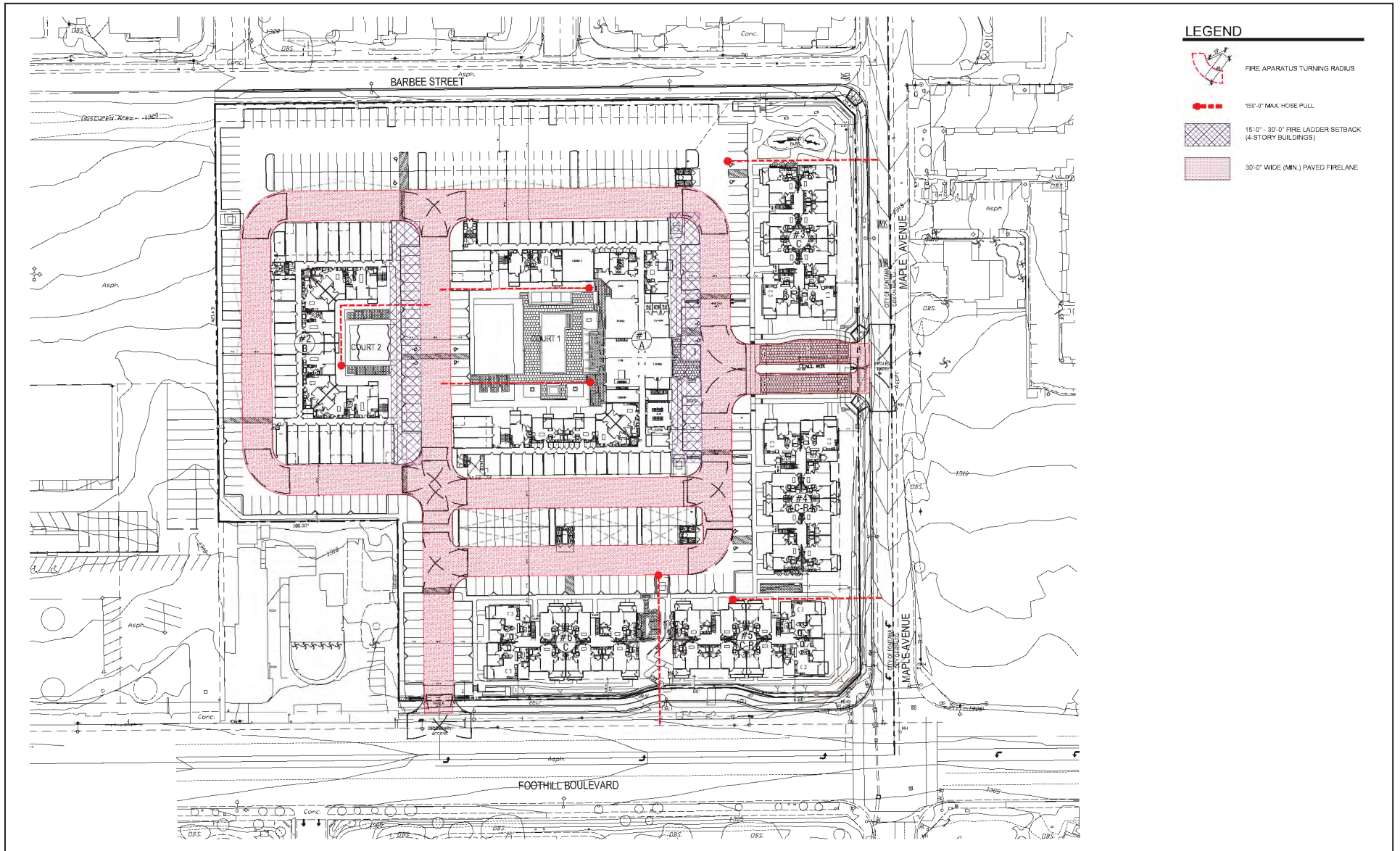
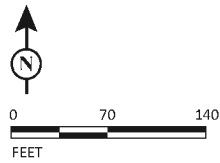


FIGURE 6

LSA



SOURCE: Sheet A1.3, Project Plans, AO, August 28, 2024

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Maple and Foothill Residential Project
Fire Access Plan

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FIGURE 7a

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SOURCE: Sheet L-1, Conceptual Landscape Plan, CDGW, September 24, 2024

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Maple and Foothill Residential Project
Conceptual Landscape Plan – Overall

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BARBEE STREET

MAPLE AVENUE

LSA

FIGURE 7b



SOURCE: Sheet L-3, Conceptual Landscape Plan, CDGW, September 24, 2024

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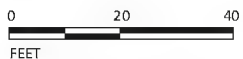
Maple and Foothill Residential Project
Conceptual Landscape Plan – Northeast Detail

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FIGURE 7c

LSA



SOURCE: Sheet L-4, Conceptual Landscape Plan, CDGW, September 24, 2024

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Maple and Foothill Residential Project
Conceptual Landscape Plan – Southeast Detail

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LSA



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SOURCE: Sheet L-5, Conceptual Landscape Plan, CDGW, September 9, 2024

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FIGURE 8

Maple and Foothill Residential Project
Fence and Wall Plan

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FIGURE 9a

LSA



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SOURCE: Sheet A1.14, Project Plans, AO, August 24, 2024

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Maple and Foothill Residential Project
Open Space Plan

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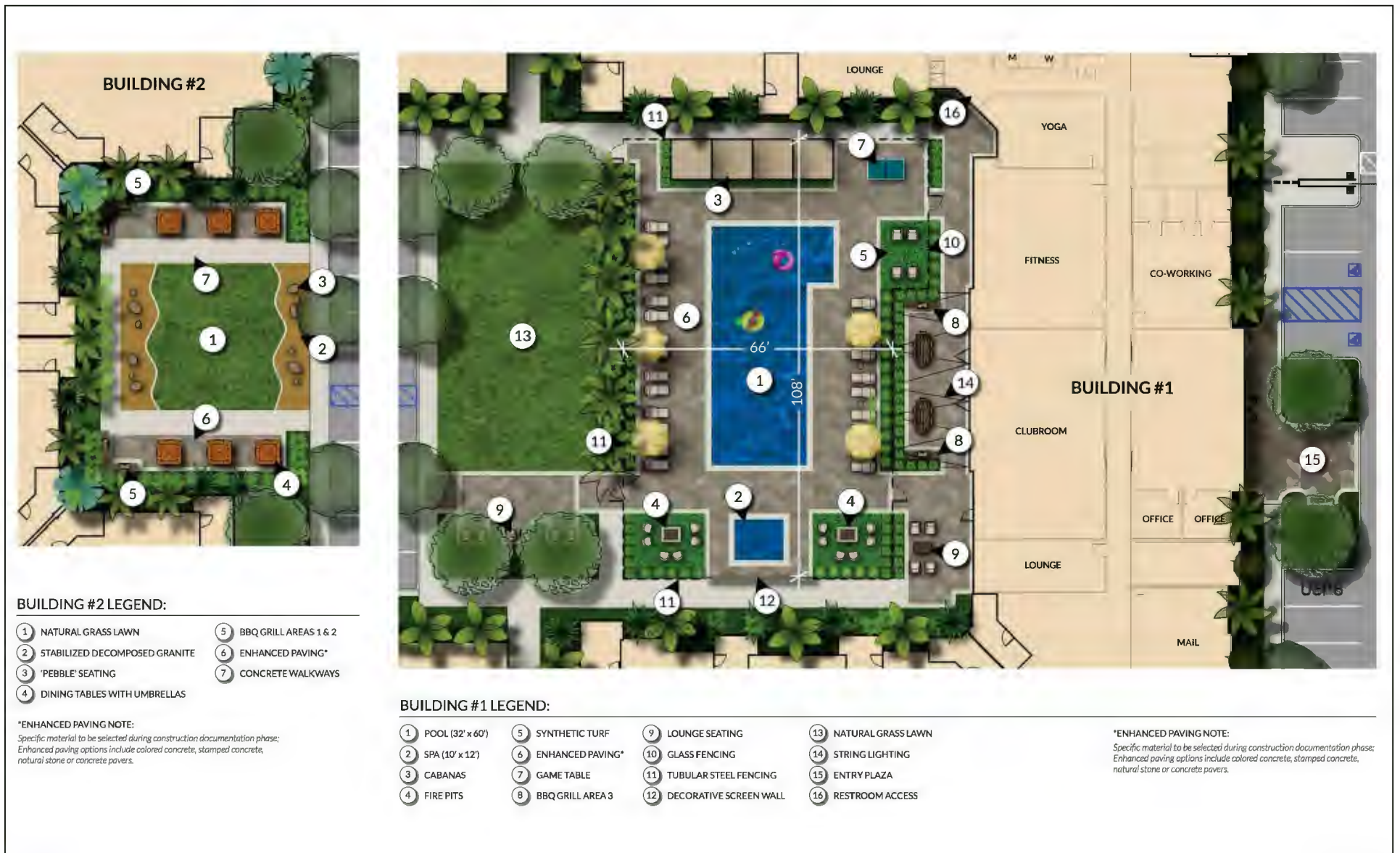


FIGURE 9b

LSA



SOURCE: Sheet L-2, Conceptual Landscape Plan, CDGW, September 9, 2024

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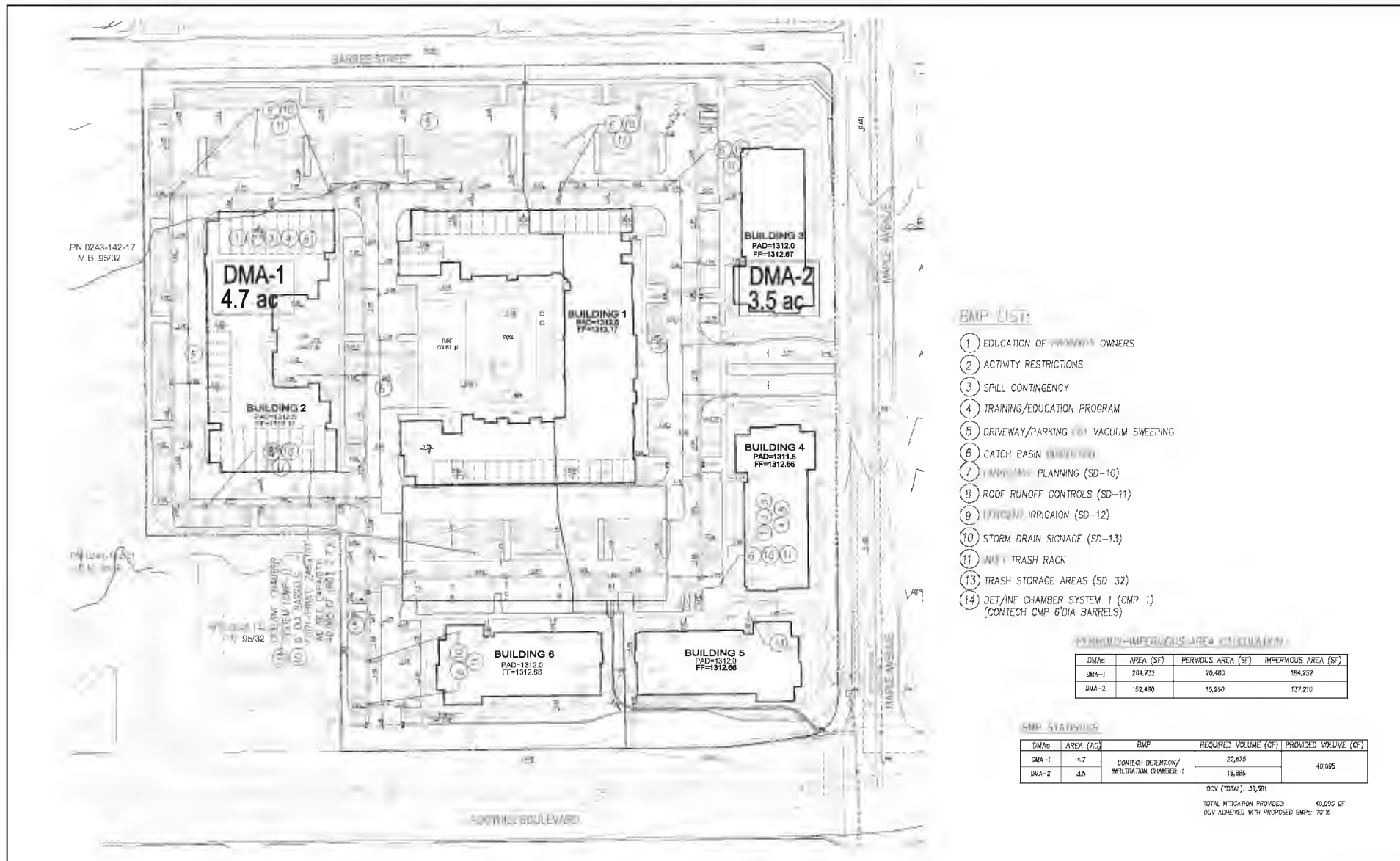


FIGURE 10

LSA



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SOURCE: WQMP Exhibit, Preliminary Water Quality Management Plan TTM 20704, Allard Engineering, August 2024

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Maple and Foothill Residential Project
Post Development Drainage Plan

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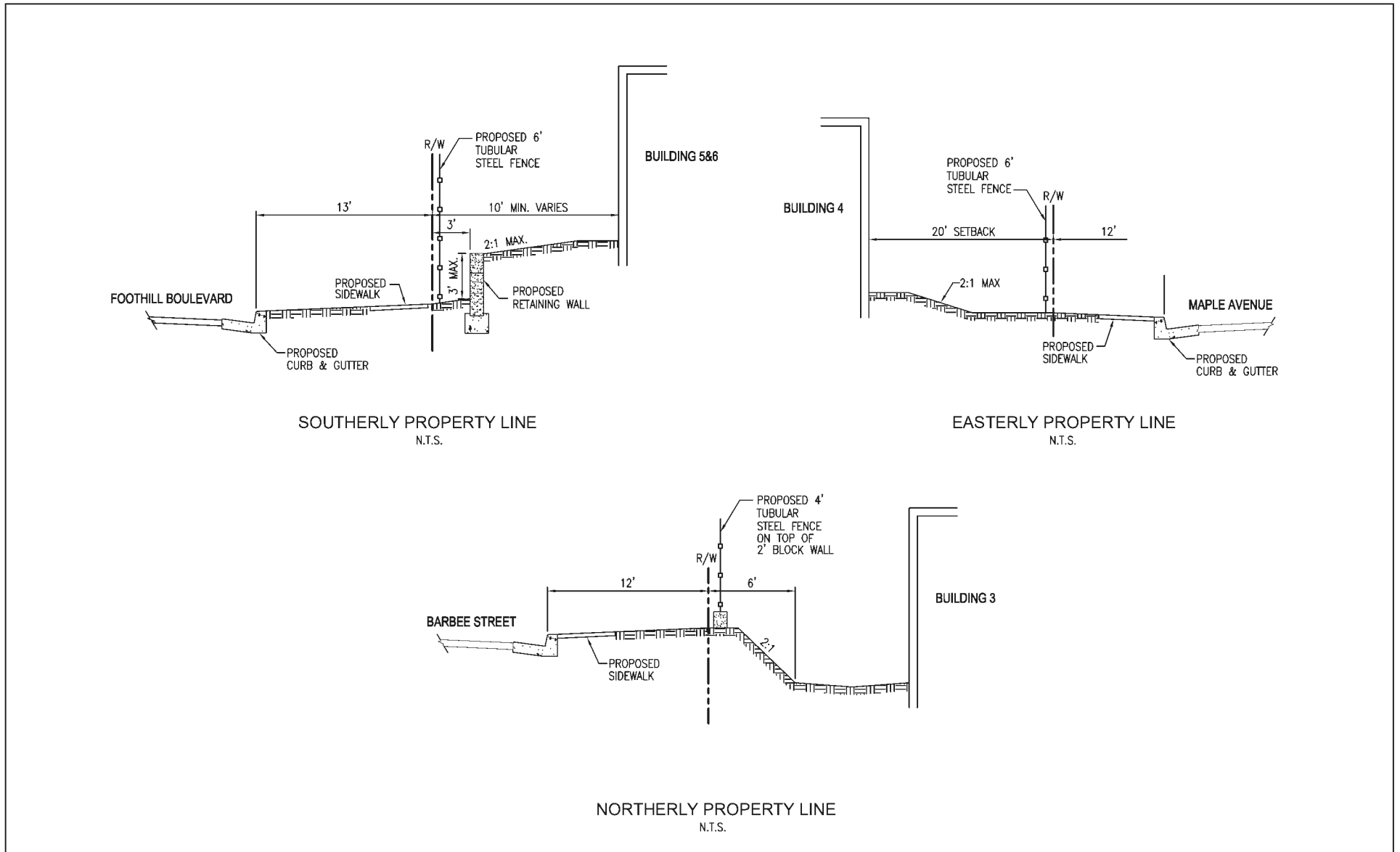
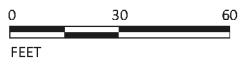


FIGURE 11

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SOURCE: Sheet 3, Conceptual Grading Plan, TTM 20704,
Allard Engineering, September 2024

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Maple and Foothill Residential Project
Public Improvements – Cross Sections

APRIL 2023

Tentative Tract 20704

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3.0 PROJECT OUTLINE

1. Project Title:

Maple and Foothill Residential Project

2. Lead Agency Name and Address:

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

3. Contact Person and Phone Number:

Alexia Barberena, Associate Planner
8353 Sierra Avenue
Fontana, California 92335
Phone: (909) 350-6568
Email: abarberena@fontanaca.gov

4. Project Location:

The project site is located at the northwest corner of Foothill Boulevard and Maple Avenue in the eastern portion of the City of Fontana, in southwestern San Bernardino County, California (Assessor's Parcel Numbers [APNs] 0243-142-01, -02, -03, -04, -05, and -06). The project site is located in Section 4 of Township 1 South, Range 5 West of the San Bernardino Baseline and Meridian, as depicted on the U.S. Geological Survey (USGS) 7.5-minute series Fontana, California quadrangle. Specifically, the center of the project site is at latitude 34°06'28.07" N and longitude -117°24'23.22" W, at an elevation of approximately 1,305 feet above mean sea level. **Figure 1: Project Location and Vicinity** depicts the location of the project site on a regional scale.

5. Project Sponsor's Name and Address

Jake Sowder
Diversified Pacific
10621 Civic Center Drive
Rancho Cucamonga, California 91730
909-373-2637
jsowder@divpac.com

6. General Plan Designation:

R-MFMH (Multi-family Medium/High Residential)

7. Zoning:

R-4 (Multi-family Medium/High Density Residential)

8. Description of Property

The approximately 8.43-acre project site is generally flat and is currently vacant and undeveloped. The entire project site is enclosed with chain-link fencing. A patch of degraded asphalt is located at the southern end of the project site. An abandoned portable building and two shipping containers are present in the northern portion of the project site. Three electric utility poles are located along the southern frontage of the site. A weathered asphalt drive extends north from a concrete driveway entrance on Foothill Boulevard to a widened asphalt paved area in the south-central portion of the site. A second concrete driveway entrance was observed off Foothill Boulevard near the southwest corner of the site. A billboard is located on the southeastern corner of the project site. Except for the southeast corner of the site, no sidewalks are located along the perimeter of the project site.

9. Surrounding Land Uses and Setting:

The project site is bounded by single-family residential uses to the north, multi-family residential uses (Maple Hills Apartments) to the south; vacant land, a single-family residence, and multi-family building (Maple Gardens Apartments) to the east (in the City of Rialto); and auto repair and commercial uses to the east. **Figure 2: Surrounding Land Uses** depicts the project site and surrounding land uses, and **Figures 3a through 3d: Site Photographs** include photographs of the project site and land uses adjacent to the site.

10. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resource Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Yes. Please refer to Section 5.18.

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

4.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” for which mitigation has been prescribed as indicated by the checklist in Chapter 3.0.

- | | | |
|--|---|--|
| ☐ Aesthetics | ☐ Agriculture and Forestry 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 |

4.1 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 ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Alexia Barberena

Alexia Barberena, Associate Planner

4/21/2026

Date

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5.0 CEQA ENVIRONMENTAL CHECKLIST

5.1 AESTHETICS

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

5.1.1 Impact Analysis

a. *Would the project have a substantial effect on a scenic vista?*

Less than Significant Impact. The northern and southern portions of the City have direct lines of sight to the San Gabriel Mountains and the Jurupa Hills, respectively (considered scenic resources for this analysis).¹¹ Under existing conditions, background views of scenic resources, including the San Gabriel Mountains and San Bernardino Mountains to the north and northwest, are visible from the project site and adjacent roadways. While existing residential and commercial uses, landscaping, and utility features obstruct views of the lower slopes of these mountain ranges, distant ridgelines and peaks remain visible. Views of the Jurupa Hills to the south are blocked by intervening multi-family development.

The proposed apartment complex would consist of six buildings. The two buildings proposed in the center of the project site would be four stories tall, while the remaining four buildings along the project site frontage of Foothill Boulevard and Maple Avenue each would be three stories tall, with maximum heights of 54'1" and 40'10" for the four- and three-story buildings, respectively. Due to the height and orientation of the proposed buildings, upon construction, the project would block views to the north from Foothill Boulevard, to the west from Maple Avenue, and to the south from Barbee Street. The south and east frontages of the site extend approximately 475 and 620 feet along Foothill Boulevard and Maple Avenue, respectively. The posted speeds along this Foothill Boulevard and Maple Avenue are 45 and 35 miles per hour (mph), respectively; therefore, any potential change in

¹¹ City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.1-6. June 8, 2018.

views to the San Gabriel or San Bernardino Mountains would occur for less than 15 seconds on either roadway. As viewers pass the site on either roadway, the peaks and ridgelines of the San Gabriel and San Bernardino Mountains are again visible to travelers on these roadways. As views of the Jurupa Hills from Barbee Street are already obstructed by development south of Foothill Boulevard, no significant change in a scenic vista from Barbee Street would result from construction of the project. Project obstruction of views of any scenic vista would not be significant due to the limited duration and extent of obstructed views to the mountains. Furthermore, the project is located in an urbanized environment and is compatible with the type and scale of permitted and existing adjacent uses.

As implementation of the project would not substantially affect existing views of the San Gabriel Mountains to the north or Jurupa Hills to the south, the project would have a **less than significant** impact on scenic vistas. Mitigation is not required.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The California Department of Transportation (Caltrans) Scenic Highway Program does not identify any State-designated scenic highways near the project site.¹² The nearest eligible Scenic Highways are the portions of State Routes 38 and 138, located approximately 13.3 and 14.5 miles east and north of the project site, respectively. The project site is not visible from either highway. Therefore, the project would not affect any scenic resources within a State scenic highway. **No impact** would occur, and mitigation is not required.

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

Less than Significant Impact. As of July 1, 2023, the United States Census Bureau estimated the City's population to be 215,465 persons and the City's land area to be approximately 43.07 square miles,¹³ which is approximately 5,003 persons per square mile; therefore, the project is located in an area with at least 1,000 persons per square mile and meets the definition of Urbanized Area under Section 15387 of the CEQA Guidelines. Properties immediately surrounding the project site include commercial and residential (single- and multi-family) uses.

The City of Fontana General Plan designates the project site for Multi-family Medium/High Residential (R-MFMH) uses. The "R-MFMH" designation allows for a higher density multi-family development up to 39 dwelling units per acre. This zoning district provides space for high density residential transit-oriented development commonly found in an urban environment, especially along existing and/or anticipated future bus routes. Permitted uses include multi-story apartments and mixed-use

¹² California Department of Transportation. *California State Scenic Highway System Map*. 2018. Website: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacc> (accessed August 1, 2024).

¹³ United States Census Bureau. *QuickFacts, Fontana City, California*. Website: <https://www.census.gov/quickfacts/fact/table/fontanacitycalifornia/PST045222> (accessed August 1, 2024).

developments.¹⁴ The site is zoned R-4 (Multi Family Medium/High Density Residential (24.1-39 dwelling units per acre). Based on the project site and the number of units proposed, the project would provide 32.6 du/ac, which is within the residential density range established for the City for the project site. No land use action to change the General Plan land use designation or zoning district is required. Development requirements for the R-4 zoning district are identified in Sections 30-445 through 30-452 of the City's Municipal Code, including permitted uses, residential density, setback requirements, allowable building types, building heights and unit size, ancillary services, recreational facilities, parking requirements, frontage types, and encroachment requirements (e.g. building, architectural features and signs that may encroach into the required setbacks and right-of-way) that focus on the physical design of development. Accordingly, the residential buildings heights of 54'1" and 40'10" for the four- and three-story buildings, respectively, would not exceed the maximum permitted building height of 55 feet pursuant to Section 30-447 of the City Municipal Code.

The City requires at least 15 percent of the site area to be landscaped (53,104 square feet). The project provides a total of 97,980 square feet of outdoor landscaping, or approximately 27.6 percent of the net area of the site (refer to **Figure 7: Conceptual Landscape Plan**). The proposed project incorporates landscaping throughout the project site through a combination of accent plantings/groundcovers, shrubs, and trees along the majority of the site perimeter and includes additional trees and landscape material within common areas, adjacent to buildings, and with frontage parkways. Trees along project frontages would include a variety of 24-inch box trees (yellow trumpet tree, Australian willow, and Southern Magnolia). Plant material in perimeter and common areas would include a variety of pine, cypress, olive, palm and palo verde species, minimally sized at 24-inch box specimens. Shrub and groundcover plant materials include various species of yarrow, agave, bougainvillea, fescue, yucca, flax, rosemary and similar species. Hedge planting would be provided along Barbee Street to screen on-site parking areas.

Behind the sidewalk and landscape parkways along the project frontages, the project would provide perimeter fencing as follows: a four-foot tall tubular steel fencing atop a two-foot tan precision block wall with 6.5-foot tall pilasters (100 feet off center) with stone veneer along Barbee Street, and a six-foot tall tubular steel with 6.5-foot tall pilasters (50 feet off center) with stone veneer along Maple Avenue and Foothill Boulevard.

The City's Design Review process would facilitate compatibility and compliance with applicable City standards and ordinances to ensure a high-quality development compatible with the General Plan land use designation, zoning district, and surrounding community. Since the proposed project would be consistent with the City's development standards, the proposed project would not conflict with applicable zoning or other regulations governing scenic quality. Impacts would be **less than significant**, and mitigation is not required.

¹⁴ City of Fontana, Zoning and Development Code, Section 30-424, https://library.municode.com/ca/fontana/codes/zoning_and_development_code?nodeId=CH30ZODECO_ARTVREZO_DI (accessed August 1, 2024).

d. 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. Under existing conditions, the project site is undeveloped and vacant. As such, there are no sources of light or glare present on the project site. Sources of light and glare in the surrounding area include street lighting and vehicles traveling on Foothill Boulevard, Maple Avenue, and Barbee Street, as well as residential and commercial lighting on adjacent properties. Local roadways are heavily lit and well-traveled by vehicles. Light from institutional, commercial, and residential uses in the surrounding area is also visible to the north, west, and south of the project site. Light-sensitive uses in proximity to the project site include the residential uses located north, south, and east of project site, across Barbee Street, Maple Avenue, and Foothill Boulevard, respectively.

Development of the proposed project would introduce new sources of light on the project site and in the surrounding area through the development of the proposed residential uses on the site. Residential, parking area, and security lighting would be appropriately located throughout the site. Lighting associated with the proposed Project would be consistent with City standards. All lighting on the project site would comply with Section 30-471 (Light and Glare), 30-476(g)(5) (Lighting), and 30-477(1) (Building Design) of the City Municipal Code, which requires light shielding, functional and aesthetic design, and compatibility with surrounding uses. The purpose of these lighting standards is to minimize light pollution, glare, and spillover, conserve energy resources, and curtail the degradation of the nighttime visual environment. Additionally, the City's Design Review process includes consideration of material composition and colors to reduce the potential for substantial glare from the proposed development. Therefore, through compliance applicable sections of the City Municipal Code, project impacts from light and glare would be **less than significant**. Mitigation is not required.

5.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

5.2.1 Impact Analysis

- 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 State's Farmland Mapping and Monitoring Program¹⁵ designates the project site as "Urban and Built-Up Land." Neither the project site nor adjacent properties are designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. As such, implementation of the

¹⁵ California Department of Conservation. *California Important Farmland Finder*. <https://maps.conservation.ca.gov/DLRP/CIFF/> (accessed August 1, 2024).

proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. **No impact** to farmland would occur, and no mitigation is required.

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

No Impact. The City does not maintain any agricultural zones. In addition, no Williamson Act contracts are in effect in the City.¹⁶ Therefore, there would be **no impact** related to conflicts with existing agricultural zoning designations or Williamson Act contracts, and no mitigation is required.

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

No Impact. As detailed in Table 2.3.A, in Chapter 2.0, Project Description, neither the project site nor adjacent lands are zoned for forest land or Timberland Production. Therefore, there is no potential for the project to conflict with existing zoning for forest land or land zoned for Timberland Production. **No impact** would occur, and no mitigation is required.

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

No Impact. Refer to Response to Threshold 5.2(c). The project site and adjacent land are not occupied by forest resources. Implementation of the proposed project would not result in the loss or conversion of forest land to non-forest land. **No impact** would occur, and no mitigation is required.

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. Refer to Response to Threshold 5.2(c). No farmland or forest land is present on the project site or on adjacent land, and neither the project site nor the surrounding area is zoned for agricultural use. Therefore, implementation of the proposed project would not involve any changes in the existing environment which could result in the conversion of farmland to non-agricultural use, or conversion of forest land to non-forest use. **No impact** would occur, and no mitigation is required.

¹⁶ California Department of Conservation. *California Williamson Act Enrollment Finder*. <https://maps.conservation.ca.gov/dlrp/WilliamsonAct/> (accessed August 1, 2024).

5.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

The following analysis is based in part on *Maple Apartment Air Quality Impact Analysis City of Fontana, Urban Crossroads*, May 8, 2024, which is included in full as Appendix B to this Initial Study.

The project site is within the South Coast Air Basin (Basin). The South Coast Air Quality Management District (SCAQMD) is the regional government agency that monitors and regulates air pollution within the Basin. The federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these acts, the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NO_x), particulate matter less than 10 microns in size (PM₁₀), sulfur dioxide (SO₂), and lead (Pb). Secondary criteria pollutants include ozone (O₃), and particulate matter less than 2.5 microns in size (PM_{2.5}). The ambient air quality standard for each criteria pollutant represents the level that is considered safe to the public and avoids specific adverse health effects associated with each criteria pollutant.

The Basin is in nonattainment for the State standards for O₃, PM₁₀, and PM_{2.5}, and nonattainment for the federal O₃ and PM_{2.5} standard. The Basin is in attainment for the federal PM₁₀, CO, SO₂, Pb, and nitrogen dioxide (NO₂) standards. The SCAQMD has established project-level thresholds for VOC, NO_x, CO, SO₂, PM₁₀, and PM_{2.5} shown in Table 5.3.A. The SCAQMD considers any project in the Basin with construction- or operation-related emissions that exceed any of the emission thresholds shown in Table 5.3.A to have potentially significant impacts.

In addition, the SCAQMD published its Final Localized Significance Threshold Methodology in June 2003 (updated July 2008), recommending that all air quality analyses include an assessment of air

Table 5.3.A: SCAQMD Construction and Operation Thresholds of Significance (lbs/day)

Emission Source	Pollutant Emissions Threshold (lbs/day)					
	VOCs	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Construction Thresholds	75	100	550	150	150	55
Operation Thresholds	55	55	550	150	150	55

Source: South Coast Air Quality Management District. *CEQA Air Quality Significance Thresholds*. March 2023.

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxides

PM_{2.5} = particulate matter less than 2.5 microns in size

PM₁₀ = particulate matter less than 10 microns in size

SCAQMD = South Coast Air Quality Management District

SO₂ = sulfur dioxide

VOC = volatile organic compounds

quality impacts to nearby sensitive receptors.¹⁷ This guidance was used to analyze potential localized air quality impacts associated with construction of the proposed project. Localized significance thresholds (LSTs) are developed based on the size or total area of the emission source, the ambient air quality in the source receptor area, and the distance between the project and the nearest sensitive receptor. The SCAQMD defines structures that house persons (e.g., children, the elderly, persons with pre-existing respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise) or places where they gather as sensitive receptors (i.e., residences, schools, playgrounds, child-care centers, convalescent centers, retirement homes, and athletic fields). The nearest sensitive receptor for air quality impacts is the residential use located at 18292 Barbee Street (approximately 54 feet north of the site) (see **Figure 13: Air Quality Sensitive Receptors**).¹⁸

The SCAQMD has designated general forecast areas and air monitoring areas (referred to as Source Receptor Areas [SRA]) throughout the district to inform southern California residents about air quality conditions. The project site is located within the Central San Bernardino Valley 1 area (SRA 34). The SRA 34 monitoring station is located approximately 4.86 miles southwest of the project site and reports air quality statistics for O₃, CO, NO₂, PM₁₀, and PM_{2.5}.

Pursuant to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., transfer facilities and warehouse buildings). The proposed project does not include such uses, and thus, due to the lack of significant stationary source emissions, no long-term localized significance threshold analysis is warranted. Table 5.3.B identifies the localized significance thresholds that would apply to nearby receptors during project construction.

¹⁷ South Coast Air Quality Management District. *Final Localized Significance Threshold Methodology*. July 2008. <http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf>, accessed August 1, 2024.

¹⁸ Urban Crossroads. *Maple Apartment Air Quality Impact Analysis*. Pages 36 and 37 and Exhibit 3-A: Sensitive Receptor Locations. May 8, 2024. (Appendix B).

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LEGEND:

 Site Boundary
 ● Receptor Locations
 — Distance from receptor to Project site boundary (in feet)

FIGURE 13

LSA



NO SCALE

SOURCE: Exhibit 3-A, Maple Apartments Air Quality Analysis, Urban Crossroads, May 8, 2024

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Maple and Foothill Residential Project
Air Quality Sensitive Receptors

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Table 5.3.B: Localized Significance Thresholds

Emissions Source	Pollutant Emissions Threshold (lbs/day)				
	Averaging Time				
	NO _x	CO		PM ₁₀	PM _{2.5}
	1-hour	1-hour	8-hour	24-hour	24-hour
Construction	0.18	20	9	10.4	10.4

Source: Table 3-7, *Maple Apartment Air Quality Impact Analysis City of Fontana*. Urban Crossroads. May 8, 2024. (Appendix B).

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxides

PM₁₀ = particulate matter less than 10 microns in size

PM_{2.5} = particulate matter less than 2.5 microns in size

5.3.1 Impact Analysis

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

Less than Significant Impact. An Air Quality Management Plan (AQMP) describes air pollution control strategies to be undertaken by a city or county in a region classified as a nonattainment area to meet the requirements of the federal Clean Air Act. The main purpose of an AQMP is to bring an area into compliance with the requirements of federal and State ambient air quality standards (AAQS). The Basin is in nonattainment for the State standards for O₃, PM₁₀, and PM_{2.5}, and nonattainment for the federal O₃ and PM_{2.5} standards. The Basin is in attainment for the federal PM₁₀, CO, SO₂, Pb, and nitrogen dioxide (NO₂) standards. Therefore, the Basin is classified as a nonattainment area and an AQMP is required. The applicable air quality plan is the SCAQMD's adopted 2022 AQMP.¹⁹

The 2022 AQMP continues to evaluate current integrated strategies and control measures to meet the California Ambient Air Quality Standards, as well as explore new and innovative methods to reach its goals. Some of these approaches include utilizing incentive programs, recognizing existing co-benefit programs from other sectors, and developing a strategy with fair-share reductions at the federal, state, and local levels. The 2022 AQMP incorporates scientific and technological information and planning assumptions, including the Southern California Association of Governments (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), a planning document that supports the integration of land use and transportation to help the region meet the federal Clean Air Act requirements.²⁰ As such, the AQMP is based on regional growth projections developed by SCAG.

A consistency determination plays an essential role in local agency project review by linking local planning and unique individual projects to the air quality plans. A consistency determination fulfills the CEQA goal of fully informing local agency decision-makers of the environmental costs of the project under consideration at a stage early enough to ensure that air quality concerns are addressed. Only new or amended General Plan elements, Specific Plans, and significantly unique projects need to undergo a consistency review given that the air quality plan strategy is based on projections from local General Plans.

¹⁹ South Coast Air Quality Management District. *2022 Air Quality Management Plan*. Adopted December 2, 2022.

²⁰ Southern California Association of Governments (SCAG) adopted the 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) on April 4, 2024.

Pursuant to the methodology provided in the SCAQMD CEQA Air Quality Handbook, consistency with the 2022 AQMP is affirmed when a project: (1) would not increase the frequency or severity of an air quality standards violation or cause a new violation and (2) is consistent with the growth assumptions in the AQMP. Consistency review is presented as follows:

1. *The proposed project would not result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP.*

The proposed project would result in short-term construction and long-term operational pollutant emissions that are all less than the CEQA significance emissions thresholds established by SCAQMD, as demonstrated in Section 5.3.b, below. Therefore, the proposed project would not result in an increase in the frequency or severity of an air quality standards violation or cause a new air quality standards violation during either construction or operation/occupation.

2. *The project would not generate population and employment growth that would be inconsistent with SCAG growth forecasts.*

The 2022 AQMP demonstrates that the applicable ambient air quality standards can be achieved within the timeframes required under federal law. Growth projections from local general plans adopted by cities in the district are provided to the SCAG, which develops regional growth forecasts, which are then used to develop future air quality forecasts for the AQMP. Development consistent with the growth projections in City of Fontana General Plan is considered to be consistent with the AQMP.

The City of Fontana General Plan designates the project site for Multi-family Medium/High Residential (R-MFMH) uses. The “R-MFMH” designation allows for a higher density multi-family development up to 39 dwelling units per acre. Permitted uses include multi-story apartments and mixed-use developments. Based on the project site and the number of units proposed, the project would provide 32.6 du/ac, which is within the residential density range established for the City for the project site. The proposed project is consistent with the existing General Plan land use and zoning for the project site. No action to change the land use or zoning district is required. Therefore, the proposed project would not generate population and employment growth that would be inconsistent with SCAG growth forecasts.

The proposed project would neither result in the emission of pollutants in exceedance of established SCAQMD significance thresholds, nor result in population growth that is inconsistent with the assumptions used in the development of the City’s General Plan and the 2022 AQMP; therefore, the proposed project is consistent with the 2022 AQMP, and impacts would be **less than significant**. Mitigation is not required.

- 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. The Basin is in nonattainment for the State standards for O₃, PM₁₀, and PM_{2.5}, and nonattainment for the federal O₃ and PM_{2.5} standards. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SCAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified SCAQMD significance thresholds identified above in Table 5.3.A, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is not necessary. The following analysis assesses the potential project-level air quality impacts associated with construction and operation of the proposed project.

Construction Emissions. Construction activities associated with project development would result in emissions of volatile organic compounds (VOCs), NO_x, sulfur oxides (SO_x), CO, PM₁₀, and PM_{2.5}. Construction-related emissions are expected from the following construction activities:

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

If not properly controlled, these activities would generate particulate emissions. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit sediment on local streets, which could be an additional source of airborne dust. PM₁₀ emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM₁₀ emissions would depend on soil moisture, silt content of soil, wind speed, and amount of operating equipment. Larger dust particles would settle near the source, whereas fine particles would be dispersed over greater distances from the construction site. SCAQMD has established Rule 403: Fugitive Dust, requiring the implementation of measures that reduce the amount of particulate matter generated during the construction period. Rule 403 is required for all development within the Basin.

In addition to dust-related PM₁₀ emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_x, NO_x, VOCs, and some soot particulate (PM_{2.5} and PM₁₀) in exhaust emissions. If construction activities were to increase traffic congestion in the

area, CO and other emissions from traffic would increase slightly while those vehicles idle in traffic. These emissions would be limited to the immediate area surrounding the construction site.

Construction emissions were estimated for the project using the California Emissions Estimator Model version 2022.1.1.22 (CalEEMod). Construction of the proposed project would begin during the summer of 2025 (July) and be completed in twelve months (July 2026). In addition, this analysis assumes that the proposed project would comply with SCAQMD Rule 403 measures. All other construction details are not yet known; therefore, default assumptions (e.g., construction worker and truck trips and fleet activities) from CalEEMod were used. CalEEMod calculates maximum daily emissions for summer and winter periods. Detailed construction assumptions and CalEEMod outputs are presented in the project-specific air quality report (Appendix B). Construction emissions are summarized in Table 5.3.C below. Emissions resulting from the construction operations would not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant.

Table 5.3.C: Overall Construction Emissions Summary

Year	Total Daily Regional Pollutant Emissions (lbs/day)					
	VOCs	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
2025	4.13	37.57	33.81	0.05	7.83	4.52
2026	64.50	20.65	43.49	0.05	4.16	1.51
Winter						
2025	2.05	13.06	25.77	0.03	3.17	1.08
2026	1.94	12.30	24.86	0.05	7.83	4.52
Maximum Daily Emissions	54.50	37.37	43.49	0.05	7.83	4.52
SCAQMD Regional Threshold	75.0	100.0	550.0	150.0	150.0	55.0
Threshold Exceeded?	No	No	No	No	No	No

Source: Table 3-5, *Maple Apartment Air Quality Impact Analysis City of Fontana, Urban Crossroads*. May 8, 2024. (Appendix B).

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxides

PM_{2.5} = particulate matter less than 2.5 microns in size

PM₁₀ = particulate matter less than 10 microns in size

SCAQMD = South Coast Air Quality Management District

SO_x = sulfur oxides

VOCs = volatile organic compounds

Since construction emissions associated with the project would not exceed the SCAQMD's thresholds for VOC, NO_x, CO, SO_x, PM_{2.5}, and PM₁₀, construction of the proposed project would not result in a cumulatively considerable increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard. Impacts would be **less than significant**, and no mitigation is required.

Operational Emissions. The proposed project would generate emissions from daily operations and vehicle trips associated with project operations. Long-term air pollutant emissions associated with operation of the proposed project include emissions from area, energy, and mobile sources, and are discussed below. The quantity of emissions is the product of usage intensity (i.e., the amount of fuel used) and the emission factor of the fuel source.

Typically, area source emissions consist of direct sources of air emissions located at the project site, including architectural coatings, emissions from the use of landscape maintenance equipment, and use of consumer products. Area source emissions were calculated based on project conditions and CalEEMod defaults. Electricity and natural gas are used by almost every project. Criteria pollutant emissions are emitted through the generation of electricity and consumption of natural gas. However, because electrical generating facilities for the project area are located either outside the region (state) or offset through the use of pollution credits (RECLAIM) for generation within the Basin, criteria pollutant emissions from offsite generation of electricity are generally excluded from the evaluation of significance, and only natural gas use is considered. CalEEMod default parameters were used to determine emissions related to the use of natural gas.

Mobile source emissions are generated by the vehicle trips associated with project operations. Trip generation rates used in CalEEMod for the project were based on the Maple Apartments Trip Generation prepared for the proposed project (see Appendix J1), which determined the proposed project would generate 1,820 average daily trips.²¹ PM₁₀ emissions result from running exhaust, tire and brake wear, and the entrainment²² of dust into the atmosphere from vehicles traveling on paved roadways. CalEEMod utilizes summer and winter EMFAC2021 emission factors to derive vehicle emissions associated with project operational activities, which vary by season.

Due to the nonattainment status of the Basin, the primary air pollutants of concern would be nitrogen oxides (NO_x) and volatile organic compounds (VOCs), which are ozone precursors, and PM₁₀ and PM_{2.5}. Long-term operational emissions associated with the proposed project were calculated using CalEEMod and are summarized in Table 5.3.D.

Table 5.3.D: Summary of Peak Operation Emissions

Source	Pollutant Emissions (lbs/day)					
	VOCs	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Summer						
Mobile Sources	6.47	4.91	45.54	0.11	9.24	2.40
Area Sources	7.14	4.54	16.90	0.03	0.36	0.36
Energy Sources	0.04	0.74	0.31	0.00	0.06	0.06
Total Maximum Daily Emissions	13.66	10.19	62.75	0.14	9.66	2.82
SCAQMD Threshold	55.0	55.0	550.0	150.0	150.0	55.0
Exceeds Threshold?	No	No	No	No	No	No
Winter						
Mobile Sources	6.00	5.27	39.13	0.10	9.24	2.40
Area Sources	5.81	4.40	1.87	0.03	0.36	0.36
Energy Sources	0.04	0.74	0.31	0.00	0.06	0.06
Total Maximum Daily Emissions	11.86	10.40	41.31	0.13	9.65	2.81
SCAQMD Threshold	55.0	55.0	550.0	150.0	150.0	55.0
Exceeds Threshold?	No	No	No	No	No	No

²¹ Translutions, Inc. *Maple Avenue and Foothill Boulevard Apartments Traffic Impact Analysis*. Table A: Project Trip Generation. May 16, 2025. (Appendix J1).

²² Entrainment of PM₁₀ occurs when vehicle tires pulverize small rocks and pavement, and the vehicle wakes generate airborne dust. The contribution of tire and brake wear is small compared to the other PM emission processes.

Source: Table 3-6, *Maple Apartment Air Quality Impact Analysis City of Fontana*. Urban Crossroads. May 8, 2024. (Appendix B).

CO = carbon monoxide

lbs/day = pounds per day

NO_x = nitrogen oxides

PM_{2.5} = particulate matter less than 2.5 microns in size

PM₁₀ = particulate matter less than 10 microns in size

SCAQMD = South Coast Air Quality Management District

SO_x = sulfur oxides

VOCs = volatile organic compounds

As detailed in Table 5.3.D, the proposed project would not exceed the significance criteria for daily VOC, NO_x, CO, SO_x, PM₁₀, or PM_{2.5} emissions. Therefore, operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard. Impacts would be **less than significant**, and mitigation is not required.

Long Term Microscale (CO Hot Spot) Analysis. Although the Basin is designated as in attainment/maintenance for CO, localized CO concentrations are evaluated to determine whether project-related CO impacts would exceed State or national AAQS. This is because vehicular trips associated with the proposed project could contribute to congestion at intersections and along roadway segments in the project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase as a result of the proposed project. The primary mobile-source pollutant of local concern is CO, a direct function of vehicle idling time and, thus, of traffic flow conditions. CO transport is extremely limited: Under normal meteorological conditions, CO disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels, affecting local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. The State CO standard is 20 parts per million (ppm), and the federal standard is 35 ppm. The ambient one-hour and eight-hour CO concentration within the project study area is estimated to be 1.6 ppm and 1.0 ppm, respectively, based on data from Central San Bernardino Valley 1 station for 2022.²³ In comparison, one-hour CO concentrations at heavily congested intersections in the City of Los Angeles peaked at 4.6 and 4.6 ppm during morning and afternoon peak hours, respectively.²⁴ Eight-hour CO concentrations peaked at 9.3 ppm in Long Beach. These peak CO levels were recorded at locations with total a.m. and p.m. trips of 8,062 and 7,719, respectively in Los Angeles and 4,212 and 5,514 in Long Beach.

As discussed in the Trip Generation Analysis prepared for the project (Appendix J-1), the proposed project would generate 108 new a.m. peak hour trips and 138 new p.m. peak-hour trips. Due to the comparatively low volume of a.m. and p.m. peak hour traffic generated by the project, and the existing one- and eight-hour CO levels recorded at the Central San Bernardino Valley station, project traffic would not significantly contribute to CO concentrations or contribute to the CO

²³ Urban Crossroads. *Maple Apartment Air Quality Impact Analysis*. Page 40. May 8, 2024. (Appendix B).

²⁴ *Ibid.* Table 3-8.

concentrations exceeding the State or federal CO standards. Impacts would be **less than significant**, and mitigation is not required.

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

Less than Significant Impact. Sensitive receptors are people who have an increased sensitivity to air pollution or environmental contaminants. The SCAQMD defines structures that house persons (e.g., children, the elderly, persons with pre-existing respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise) or places where they gather (i.e., residences, schools, playgrounds, child-care centers, convalescent centers, retirement homes, and athletic fields) as sensitive receptors.

Localized Impact Analysis. As previously discussed, LSTs are based on the ambient concentrations of that pollutant within the project SRA and the distance to the nearest sensitive receptor. The nearest sensitive receptor for air quality impacts is the residential use located at 18292 Barbee Street (approximately 54 feet north of the site).²⁵ The project site is located within SRA 34. The SRA 34 monitoring station is located approximately 4.86 miles southwest of the project site. The results of the LST analysis for both construction and operation of the proposed project are summarized in Table 5.3.E. As identified, the proposed project would not result in an exceedance of a SCAQMD LST during project construction.

According to SCAQMD LST methodology, LSTs would apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., transfer facilities and warehouse buildings). The proposed project does not include such uses, and thus, due to the lack of significant stationary source emissions, no long-term localized significance threshold analysis is warranted.

Table 5.3.E: Localized Significance Summary – Peak Construction (in Pounds Per Day)

Peak Concentration	CO		NO ₂	PM ₁₀	PM _{2.5}
	Averaging Time				
	1-hour	8-hour	1-hour	24-hour	24-hour
Peak Day Localized Emissions	0.12	0.05	8.20E-02	5.38	2.92
Background Concentration ¹	1.60	1.00	0.069		
Total Concentration	1.75	1.05	0.15	5.38	2.92
SCAQMD Localized Significance Threshold	20	9	0.18	10.4	10.4
Threshold Exceeded?	NO	NO	NO	NO	NO

Source: Table 3-7, Maple Apartment Air Quality Impact Analysis City of Fontana. Urban Crossroads. May 8, 2024. (Appendix B).

1.: Highest concentration from the last three years of available data.

Notes: PM10 and PM2.5 concentrations are expressed in µg/m³. All others are expressed in ppm.

Based on SCAQMD's LST Methodology, background concentrations are considered only for CO and NO₂. 5

CO = carbon monoxide

PM_{2.5} = particulate matter less than 2.5 microns in size

NO₂ = nitrogen dioxide

PM₁₀ = particulate matter less than 10 microns in size

²⁵ *Ibid.* Page 36 and 37 and Exhibit 3-A: Sensitive Receptor Locations.

As stated in Section 5.3.b, project-related vehicles would not contribute significantly to CO concentrations; therefore, the project would not expose sensitive receptors near the project site to substantial CO concentrations. Impacts would be **less than significant**, and mitigation is not required.

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. Land uses generally associated with odor complaints include:

- Agricultural uses (livestock and farming)
- Wastewater treatment plants
- Food processing plants
- Chemical plants
- Composting operations
- Refineries
- Landfills
- Dairies
- Fiberglass molding facilities

Construction. The project does not contain land uses typically associated with emitting objectionable odors. Potential odor sources associated with the proposed project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be short-term and intermittent in nature and would cease upon completion of the respective phase of construction and is thus considered less than significant. It is expected that project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the solid waste regulations. The project Applicant would be required to implement standard control measures to limit construction equipment emissions, which would reduce odor impacts, in accordance with the following regulation:

- **SCAQMD Rule 402:** A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.

The Project Applicant would also be required to comply with SCAQMD Rule 1113, which limits the volatile organic compound (VOC) content of architectural coatings (e.g. paint), and SCAQMD Rule 1108, which identifies standards regarding the application of asphalt. Adherence to the standards identified in SCAQMD Rules 1113 and 1108 is required for all construction projects in the City to reduce emissions and objectionable odors impacts.

Adherence to SCAQMD rules is required for all development in the Basin. Compliance with these rules would reduce odor impacts to people on or near the project site during construction. Additionally, odors generated from construction activities would be isolated to the immediate

vicinity of the construction site. Therefore, project construction activities would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. Impacts would be **less than significant**, and no mitigation is required.

Operation. The proposed project entails the development of a 265-unit residential project and ancillary features and would not include uses that would generate long-term objectionable odors. Typical solid waste (refuse) associated with the proposed project's long-term operational uses would be stored and removed from the project site per City requirements; therefore, operation of the proposed project would not result in odors that would adversely affect a substantial number of people. Impacts would be **less than significant**, and mitigation is not required.

5.4 BIOLOGICAL RESOURCES

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

The information and analysis in this section is based on the Biological Technical Report for the 8.38-Acre Maple Property Project prepared by ECORP Consulting in November 2023, which is provided in Appendix C.²⁶

Prior to conducting the biological reconnaissance survey, ECORP biologists performed a literature review using the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB; CDFW) and the California Native Plant Society's (CNPS) Electronic Inventory (CNPSEI) to determine the special-status plant and wildlife species that have been documented near the project area. The CNDDDB and CNPSEI contain records of reported occurrences of federally and/or state-listed endangered, threatened, proposed endangered or threatened species, California Species of Special Concern (SSC), or other special-status species or habitat that may occur within or near the project site.

²⁶ ECORP Consulting, Inc. *Biological Technical Report for the 8.38-Acre Maple Property Project*. November 2023. (Appendix C).

The biological reconnaissance survey was conducted on September 8, 2023. The survey includes a bat habitat assessment of structures and trees that were accessible within the project area. Areas of potential bat-roosting habitat were identified in the project area in an abandoned portable building and a mature palm tree with an intact frond skirt. No bats or sign of bats (e.g., guano, staining) were observed during the biological reconnaissance survey. Access to the interior of the abandoned portable building was not available at the time of the biological reconnaissance survey; however, access to the interior for bat species was observed through holes and cracked panels on the exterior.

5.4.1 Impact Analysis

- a. *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?*

Less than Significant Impact with Mitigation Incorporated. The approximately 8.43-acre project site is generally flat and is currently vacant and undeveloped. Vegetation on-site is characteristic of that common in disturbed areas. Native plant species occurred at low densities and were scattered throughout the project area. Nonnative and weedy species observed include Russian thistle (*Salsola tragus*), puncture vine (*Tribulus terrestris*), and wild oat (*Avena sp.*). Native plant species observed included telegraph weed (*Heterotheca grandiflora*), turkey-mullein (*Croton setiger*), and jimsonweed (*Datura wrightii*). One tree, a tree-of-heaven (*Ailanthus altissima*), was identified near the center of the project site. Emergent tree-of-heaven saplings were present on the southern portion of the project site.²⁷

Despite the disturbed nature of the project area, wildlife species were present. Seven bird species were observed during the biological survey and included the following five native species: black phoebe (*Sayornis nigricans*), mourning dove (*Zenaida macroura*), Anna's Hummingbird (*Calypte anna*), northern mockingbird (*Mimus polyglottos*), common raven (*Corvus corax*), and two nonnative species: rock pigeon (*Columba livia*) and European starling (*Sturnus vulgaris*). Additionally, Botta's pocket gopher (*Thomomys bottae*) burrows were present throughout the project area. All of these species are common within urban environments.²⁸

The project site was evaluated for suitable habitat that could support any of the special-status plant species on the CNDDDB and CNPSEI lists, based on the various habitat types occurring within the search area, elevation, and habitat requirements. A review of the literature review and database searches indicated 54 special-status plant species could occur in the nine-quadrangle search area.²⁹ None of these species were identified on-site during the biological survey. The 54 special-status plant species

²⁷ A full list of plant species observed on and immediately adjacent to the project site is include in Appendix B of the *Biological Technical Report*, which itself is provided as Appendix C to this IS/MND.

²⁸ A full list of wildlife species observed on and immediately adjacent to the project site is include in Appendix C of the *Biological Technical Report*, which itself is provided as Appendix C to this IS/MND

²⁹ As depicted on U.S. Geological Survey (USGS) 7.5-minute Fontana topographic quadrangle, plus the surrounding eight topographic quadrangles including Guasti, Riverside East, Riverside West, Corona North, San Bernardino North, San Bernardino South, Cucamonga Peak, and Devore.

identified in the literature review³⁰ were all presumed absent from the site due to its isolated nature, its being surrounded by urban development, the site's long history of disturbance, the absence of suitable habitat (including elevation, soils, and vegetation community associations), and the lack of mobility for plant species, or because the site is located outside of the known range for the species.³¹

The literature search documented 44 special-status wildlife species with the potential to occur in the project area, and the project was evaluated for suitable habitat that could support any of the special-status wildlife species. The project area's disturbed nature, proximity to urban development, the presence of anthropogenic influences on the site, and the lack of suitable habitat likely preclude many of these species from occurring.

Of the 44 special-status wildlife species identified in the literature review,³² the following seven special-status wildlife species were determined to have a low potential to occur within the project area: western spadefoot (*Spea hammondi*), California glossy snake (*Arizona elegans occidentalis*), coastal whiptail (*Aspidoscelis tigris stejnegeri*), coast horned lizard (*Phrynosoma blainvillii*), northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), western yellow bat (*Lasiurus xanthinus*),³³ and San Diego desert woodrat (*Neotoma lepida intermedia*). All are CDFW SSC. Direct impacts to these species could occur in the form of injury or mortality due to vehicle or equipment strike or entombment inside of burrows that are graded over during construction, and loss of habitat. Indirect impacts to these species could occur in the form of increased human activity, noise, dust, nighttime lighting, and ground vibrations. These species were not identified during the site-specific biological reconnaissance and have a low probability to occur in the project area. If present, these species are not expected to occur at high densities due to the disturbed and isolated nature of the site. The loss of the SSC individuals (except western yellow bat), if present, in the project area would not be expected to contribute to the decline in regional populations and would therefore not be considered a significant impact under CEQA.³⁴

Thirty-five (35) other special-status wildlife species identified in the literature review were not identified during the site-specific biological reconnaissance and are presumed absent from the project area due to the lack of suitable habitat; proximity to the surrounding residential and commercial development; and the presence of anthropogenic disturbances associated with the residential and commercial development surrounding the site. No significant impacts to these 35 special-status wildlife species would result from development of the proposed project.³⁵

³⁰ See Section 4.2.5.2, 'Plant Species Presumed Absent', *Biological Technical Report* included as Appendix C to this IS/MND.

³¹ ECORP Consulting, Inc. *Biological Technical Report for the 8.38-Acre Maple Property Project*. Section 4.2.5.2, Pages 18-20. November 2023.

³² See Section 4.2.5.3, 'Special Status Wildlife', *Biological Technical Report* included as Appendix C to this IS/MND.

³³ Three bat species were documented in the literature review; however, only one, western yellow bat, was determined to have a low potential to occur in the project vicinity. Western mastiff bat (*Eumops perotis californicus*) and pocketed freetailed bat (*Nyctinomops femorosaccus*) were presumed absent due to a lack of suitable roosting habitat (i.e., cliffs, rock crevices) in the project vicinity.

³⁴ ECORP Consulting, Inc. *Biological Technical Report for the 8.38-Acre Maple Property Project*. Section 4.2.5.2, Page 26. November 2023.

³⁵ *Ibid.* Pages 22 and 23.

The following two species identified in the literature review, although not identified during site-specific biological resource survey, have a moderate potential to occur on the project are the Crotch bumble bee (*Bombus crotchii*) and burrowing owl (*Athene cunicularia*).

Crotch bumble bee. This species is a candidate for state listing and therefore afforded all the protections as though it were listed under the California Endangered Species Act (CESA). This species is associated with open grassland and scrub habitats and occurs primarily in California, including the Mediterranean region, Pacific Coast, Western Desert, Great Valley, and adjacent foothills through most of southwestern California. Crotch bumble bees primarily nest underground and may occupy cavities in a variety of substrates, including thatched grasses, abandoned rodent burrows or bird nests, brush piles, rock piles, and fallen logs and have also been found nesting in manmade structures such as walls, rubble or abandoned furniture. Bumble bee nests are annual and conclude with deaths of the queen, workers, and drones at the end of the season with only the mated gyne (future queen) surviving the winter (overwintering) to emerge the following spring to start the next year's colony. Similar to other bumble bee species, Crotch bumble bee is a generalist forager and reportedly visits a variety of flowering plants. The project site contains marginally suitable habitat for this species in the form of suitable burrows and nectar sources on and adjacent to the project site. Due to the presence of potential foraging, nesting, and overwintering habitat and noted occurrences within five miles of the project site, this species has a moderate potential to occur on-site.

Impacts to Crotch bumble bee may occur in the form of direct mortality of individuals, direct mortality to an active nesting colony, direct mortality to an overwintering individual, conversion of foraging habitat, or permanent loss of foraging resources. Because this species is a generalist forager that chooses nests and overwintering locations on an annual basis, temporary and permanent loss of habitat would not contribute substantially to the overall decline of this species unless an active nest or overwintering gyne (future queen) were to be impacted. **Mitigation Measure BIO-1** has been identified to address potential impacts to the species that may result from development of the proposed project. Implementation of this measure will reduce the potential impact to Crotch bumble bee to **less than significant with mitigation incorporated**.

Burrowing owl. Burrowing owl (*Athene cunicularia*) are a candidate for state listing and therefore afforded all the protections as though it were listed under the CESA and are also protected by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code. Burrowing owls historically occurred throughout much of California and the western U.S.; however, many former California populations have been extirpated. Burrowing owls typically inhabit open habitats, primarily grasslands and deserts. Burrowing owls require burrows for roosting and nesting cover. Although they often nest in abandoned California ground squirrel (*Otospermophilus beecheyi*) burrows, they will also use other small mammal burrows, pipes, culverts, and nest boxes, particularly where burrows are scarce. The literature review and database search identified numerous recent and historic occurrences in the project vicinity. The most recent occurrence was documented in 2016 approximately nine miles west of the project site. Six earlier occurrences were documented within five miles of the project site, the nearest being located approximately one mile from the site in 2006.

During the on-site biological survey, suitable habitat was observed on the project site in the form of friable soils and low-growing ruderal vegetation, although no previous sign (e.g., feathers, burrows,

pellets, or whitewash) were observed, so the project site did not appear to have been currently or recently used by burrowing owls at the time of the survey. However, the species is mobile and due to the presence of suitable habitat, burrowing owl could take up residence on-site prior to the start of project activities (e.g., vegetation clearing, grading, etc.). If burrowing owls were present on the project site prior to construction, direct impacts in the form of ground disturbance, vegetation removal, habitat loss, and mortality, and indirect impacts in the form of increased human activity, noise, dust, nighttime lighting, and ground vibrations may occur. **Mitigation Measure BIO-2** has been identified to address potential impacts to the species that may result from development of the proposed project. Implementation of this measure would reduce potential impacts to the burrowing owl to **less than significant with mitigation incorporated**.

Bats. Due to the presence of palm trees with intact thatch skirts adjacent to and suitable foraging habitat on and adjacent to the project site, the western yellow bat (*Lasiurus xanthinus*), which is a CDFW SSC, has a low potential to occur on-site. Additionally, the abandoned portable structure on-site offers potential access for bats to roost within it. While no sign of bat use was identified during the on-site biological survey, if bats are found to be roosting on-site prior to project activities, direct impacts in the form of mortality or roost abandonment may occur. Roost abandonment during the maternity season could result in the mortality of flightless young, which could be considered a violation of California Fish and Game Code Section 4150, as well as a significant impact to a native wildlife nursery site under CEQA. Additionally, activities conducted outside of the maternity season that cause bats to leave a roost during daytime hours pose a mortality risk to individual bats. Indirect impacts from project activities may also occur in the form of increased human activity, noise, dust, nighttime lighting, and ground vibrations. **Mitigation Measures BIO-3 and BIO-4** have been identified to address potential impacts to the species that may result from development of the proposed project. Implementation of these measures would reduce potential impacts to the western yellow bat to a **less than significant** level.

Mitigation Measures. The following mitigation measures are required to reduce potentially significant impacts to special status species to less-than-significant levels.

Mitigation Measure BIO-1

Preconstruction Surveys for Crotch Bumble Bee: If the Crotch bumble bee is no longer a Candidate or formally-Listed species under the California Endangered Species Act (ESA) at the time ground-disturbing activities occur, then no additional protection measures are proposed for the species. Furthermore, if grading and all other initial ground disturbance are restricted to the period of September-January, no survey or other measure for this species is required.

If the Crotch bumble bee is legally protected under the California ESA as a Candidate or Listed species at the time clearing of vegetation or grading are scheduled to begin, and if vegetation clearing or initial grading is to occur during the period of February-March (the queen flight season) or April-August (the colony active period), a preconstruction survey for Crotch bumble bee shall be conducted in accordance with California Department of Fish and Wildlife (CDFW's)

Survey Considerations for California ESA Candidate Bumble Bee Species. The survey shall be conducted prior to ground disturbance and within the same queen flight season or colony active period in which the ground disturbance is to occur. The survey shall consist of a minimum of three survey visits, each at least two weeks apart. The survey shall be completed by a biologist who holds a Memorandum of Understanding to capture and handle Crotch bumble bee (if a netting and chilling protocol is to be utilized) or by a CDFW-approved biologist experienced in identifying native bumble bee species (if surveys are restricted to visual surveys with photo documentation for species verification).

If Crotch bumble bee is detected, the biologist shall conduct a bumble bee nesting survey in accordance with CDFW's Survey Considerations for California ESA Candidate Bumble Bee Species. If an active Crotch bumble bee nest is detected, the biologist shall establish a 50-foot no-disturbance buffer (including foraging resources and flight corridors essential for supporting the colony) around the nest, which may be adjusted at the direction of the approved biologist in coordination with CDFW based on behavior of the bees and their ability to continue foraging, to reduce the risk of disturbance or accidental take. If an active Crotch bumble bee nest is detected, the biologist shall also coordinate with CDFW to determine if an Incidental Take Permit under Section 2081 of the California ESA would be required. The nest avoidance buffer may be removed at the completion of the colony active period or once the biologist deems the nesting colony is no longer active and CDFW has provided concurrence of that determination.

If no nest is found but the species is present, a full-time biological monitor with the qualifications described above or otherwise approved by CDFW shall be present during ground disturbing activities that occur during the queen flight period or colony active period. Because bumble bees move nest sites each year, this measure shall be implemented during each subsequent year of construction, regardless of the previous year's findings, whenever ground disturbing activities are to occur and nesting and foraging habitat are still present. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.

Mitigation Measure BIO-2

Preconstruction Surveys for Burrowing Owl: Preconstruction surveys for burrowing owl shall be conducted prior to vegetation clearing or grading of the project site. Two surveys are required and shall follow the methods described in the California Department of Fish and Wildlife (CDFW's) Staff Report on Burrowing Owl Mitigation.

The first survey shall be conducted between 30 and 14 days before initial ground disturbance (grading, grubbing, and construction), and the second survey shall be conducted no more than 24 hours prior to initial ground disturbance. If burrowing owls and/or suitable burrowing owl burrows are identified on the project site during the survey, the project Applicant shall consult with CDFW and follow the methods listed in the CDFW's Staff Report on Burrowing Owl Mitigation for avoidance and/or passive relocation.

If burrowing owls or suitable burrowing owl burrows with sign (e.g., whitewash, pellets, feathers, prey remains) are identified on the project site during the survey(s), these features must be completely avoided. If impacts to those features are unavoidable, then the project Applicant must develop a burrowing owl mitigation plan in consultation with CDFW. Mitigation methods may include passive relocation conducted outside of the owl breeding season (between September 1 and February 28). If an active owl burrow is identified, and construction is to proceed, then a qualified biologist (with two or more years of burrowing owl experience) must establish an initial disturbance-limit buffer of 500 feet around the burrow using flagging or staking. The buffer distance may be reduced in coordination with CDFW depending on time of year (i.e., in or out of breeding season), level of construction activity, and observed behavior of the burrowing owls. Construction activities shall not occur within any buffer zones until the burrow is deemed inactive by the qualified biologist. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.

Mitigation Measure BIO-3

Preconstruction Survey for Bat Species. Within 14 days prior to the start of clearing of vegetation, removal of the abandoned portable structure, or grading, a qualified bat biologist shall conduct a bat survey at the abandoned portable structure to determine if any change in bat use at the structure has occurred since the initial bat habitat assessment. If evidence of bat occupation is present, the biologist shall conduct follow-up nighttime emergence surveys to determine the species present and to evaluate the size and significance of the colony. If roosting bats are determined to be present, the qualified bat biologist shall prepare a Bat Management Plan that would outline project-specific protective measures to avoid and minimize impacts to roosting bats during project construction. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.

Mitigation Measure BIO-4

Tree Avoidance and Removal Process. If trees are scheduled to be removed (e.g., relocating) or modified (i.e., trimming) that were

determined to be suitable for bat roosting, these activities shall be scheduled during seasonal periods of bat activity - September 1 to October 15 or when evening temperatures are not below 45 degrees (Fahrenheit) or rainfall in excess of 0.5 inch within 24 hours; or between March 1-April 15 with the same parameters:

1. If tree removal/modification must occur during the maternity season (generally from April 16 to August 31), a qualified bat biologist shall conduct a focused emergence survey(s) of the tree(s) within 48 hours of scheduled work. If a maternity roost is located, whether solitary or colonial, that roost shall remain undisturbed until after the maternity season or until a qualified biological monitor has determined the roost is no longer active.
2. If trees with suitable bat roosting habitat are scheduled for removal or relocation outside of the maternity season, tree removal during the weather parameters described above using the two-step method shall be conducted:
 - i. Vegetation and trees within the area that are not suitable for roosting bats shall be removed first to provide a disturbance that might reduce the likelihood of bats using the habitat.
 - ii. Two-step tree removal shall occur over two consecutive days under the supervision of a qualified bat biologist. On Day 1, small branches and small limbs containing no cavity, crevice or exfoliating bark habitat on habitat trees (or outer fronds in the case of palm trees), as identified by a qualified bat biologist are removed first, using chainsaws only (i.e., no dozers, backhoes). The following day (Day 2), the remainder of the tree is to be felled/removed. (The intention of this method is to disturb the tree with noise and vibration and branch removal on Day 1. This should cause any potentially present day-roosting bats to abandon the roost tree after they emerge for nighttime foraging. Removing the tree quickly the next consecutive day shall avoid reoccupation of the tree by bats).

This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.

The project site may contain potential habitat for candidate species (crotch bumble bee and burrowing owl) and species of special concern (western yellow bat). Therefore, the project could impact these species if they are present on site. With implementation of **Mitigation Measure BIO-1**

through **BIO-4**, impacts to candidate, sensitive, or special-status species would be **less than significant with Mitigation Incorporated**.

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

No Impact. The project site is surrounded by urban land uses and is generally subject to repeated and ongoing disturbance from human activities. The project site primarily consists of ruderal vegetation, is dominated by non-native species, and patches of development and disturbances were present throughout the project site. For example, there is an area of degraded asphalt and there are signs that the project site has been disked. Native vegetation was very sparse. The vegetation community on the project area is described as “Disturbed,” which is generally defined as an area where native vegetation communities have been heavily influenced by human activities, such as disking, and lack development.

No drainage features, ponded areas, wetlands, or riparian habitat were observed on the project site during the field survey. In addition, no natural plant communities were observed on the project site. Therefore, **no impact** to riparian habitat or other sensitive natural communities would occur, and no mitigation is required.

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. The project site primarily consists of ruderal vegetation and is dominated by non-native species. No state or federally protected wetlands or Waters of the U.S. were identified on the project site during the field survey. No drainage features, ponded areas, wetlands, or riparian habitat subject to jurisdiction of the CDFW, U.S. Army Corps of Engineers (USACE), and/or Santa Ana RWQCB were observed on the project site during the field survey; therefore, **no impact** on federally protected wetlands would occur, and no mitigation is required.

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

Less than Significant with Mitigation Incorporated. Habitat fragmentation occurs when a single, contiguous habitat area is divided into two or more areas, or where an action isolates two or more habitat areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or from one habitat type to another. Habitat fragmentation may occur when a portion of one or more habitats is converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning. Wildlife movement includes seasonal migration along corridors, as well as daily movements for foraging. Examples of migration corridors may include areas of unobstructed open space for deer, riparian corridors providing cover for migrating birds, routes between breeding waters and upland habitat for amphibians, and between roosting and feeding areas for birds.

The project site is located within and adjacent to areas containing existing disturbances (e.g., paved roads and residential and commercial development), contains insufficient vegetative cover to facilitate wildlife movement, and is isolated from large, contiguous blocks of native habitat. No migratory wildlife corridors were identified within the project site.

Nesting Birds. There is potential nesting habitat for migratory birds and raptors protected by the MBTA and California Fish and Game Code occur on and adjacent to the project site in the mature and emergent tree-of-heaven, eucalyptus, and ornamental trees. Suitable nesting habitat for ground-nesting bird species, such as mourning doves, is also present on-site. There is potential for nesting and/or migratory birds to use the project site during the nesting bird season (typically February 1 through August 31). Construction activities occurring during the bird breeding season (typically February 1 through August 31) could directly affect birds protected by the MBTA through the removal of nests and habitat, and indirect effects could occur through increased noise, vibrations, and other human activity. Implementation of **Mitigation Measure BIO-5** would ensure nesting birds are managed in accordance with the MBTA and California Fish and Game Code and therefore reduce potential impacts to nesting birds to **less than significant with mitigation incorporated**.

Burrowing Owl. As discussed in Response 5.4(a), burrows of sufficient size for burrowing owls were present on the project site. Although the size of the project site and isolation of the site from more suitable habitat makes it unlikely that burrowing owl would occupy the project site, because of the potential, although low, for burrowing owl to inhabit the site, **Mitigation Measure BIO-2** requiring a burrowing owl pre-construction survey (between 30 and 14 days before initial ground disturbance) is prescribed to further reduce impacts on this species. Implementation of this measure would reduce nesting impacts to the burrowing owl to **less than significant with mitigation incorporated**.

Bats. As previously discussed in Response 5.4(a), there is suitable bat roosting habitat within and adjacent to the project site in fan palms and within an abandoned portable building, where there is potential access into the interior through cracked panels and holes. Should bats be found roosting in these features during the bat maternity season (March 1 through August 31), these roosts would be considered native wildlife nursery sites, and impacts would need to be mitigated under CEQA. Impacts to maternity bat roosts would be **less than significant with mitigation incorporated (Mitigation Measures BIO-3 and BIO-4)**.

Mitigation Measures. In addition to **Mitigation Measures BIO-2** through **BIO-4**, the following mitigation measure is required to reduce potentially significant impacts to related to nesting birds to a less-than-significant level.

Mitigation Measure BIO-5

Preconstruction Survey for Nesting Birds: If construction or other project activities are scheduled to occur during the nesting bird season (generally February 1 through August 31), a preconstruction nesting bird survey shall be conducted by a qualified avian biologist to ensure that active bird nests would not be disturbed or destroyed. The survey shall be completed no more than three days prior to initial clearing of vegetation or grading. The nesting bird survey shall include the project site and adjacent areas where project activities

have the potential to affect active nests, either directly or indirectly, due to construction activity, noise, human activity, or ground disturbance.

If an active nest is identified, a qualified avian biologist shall establish an appropriately sized non-disturbance buffer between 100 and 300 feet (500 feet for raptors) around the nest, depending on bird species, behavior, and level of construction activity, using flagging or staking. Construction activities shall not occur within any non-disturbance buffer zones until the nest is deemed inactive by the qualified avian biologist. If initial ground-disturbing activities are scheduled to occur during the nesting bird season, then a biological monitor shall be present during all vegetation removal activities to ensure no impacts to nesting birds occur.

The project site is not part of and does not serve to function as a migratory wildlife corridor, although migratory bird species, burrowing owls, and bats have some potential to occur on site. With implementation of **Mitigation Measures BIO-2** through **BIO-5**, impacts to wildlife movement opportunities, including nesting birds, burrowing owls, and roosting bats would be reduced to **less than significant with mitigation incorporated**.

- 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. The City's tree protection ordinance (Chapter 28, Article III of the City Municipal Code) prohibits the removal of any Heritage, Significant, or Specimen tree unless a permit is obtained. One tree, a tree-of-heaven (*Ailanthus altissima*), was identified near the center of the project site. Emergent tree-of-heaven saplings were present on the southern portion of the project site. The trees present on the project site do not meet the City's definitions of Heritage, Significant, or Specimen trees. Therefore, the project would not be required to preserve any of the trees on-site or obtain a permit to remove any of the on-site trees.

Development of the project would remove living trees from the project site. Pursuant to Section 28-67(c) of the City Municipal Code, "all other trees which are not heritage, significant, or specimen tree shall be replaced. The size of the replacement tree(s) shall be based on a scale of ten percent to 100 percent. Staff may require that the ratings be performed by a certified arborist. The arborist report will be approved by staff." Therefore, the project would be required to replace on-site trees in accordance with the criteria specified in Section 28-67(c).

Standard Condition BIO-1 is prescribed to ensure that the project Applicant would replace each living tree on the project site (two trees) pursuant to Section 28-67 (c) of the City Municipal Code.

Standard Conditions. Mitigation is not required; however, the following Standard Condition is a regulatory requirement that would be implemented to ensure the project would not conflict with the City's tree protection ordinance or other local policies or ordinances protecting biological resources.

Standard Condition BIO-1

Prior to removal of the any tree from the project site, the project applicant shall coordinate with City staff to identify suitable replacement trees in accordance with Section 28-67(c) of Article III: Preservation of Heritage, Significant, and Specimen Trees of the City Municipal Code. Each living tree shall be replaced pursuant to the tree requirements codified in Article III: Preservation of Heritage, Significant, and Specimen Trees of the City Municipal Code and approved by City staff. This condition shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee.

Through implementation of **Standard Condition BIO-1**, the project would not conflict with any local policies or ordinances protecting biological resources, including the City's tree protection ordinance. Impacts would be **less than significant**. Mitigation is not required.

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

No Impact. The project site does not lie within an area covered by any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, the project would not conflict with a conservation plan and **no impact** would occur. No mitigation is required.

5.5 CULTURAL RESOURCES

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

Cultural resources are broadly defined as any physical manifestations of human activity that are at least 50 years of age and may include archaeological resources as well as historic-era buildings and structures.

Archaeological resources include both precontact remains and remains dating to the historical period. Precontact (or Native American) archaeological resources are physical manifestations of human activities that predate written records and may include village sites, temporary camps, lithic (stone tool) scatters, rock art, roasting pits/hearths, milling features, rock features, and burials. Historic archaeological resources can include refuse heaps, bottle dumps, ceramic scatters, privies, foundations, and burials and are generally associated in California with the Spanish Mission Period (1769 through 1833) through the mid-late 20th century (1970).

Archaeological resources that are eligible for listing in the National Register of Historic Places (National Register), California Register of Historical Resources (California Register), or a local register are considered historical resources pursuant to CEQA Guidelines Section 15064.5. CEQA Guidelines Section 15064.5 defines the term “historical resource” as:

1. A resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4850 et seq.).
2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by

the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code, Section 5024.1, Title 14 CCR, Section 4852) including the following:

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

A “substantial adverse change” to a historical resource, according to Public Resources Code (PRC) Section 5020.1(q), “means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired.”

The information and analysis in this section is based on the Archeological Resources Inventory Report for the Maple Property, prepared by ECORP Consulting in November 2023, which is provided in Appendix D.³⁶

5.5.1 Impact Analysis

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

Less than Significant Impact. A Cultural Resources Assessment was prepared for the project site and included an archaeological and historical records search, additional research (e.g historic and aerial maps of the project site, and outreach to local historic organizations),³⁷ and an intensive pedestrian survey of the project site.

The records search of the project site and a one-mile radius was conducted on September 5, 2023 at the South Central Coastal Information Center at California State University Fullerton. Twenty-six previous cultural resource investigations have been conducted within one mile of the project site. Of these 26 studies, two were conducted within the project site.³⁸ Three previously recorded historic-

³⁶ ECORP Consulting Inc. *Archeological Resources Inventory Report for the Maple Property*. November 2023. (Appendix D).

³⁷ In addition to the official records and maps for archaeological sites and surveys in San Bernardino County, the following historic references were also reviewed: Built Environment Resource Directory (OHP 2022); Historic Property Data File for San Bernardino County (OHP 2012); the National Register Information System (National Park Service [NPS] 2023); Office of Historic Preservation, California Historical Landmarks (CHL; OHP 2023a); CHL (OHP 1996 and updates); California Points of Historical Interest (OHP 1992 and updates); Directory of Properties in the Historical Resources Inventory (1999); Caltrans Local Bridge Survey (Caltrans 2020); Caltrans State Bridge Survey (Caltrans 2023); and Historic Spots in California (Kyle 2002). Other references examined included a RealQuest Property Search and historic General Land Office (GLO), land patent records (Bureau of Land Management [BLM] 2023), historic maps, and historic aerial photographs from 1938 through 1994.

³⁸ ECORP Consulting, Inc. *Archeological Resources Inventory Report for the Maple Property*. Page 16. November 2023.

era cultural resources are located within one mile of the project site. All three are believed to be associated with early historic-period privies/trash scatters and a religious building. There are no previously recorded cultural resources within or adjacent to the project site. Five historic-era properties with associated buildings (i.e., built environment resources) were identified within one mile of the project site. The nearest of these (8057 Locust Avenue) is located adjacent to the western boundary of the project site. Neither this resource nor other built-environment resources within the one-mile records search radius have been identified eligible for inclusion on the National Register or California Register.

The pedestrian survey conducted on September 14, 2023 did not identify any historic or precontact archaeological resources on the project site.³⁹ Based on the results of the records search, additional research, and pedestrian survey, no historic-period or pre-contact cultural resources are located within the project site. As no “historical resources” as defined under CEQA Guidelines Section 15064.5 are located on-site, impacts would be **less than significant**. Mitigation is not required.

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

Less than Significant Impact. As discussed in Section 5.5.a above, the records search, additional research, and pedestrian survey, conducted as part of the Archeological Resources Inventory Report prepared for the project (Appendix D) did not identify any archeological resources as defined under CEQA Guidelines Section 15064.5 on the project site or within one mile of the project site. However, due to the presence of quaternary alluvial soils dating to the Holocene, the proximity to historically perennial waterways (e.g., Lytle Creek, 3.5 miles northeast), the presence of historic-era homes in the project vicinity, and the positive indication of the sacred lands file search in the project vicinity, there is some potential for buried archeological resources to be present on-site. Accordingly, **Standard Conditions CUL-1** through **CUL-3** shall be implemented to address cultural and/or archaeological resources that may be encountered during project construction.

Standard Conditions. The following Standard Conditions would be implemented to address potential impacts related to archaeological resources.

Standard Condition CUL-1

Upon discovery of any cultural, tribal cultural or archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed by an archaeological monitor who would be retained by the project Applicant to monitor all subsequent ground-disturbing activity in native soils under the supervision of a project archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards for archaeology. All cultural, tribal cultural and archaeological resources unearthed by project construction activities shall be evaluated by the archaeological monitor and tribal monitor/consultant. If the resources are Native American in origin, the property owner shall coordinate with interested Tribes (as a result of correspondence with

³⁹ *Ibid.* Page 19.

area Tribes) regarding treatment and curation of these resources. Typically, the Tribes will request preservation in place or recovery for educational purposes. Work may continue on other parts of the project while evaluation takes place.

Standard Condition CUL-2

Preservation in place shall be the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavation to remove the resource from the area of ground disturbance along with subsequent laboratory processing and analysis. All removed tribal cultural resources shall be returned to the Tribes. 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.

Standard Condition CUL-3

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 principal personnel shall ensure that the archaeological monitor and all other personnel are appropriately trained and qualified.

With implementation of City **Standard Conditions CUL-1** through **CUL-3**, any archeological resource detected would be protected during project construction and managed in accordance with applicable regulations. Impacts associated with a substantial change in the significance of an archaeological resource pursuant to §15064.5 would be **less than significant**. Mitigation is not required.

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

Less than Significant Impact. As discussed in Sections 5.5.a and 5.5.b above, the Cultural Resources Assessment determined that the potential for encountering subsurface cultural resources during construction is low. Therefore, there would also be a low potential for the project to disturb human remains. Nevertheless, the proposed project must comply with all applicable regulations protecting human remains, should they be encountered, including Section 7050.5 of the California Health and Safety Code, which requires that excavation be stopped in the vicinity of discovered human remains while the coroner determines whether the remains are those of a Native American. If human remains are determined as those of Native American origin, the project Applicant shall comply with the State

Health and Safety Code relating to the disposition of Native American burials that fall within the jurisdiction of the NAHC (PRC Section 5097). Additionally, Section 7052 of the California Health and Safety Code states that disturbance of Native American cemeteries is a felony.

Accordingly, City **Standard Condition CUL-4** is prescribed to ensure that human remains (or remains that may be human), including Native American human remains, would be protected if they are discovered during project construction. With implementation of **Standard Condition CUL-4** human remains would be protected during project construction and impacts would be **less than significant**. Mitigation is not required.

Standard Conditions. Mitigation is not required; however, the following Standard Condition is a regulatory requirement that would be implemented to ensure impacts related to human remains remain less than significant.

Standard Condition CUL-4

Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered during project construction activities, no further disturbance shall occur within 100 feet of the find and the Project Applicant shall notify the San Bernardino County Coroner and the City of Fontana Community Development Director or designee. The County Coroner shall make a determination of origin and disposition. If the San Bernardino County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted by the Coroner within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant". The Most Likely Descendant shall then make recommendations and engage in consultation with the property owner concerning the treatment of the remains and any associated items as provided in Public Resources Code Section 5097.98. Additionally, the specific locations of Native American burials and reburials shall be proprietary and not disclosed to the general public.

5.6 ENERGY

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

The project site is within the service territory of Southern California Edison (SCE). SCE provides electricity to more than 15 million people in a 50,000-square-mile area of Central, Coastal, and Southern California.⁴⁰ According to the California Energy Commission (CEC), total electricity consumption in the SCE service area in 2022 was 85,870 gigawatt-hours (GWh) (85,869,985,679 kilowatt-hours [kWh]).⁴¹ Total electricity consumption in San Bernardino County in 2022 was 16,629.6 GWh or 16,629,614,195 kWh.⁴² Natural gas consumption within the Southern California Gas (SCG) service area and San Bernardino County (2022) totaled 50,263.45 million⁴³ and 562.12 million⁴⁴ therms, respectively.

Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles. In 2022, vehicles in California consumed approximately 13.6 billion gallons of gasoline and 3.13 billion gallons of diesel fuel. Based on fuel consumption obtained from CARB's California Emissions Factor Model, Version 2021 (EMFAC2021), it was estimated that approximately 907.3 million gallons of gasoline and approximately 325.0 million gallons of diesel was consumed from vehicle trips in San Bernardino County in 2023.

⁴⁰ Southern California Edison. 2020. *About Us*. Website: <https://www.sce.com/about-us/who-we-are> (accessed August 2023).

⁴¹ California Energy Commission. *Electricity Consumption by Entity*. Website: <http://www.ecdms.energy.ca.gov/elecbyutil.aspx> (accessed October 10, 2024).

⁴² California Energy Commission. *Electricity Consumption by County*. Website: <http://www.ecdms.energy.ca.gov/elecbycounty.aspx> (accessed October 10, 2024).

⁴³ California Energy Commission. *Gas Consumption by Entity*. Website: <http://www.ecdms.energy.ca.gov/gasbyutil.aspx> (accessed October 10, 2024).

⁴⁴ California Energy Commission. *Gas Consumption by County*. Website: <http://www.ecdms.energy.ca.gov/gasbycounty.aspx> (accessed October 10, 2024).

5.6.1 Impact Analysis

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

Less than Significant Impact. The proposed project would increase the demand for electricity and gasoline when compared to existing site conditions. The discussion and analysis provided below is based on the data included in the CalEEMod output files, which are included in Appendix B.

Construction-Period Energy Use. The anticipated construction schedule assumes that the proposed project would begin construction during the summer of 2025 (July) and be completed in twelve months (July 2026). The proposed project would require site preparation, grading, building construction, paving, and architectural coating during construction.

Construction of the proposed project would require energy for the manufacture and transportation of building materials and for preparation of the site for grading activities and building construction. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities.

Construction activities are not anticipated to result in an inefficient use of energy because gasoline and diesel fuel would be supplied by construction contractors who would conserve the use of their supplies to minimize their costs on the proposed project. Energy usage on the project site during construction would be relatively small in comparison to the State's available energy sources. Therefore, construction energy impacts would be **less than significant**, and no mitigation is required.

Operational Energy Use. Energy use includes both direct and indirect sources of emissions. Direct sources of emissions include on-site natural gas usage for heating, while indirect sources include electricity generated by off-site power plants. Table 5.6.A identifies the estimated potential increased electricity, natural gas, gasoline, and diesel demand associated with the proposed project. The electricity rates are from the CalEEMod analysis (Appendix B). The gasoline and diesel usage is based on project vehicle miles traveled, standard vehicle fleet mix (per CARB's EMFAC model), and United States Department of Transportation (DOT) fuel efficiency data.

Table 5.6.A: Estimated Annual Energy Use of the Proposed Project

Land Use	Electricity Use (GWh/yr)	Natural Gas Use (Therms/yr)	Gasoline (gal/yr)	Diesel (gal/yr)
Industrial	1.24414	29,248.5	147,052	105,208

Source: Compiled by LSA Associates, Inc. using CalEEMod output files provided in Appendix B (August 2024).

gal/yr = gallons per year

1 therm = 100,000 BTU (British thermal units)

GWh = Gigawatt hours (1 GWh = 1,000,000 kWh)

As detailed in Table 5.6.A, the estimated increase in electricity demand associated with the proposed project is 1.224 GWh kWh per year, or 0.001 and 0.007 percent of the electricity

consumption in the SCE service territory and San Bernardino County, respectively. Natural gas consumed by the proposed project would amount to 0.00005 and 0.005 percent of the total natural gas usage in the SCG service territory and San Bernardino County, respectively.

Although incremental, the project would result in an overall increase in energy demand. The California Energy Code and CALGreen Code (California Code of Regulations, Title 24, Parts 6 and 11, respectively), set performance standards for residential development to reduce environmental impacts and encourage sustainable construction practices. The CALGreen Code addresses energy efficiency, water conservation, materials conservation, planning and design, and overall environmental quality.

The 2022 Building Energy Efficiency Standards includes solar photovoltaic (solar PV) system requirements for all newly constructed low-rise multifamily buildings (buildings that have up to three habitable stories)⁴⁵ and for “high-rise” multifamily building (four or more habitable stories).⁴⁶ Section 110.10 of the California Energy Code further specifies that plans for new development must indicate reserved locations for inverters, reserved pathways for conduit from the solar zone to the electrical service connection, and if central water heating is used, pathways for plumbing from the solar the water-heating system.

Section 160.9 of the 2022 Energy Code requires “electric ready” construction in multi-family buildings including provisions to provide wiring/conduit/electric panel space to accommodate heat pumps (cooling/heating and water heating), electric cooktops, and electric clothes dryers in individual units and common areas (e.g, laundry rooms).⁴⁷ The installation of “electric ready” construction would facilitate the future electrification of development, thereby, decreasing the demand for natural gas for heating/cooking.

In September 2024, the California Energy Commission (CEC) adopted updated building standards that expand the requirements for heat pumps and electric-ready buildings. As stated on the CECs website,⁴⁸ the California Building Standards Commission is scheduled to consider the updates in December 2024. If approved, the new standards would go into effect on January 1, 2026. As with all projects in the City, the project will be subject to all applicable codes in effect at the time of building permit submittal. The 2025 Energy Code focuses on:

⁴⁵ California Energy Commission. 2022 Low-rise Multifamily Solar PV, General Information. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/energy-code-support-center/2022-2>. (accessed October 11, 2024).

⁴⁶ California Energy Commission. 2022 High-rise Multifamily Solar PV, General Information. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/energy-code-support-center/2022-3>. (accessed October 11, 2024).

⁴⁷ California Energy Commission. 2022 Multifamily Electric Ready. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/energy-code-support-center/2022-5#:~:text=A%20dedicated%20240V%20branch%20circuit,labeled%20%E2%80%9CFor%20Future%20240V%20Use%E2%80%9D>. (accessed October 11, 2024).

⁴⁸ California Energy Commission. Energy Commission Adopts Updated Building Standards Expanding Requirements for Heat Pumps and Electric-Ready Buildings. <https://www.energy.ca.gov/news/2024-09/energy-commission-adopts-updated-building-standards-expanding-requirements-heat>. (accessed October 11, 2024).

- Encouraging inherently efficient electric heat pump technology for space and water heating in newly constructed single-family, multifamily, and select nonresidential building types.
- Establishing electric-ready requirements for commercial kitchens and some multifamily buildings, so owners can more easily switch to cleaner electric cooking and water heating, when ready.
- Updating solar and storage standards for assembly buildings, including religious worship, sport, and recreation buildings to make clean energy available for onsite use while minimizing exports to the electrical grid.
- Strengthening ventilation standards to improve indoor air quality in multifamily buildings.

The City has adopted the CBC and the CALGreen Code.^{49,50} The project must meet all standards required by Title 24, California Energy Code, and CALGreen Code regarding the installation of solar panels⁵¹ and the provision of electric vehicle charging capacity⁵² and other applicable federal and local requirements related to building features, appliances, water and space heating and cooling equipment, building insulation and roofing, electrification, and lighting, which would reduce energy usage. In addition, proposed new development would be constructed using energy efficient modern building materials and construction practices, and the proposed project also would use new modern appliances and equipment in accordance with the Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608). The expected energy consumption during construction and operation of the proposed project would be consistent with typical usage rates for high-density residential uses.

The proposed project would result in the annual consumption of 147,052 gallons of gasoline and 105,208 gallons of diesel fuel. In 2022, vehicles in California consumed approximately 13.6 billion

⁴⁹ City of Fontana. *Codes & Local Amendments*. Website: <https://www.fontanaca.gov/145/Codes-Local-Amendments>. (accessed January 9, 2025).

⁵⁰ See Fontana Municipal Code, Sections 5-61 through 5-62 (California Building Code); and 5-186 through 5-186 (CALGreen Code).

⁵¹ As permitted, the design of the required solar system may be installed on rooftops and/or covered parking areas. The location, configuration, and capacity of any required solar energy systems will be determined in accordance with applicable provisions of the California Energy Code (2022 Building Energy Efficiency Standards) and in consultation with the City.

⁵² The California Green Building Standards Code (CALGreen) Section 4.106.4.2.2 identifies the following EV requirements for multifamily developments with more than 20 units: Five (5) percent of the total number of parking spaces ("EV Chargers") shall be equipped with Level 2 electrical vehicle supply equipment (EVSE); ten (10) percent of the total number of parking spaces shall be capable ("EV Capable") of supporting future Level 2 EVSE; and twenty-five (25) percent of the total number of parking spaces shall be equipped with low power Level 2 EV charging receptacles ("EV Ready"). Per these requirements, the project provides 24 EV charging spaces, 47 EV Capable spaces, and 116 EV Ready spaces (187 EV spaces total). As required 179 of these are standard (5-foot width) spaces, with 8 spaces provided with a width of 8 feet (See CALGreen Code Section 4.106.2.2.1.2).

gallons of gasoline⁵³ and 3.13 billion gallons of diesel fuel.⁵⁴ Therefore, gasoline and diesel demand generated by vehicle trips associated with the proposed project would be an incremental fraction of gasoline and diesel fuel consumption in California and, by extension, in San Bernardino County.

In addition, vehicles associated with trips to and from the project site would be subject to fuel economy and efficiency standards, which are applicable throughout the State. As such, the fuel efficiency of vehicles associated with project operations would increase throughout the life of the proposed project. Additionally, the project includes a bus turnout along Foothill Boulevard along the southern frontage of the site to accommodate Route 314, thereby developing high-density residential uses in proximity to transit facilities to accommodate alternative modes of transportation. Therefore, implementation of the proposed project would not result in a substantial increase in transportation-related energy uses.

The proposed project would incorporate renewable energy and energy efficiency measures and land use practices into building design, equipment uses, and transportation practices and therefore would not result in the wasteful, inefficient, or unnecessary consumption of fuel or energy. Impacts would be **less than significant**, and mitigation is not required.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than Significant Impact. energy usage associated with operation of the proposed project would be relatively small in comparison to the State's available energy sources, and energy impacts would be less than significant at the regional level.

Because California's energy conservation planning actions are conducted at a regional level, and because the project's total impacts to regional energy supplies would be less than significant, the proposed project would not conflict with California's energy conservation plans as described in the CEC's 2023 Integrated Energy Policy Report. In addition, the proposed project would comply with Title 24, California Energy Code, and CALGreen standards. As detailed in Section 5.6.1.a, above, the proposed project would be required to install features and facilities such as energy star appliances, solar panels, EV charging facilities pursuant to Title 24, California Energy Code, and CALGreen Code that avoid or reduce the inefficient, wasteful, and unnecessary consumption of energy and would not result in any irreversible or irretrievable commitments of energy. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency during project construction or operation. Impacts would be **less than significant**, and mitigation is not required.

⁵³ California Energy Commission. *California Gasoline Data, Facts, and Statistics*. January 2024. Website: <https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-gasoline-data-facts-and-statistics>. (accessed January 2024).

⁵⁴ California Department of Tax and Fee Administration. *Fuel Taxes Statistics & Reports: Diesel Fuel*. September 2023. Website: <https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm>. (accessed January 2024).

5.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☒	☐	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☒	☐	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

The information and analysis in this section is based on the Preliminary Geotechnical Investigation District Property 2, 8.43-Acre site Northwest Corner of Maple Avenue and West Foothill Boulevard, Petra Geosciences, September 6, 2023, provided in Appendix E.

- 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.*

No Impact. The project site is not located within an Earthquake Fault Zone as defined by the State of California in the Alquist-Priolo Earthquake Fault Zone Act of 1972 or as defined by the City's

Local Hazard Mitigation Plan.^{55 56} In addition, there is no evidence of any faults or faulting activity on or trending toward the project site.⁵⁷ As such, the risk of ground rupture due to fault displacement beneath the site is low. **No impact** related to fault rupture would result from the implementation of the project. Mitigation is not required.

ii. Strong seismic ground shaking?

Less Than Significant with Mitigation Incorporated. The project site is located within a seismically active region, with a number of faults traversing or in proximity to the City, including the Cucamonga, San Jacinto, Sierra Madre, San Jose, Elsinore/Glen Ivy, and San Andreas Faults. The Lytle Creek Connector of the San Jacinto Fault zone is located approximately 2.8 miles east of the site.⁵⁸

Due to the presence of nearby faults, the project site is expected to be subject to occasionally moderate to severe ground-shaking, as well as some background shaking from other seismically active areas in the Southern California region. The extent of ground-shaking associated with an earthquake is dependent upon the size of the earthquake and the geologic material of the underlying area. Therefore, the project would have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death from seismic ground-shaking. Seismic activity on this Lytle Creek Connector of the San Andreas fault system would be capable of producing magnitude 7 or larger events.

Construction and development of the project would be required to comply with applicable provisions of the California Building Code (CBC). State law requires the design and construction of new structures comply with CBC requirements, which address general geologic, seismic (including ground shaking), and soil constraints for new buildings. Additionally, the site-specific geotechnical evaluation (see Appendix E) prepared for the proposed project provided ground preparation, foundation, and pavement design, and post-grading recommendations for the project's design and construction in conformance with the CBC requirements as codified in Chapter 5, Article III (California Building Code) of the City Municipal Code.⁵⁹

Mitigation Measure GEO-1 is prescribed to ensure that the project is constructed in conformance with the current CBC, applicable City standards, and recommendations identified in the site-specific geotechnical evaluation (attached as Appendix E of this IS/MND) to ensure that project development would be safeguarded against the effects of seismic related activity that may occur on-site. Therefore, impacts from seismic ground-shaking would be reduced to **less than significant with mitigation incorporated**.

⁵⁵ City of Fontana. *Local Hazard Mitigation Plan*. Figure 4-9: Active Fault Map. June 2017; Approved and Adopted August 14, 2018.

⁵⁶ Petra Geoscience. *Preliminary Geotechnical Investigation District Property 2, 8.4-Acre site Northwest Corner of Maple Avenue and West Foothill Boulevard*. Page 7. September 6, 2023.

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

⁵⁹ Fontana, California — Code Of Ordinances. *Chapter 5 — BUILDINGS AND BUILDING REGULATIONS*. https://library.municode.com/ca/fontana/codes/code_of_ordinances?nodeId=CO_CH5BUBURE_ARTIIICABUCO. (accessed September 5, 2024).

Mitigation Measures. The following mitigation measure is required to reduce potentially significant impacts from seismic ground-shaking to less than significant levels.

Mitigation Measure GEO-1

Prior to issuance of grading and/or building permits, the project Applicant shall provide evidence to the City of Fontana (City) for review and approval that the proposed project site, residential buildings, all ancillary structures and facilities, and associated infrastructure have been designed and would be constructed in conformance with applicable provisions of the 2022 edition of the California Building Code (CBC) (or the most current edition of the CBC in effect at the time the development application is deemed complete by the City)..

Additionally, the project Applicant shall provide evidence to the City that the earthwork recommendations cited in the project-specific Geotechnical Investigation are incorporated into project plans and/or implemented as deemed appropriate by the City. Geotechnical recommendations include, but are not limited to, removal of existing vegetation and deleterious materials, utilities, and any other surface and subsurface improvements that would not remain in place for use with the new development. Earthwork, over-excavation, and ground improvement shall occur to depths specified in the Geotechnical Investigation to provide a sufficient layer of engineered fill or densified soil beneath the structural footings/foundations, as well as proper surface drainage devices and erosion control.

A California-licensed structural engineer must conduct verification testing upon completion of ground improvements to confirm that the compressible soils have been sufficiently densified. Additionally, the structural engineer must determine the ultimate thickness and reinforcement of the building floor slabs based on the imposed slab loading and verify seismic design parameters in accordance with American Society of Civil Engineers (ASCE) 7-16 Section 11.4.8. This measure shall be implemented to the satisfaction of the City Director of Building and Safety or designee.

iii. Seismic-related ground failure, including liquefaction?

Less than Significant Impact. Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. The primary factors that influence the potential for liquefaction include groundwater table elevation, soil type and plasticity characteristics, relative density of the soil, initial confining pressure, and intensity and duration of ground shaking. The depth within which the occurrence of liquefaction may impact surface improvements is generally identified as the upper 50 feet below the existing ground surface.

According to the City's Local Hazard Mitigation Plan,⁶⁰ the project site is not located within a potential liquefaction zone. Additionally, the Preliminary Geotechnical Evaluation report stated the nearest well (Well ID: 01S05W16C00S) to the site is located approximately one mile to the southwest, and a second well (Well ID: 01S05W04D002S) is located approximately 1.1 mile to the northwest.⁶¹ The most recent data for these wells recorded groundwater at 398 and 335 feet below surface grade (bsg), respectively. No groundwater was encountered in any of the test pits or borings excavated during the geotechnical investigation of the site. Based on the substantial groundwater depth near the project site, the site is not located in an area susceptible to liquefaction. Therefore, the likelihood of liquefaction occurring on the project site is low, and impacts associated with liquefaction would be **less than significant**. Mitigation is not required.

iv. Landslides?

No Impact. Factors that contribute to slope failure include slope height and steepness, shear strength and orientation of weak layers in the underlying geologic units, and pore water pressures. The project site and immediate areas exhibit level topography that is not prone to landslides,⁶² nor is the site located in a landslide susceptibility zone.⁶³ Therefore, the likelihood of a landslide on the project site is low, and there would be **no impact** associated with landslides. Mitigation is not required.

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

Less than Significant Impact. The 8.43-acre project site is generally flat and is currently vacant. During construction, earth movement may increase the potential for the erosion of on-site soils. Potential erosion impacts from project construction would be reduced through the implementation of a Stormwater Pollution Prevention Plan (SWPPP) and incorporation of best management practices (BMPs) intended to reduce soil erosion during construction pursuant to **Standard Conditions HYD-1** and **HYD-2**, as identified in Section 5.10, Hydrology and Water Quality.⁶⁴

Ground cover on-site consists of previously disturbed ruderal vegetation and areas of degraded asphalt. Development of the proposed project would increase the impervious surface on the site by approximately 90 percent.⁶⁵ As such, the potential for soil erosion from the site is low during project operation. Additionally, potential erosion impacts from project operation would be reduced through implementation of the project-specific Water Quality Management Plan (WQMP) and compliance with City Municipal Code requirements, which incorporate measures to capture excess stormwater runoff and prevent soil erosion to downstream water courses from new development and significant redevelopment of the site pursuant to **Standard Conditions HYD-3** and **HYD-4**. Refer to Section 5.10,

⁶⁰ City of Fontana. *Local Hazard Mitigation Plan*. Appendix E, Map 7 Geologic Hazard Overlays - Landslides & Liquefaction Susceptibility (South). (San Bernardino County Geologic Hazard Overlay, number FH29C). 2018.

⁶¹ Petra Geoscience. *Preliminary Geotechnical Investigation District Property 2, 8.4-Acre site Northwest Corner of Maple Avenue and West Foothill Boulevard*. Page 7. September 6, 2023.

⁶² *Ibid*, page 12.

⁶³ *Ibid*.

⁶⁴ Pursuant to the National Pollutant Discharge Elimination System (NPDES) program and Chapter 23, Article IX, Section 23-519 (Regulation of construction and industrial discharges) of the City Municipal Code.

⁶⁵ Allard Engineering. *Preliminary Water Quality Management Plan for APN: 0243-142-01, Foothill Blvd and Maple Avenue Project*. WQMP No. WQMPPC24-00031. August 2024. Page 1-1. (Appendix H1).

Hydrology and Water Quality, for additional information regarding the project's compliance with regulations to reduce potential erosion impacts during project construction and operation.

Adherence to the BMPs contained in the SWPPP and WQMP would ensure appropriate measures are taken to prevent the substantial loss of topsoil and erosion from occurring during project construction and operation. Therefore, impacts related to soil erosion would be **less than significant**, and 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 with Mitigation Incorporated. The project site and immediate areas exhibit level topography and is surrounded by urban development. There is no evidence of landslides and/or slope instabilities on the project site. As detailed in Section 5.7(a)(iii) and (iv) above, the project site is not located in an area considered susceptible to liquefaction or landslides. Lateral spreading is a type of liquefaction-induced ground failure associated with the lateral displacement of surficial blocks of sediment resulting from liquefaction in a subsurface layer. Based on the site conditions, proposed grading, depth to groundwater, and level topography, the potential for lateral spreading at the project site is considered unlikely.

The project site exhibits level topography and is currently undeveloped. The site is covered by a three-to five-foot of mantle of topsoil and young alluvium, generally consisting of loose, dry, silty sands with minor gravel in the upper 1 to 2.5 feet. Based on the site conditions, proposed grading, depth to groundwater exceeding 200 feet, and gentle topography across the site, landsliding, liquefaction, ground subsidence, ground lurching and lateral spreading are considered unlikely at the site.

The most significant geotechnical factor affecting the project site is the presence of near-surface compressible soil materials. Such native materials consist of surficial topsoil/colluvium/alluvium and are not considered suitable for support of fill or structural loads. Based on the geotechnical evaluation, which included a laboratory assessment of on-site soils, remedial removal depths of soil 4 to 5 feet below grade would require remedial over-excavation to expose competent alluvial soils. Removed soils may be subsequently placed as properly compacted fill.⁶⁶

As discussed in Section 5.7(a), the project would be required to comply with all applicable CBC, City standards, and recommendations of the *Preliminary Geotechnical Evaluation* report pursuant to **Mitigation Measure GEO-1**. Specifically, implementation of **Mitigation Measure GEO-1** would ensure over excavation and establishment of a sufficient layer of engineered fill or densified soil is prepared beneath any proposed structural footings/foundations. With implementation of **Mitigation Measure GEO-1**, soils would be sufficiently compacted and densified during construction to bear the weight of the proposed on-site structures, which would stabilize soils and prevent subsidence and/or collapse

⁶⁶ Petra Geosciences. *Preliminary Geotechnical Evaluation, District Property 2, 8.4-Acre Site, Northwest Corner of Maple Avenue and West Foothill Boulevard, City of Fontana, San Bernardino County, California*. Page 12. September 2023. (Appendix E).

from occurring on-site. Therefore, impacts from subsidence and/or collapse would be reduced to **less than significant with mitigation incorporated**.

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

Less than Significant with Mitigation Incorporated. Expansive soils generally have a substantial amount of clay particles, which can give up water (shrink) or absorb water (swell). The change in the volume exerts stress on buildings and other loads placed on these soils. The amount and types of clay present in the soil influence the extent or range of the shrink/swell. The occurrence of clayey soils is often associated with geologic units having marginal stability. Expansive soils can be widely dispersed, and they can occur along hillside areas as well as low-lying alluvial basins.

Near-surface soils on the project site encountered during the field investigation were considered non-expansive.⁶⁷ However, the project-specific geotechnical investigation recommended that additional evaluation of soils for expansion potential should be conducted by the geotechnical engineer during grading activities as warranted.⁶⁸

As discussed in Section 5.7(a), the project would be required to comply with all applicable CBC, City standards, and recommendations of the project-specific geotechnical report pursuant to **Mitigation Measure GEO-1**, which would ensure over excavation and establishment of a sufficient layer of engineered fill or densified soil is prepared beneath any proposed structural footings/foundations. Therefore, implementation of **Mitigation Measure GEO-1** would ensure that impacts from expansive soils would not occur, and the project would not create substantial direct or indirect risks to life or property. As such, impacts would be **less than significant with mitigation incorporated**.

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

No Impact. The project would connect to the municipal wastewater collection system along Foothill Boulevard, and no septic systems are proposed. Therefore, **no impact** related to the septic system or alternative wastewater disposal systems would occur. Mitigation is not required.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant with Mitigation Incorporated. The project site is covered by a three- to five feet of mantle of topsoil and young alluvium, generally consisting of loose, dry, silty sands with minor gravel in the upper 1 to 2.5 feet. Predominately brown, yellow-brown, and gray-brown, dry to moist,

⁶⁷ *Ibid.* Page 18.

⁶⁸ *Ibid.* Pages 18 and 19.

loose to medium dense, and fine-to coarse-grained gravelly sands with 10 to 40 percent gravel and cobbles 8 to 10 inches in longest dimension were identified below this depth in native alluvial soils.^{69,70}

Generally, Holocene sediments are too young to contain paleontological resources, but they are possibly underlain by Pleistocene sediments, which have yielded significant paleontological resources elsewhere in San Bernardino, Riverside, Los Angeles, and Orange Counties. Although Holocene (less than 11,700 years ago) deposits can contain remains of plants and animals, only those from the middle to early Holocene (4,200 to 11,700 years ago) are considered scientifically important, and fossils from this time interval are not very common. Therefore, young alluvial fan deposits (Unit 5) (less than 4,200 years ago) are assigned a low paleontological sensitivity.

The City's General Plan EIR (Section 5.4.1.5) states, "...Pleistocene older fan deposits exposed at surface levels that have been mapped along the western area of the City near the intersection of I-15 and I-210 and also in the southwestern areas of the City. . . Within these Pleistocene older Deposits, the potential for paleontological resources is considered to be high. Paleontological resources, including the remains of a saber-tooth cat, have been recovered in the southwest area and many fossils that include Pleistocene mega-faunal (e.g. mammoth, camels, horses have been recovered from the Jurupa Basin area near the intersection of Jurupa Avenue and Mulberry Avenue within the City of Fontana."⁷¹ These areas are located respectively 4.5 miles northwest and 6.5 miles southwest from the project site.

Due to the project's location, development of the project has a low potential to encounter significant paleontological resources during project construction. Although development of the project has a low potential to encounter scientifically significant paleontological resources during project construction, implementation of **Mitigation Measure GEO-2** would ensure that impacts to unanticipated paleontological resources encountered during project development would be reduced to **less than significant with mitigation incorporated**.

Mitigation Measures. The following mitigation measure is required to reduce potentially significant impacts on paleontological resources to less than significant levels.

Mitigation Measure GEO-2 During construction activities, in the event that paleontological resources are encountered, work in the immediate area of the discovery shall be halted, and a professional paleontologist who meets the qualifications established by the Society of Vertebrate Paleontology shall be retained to assess the discovery. The qualified professional paleontologist shall make recommendations regarding the treatment and disposition of the discovered resources, as well as the need for subsequent paleontological monitoring; collection of

⁶⁹ *Ibid.* Page 5.

⁷⁰ The project site is identified as Qyfl: young alluvial-fan deposits of Lytle Creek (Holocene and late Pleistocene). Unconsolidated, gray, cobbly and bouldery alluvium of Lytle Creek Fan. Relatively fine-grained (pebbly and bouldery southern extent; becomes coarser grained (cobbly and bouldery northward). Forms broad channels west and north of Crestmore.

⁷¹ City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.1-6. June 8, 2018.

observed resources; preservation, stabilization, and identification of collected resources; curation of scientifically significant resources into a museum repository; and preparation of a monitoring report of findings. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director, or designee.

5.8 GREENHOUSE GAS EMISSIONS

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

Greenhouse gases (GHGs) are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO₂);
- Methane (CH₄);
- Nitrous oxide (N₂O);
- Hydrofluorocarbons (HFCs);
- Perfluorocarbons (PFCs); and
- Sulfur hexafluoride (SF₆).

Over the last 200 years, humans have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere and enhancing the natural greenhouse effect, believed to be causing global warming. While manmade GHGs include naturally occurring GHGs such as CO₂, methane, and N₂O, some gases, like HFCs, PFCs, and SF₆ are completely new to the atmosphere.

Certain gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time that the gas remains in the atmosphere ("atmospheric lifetime"). The GWP of each gas is measured relative to CO₂, the most abundant GHG; the definition of GWP for a particular GHG is the ratio of heat trapped by one unit mass of the GHG to the ratio of heat trapped by one unit mass of CO₂ over a specified time period. GHG emissions are typically measured in terms of pounds or tons of "CO₂ equivalents" (CO₂e).

The information and analysis in this section is based on the Maple Apartments Greenhouse Gas Analysis City of Fontana prepared by Urban Crossroads, May 4, 2024, provided in Appendix F.

5.8.1 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. This section discusses the project's impacts related to the release of GHG emissions for the construction and operational phases of the project. Construction and operational GHG emissions were estimated using CalEEMod outputs used in the Air Quality analysis (refer to Appendix B) as described in Section 5.3, Air Quality.

State CEQA Guidelines Section 15064(b) provides that the "determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data," and further states that an "ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting."

Appendix G of the State CEQA Guidelines includes significance thresholds for GHG emissions. A project would normally have a significant effect on the environment if it would do either of the following:

- 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 the emissions of GHGs.

Currently, there is no Statewide GHG emissions threshold that has been used to determine the potential GHG emissions impacts of a project. Threshold methodology and thresholds are currently developed and revised by air districts in California.

Fontana is one of the consortium of cities that adopted San Bernardino County's Greenhouse Gas Emissions Reduction Plan Update⁷² in 2021 and GHG Development Review Process (DRP)⁷³ in 2016. The DRP procedures need to be followed to evaluate GHG impacts and determine significance for CEQA purposes. All projects need to apply the GHG performance standards identified in the DRP and comply with State requirements. For projects exceeding the review standard of 3,000 metric tons (MT) CO₂e per year, the use of screening tables or a project-specific technical analysis to quantify and mitigate project emissions is required. If GHG emissions from the project are less than 3,000 MT CO₂e

⁷² County of San Bernardino. 2021. *Regional Greenhouse Gas Reduction Plan Update*. Website: https://www.gosbcta.com/wp-content/uploads/2019/09/San_Bernardino_Regional_GHG_Reduction_Plan_Main_Text_Mar_2021.pdf (accessed October 16, 2024).

⁷³ County of San Bernardino. 2015. *GHG Development Review Processes*. March. Website: www.sbcounty.gov/Uploads/lus/GreenhouseGas/FinalGHGUpdate.pdf (accessed October 16, 2024).

per year and the project would apply GHG performance standards and State requirements, project-level and cumulative GHG emissions would be less than significant.

Construction Activities. Construction activities associated with the proposed project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO₂, CH₄, and N₂O. Furthermore, CH₄ is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

SCAQMD and the City do not provide a separate GHG significance threshold for construction emissions; rather, applicable guidance specifies that construction emissions should be amortized over 30 years (a typical project lifetime), added to the project operational emissions, and that total compared to the GHG significance threshold. As detailed in Table 5.8.A, the amortized construction emissions would be approximately 24.33 MT CO₂e per year. In accordance with SAQMD's guidance, Table 5.8.B below shows the amortized construction emissions added to the project operational emissions and the total emissions compared to the County's GHG Review Standard to evaluate the project's operational emissions impact, as discussed below.

Table 5.8.A: Amortized Annual Greenhouse Gas Construction Emissions

Construction Phase	Total Emissions per Phase (MT)				Total Emissions per Phase (MT CO ₂ e)
	CO ₂	CH ₄	N ₂ O	Refrigerants	
2024	307.27	0.01	0.01	0.20	310.65
2025	412.4	0.01	0.02	0.33	419.14
TOTAL GHG Emissions	721.11	0.03	0.03	0.53	729.79
Amortized Construction Emissions	24.04	9.32E-04	8.34E-04	1.77E-02	24.33

Source: Table 3-3, *Maple Apartments Greenhouse Gas Analysis City of Fontana*. Urban Crossroads. May 4, 2024 (Appendix F).

A CalEEMod reports the most common GHGs emitted which include CO₂, CH₄, N₂O and R. These GHGs are then converted into CO₂e by multiplying the individual GHG by the GWP.

CH₄ = methane

MT CO₂e = metric tons of carbon dioxide equivalent

CO₂ = carbon dioxide

MT = metric tons

CO₂e = carbon dioxide equivalent

N₂O = nitrous oxide

Operational GHG Emissions. Long-term GHG emissions are typically generated from mobile sources (e.g., cars, trucks, and buses), area sources (e.g., maintenance activities and landscaping), indirect emissions from sources associated with energy consumption, waste sources (land filling and waste disposal), and water sources (water supply and conveyance, treatment, and distribution). Mobile-source GHG emissions would include project-generated vehicle and truck trips to and from the project site. Area-source emissions would be associated with activities such as landscaping and maintenance on the project site. Waste source emissions generated by the proposed project include energy generated by land filling and other methods of disposal related to transporting and managing project-generated waste. Operational GHG emissions associated with the proposed project are identified in Table 5.8.B.

Table 5.8.B: Project Greenhouse Gas Emissions

Source	Pollutant Emissions (MT per year)				
	Total CO ₂	CH ₄	N ₂ O	Refrigerants	CO ₂ e
Annual Construction Emissions Amortized over 30 Years	24.04	9.32E-04	8.34E-04	1.77E-02	24.33
Mobile Source	1,527.48	0.09	0.08	2.35	1.556.13
Area	67.83	0.00	0.00	0.00	67.91
Energy	350.56	0.03	0.00	0.00	352.13
Water	17.05	0.36	0.01	0.00	28.66
Waste	17.48	1.75	0.00	0.00	61.16
Refrigerants	0.00	0.00	0.00	0.25	0.25
Total CO ₂ e (all sources)					2,090.58
Screening threshold					3,000
Emissions Exceed Threshold?					No

Source: Table 3-4, *Maple Apartments Greenhouse Gas Analysis City of Fontana, Urban Crossroads*, May 4, 2024 (Appendix F).

CH₄ = methane

MT = metric tons

CO₂ = carbon dioxide

N₂O = nitrous oxide

CO₂e = carbon dioxide equivalent

As shown in Table 5.8.B, the project (construction and operational activities) would generate 2,090.58 MT CO₂e/yr. This is less than San Bernardino County's Review threshold of 3,000 MT CO₂e/yr. The project would be designed, constructed, and operated in accordance with applicable San Bernardino County Greenhouse Gas Emissions Reduction Plan Update GHG reduction measures, and applicable requirements outlined in the California Energy Code and California Green Building Code. These Codes identify minimum standards related to various building features, including solar roof, electric vehicle charging capacity, appliances, water and space heating and cooling equipment, building insulation and roofing, residential electrification, and lighting, which would reduce energy usage and the resultant greenhouse gas emissions.⁷⁴ As the project does not exceed the 3,000 MT CO₂e screening threshold and would implement the

⁷⁴ ICF International and LSA. *San Bernardino County Regional Greenhouse Gas Reduction Plan*. Table 3-24 (GHG Reduction Measures and Estimated 2030 reductions for Fontana). Pages 3-72 and 3-73. March 2021.

applicable requirements of the California Energy and Green Building Codes, project-level and cumulative GHG emissions would **be less than significant**. Mitigation is not required.

- b. Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Less than Significant Impact. The proposed project was analyzed for consistency with the County's Greenhouse Gas Reduction Plan, the goals of the 2022 Scoping Plan, and the SCAG 2024–2050 RTP/SCS.

County of San Bernadino Greenhouse Gas Reduction Plan. As a response to the 2006 AB 32 law, a project partnership led by the San Bernardino Associated Governments, the predecessor agency to the San Bernardino County Transportation Authority, compiled an inventory of GHG emissions and developed reduction measures that were adopted by the 21 Partnership Cities of San Bernardino County. The regional GHG reduction plan serves as the basis for cities in San Bernardino County to develop more detailed community-level climate action plans. The City of Fontana is a partner city in this study, which was last updated in March 2021. As discussed above, together with the Greenhouse Gas Emissions Reduction Plan, the County adopted its DRP in 2016. The DRP procedures are designed to be followed to evaluate project-level GHG impacts and determine significance for CEQA purposes.

All projects need to comply with the GHG performance standards identified in the DRP and with State GHG emissions control requirements. The California Energy Code and CALGreen Code (California Code of Regulations, Title 24, Parts 6 and 11, respectively), set performance standards for residential development to reduce environmental impacts and encourage sustainable construction practices. The CALGreen Code addresses energy efficiency, water conservation, materials conservation, planning and design, and overall environmental quality.

The 2022 Building Energy Efficiency Standards includes solar photovoltaic (solar PV) system requirements for all newly constructed low-rise multifamily buildings (buildings that have up to three habitable stories)⁷⁵ and for “high-rise” multifamily building (four or more habitable stories).⁷⁶ Section 110.10 of the California Energy Code further specifies that plans for new development must indicate reserved locations for inverters, reserved pathways for conduit from the solar zone to the electrical service connection, and if central water heating is used, pathways for plumbing from the solar the water-heating system.

Section 160.9 of the 2022 Energy Code requires “electric ready” construction in multi-family buildings including provisions to provide wiring/conduit/electric panel space to accommodate heat pumps (cooling/heating and water heating), electric cooktops, and electric clothes dryers in

⁷⁵ California Energy Commission. 2022 Low-rise Multifamily Solar PV, General Information. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/energy-code-support-center/2022-2>. (accessed October 11, 2024).

⁷⁶ California Energy Commission. 2022 High-rise Multifamily Solar PV, General Information. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/energy-code-support-center/2022-3>. (accessed October 11, 2024).

individual units and common areas (e.g., laundry rooms).⁷⁷ The installation of “electric ready” construction would facilitate the future electrification of development, thereby, decreasing the demand for natural gas for heating/cooking.

The project would be required to adhere to all federal, State, and local requirements for energy efficiency, including current Title 24, California Energy Code and CALGreen standards, which establish minimum standards related to various building features, including solar roof, electric vehicle charging capacity, appliances, water and space heating and cooling equipment, building insulation and roofing, electrification, and lighting, which would reduce energy usage. In addition, proposed new development would be constructed using energy efficient modern building materials and construction practices, and the proposed project also would use new modern appliances and equipment in accordance with the Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608).

As discussed above, the GHG emissions from the project are less than the established review criteria of 3,000 MT CO₂e per year. As such, the project would comply with GHG performance standards and would be consistent with the County of San Bernardino Greenhouse Gas Reduction Plan.

Scoping Plan. Executive Order (EO) B-30-15 added the immediate target of reducing GHG emissions to 40 percent below 1990 levels by 2030. Senate Bill 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in EO B-30-15.⁷⁸ The 2022 Scoping Plan assesses progress toward the statutory 2030 target, while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State’s long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities. The measures applicable to the proposed project include energy efficiency measures, water conservation and efficiency measures, and transportation and motor vehicle measures, as discussed below.

The project would not impede the State’s progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan and is subject to applicable provisions of the California Energy Code and California Green Building Code, which, as discussed above, identify minimum standards related to various building features, including solar roof, electric vehicle charging capacity; appliances; water and space heating/cooling equipment; building insulation and roofing; residential electrification; and lighting. These measures are

⁷⁷ California Energy Commission. 2022 Multifamily Electric Ready. <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/energy-code-support-center/2022-5#:~:text=A%20dedicated%2040V%20branch%20circuit,labeled%20%E2%80%9CFor%20Future%2040V%20Use%E2%80%9D.> (accessed October 11, 2024).

⁷⁸ The companion bill to SB 32, AB 197, provides additional direction to the CARB related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 intended to provide easier public access to air emissions data that are collected by CARB was posted in December 2016.

designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. With implementation of the green building practices described above, the project would not impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. As noted above, the proposed project would be required to comply with the latest Title 24 standards of the CCR, which include a variety of different measures, including reduction of wastewater and water use. Therefore, the proposed project would not conflict with water conservation and efficiency measures.

The goal of transportation and motor vehicle measures is to develop regional GHG emissions reduction targets for passenger vehicles. The second phase of Pavley standards will reduce GHG emissions from new cars by 34 percent from 2016 levels by 2025, resulting in a 3 percent decrease in average vehicle emissions for all vehicles by 2020. Vehicles traveling to the project site would comply with the Pavley II (LEV III) Advanced Clean Cars Program. The project would also comply with the following additional transportation sector policies (through vehicle manufacturer compliance): Advanced Clean Cars II, Advanced Clean Trucks, Advanced Clean Fleets, Zero Emission Forklifts, the Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, In-use Off-Road Diesel-Fueled Fleets Regulation, Off-Road Zero-Emission Targeted Manufacturer rule, Clean Off-Road Fleet Recognition Program, Amendments to the In-use Off-Road Diesel-Fueled Fleets Regulation, carbon pricing through the Cap-and-Trade Program, and the Low Carbon Fuel Standard.⁷⁹ Therefore, the proposed project would not conflict with the identified transportation and motor vehicle measures.

As such, the project would not conflict with implementation of the State's Scoping Plan.

2024–2050 RTP/SCS. SCAG's RTP/SCS identifies that land use strategies that focus on new housing and job growth in areas served by high quality transit and other opportunity areas would be consistent with a land use development pattern that supports and complements the proposed transportation network. The core vision in the 2024–2050 RTP/SCS is to apply a holistic approach to design management strategies that better manage the existing transportation system, integrate land use decisions and technological advancements, create complete streets that are safe to all roadway users, preserve the transportation system, and expand transit and foster development in transit-oriented communities.

SCAG maintains a goal to achieve the region's GHG reduction target of 19 percent below 2005 per capita emissions levels by 2035.⁸⁰ To reduce GHG emissions in the SCAG region, the 2024–2050 RTP/SCS promotes projects to help more efficiently distribute population, housing, and employment growth, as well as forecast development that is generally consistent with regional-

⁷⁹ Urban Crossroads, Inc. *Maple Apartments Greenhouse Gas Analysis City of Fontana*. Page 56. May 4, 2024. (Appendix F).

⁸⁰ Southern California Association of Governments. *Connect SoCal, a Plan for Navigating to a Brighter Future. 2024-2050 Regional Transportation Plan/Sustainable Communities Strategy*. Pages 97, 187, and 225. Adopted April 4, 2024.

level general plan data. Implementing SCAG's RTP/SCS would greatly reduce the regional GHG emissions from transportation, helping to achieve local and statewide emissions reduction targets.

The project site is currently designated R-MFMH (Multi-family Medium/High Residential, 24.1 – 39.0 du/ac) in the City's General Plan and is zoned R-4 (Mult Family Medium/High Density Residential). This zoning district provides space for high density residential and transit-oriented development commonly found in an urban environment, especially along existing and/or anticipated future bus routes. Permitted uses include multi-story apartments and mixed-use developments. Based on the project site and the number of units proposed, the project would provide approximately 32.6 du/ac, which is within the residential density range established for the City for the project site. No land use action to change the General Plan land use designation or zoning district is required; therefore, the project would not result in growth in the area or City beyond that which was planned for by SCAG.

Omnitrans Route 314 provides service between San Bernardino and Fontana via Rialto. Route 314 travels along Foothill Boulevard operating with 20-minute headways during peak hours and 30-minute headways during off-peak hours. Major stops include the San Bernardino Transit Center and the Fontana Metrolink Transit Center (located at 16777 Orange Way, approximately 2.0 miles southwest of the site). The project includes a bus turnout along Foothill Boulevard along the southern frontage of the site to accommodate Route 314, thereby accommodating alternative modes of transportation via connection to Omnitrans and Metrolink routes. Accordingly, the project would not interfere with SCAG's ability to implement the regional strategies, such as expanding transit and fostering development in transit-oriented communities, outlined in the 2024-2050 RTP/SCS.

Therefore, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. Impacts would be **less than significant**, and mitigation is not required.

5.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☒	☐	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

The information and analysis in this section is based in part on the Phase 1 Environmental Site Assessment (Phase 1 ESA) prepared for the project site by Petra Geosciences dated October 11, 2023 (Appendix G).⁸¹

5.9.1 Impact Analysis

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. Development of the project has the potential to create a hazard to the public or environment through the routine transportation, use, and disposal of construction-related hazardous materials such as fuels, oils, solvents, and other materials. All hazardous materials must be disposed of in accordance with the federal, State, and local (San Bernardino County Department of

⁸¹ Petra Geosciences. *Phase 1 Environmental Site Assessment District Property 2, 6 Contiguous Parcels on 8.4 acres at the Northwest Corner of N. Maple Avenue and W. Foothill Boulevard Assessor Parcel Numbers (APNS) 0214-142-01 through -06 City of Fontana, San Bernardino County, California, 92336.* October 11, 2023. (Appendix G).

Public Health and SCAQMD) regulations to safeguard the public from significant hazards during the disposal of hazardous materials.

Construction. The transport, use, and disposal of hazardous materials during construction would be regulated by the San Bernardino County Fire Department, the Fontana Fire Protection District, and the California Occupational Safety and Health Administration. The Code Enforcement Division of the Fontana Police Department is responsible for weed and rubbish abatement in coordination with other City and County departments. Additionally, the United States Department of Transportation Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials by truck and rail on State highways and rail lines, as described in Title 49 of the Code of Federal Regulations and implemented by Title 13 of the CCR.

Potential hazardous materials such as fuel, paint products, lubricants, solvents, and cleaning products may be used and/or stored on-site during construction of the proposed project. These materials are typical of materials delivered to construction sites. During construction of the proposed multi-family development, only limited quantities of these materials are expected to be used during construction, so they are not considered hazardous to the public at large. Accordingly, the potential for the release of hazardous materials during construction would be low and, even if a release were to occur, it would not result in a significant hazard to the public, surrounding land uses, or environment due to the small quantities of these materials associated with construction. Therefore, impacts from the routine transport, use, or disposal of hazardous materials during construction would be **less than significant**, and mitigation is not required.

Operation. Residential operations and maintenance on the project site would utilize relatively small amounts of hazardous materials, such as chemicals associated with heating and cooling systems, fuel for landscape equipment, solvents, cleaning products, pesticides/fertilizers, and other similar chemicals. These materials are substantially similar to household chemicals and solvents already in wide use in residential areas throughout the City and in the vicinity of the project site. Individuals occupying the residential units are expected to use, store, and dispose of such materials in the manner prescribed by the manufacturers.

Any potential transport, use, and disposal of hazardous materials during project operation would be regulated by the San Bernardino County Fire Department, the Fontana Fire Protection District, and the California Occupational Safety and Health Administration. These regulations inherently safeguard life and property from the hazards of fire/explosion arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings. Therefore, impacts from the routine transport, use, or disposal of hazardous materials during project operation would be **less than significant**, and mitigation is not required.

- 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 with Mitigation Incorporated. Based on historical records and a review of historical aerial photographs, the project site was used for agricultural purposes from at least 1938

until approximately 1953. Based on a review of historical aerial photographs, one residence and barn-type building were noted in the southeastern portion of the project site, fronting Maple Avenue. In the 1949 aerial photograph, a cluster of three duplex buildings were observed on the south side of the subject site fronting Foothill Boulevard. One small building, identified as a juice stand, was located at the southwest corner of the property. In 1949, a property adjacent to the southwest edge of the project site was developed with a motel use. The 1959 aerial photo depicts the project site with the prior orchard removed, and most of the orchards in the vicinity also had been removed, but the on-site buildings remained. Residential development was noted to the north, west, and south. By 1966, what appeared to be a car dealership was observed to the west, at the northeast corner of Foothill Boulevard and Locust Avenue. By 1977, the dealership had expanded to two buildings, and related pavement was observed against the west edge of the project site. Most of the project site remained undeveloped land except for vegetation clearing and possible pavement between the onsite buildings along Foothill Boulevard. Sometime during/after 1985 and before/during 1990, multi-family residential uses were developed south of Foothill Boulevard. Between 1990 and 1994, the buildings within the southeast portion of project site had been removed, with only one small building remaining on the southwest corner of the site. During this same time period, multi-family residential uses were developed northeast of the project site. Between 2002 through current day (2024), the project site remained vacant and undeveloped, except for placement of the mobile classroom trailer in the north central portion of the subject site sometime during/after 2012 and during/before 2016.⁸²

As stated in the Phase 1 ESA, a previous environmental report prepared in 2005 for the project site included soil sampling due to historic agricultural uses and previous development of buildings on the property. The 2005 report included soil vapor sampling along the western site boundary due to the proximity of the former automotive dealer facility. The results of the 2005 report concluded: 1) no further sampling and analysis activities are necessary to assess chemical impacts at the subject site; 2) chemical concentrations measured at the subject site do not pose a significant risk to human health and the environment; and, 3) no remediation or mitigation activities are required to protect public health and the environment from potential exposures to onsite chemical concentration in soil.⁸³

As detailed in Appendix G of this IS/MND, the Phase I ESA was prepared for the project site in accordance with the standards and procedures outlined in the American Society for Testing and Materials E 1527-13, as applicable. The Phase I ESA included a literature review of local, state, and federal databases which evaluated the project site and a one-mile radius encompassing the project site for the purposes of identifying recognized environmental conditions or historical recognized environmental conditions. A field assessment of the site was conducted on June 10, 2023.

“Recognized environmental condition” (REC) means the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a

⁸² *Ibid*, Pages 4 & 5.

⁸³ *Ibid*. Page 8.

material threat of a future release to the environment.⁸⁴ “Historical Recognized environmental condition” (HREC) means an environmental condition which in the past would have been considered a recognized environmental condition, but which may or may not be considered a recognized environmental condition currently. If a past release of any hazardous substances or petroleum products has occurred in connection with the property, with such remediation accepted by the responsible regulatory agency (for example, as evidenced by the issuance of a case closed letter or equivalent), this condition shall be considered a historical recognized environmental condition. “Controlled recognized environmental conditions” (CREC) are as a recognized environmental condition resulting from the past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (i.e., as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

No indication of above ground storage tanks or underground storage tanks have been or are currently located on the site. No evidence of drums, sumps, pits, pools, lagoons, or ground staining was identified within the project site during the field assessment. The 2005 soil sampling detected organochlorine (OCP) pesticide residue, but the detectable residue was within the 2023 regional screening levels established by the United States Environmental Protection Agency (US EPA) and do not represent a REC for the project site or a significant risk to human health of the environment; therefore, no additional soil sampling or remediation of on-site soils is required.⁸⁵

A data search of the various government agency records indicated the site is listed on the Department of Toxic Substances Control Envirostor/Schools (Envirostor/SCH) database. The previous 2005 environmental evaluation was prepared as the site was under consideration as a school site. As previously noted, the OCP pesticide detected in soil samples in 2005 does not represent a REC for the project site or a significant risk to human health. The records search identified 31 other listings at 13 addresses within the required search radii. Four of the listings refer to individuals at residential addresses reported only under the Resource Conservation Recovery Act (RCRA) NonGenerator (RCRA NonGen/NLR) database. Twenty-seven of the listings are mapped within 1,760 feet (or 0.33 mile) of the center of the site. A review of the sites and records indicated no violations or evaluative actions at these sites, and they do not contain evidence of REC, HREC, or CREC or a significant a significant risk to public health or safety on the project site.⁸⁶

One pole-mounted transformer was observed outside the chain link fencing along Foothill Boulevard. The transformer appeared to be in good condition, and there were no readily detectable signs of surface staining around the base of the wooden pole. The records search and field survey did not reveal any previous or current presence of polychlorinated biphenyls at the site. The buildings that

⁸⁴ The term “Recognized Environmental Conditions” is not intended to include de minimis conditions that generally do not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. Conditions determined to be de minimis are not recognized environmental conditions.

⁸⁵ Petra Geosciences. *Phase 1 Environmental Site Assessment District Property 2, 6 Contiguous Parcels on 8.4 acres at the Northwest Corner of N. Maple Avenue and W. Foothill Boulevard Assessor Parcel Numbers (APNS) 0214-142-01 through -06 City of Fontana, San Bernardino County, California, 92336*. Pages 29 and 30. October 11, 2023. (Appendix G).

⁸⁶ *Ibid.* Pages 34 and 35.

occupied the southern portion of the subject property, are no longer present. A mobile classroom trailer and two metal bins were observed in the north central portion of the subject site. No potential asbestos-containing materials (ACMs) were observed on the site during the field survey, and no information was found which indicated the use, storage, or disposal of asbestos-containing materials on the site. Flaking, peeling, and cracking exterior paint was observed on the lower edge of the west facing wall of the trailer. No other potential lead-based paint (LBP) materials were observed on the site during the field survey, and no information was found which indicated the use, storage, or disposal of lead-based paint materials on the site. Based solely upon visual observation, this paint may contain lead, which represents a potentially significant impact. Additionally, prior use of the site for agriculture could result in unknown subsurface conditions on the property, which could include buried pipelines or irrigation channels, septic tanks,⁸⁷ and/or other buried objects/debris that may contain asbestos or other hazardous materials. Accordingly, **Mitigation Measures HAZ-1** through **HAZ-3** are prescribed to ensure any lead, asbestos, or other potentially hazardous materials are managed in accordance with applicable regulatory requirements.

Mitigation Measures. The following mitigation measures are required to reduce potentially significant impacts on hazardous materials that may be located in existing on-site structures or buried underground to less than significant levels.

Mitigation Measure HAZ-1

Prior to the removal of the mobile classroom trailer from the project site, the project applicant shall provide to the City for review and approval that a lead-based paint (LBP) survey has been completed for the mobile classroom trailer. If no LBP is detected, no further mitigation is required.

Should LBP containing materials be detected during the survey, prior to the removal of the mobile classroom trailer from the project site, the project Applicant shall retain a California Department of Public Health Lead Inspector Assessor to abate LBP from the project site. The Lead Inspector Assessor shall provide a construction and demolition plan with disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility and South Coast Air Quality Management District air clearances prior to any lead removal activity, and a lead report shall be provided to the City prior to any lead removal activity. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.

Mitigation Measure HAZ-2:

In the event subsurface irrigation pipes, septic facilities, or any other on-site features suspected to contain asbestos are encountered

⁸⁷ The discovery of septic tanks or similar sewage disposal facilities and subsequent abandonment requires a permit from the San Bernardino County Building and Safety Division pursuant to California Plumbing Code Section 722, which stipulates specific conditions for the safe removal of remnant sewage and componentry, backfilling, and inspection from the San Bernardino County Building & Safety Division.

during ground-disturbing activities, excavation within 60 feet of the material shall be halted, and the project Applicant shall retain a qualified California Division of Occupational Safety and Health (Cal/OSHA) Certified Site Surveillance Technician to evaluate whether the features or materials warrant further assessment or remediation pursuant to Title 8, California Code of Regulations (CCR) Section 1529. Caution shall be taken not to crush the pipes until it can be ascertained that they do not contain asbestos. In the event the City, through consultation with the Cal/OSHA Certified Site Surveillance Technician, determines the material is not hazardous, no further remedial action is required, and the material shall be disposed of in accordance with the Code Enforcement Division of the Fontana Police Department.

In the event the material is deemed to contain asbestos, the project Applicant shall retain a Certified Asbestos Consultant to provide a construction and demolition plan with disposal tickets from a San Bernardino County Department of Public Works-Solid Waste Management Division-approved disposal facility. As required, the Certified Asbestos Consultant shall prepare and submit Asbestos Notification to the South Coast Air Quality Management District (SCAQMD) for air clearances. The Certified Asbestos Consultant shall prepare an asbestos disposal report for City review prior to final disposal. This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.

Mitigation Measure HAZ-3:

Should grubbing, grading, or any other ground-disturbing activities reveal any discolored soils, noxious odors, and/or other buried objects/debris, the project Applicant shall retain a consultant qualified under American Society for Testing and Materials (ASTM) International Standard E1527-13 to evaluate the conditions and provide recommendations if needed. If the qualified consultant determines the subject materials are not hazardous, no further remedial action is required, and the material shall be disposed of in accordance with the Code Enforcement Division of the Fontana Police Department.

In the event the material is deemed potentially hazardous, the qualified consultant shall conduct a soil investigation on the project site to assess the potential presence of hazardous materials. The soil investigation shall meet or exceed the standards of the California Department of Food and Agriculture and comply with the Maximum Residue Limits established in 40 Code of Federal Regulations 180 for any pesticide chemicals identified on the site. Construction may not

proceed until the extent and nature of the suspect material is determined by qualified personnel and in consultation with appropriate City staff.

The removal and/or disposal of any hazardous material shall be conducted by a California Division of Occupational Safety and Health (Cal/OSHA) licensed Hazardous Materials Substances Removal contractor in accordance with all applicable local, State, and federal standards to the degree that adequate public health and safety standards are maintained, to the satisfaction of the City. If appropriate, the City may enter into a Voluntary Cleanup Plan (VCP) with the California Department of Toxic Substances Control (DTSC) to coordinate remediation of the site. If a VCP is established, the City shall enter into a memorandum of agreement with the DTSC to support and strengthen efforts to achieve protective cleanups under State oversight. The City shall ensure advance payment is made and the City and/or project Applicant is committed to paying all subsequent VCP costs, including those associated with DTSC's oversight. The VCP shall be managed by a Hazardous Substances Scientist or Hazardous Substances Engineer and shall include details about site conditions, proposed land use, and potential community concerns. In the VCP, the DTSC retains its authority to take enforcement action if, during the investigation or cleanup, it determines the site presents a serious health threat, and proper and timely action is not otherwise being taken. When remediation is complete, the DTSC shall issue either a site certification of completion or a "No Further Action" letter, depending on the project circumstances. This means "The Site" is now property that is ready for productive economic use.

This measure shall be implemented to the satisfaction of the City of Fontana Community Development Director or designee, and/or Building and Safety Division, or designee.

Only Cal/OSHA licensed Hazardous Materials Substances Removal contractors, and/or California State Registered Asbestos Abatement Contractors registered by the Division of Occupational Health and Safety in accordance with the California Administrative Code, Title 8, and Article 2.5 and the SCAQMD Asbestos Hazard Emergency Response Act pursuant to Code of Federal Regulations Chapter 40, Part 763, subpart E shall be allowed to transport hazardous materials off-site. Implementation of **Mitigation Measure HAZ-1** through **HAZ-3** would ensure demolition and/or removal of the existing structure and any unanticipated encounters with potentially hazardous materials on the project site would not create a significant hazard to the public or the environment during disposal of hazardous materials. Impacts would be **less than significant with mitigation incorporated**.

- 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?*

Less than Significant with Mitigation Incorporated. The nearest schools⁸⁸ to the project site include:

- Eric Birch High School, 0.16 mile northwest of the project site;
- Virginia Primrose Elementary School, 0.31 mile northwest of the site; and
- Ted Parker Elementary School, 0.33 mile southwest of the site.

Construction. Any transport of hazardous materials associated with construction of the proposed project would be in accordance with the United States Department of Transportation, which regulates the transport of hazardous materials and waste and requires carriers to register with the California Department of Toxic Substances Control (DTSC). Only Cal/OSHA licensed Hazardous Materials Substances Removal contractors, and/or California State Registered Asbestos Abatement Contractors registered by the Division of Occupational Health and Safety in accordance with the California Administrative Code, Title 8, and Article 2.5 and the SCAQMD Asbestos Hazard Emergency Response Act pursuant to Code of Federal Regulations Chapter 40, Part 763, subpart E would transport hazardous materials off site, as detailed in Section 5.9.b above.

Operation. The residential nature of the project would result in the limited use of hazardous material such as household cleaners, lubricants, fuels, paint, and solvents. Beyond the limited residential use of these materials, the project does not include facilities for the manufacture, transport, storage, or disposal of hazardous material; therefore, the proposed project would not generate hazardous emissions or result in the release of hazardous materials within one-quarter mile of an existing or proposed school during operation.

Typically, special consultation and notification requirements apply for projects that would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of a school.⁸⁹ However, those requirements do not apply to the proposed project because although the project is within one-quarter mile of Eric Birch High School, the requirements apply only if there is a potential for significant adverse environmental impacts involving hazardous emissions or materials. The proposed project is not designed to store, handle, or manufacture substantial amounts of hazardous materials. Common hazardous materials that may be present during construction and operation would include fuel, paint products, lubricants, solvents, and cleaning products, as well as household cleaning/chemical products and compounds used in landscaping and pool maintenance present throughout the region. These materials are also commonly found on school campuses and utilized routinely at schools as part of ongoing facility maintenance operations.

⁸⁸ Fontana Unified School District. *School Locator*. 2024. Website: <https://fusd.maps.arcgis.com/apps/webappviewer/index.html?id=46e253283ab94860b685ff39ec7f5014>, (accessed September 23, 2024).

⁸⁹ See California Public Resources Code § 21151.4 and 14 California Code of Regulations § 15186.

The amount of potentially hazardous chemicals present on the project site would be limited and would also occur in compliance with existing government regulations, which inherently safeguard life and property on nearby school sites from the hazards of exposure arising from the storage, handling, and disposal of hazardous substances, materials, and devices, as well as hazardous conditions due to the use or occupancy of buildings. The proposed project would be similar to other residential operations throughout the region that are located close to existing or proposed school sites. Furthermore, as detailed above under Section 5.9(b), the proposed project is not expected to result in a significant hazard affecting the public during project construction or operation, and implementation of **Mitigation Measures HAZ-1** through **HAZ-3** would ensure demolition and/or removal of the existing structure and any unanticipated materials potentially hazardous on the project site would occur in accordance with applicable regulatory policies to avoid emission and/or release of hazardous materials during transport within one-quarter mile of an existing or proposed school. Impacts would be **less than significant with mitigation incorporated**, and special consultation and notification pursuant to California Public Resources Code § 21151.4 and 14 California Code of Regulations § 15186 are not required.

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

No Impact. Pursuant to Government Code Section 65962.5, the Hazardous Waste and Substances Sites List has been compiled by the California Environmental Protection Agency Hazardous Materials Data Management Program. The project site is not on any list of hazardous material sites compiled pursuant to Government Code Section 65962.5.⁹⁰ Therefore, **no impact** related to the Hazardous Waste and Substances Sites List or other governmental databases compiled pursuant to Government Code Section 65962.5 would occur. Mitigation is not required.

e. Would the project be located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The nearest airports to the project site are San Bernardino International Airport (SBIA) and Ontario International Airport (OIA), which are located approximately nine miles southeast and 11 miles southwest of the project site, respectively. The project site is not located within the Airport Influence Area or 65 a-weighted decibels (dBA) community noise equivalent level (CNEL) noise contour established for SBIA.⁹¹ The project site is additionally located outside the OIA Airport

⁹⁰ California Department of Toxic Substances Control. *Hazardous Waste and Substances Site List (Cortese)*. https://www.envirostor.dtsc.ca.gov/public/search.asp?page=3&cmd=search&business_name=&main_street_name=&city=&zip=&county=&status=ACT%2CBKLG%2CCOM&branch=&site_type=CSITES%2CFUDS&npl=&funding=&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29&reporttype=CORTESE&federal_superfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_poi=&business_type=&case_type=&searchtype=&hwmp_site_type=&cleanup_type=&ocieerp=&hwmp=False&permitted=&pc_permitted=&inspections=&inspectionsother=&complaints=&censustract=&cesdecile=&school_district=&orderby=city. (Accessed November 1, 2024).

⁹¹ City of San Bernardino. *City of San Bernardino General Plan*. Figure LU-4. Adopted November 1, 2005.

Influence Area of the Ontario International Airport Land Use Compatibility Plan (ONTLUCP)⁹² and outside the 60 dBA CNEL noise impact area established for the OIA.⁹³ Therefore, the project would not result in a safety hazard or expose people working in the project area to excessive airport-related noise levels. **No impact** would occur, and no mitigation is required.

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

Less than Significant Impact. Construction activities that may temporarily restrict vehicular traffic would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Typical City requirements as codified in Section Nos. 30-429 (Public Safety) and 30-476 (Subdivision and Site Plan Design) of the City Municipal Code include prior notification of any lane or road closures with sufficient signage before and during any closures, flag crews with radio communication when necessary to coordinate traffic flow, etc. The developer would be required to comply with these requirements, which would maintain emergency access and allow for evacuation if needed during construction activities. Compliance with these requirements would ensure that short-term impacts related to this issue are **less than significant**. Mitigation is not required.

In accordance with the California Fire Code, the Project Applicant is required to design, construct, and maintain structures, roadways, and facilities to maintain appropriate emergency/evacuation access to and from the Project site as codified in Section Nos. 30-429 (Public Safety) and 30-476(g)(7) (Subdivision and Site Plan Design) of the City Municipal Code. The project would be accessible by residents via one main driveway (full access) on Maple Avenue and a secondary, gated driveway along Foothill Boulevard for right-out maneuvers only that also would provide additional access for emergency and other service vehicles. The project provides a 30-foot drive aisle around and between buildings 1 and 2, allowing emergency access to the center portion of the site. Buildings 3-6 are bounded by 30-foot drive aisles and public rights-of-way, allowing emergency access to the perimeter of the site. All entry security gates would include an override switch to allow access by emergency responders. All points of site access and driveway aprons are designed and would be constructed to adequate widths for public safety pursuant to local requirements. These improvements would be subject to compliance with the City Municipal Code sections specified above and would be reviewed by the Fontana Fire Protection District and Police Department through the City's general development review process. Proper site design and compliance with standard and emergency City access requirements would allow for evacuation if necessary. This would ensure that long-term impacts related to this issue are **less than significant**. Mitigation is not required.

⁹² Ontario International Airport Land Use Compatibility Plan. *Chapter 2: Procedural and Compatibility Policies*. Map 2-1: Airport Influence Area. April 19, 2011.

⁹³ *Ibid.* Map 2-3: Compatibility Policy Map: Noise Impact Zones.

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

Less than Significant Impact. As discussed in Section 5.20, Wildfire, the project site is not within a Very High Fire Hazard Severity Zone (VHFHSZ).⁹⁴ The project site and vicinity are not located in areas identified by the City to be areas at risk of a wildfire event.⁹⁵ The project would be required to comply with 2022 CBC requirements for ignition-resistant construction and applicable policies of the City's General Plan Safety Element, including Goal 3, Action B, which requires structures to adhere to applicable fire codes and fire access requirements in accordance with California Fire Code and the City's Municipal Code. As the project site is located in an urbanized area of the city and is not located in or near wildland areas, development of the multi-family residential buildings would not expose people or structures to significant loss or injury from wildland fires. Impacts would be **less than significant**, and mitigation is not required.

⁹⁴ California Department of Forestry and Fire Protection (CALFIRE). *Fire Hazard Severity Zones Map*. <https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones> (accessed September 23, 2024).

⁹⁵ City of Fontana. *Local Hazard Mitigation Plan*. Figure 4-5: Fire Perimeter City of Fontana. June 2017; Approved and Adopted August 14, 2018.

5.10 HYDROLOGY AND WATER QUALITY

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

The information and analysis in this section is based on the Preliminary Water Quality Management Plan for TTM 20704⁹⁶ and the TPM 20704 Foothill and Maple Ave Apartments Preliminary Drainage Report⁹⁷ prepared for the project by Allard Engineering, which are provided in Appendices H1 and H2, respectively.

5.10.1 Impact Analysis

- a. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?*

Less than Significant Impact.

Construction. Pollutants of concern during construction include sediment, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on water quality. During construction activities, excavated soil would be exposed, and there would be an increased

⁹⁶ Allard Engineering. *Preliminary Water Quality Management Plan for TTM 20704*. August 5, 2024. (Appendix H1).

⁹⁷ Allard Engineering. *TPM 20704 Foothill and Maple Ave. Apartment Fontana, CA 92327 Preliminary Drainage Report*. August 12, 2024. (Appendix H2).

potential for soil erosion and sedimentation compared to existing conditions. In addition, chemicals, liquid products, petroleum products (such as paints, solvents, and fuels), and concrete-related waste may be spilled or leaked during construction. Any of these pollutants have the potential to be transported via stormwater runoff into receiving waters (i.e., Rialto Channel, Santa Ana River Reach 4, Prado Basin, Santa Ana River Reach 3, and the Pacific Ocean).⁹⁸

The 8.43-acre project site exhibits level topography and is currently vacant and undeveloped. The project and associated improvements, including paving and parking areas, would increase the impervious surface on the site by approximately 90 percent.⁹⁹ Because project construction would disturb greater than 1 acre of soil, the project would be subject to the requirements of the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) permit Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, NPDES No. CAS000002) (Construction General Permit).

The project would also be required to comply with City Municipal Code Section 23-519, Regulation of Construction and Industrial Dischargers. Section 23-519 of the City's Municipal Code prohibits land disturbance or construction activities without first obtaining coverage under the Construction General Permit, development of a Stormwater Pollution Prevention Plan (SWPPP), and implementation of Best Management Practices (BMPs) to ensure that construction practices include measures to protect water quality and prevent illegal discharges. As specified in **Standard Conditions HYD-1** and **HYD-2** and as required by the Construction General Permit and City Municipal Code, the Construction Contractor would be required to prepare a SWPPP and implement construction BMPs detailed in the SWPPP during construction activities. Construction BMPs would include, but not be limited to, erosion and sediment control, designed to minimize erosion and retain sediment on site, and good housekeeping practices to prevent spills, leaks, and discharge of construction debris and waste into receiving waters.

The Preliminary Geotechnical Evaluation report stated the nearest well (Well ID: 01S05W16C00S) to the site is located approximately one mile to the southwest, and a second well (Well ID: 01S05W04D002S) is located approximately 1.1 mile to the northwest.¹⁰⁰ The most recent data for these wells recorded groundwater at 398 and 335 feet bsg, respectively; therefore, it is unlikely excavation activities would have the potential to encounter groundwater, and groundwater dewatering is not anticipated to be required during construction activities.

With implementation of **Standard Conditions HYD-1 and HYD-2**, which require compliance with the Construction General Permit and Municipal Code requirements, respectively, impacts associated with a violation of water quality standards or waste discharge requirements during project construction would be **less than significant**, and mitigation is not required.

⁹⁸ Allard Engineering. *Preliminary Water Quality Management Plan for TTM 20704*. Pg 4-5. August 5, 2024. (Appendix H1).

⁹⁹ *Ibid.* Page 1-1.

¹⁰⁰ Petra Geoscience. *Preliminary Geotechnical Investigation District Property 2, 8.4-Acre site Northwest Corner of Maple Avenue and West Foothill Boulevard*. Page 7. September 6, 2023.

Operation. During operation, anticipated pollutants of concern associated with the proposed project include pathogens (bacterial/viral), nutrients (phosphorous and nitrogen), sediment, metals, oil and grease, trash/debris, pesticides/herbicides, organic compounds, and oxygen demanding compounds. The City of Fontana is a co-permittee under the Santa Ana RWQCB National Pollution 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 Stormwater Runoff Management Program (Order No. R8-2010-0036, NPDES No. CAS618036) (San Bernardino County MS4 permit).¹⁰¹ The San Bernardino County MS4 Permit requires the preparation of project-specific WQMPs for priority projects. The project is considered a priority project because it involves the development of more than 10,000 square feet of impervious surface and because it includes more than 5,000 square feet of surface parking area that would be exposed to stormwater runoff.¹⁰²

As specified in **Standard Condition HYD-3** and as required by the San Bernardino County MS4 Permit, the project would prepare a Final WQMP. The Final WQMP would specify the Site Design, Source Control, Low Impact Development (LID), and Treatment Control BMPs that would be implemented to capture, treat, and reduce pollutants of concern in stormwater runoff. Site Design BMPs are stormwater management strategies that emphasize conservation and use of existing site features to reduce the amount of runoff and pollutant loading generated from a site. Source Control BMPs are preventative measures that are implemented to prevent the introduction of pollutants into stormwater. LID BMPs mimic a project site's natural hydrology by using design measures that capture, filter, store, evaporate, detain, and infiltrate runoff rather than allowing runoff to flow directly to piped or impervious storm drains. Treatment Control BMPs are structural BMPs designed to treat and reduce pollutants in stormwater runoff prior to releasing it to receiving waters.

A Preliminary WQMP has been prepared for the project, which details the following operational BMPs that would be implemented to reduce impacts to water quality from operation of the project.¹⁰³

1. Site Design BMPs include minimizing impervious surface areas; maximizing natural infiltration capacity; preserving existing on-site drainage patterns; disconnecting impervious surface areas (e.g. stormwater runoff on roofs would be directed to landscaped areas); re-vegetating disturbed areas; minimizing unnecessary compaction in stormwater retention/infiltration basin/trench areas; utilizing vegetated drainage swales in place of underground piping; and staking off areas to be used for landscaping to minimize compaction during construction.
2. Non-Structural Source Control BMPs include education for property owners, tenants, and occupants on stormwater BMPs; activity restrictions; landscape management BMPs; compliance with local water quality ordinances; spill contingency plan; hazardous materials

¹⁰¹ While Draft Proposed Order R-8-3024-001 has been proposed, it has not yet been formally adopted.

¹⁰² Allard Engineering. *Preliminary Water Quality Management Plan for APN: 0243-142-01, Foothill Blvd and Maple Avenue Project*. WQMP No. WQMPPC24-00031. August 2024. Page 2-1. (Appendix H1).

¹⁰³ *Ibid.* Pages 4-8 through 4-13.

- disclosure compliance; uniform fire code implementation; employee training; catch basin inspection and cleanout program; vacuum sweeping of parking lots; and compliance with all other applicable NPDES permits.
3. Structural Source Control BMPs include storm drain signage and stenciling; efficient irrigation systems and landscape design; and finish grade of landscaped areas at a minimum of 1-2 inches below top of curb, sidewalk, or pavement.
 4. LID BMPs: Multiple open space/landscape/planter areas will be provided in addition to the infiltration/detention chamber. Impervious areas will drain into landscaped areas. Surface/Roof drains will discharge runoff towards landscape areas, indirectly connecting impervious areas before runoff reaches the onsite storm drain.

The entire project site consists of a single drainage area (DA-1) with two (2) drainage management areas on the western (DMA-1) and eastern (DMA-2) halves of the property, respectively. The proposed on-site drainage system consists of swales, ribbon gutter, storm drains, grate inlets with filter inserts provided throughout the drainage management areas. Onsite runoff will drain to the proposed onsite drainage system in DMA-1 and DMA-2. Runoff will be conveyed to the proposed Contech infiltration/detention chamber system (CMP-1) (located between Buildings 1 and 6) for low flow infiltration as well as detention of water volume generated in the developed condition in order to reduce high runoff flow rates to levels at or below existing flow rates for the 100-year storm event. When the onsite infiltration/detention chamber system (CMP-1) reaches its capacity, the runoff would drain out in managed flow rates via the storm drain outlet pipe to the proposed parkway drain at the southeast corner of the project site and discharge into the existing catch basin in Foothill Boulevard, then follow the existing city storm drain system in Foothill Boulevard to the Rialto Channel.¹⁰⁴

The Design Capture Volume (DCV) is the volume of stormwater runoff that must be captured and treated by stormwater BMPs. The required DCV of the CMP-1 is 39,561 cubic feet. The proposed system provides 40,095 cubic feet.¹⁰⁵ The proposed underground infiltration/detention system within DMA 1 and DMA 2 would be designed to store and infiltrate the DCV pursuant to requirements of the San Bernardino County MS4 Permit. Prior to the issuance of a grading permit, a Final WQMP would be prepared to ensure that the proposed project includes LID BMPs (e.g., underground infiltration chamber system) that is sized to retain, infiltrate and discharge the required Design Capture Volume on the project site in accordance with the San Bernardino County MS4 Permit.

Infiltration of stormwater could have the potential to affect groundwater quality. As discussed above, the project includes site design, source control, and LID BMPs, including catch basins and curb inlets with storm filters to capture trash and debris to reduce pollutants of concern in stormwater prior to entering the proposed infiltration area and underground infiltration chamber system and infiltrating into the soil. Furthermore, when storm water is infiltrated, soil and plants

¹⁰⁴ Allard Engineering. *Preliminary Water Quality Management Plan for APN: 0243-142-01, Foothill Blvd and Maple Avenue Project*. WQMP No. WQMPPC24-00031. Pages 4-3 and 4-4, and WQMP Exhibit. August 2024. (Appendix H1).

¹⁰⁵ *Ibid.* Pages 4-26 and 4-32, and WQMP Exhibit. (Appendix H1).

absorb and filter pollutants and reduce the potential for pollutants of concern to reach groundwater. As specified in **Standard Condition HYD-3**, a Final WQMP would be prepared prior to or during final design, which would ensure that the project design would adequately target pollutants of concern in stormwater runoff before infiltrating into the soil or leaving the project site.

As specified in **Standard Condition HYD-4**, the project would also be required to comply with City Municipal Code Section 28-111 (Stormwater Management and Rainwater Retention),¹⁰⁶ which requires the project to incorporate stormwater BMPs into the landscape and grading design plans to minimize runoff and increase infiltration and City Municipal Code Section 30-668 (Low Impact Development), which requires a minimum of two LID standards listed in the code section¹⁰⁷ to be incorporated into all new development projects or rehabilitated landscaping to the maximum extent practicable and to be shown on all landscape plans. Additionally, all LID standards are required to be consistent with the project-specific WQMP. As described above, the project includes site design, source control, and LID BMPs that would minimize runoff and increase infiltration as required by Section 28-111 of the City's Municipal Code.

With implementation of **Standard Conditions HYD-3** and **HYD-4**, which require adherence to the San Bernardino County MS4 Permit, including preparation of a Final WQMP to address pollutants of concern in stormwater runoff, and compliance with the City Municipal Code, project impacts associated with the violation of water quality standards or waste discharge requirements would be **less than significant**, and mitigation is not required.

Standard Conditions. Mitigation is not required; however, the following Standard Conditions are regulatory requirements that would be implemented to ensure impacts related to water quality standards or waste discharge requirements remain less than significant.

Standard Condition HYD-1 Prior to issuance of a grading permit, the project Applicant shall obtain coverage under the State Water Resources Control Board (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, National Pollutant Discharge Elimination System No. CAS000002) (Construction General Permit). This shall include submission of Permit Registration Documents (PRDs), including a Notice of Intent for coverage under the permit to the State Water Resources Control Board (SWRCB) via the Stormwater Multiple Application and Report Tracking System (SMARTs). The Project Applicant shall provide the Waste Discharge Identification Number (WDID) to the City of Fontana

¹⁰⁶ Applies to development with an aggregate landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review.

¹⁰⁷ Options may include: curb cutouts to allow stormwater to drain to landscape areas planted below grade; use of precast permeable concrete in parking stalls, pedestrian paths, and above ground drainage ditches; tree preservation; vegetated swales, buffers, and strips; bioretention and rain gutters, and use of rain barrels and cisterns.

(City), or designee, to demonstrate proof of coverage under the Construction General Permit. Project construction shall not be initiated until a WDID is received from the SWRCB and is provided to the City, or designee. A Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and implemented for the proposed project in compliance with the requirements of the Construction General Permit. The SWPPP shall identify construction best management practices (BMPs) to be implemented to ensure that the potential for soil erosion and sedimentation is minimized and to control the discharge of pollutants in stormwater runoff as a result of construction activities. Upon completion of construction and stabilization of the site, a Notice of Termination shall be submitted via SMARTs.

Standard Condition HYD-2

Prior to the commencement of any land disturbing activities, the project Applicant shall develop a Stormwater Pollution Prevention Plan to the City for review and approval that incorporates Best Management Practices to protect water quality during construction activities pursuant to Section 23-519 of the City Municipal Code.

Standard Condition HYD-3

Prior to issuance of a grading permit, the project Applicant shall submit a Final Water Quality Management Plan (Final WQMP) to the City of Fontana (City) for review and approval in compliance with the requirements of the Santa Ana Regional Water Quality Control Board's NPDES Permit 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 Stormwater Runoff Management Program (Order No. R8-2010-0036, NPDES No. CAS618036) (San Bernardino County MS4 Permit) or subsequent permit. The Final WQMP shall specify the Best Management Practices (BMPs) to be incorporated into the project design to target pollutants of concern in stormwater runoff from the project site and the necessary operation and maintenance activity for each BMP. The City shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design. The proposed BMPs specified in the Final WQMP shall be incorporated into the grading and development plans submitted to the City for review and approval. Project occupancy and operation shall be in accordance with the schedule outlined in the WQMP.

Standard Condition HYD-4

Prior to issuance of a grading permit, the Project Applicant shall submit a grading plan and landscaping plan that incorporates the

stormwater management, rainwater retention, and Low Impact Development requirements outlined in the City of Fontana's Municipal Code to the City for review and approval.

- 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.

Construction. The *Preliminary Geotechnical Evaluation* report stated the nearest well (Well ID: 01S05W16C00S) to the site is located approximately one mile to the southwest, and a second well (Well ID: 01S05W04D002S) is located approximately 1.1 mile to the northwest.¹⁰⁸ The most recent data for these wells recorded groundwater at 398 and 335 feet below ground surface, respectively. During construction, the depth of excavation would not exceed approximately 20 feet below existing grade of the site. Based on the depth to local groundwater, and the depth of required on-site excavations, it is unlikely excavation activities would have the potential to encounter groundwater and groundwater dewatering is not anticipated to be required during construction activities. Furthermore, according to the project-specific PWQMP, no soil compaction would occur in areas planned for the underground infiltration system or within landscaped areas.¹⁰⁹ Therefore, construction impacts related to a decrease in groundwater supplies or interference with groundwater recharge in a manner that may impede sustainable groundwater management would be **less than significant**, and mitigation is not required.

Operation. Once developed, the project site would be approximately 88 percent impervious for a total impervious surface area of approximately 321,462 square feet. Currently, the site is predominantly pervious, with only a small portion of degraded asphalt located on the south-central portion of the site. Development of the proposed project would decrease on-site infiltration. However, as described above in Response 5.10(a), the project includes BMPs to collect and infiltrate stormwater at the project site in accordance with the San Bernardino County MS4 Permit. Therefore, development of the proposed project would not substantially decrease the amount of stormwater that infiltrates as compared to the existing conditions.

The project site is located within the Upper Santa Ana Valley-Chino Groundwater Basin. As discussed in Response 5.10(e) below, the Upper Santa Ana Valley-Chino Groundwater Basin is identified by the Department of Water Resources as a very low priority basin and therefore is not required to prepare a Groundwater Sustainability Plan (GSP). The Fontana Water Company (FWC) would supply water to the project site, which includes local groundwater from the Chino Groundwater Basin. As discussed in Section 5.19, Utilities and Service Systems, the FWC anticipates that sufficient water supplies would be available to serve the proposed project. Therefore, the proposed project's water demand would not substantially decrease groundwater

¹⁰⁸ Petra Geoscience. *Preliminary Geotechnical Investigation District Property 2, 8.4-Acre site Northwest Corner of Maple Avenue and West Foothill Boulevard*. Page 7. September 6, 2023.

¹⁰⁹ Allard Engineering. *Preliminary Water Quality Management Plan for APN: 0243-142-01, Foothill Blvd and Maple Avenue Project*. WQMP No. WQMPPC24-00031. August 2024. Page 4-13. (Appendix H1).

supplies. Impacts related to depletion of groundwater supplies or interference with groundwater recharge in a manner that may impede sustainable groundwater management would be **less than significant**, and mitigation is not required.

- 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 off-site;*

Less than Significant Impact. In the current condition, runoff during storm events drains southeast on the existing surface and discharges into the street gutter in Foothill Boulevard which is tributary to the Rialto Channel. In developed condition the site will drain to the proposed Infiltration/Detention Chamber System for low flow infiltration and high flow detention and mitigation of the peak runoff from storm events. The mitigated runoff flows will drain to the existing catch basin at the southeast corner of the site via the proposed 18" outlet pipe from detention chamber. The mitigated flow will follow the existing storm drain system in Foothill Boulevard and ultimately drain to the Rialto Channel.

Construction. With the exception of a small portion of degraded asphalt located on the south-central portion of the site, the project site is pervious. During grading and construction activities, soil would be exposed and disturbed, drainage patterns would be temporarily altered, and there would be an increased potential for soil erosion and siltation compared to existing conditions. Additionally, during a storm event, soil erosion and siltation could occur at an accelerated rate. As discussed above in Response 5.10(a) and as specified in **Standard Conditions HYD-1 and HYD-2**, the Project Applicant would be required to obtain coverage under the Construction General Permit, which requires preparation of a SWPPP. The SWPPP would detail Erosion Control and Sediment Control BMPs to be implemented during construction to minimize erosion and retain sediment on site. Compliance with the requirements of the Construction General Permit and implementation of the construction BMPs would ensure that construction impacts related to on- and off-site erosion or siltation would be **less than significant**, and mitigation is not required.

Operation. Implementation of the proposed project would result in 88 percent coverage of the site with impervious surfaces. Such an increase in impervious surface area may increase the rate and volume of runoff during a storm, which could in turn, more readily transport sediments to receiving waters. The project will be landscaped pursuant to City standards, which will stabilize soils and allow infiltration. **Standard Conditions HYD-3 and HYD-4**, which require the preparation of a Final WQMP, in compliance with the San Bernardino County MS4 permit, and the implementation of Site Design, Source Control, and LID BMPs to reduce the potential for off-site erosion and siltation would be implemented during project operations. With implementation of **Standard Conditions HYD-3 and HYD-4**, operational impacts related to on- or off-site erosion or siltation would be **less than significant**, and mitigation is not required.

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

and

iv. *Impede or redirect flood flows?*

Less than Significant Impact.

Construction. According to the City's Local Hazard Mitigation Plan, the project site is not located within a 100-year Flood Zone or Floodway, 500-year Flood Zone, or Flood Zone protected by a levee.¹¹⁰ The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps No. 06071C8656H and 06071C8657H (March 26, 2024)¹¹¹ indicates the project site is mapped within Flood Zone X. Zone X areas are defined by FEMA as areas of minimal flood hazard, which are the areas outside of the Special Flood Hazard Area and higher than the elevation of the 0.2 percent annual chance flood. As discussed in Response 5.10(a), project construction would comply with the requirements of the Construction General Permit and the City Municipal Code and would include the preparation and implementation of a SWPPP (**Standard Conditions HYD-1 and HYD-2**). The SWPPP would specify construction BMPs to control and direct on-site surface runoff to ensure that project construction does not increase the rate or amount of surface runoff or impede or redirect flood flows in manner that would result in on- or off-site flooding. With implementation of a SWPPP and associated BMPs (**Standard Conditions HYD-1 and HYD-2**), construction activities would not result in a substantial increase in the rate or amount of surface runoff or impeding or redirecting flood flows in a manner that would result in on- or off-site flooding and impacts would be **less than significant**. Mitigation is not required.

Operation. As stated in Response 5.10(c)(i) above, development of the project would result in the installation of impervious surfaces on 88 percent of the project site, which would increase stormwater runoff and could potentially result in flooding. However, as discussed above, the project site is not within a 100-year floodplain and therefore would not impede or redirect flood flows. The proposed underground infiltration chamber system has been designed to provide a storage volume that exceeds the DCV required; therefore, the installation of impervious surfaces on the project site would not create runoff or impede or redirect flood flows in a manner that would result in on- or off-site flooding and impacts would be **less than significant**. Mitigation is not required.

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

Less than Significant Impact.

¹¹⁰ City of Fontana. *Local Hazard Mitigation Plan*. Figure 4-1: Flood Hazard Map. June 2017; Approved and Adopted August 14, 2018.

¹¹¹ Allard Engineering. *TPM 20704 Foothill and Maple Ave. Apartment Fontana, CA 92327 Preliminary Drainage Report*. Page 12. April 2024. (Appendix H2).

Construction. As discussed in Response 5.10.1(a) above, project construction would comply with the requirements of the Construction General Permit and the City Municipal Code and would include the preparation and implementation of a SWPPP (**Standard Conditions HYD-1 and HYD-2**). The SWPPP would specify construction BMPs to control and direct on-site surface runoff to ensure that stormwater runoff from the construction site does not exceed the capacity of the stormwater drainage system and does not discharge polluted runoff during construction activities. With implementation of **Standard Conditions HYD-1 and HYD-2**, construction impacts related to exceeding the capacity of the stormwater drainage system or additional polluted runoff would be **less than significant**, and mitigation is not required.

Operation. As previously discussed, the project site is undeveloped and there is no existing stormwater infrastructure on-site. In the current condition, runoff (16,657 cubic feet) during storm events drains southeast on the existing surface and discharges into the street gutter in Foothill Boulevard which is tributary to the Rialto Channel. In the developed condition, the site will drain to the proposed Infiltration/Detention Chamber System for low-flow infiltration and high-flow detention and mitigation of the peak runoff from storm events. The required DCV of the WQMP system is 39,561 cubic feet. The proposed WQMP system provides 40,095 cubic feet of volume. Although the installation of impervious surfaces would increase stormwater runoff collected on the project site, the proposed stormwater infiltration/ retention provides sufficient capacity to accept and detain stormwater flows so that stormwater runoff does not exceed the capacity of the existing stormwater system pursuant to the requirements of the County of San Bernardino MS4 Permit (**Standard Condition HYD-3**) and the City Municipal Code (**Standard Condition HYD-4**). Additionally, as discussed in Response 5.10.1(a) above, the proposed project would implement operational BMPs to reduce pollutants of concern in stormwater runoff in compliance with the County of San Bernardino MS4 permit (**Standard Condition HYD-3**).

With implementation of **Standard Conditions HYD-3 and HYD-4**, operational impacts related to the creation or contribution of stormwater runoff that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff would be **less than significant**, and mitigation is not required.

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

Less than Significant Impact. As discussed in Response 5.10.1(c)(ii) above, the project site is not located within a 100-year flood zone; therefore, there is no risk of a release of pollutants from the project site due to inundation from a flood.

The project site is approximately 46 miles northeast of the Pacific Ocean, with the Santa Ana Mountains and Jurupa Hills located between the project site and the Pacific Ocean. Based on the distance from the Pacific Ocean and the presence of an intervening topography, there is no risk of a release of pollutants from the project site due to inundation from a tsunami.

Seiches are oscillations in enclosed bodies of water that are caused by a number of factors, most often wind or seismic activity. The project site is not located within an identified dam inundation hazard

zone.¹¹² The nearest major water feature is Silverwood Lake located approximately 12.5 miles northeast of the project site. This lake is located in the San Bernardino Mountains, with its outlet flowing north into the Mojave Desert. Seven Oaks Dam, a flood control dam on the Santa Ana River, is located approximately 16 miles east.

The project site is not located within an identified flood inundation zone. Given the distance of large standing bodies of water from the project site, there is no risk of a release of pollutants from the project site due to seiche-related flooding. Given that the project site is not located within a flood hazard zone and the substantial distance from the Pacific Ocean and from closed bodies of water, implementation of the project would not result in the risk of a release of pollutants due to project site inundation from a flood hazard, tsunami, or seiche. Impacts would be **less than significant**, and mitigation is not required.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact. The project site is within the jurisdiction of the Santa Ana RWQCB. The Santa Ana RWQCB adopted a Water Quality Control Plan (i.e., Basin Plan) (January 1995, Updated June 2019) that designates beneficial uses for all surface and groundwater within its jurisdiction and establishes the water quality objectives and standards necessary to protect those beneficial uses. The proposed project would comply with the Construction General Permit and the existing San Bernardino County MS4 Permit, which require the preparation of an SWPPP, preparation of a Final WQMP, and implementation of construction and operational BMPs to reduce pollutants of concern in stormwater runoff. Therefore, the proposed project would not result in water quality impacts that would conflict with the Santa Ana RWQCB Water Quality Control Plan (Basin Plan). Impacts related to a conflict with the Basin Plan would be **less than significant**, and mitigation is not required.

The Sustainable Groundwater Management Act (SGMA) was enacted in September 2014. SGMA requires governments and water agencies of high- and medium-priority basins to halt overdraft of groundwater basins. SGMA requires the formation of local Groundwater Sustainability Agencies, which are required to adopt Groundwater Sustainability Plans (GSPs) to manage the sustainability of the groundwater basins. The project site is located within the Upper Santa Ana Valley-Chino Groundwater Basin. The Upper Santa Ana Valley-Chino Groundwater Basin is identified by the Department of Water Resources as a very low priority basin;¹¹³ therefore, development of a GSP or an approved GSP alternative is not required.

As discussed previously, due to the depth to groundwater, it is not expected that any stormwater that may infiltrate during project construction or operation would affect groundwater quality because the groundwater table is deep, and pollutants would be filtered prior to reaching groundwater. Pollutants in stormwater are generally removed by soil through absorption as water infiltrates. Therefore, in areas of deep groundwater, there is more absorption potential and, as a result, less potential for

¹¹² City of Fontana. *Local Hazard Mitigation Plan*. Figure 4-2: Dam Inundation areas in Fontana. June 2017; Approved and Adopted August 14, 2018.

¹¹³ California Department of Water Resources. 2016. *Groundwater Exchange*. Website: <https://groundwaterexchange.org/basin/upper-santa-ana-valley-chino-8-002-01/> (Accessed September 24, 2024).

pollutants to reach groundwater. Furthermore, given the depth to groundwater, there is not a direct path for pollutants to reach groundwater.

Although the proposed project would increase impervious surface area to approximately 90 percent of the site, which would decrease on-site infiltration, the proposed project would collect and infiltrate the required DCV in accordance with the requirements of the San Bernardino County MS4 Permit. Therefore, the proposed project would not substantially decrease on-site infiltration and/or groundwater recharge when compared to existing conditions. Therefore, the proposed project would not conflict with or obstruct the implementation of a sustainable groundwater management plan, and impacts would be **less than significant**. Mitigation is not required.

5.11 LAND USE AND PLANNING

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

5.11.1 Impact Analysis

a. *Would the project physically divide an established community?*

No Impact. The physical division of an established community typically refers to the construction of a physical feature (such as an interstate or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying area. For example, the construction of an interstate highway or railroad track through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside the community.

The project site is bounded by single-family residential uses to the north; multi-family residential uses (Maple Hills Apartments) to the south; vacant land, a single-family residence, and multi-family residential uses (Maple Gardens Apartments) to the east (in the City of Rialto); and auto repair and commercial uses to the west. The project site is undeveloped and continues the pattern of multi-family residential development located east and south of the site; therefore, the project would not physically divide an established community. As such, **no impact** would occur, and no mitigation is required.

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?*

Less Than Significant Impact. The project site is current designated R-MFMH (Multi-family Medium/High Residential, 24.1 – 39.0 du/ac) in the City's General Plan and is zoned R-4 (Mult Family Medium/High Density Residential.) The R-MFMH land use and R-4 zoning district is intended to provide for higher density multi-family development of up to 39 units per acre. Table 2.3.A: Existing and Proposed Land Uses, summarizes the project site and surrounding land uses, General Plan designations, and zoning designations.

Based on the project site and the number of units proposed, the project would provide 32.6 du/ac, which is within the residential density range established for the City for the project site. No land use action to change the General Plan land use designation or zoning district is required. The proposed

project is consistent with the type and intensity of use previously anticipated by the City in its General Plan and General Plan Environmental Plan EIR for the site. The development and occupation of the proposed multi-family residential uses would not result in growth in the area or City beyond that which was planned for at General Plan buildout.

As City and County land use assumptions provide foundational input used in regional forecasts, and because the project is consistent with the City's current General Plan land use designation and zoning, the development and occupation of the proposed multi-family residential uses would not result in regional growth exceeding that previously forecast by SCAG. As detailed in Section 5.3.1(a), the project is consistent with the 2022 AQMP, and impacts to the environment resulting from the proposed project are subject to applicable mitigation and local, State, and/or federal regulations, which would render the project consistent with the 2022 Scoping Plan, 2024-2050 RTP/SCS, and Santa Ana RWQCB Basin Plan.

As the project does not foster growth or a concentration of population in excess of what is assumed in the City's General Plan or by SCAG, impacts related to conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect are **less than significant**. Mitigation is not required.

5.12 MINERAL RESOURCES

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

5.12.1 Impact Analysis

- 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?*

No Impact. In 1975, the California Legislature enacted the Surface Mining and Reclamation Act which, among other things, provided guidelines for the classification and designation of mineral lands. Areas are classified on the basis of geologic factors without regard to existing land use and land ownership. The areas are categorized into four Mineral Resource Zones (MRZs):

MRZ-1: An area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.

MRZ-2: An area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.

MRZ-3: An area containing mineral deposits, the significance of which cannot be evaluated.

MRZ-4: An area where available information is inadequate for assignment to any other MRZ zone.

The project site is located within Mineral Resource Zone 3 (MRZ-3),¹¹⁴ which is defined as areas containing known or inferred mineral deposits, the significance of which cannot be evaluated. Subsequent to the 1975 designation, it was determined that the site is not located in an area possessing regionally significant aggregate resources.¹¹⁵ No historic mineral resource recovery has been recorded on-site or in the immediate project vicinity. In the absence of any significant on-site mineral resources, the project would not result in the loss of availability of a known mineral resource

¹¹⁴ California Department of Conservation. *Mineral Land Classification Map, San Bernardino P-C Region*. Fontana Quadrangle, Special Report 143, Plate 7.6. 1975.

¹¹⁵ California State Mining and Geology Board. *SMGB Designation report No. 14*. March 2017.

that would be of value to the region and the residents of the state. **No impact** would occur, and no mitigation is required.

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

No Impact The 8.43-acre project site is currently undeveloped. The project site is bounded by single-family residential uses to the north, multi-family residential uses (Maple Hills Apartments) to the south; vacant land, a single-family residence, and multi-family building (Maple Gardens Apartments) to the east (in the City of Rialto); and auto repair and commercial uses to the west. The project site is currently designated R-MFMH (Multi-family Medium/High Residential, 24.1 – 39.0 du/ac) in the City's General Plan and is zoned R-4 (Mult Family Medium/High Density Residential). Since the project site is not delineated as an area for mineral resource recovery, its absence of known mineral or aggregate resources, and due to the absence of any such mineral extraction activity on the site or in adjacent areas, there is no potential for the project site to be used for mineral resource recovery. Therefore, **no impact** from the loss of available mineral resources would occur, and no mitigation is required.

5.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 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?	☐	☐	☐	☒

The information and analysis in this section is based on the Maple Apartments Noise Analysis, City of Fontana prepared by Urban Crossroads (June 11, 2024), which is provided in Appendix I.

5.13.1 Impact Analysis

Background. Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a 10-fold increase in acoustic energy, while 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; and similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA), and this scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements which better represent how humans are more sensitive to sound at night.

As noise spreads from a source, it loses energy so that the farther away the noise receiver is from the noise source, the lower the perceived noise level would be. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise sensitive receptor of concern.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} , the CNEL, and the day-night average level (L_{dn}) based on A-weighted decibels (dBA). CNEL is the time varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring

from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA weighting factor applied to noise occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale, but without the adjustment for events occurring during the evening relaxation hours. CNEL and L_{dn} are within one dBA of each other and are normally exchangeable. The noise adjustments are added to the noise events occurring during the more sensitive hours.

A project would result in a significant noise effect if it would substantially increase the ambient noise levels for adjoining areas or conflict with adopted environmental plans and goals of applicable regulatory agencies, including, as appropriate, the City of Fontana. Certain land uses are considered more sensitive to noise than others. Consistent with Section 30-665 of the Fontana Municipal Code, sensitive receptor is defined as, "...any residence including private homes, condominiums, apartments, and living quarters, schools, preschools, daycare centers, in-home daycares, health facilities such as hospitals, long term care facilities, retirement and nursing homes, prisons, and dormitories." The project site is bounded by single-family residential uses to the north, multi-family residential uses (Maple Hills Apartments) to the south; vacant land, a single-family residence, and multi-family building (Maple Gardens Apartments) to the east (in the City of Rialto); and auto repair/salvage and commercial uses to the west. Noise sensitive receptors were identified at six receiver locations in the vicinity of the project site, as listed in Table 5.13.B and shown on **Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers**.¹¹⁶

Noise Standards. This project utilizes the City's residential noise control guidelines codified in Section 30-469 of the City's Municipal Code, which establishes a maximum allowable exterior noise level standard of 65 a-weighted decibels (dBA) as measured at the property line of any residential-zoned property.

Section 18-63(b)(7) of the City's Municipal Code establishes exemption criteria for construction activities, specifically exempting noise generated from construction 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.

For construction noise, neither the City's General Plan nor the Municipal Code establish numeric maximum acceptable construction source noise levels at potentially affected receptors, which would allow for a quantified determination per CEQA (eg., "*would the project result in a substantial temporary or periodic noise increase*"); therefore, a numerical construction threshold based on Federal Transit Administration (FTA) *Transit Noise and Vibration Impact Assessment Manual* (FTA Manual) is used for analysis of daytime construction impacts. The FTA criteria establish daytime exterior noise standards of 80 dBA maximum instantaneous noise level (L_{max}) for noise sensitive residential land uses.

Overview of the Existing Noise Environment. To assess the existing noise conditions in the area, long-term (24-hour) noise measurements were collected on May 14, 2024 at six locations in the project vicinity. The locations of the noise measurements are identified on **Figure 14: Ambient**

¹¹⁶ Urban Crossroads. *Maple Apartments Noise Analysis, City of Fontana*. Pages 23 and 35 and Exhibit 9-A: Receiver Locations. June 11, 2024. (Appendix I).

Noise Measurement Locations and Sensitive Receivers, and the results are summarized in Table 5.13.A. Noise measurement data information are provided in Appendix I.

Table 5.13.A: 24-Hour Ambient Noise Level Measurements

Location	Description	Energy Average Noise Level (dBa Leq) ¹	
		Daytime	Nighttime
L1	Located north of the site near the residence at 18242 Barbee St.	56.9	48.3
L2	Located north of the site near the residence at 18270 Barbee St	56.5	49.2
L3	Located east of the site near the residence at 495 N. Maple Ave.	60.2	55.5
L4	Located southeast of the site near the residence at 347 S. Maple Ave.	66.9	62.8
L5	Located southeast of the site near the residence at 367 N. Maple Ave.	67.8	64.0
L6	Located south of the site near the residence at 18215 Foothill Blvd	63.7	59.0

Source: Table 5-1, *Maple Apartments Noise Analysis*, City of Fontana, Urban Crossroads, June 11, 2024. (Appendix I).

¹ Energy (logarithmic) average levels. "Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m..

Leq = equivalent continuous sound level

The background ambient noise levels in the noise study area are dominated by transportation-related noise associated with nearby surface streets. This includes the auto and heavy truck activities on study area roadway segments near the noise level measurement locations.

Sensitive Receptors. Noise-sensitive land uses generally include schools, hospitals, single-family dwellings, mobile home parks, churches, libraries, and recreation areas. Moderately noise-sensitive land uses typically include multi-family dwellings, hotels, motels, dormitories, outpatient clinics, cemeteries, golf courses, country clubs, athletic/tennis clubs, and equestrian clubs.

Noise sensitive receptors were identified at six receiver locations in the vicinity of the project site, as listed in Table 5.13.B and shown on **Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers**. All other sensitive land uses in the noise study area that are located at greater distances than those identified in Table 5.13.B and Figure 14 would experience lower noise levels due to additional sound attenuation resulting from increased distance to the noise source and from shielding of intervening structures.

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LEGEND:

- ▲ ▲ Measurement Locations Site Boundary
- Receiver Locations — Distance from receiver to Project site boundary (in feet)

FIGURE 14

LSA



NO SCALE

SOURCE: Exhibits 5-A and 9-A, Maple Apartments Noise Analysis, Urban Crossroads, June 11, 2024

I:\2024\20241903\G\Ambient_Noise_Locs_NSR.ai (10/22/2024)

Maple and Foothill Residential Project
Ambient Noise Measurement Locations
and Noise Sensitive Receivers

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Table 5.13.B: Sensitive Receptors

Location	Description
R1	The existing noise-sensitive residence at 18242 Barbee Street, approximately 103 feet north of the project site. Receiver R1 is placed in the private outdoor living areas (backyards) facing the project site. A 24-hour noise measurement was taken near this location, L1, to describe the existing ambient noise environment.
R2	The existing noise-sensitive residence at 18270 Barbee Street, approximately 107 feet north of the project site. Receiver R2 is placed in the private outdoor living areas (backyards) facing the project site. A 24-hour noise measurement was taken near this location, L2, to describe the existing ambient noise environment.
R3	The existing noise-sensitive residence at 495 North Maple Avenue, approximately 84 feet east of the project site. Receiver R3 is placed at the façade of the apartment complex facing the site. A 24-hour noise measurement was taken near this location, L3, to describe the existing ambient noise environment.
R4	The existing noise-sensitive residence at 347 South Maple Avenue, approximately 328 feet southeast of the Project site. Receiver R4 is placed at the façade of the apartment complex facing the Project site. A 24-hour noise measurement was taken near this location, L4, to describe the existing ambient noise environment.
R5	The existing noise-sensitive residence at 367 North Maple Avenue, approximately 343 feet southeast of the Project site. Receiver R5 is placed in the private outdoor living areas (backyards) facing the Project site. A 24-hour noise measurement was taken near this location, L5, to describe the existing ambient noise environment.
R6	The existing noise-sensitive residence at 18215 Foothill Boulevard, 127 feet south of the project site. Receiver R6 is placed at the façade of the apartment complex facing the project site. A 24-hour noise measurement was taken near this location, L6, to describe the existing ambient noise environment.

Source: Page 35, *Maple Apartments Noise Analysis*, City of Fontana. Urban Crossroads. June 11, 2024. (Appendix I).

Significance Criteria. Table 5.13.C identifies the significance criteria used to identify potentially significant incremental noise level increases. In general, the more a new noise exceeds the existing ambient noise level, the less acceptable the new noise would typically be judged. The extent to which a given noise level increase is considered acceptable is reduced when the without-project (baseline or ambient) noise levels already exceed certain land-use-specific exterior noise level criteria. The specific levels are based on typical responses to noise level increases of 5 dBA (readily perceptible), 3 dBA (barely perceptible), and 1.5 dBA depending on the underlying without-project noise levels for noise-sensitive uses. The city has identified only audible changes in noise levels (3dBA increase or more) are to be considered potentially significant.¹¹⁷

As detailed in Table 5.13.C below, noise impacts shall be considered significant if any of the following occur as a direct result of the proposed development:

¹¹⁷ City of Fontana. *Fontana Forward General Plan Update 2015–2035. Draft Environmental Impact Report*. SCH #2016021099. Page 5.10-4. June 8, 2018.

Table 5.13.C: Significance Criteria

Analysis	Condition(s)	Significance Criteria	
		Daytime	Nighttime
On-Site Traffic ¹	Exterior Noise Compatibility Criteria	65 dBA CNEL	
	Interior Noise Level Standard	45 dBA CNEL	
Off-site Traffic	If ambient is < 60 dBA Leq ³	≥ 5 dBA Leq Project increase	
	If ambient is 60 - 65 dBA Leq ³	≥ 3 dBA Leq Project increase	
	If ambient is > 65 dBA Leq ³	≥ 1.5 dBA Leq Project increase	
Operation	Exterior Noise Level Standards ²	65 dBA Leq	
	If ambient is < 60 dBA Leq ³	≥ 5 dBA Leq Project increase	
	If ambient is 60 - 65 dBA Leq ³	≥ 3 dBA Leq Project increase	
	If ambient is > 65 dBA Leq ³	≥ 1.5 dBA Leq Project increase	
Construction	Noise Level Threshold ³	80 dBA Leq	65 dBA Leq
	Vibration Level Threshold ⁴	0.30 PPV (in/sec)	

¹ Based on Section 30-469 of the City of Fontana Municipal Code.

² Based on Sections 18-63(7) and 30-469 of the City of Fontana Municipal Code.

³ FICON (Federal Interagency Committee on Noise) 1992, Transit Noise and Vibration Impact Assessment Manual.

⁴ Federal Transit Authority, Noise and Vibration Manual, 2018.

"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

dBA = A-weighted decibels

Leq = equivalent noise level

PPV = peak particle capacity

- a. *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.

Construction Noise. Construction of the proposed project is anticipated to begin in July 2025 and will last through July 2026. Construction would result in increased short-term noise levels that would be higher than existing ambient noise levels in the vicinity of the project site but would no longer occur once construction of the project is complete.

Two types of short-term noise impacts could occur during construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the site for the proposed project would incrementally increase noise levels on access roads leading to the site. Although there would be a relatively high single-event noise exposure potential causing intermittent noise nuisance, the effect on longer-term ambient noise levels would be small when compared to existing daily traffic volumes on Foothill Boulevard. Of the various phases of construction (e.g. site preparation, grading, building construction), the most trips would occur during building construction (214 daily trips).¹¹⁸ Current traffic on Foothill Boulevard approaches

¹¹⁸ Urban Crossroads. *Maple Apartment Air Quality Impact Analysis City of Fontana*. Table 3-2. May 8, 2024.

34,000 vehicles per day.¹¹⁹ The addition of 214 daily trips¹²⁰ on Foothill Boulevard during construction would not result in doubling of traffic required to increase noise levels by 3 dBA CNEL, which is the minimum noise level increase that would be perceptible to the human ear in an outdoor environment. Therefore, short-term construction-related impacts associated with worker commute and equipment transport to the project site would be **less than significant**, and mitigation is not required.

The second type of short-term construction noise is related to noise generated from heavy equipment used during construction activities. Construction activities include site preparation, grading, building construction, architectural coating, and paving on the project site. These various sequential phases change the character of the noise generated on a project site. Typical noise levels range up to 81 dBA L_{eq} at 50 feet during the noisiest construction phases.¹²¹

The highest noise during construction would be from grading activities.¹²² Other construction activities, including site preparation, building construction, the installation of paving, and the application of architectural coatings all generate lower noise levels than grading; therefore, only the noise levels from grading operations are provided in Table 5.13.D. The highest noise level during grading activities would be at Receptor 1 (the private backyard approximately 103 feet north of the project site). At this location (refer to **Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers**), a noise level of 64.3 dBA L_{eq} would occur during project grading. This noise level would occur for a duration of approximately 15 days. Noise levels at other receptors would be lower during grading operations and during other phases of project construction. These predicted noise levels would only occur when all construction equipment is operating simultaneously and therefore are assumed to be conservative in nature.

Table 5.13.D: Typical Construction Noise Level

Receiver Location ¹	Construction Noise Levels (dBA L_{eq})		
	Highest Construction (Grading) Noise Levels ²	Daytime Threshold ³	Threshold Exceeded? ⁴
R1	64.3	80	No
R2	64.2	80	No
R3	64.1	80	No
R4	58.2	80	No
R5	58.0	80	No
R6	63.2	80	No

Source: Table 11-3, *Maple Apartments Noise Analysis, City of Fontana*. Urban Crossroads. June 11, 2024. (Appendix I).

¹ Noise receiver locations are shown in Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers.

² Highest construction noise level operating at the Project site boundary to nearby receiver locations (see Table 5.13.B)

³ Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual.

⁴ Do the estimated Project construction noise levels exceed the construction noise level threshold? (see Table 5.13.C)
dBA = A-weighted decibels

¹¹⁹ Urban Crossroads. *Maple Apartments Noise Analysis, City of Fontana*. Table 6-1. June 11, 2024.

¹²⁰ The level of construction traffic represents the number of combined worker and vendor trips per day that would occur during the most intensive phase of project development (building construction.) See Table 3-2, *Maple Apartments Noise Analysis, City of Fontana*. June 11, 2024 prepared by Urban Crossroads.

¹²¹ *Ibid.* Table 11-1.

¹²² *Ibid.* Table 11-2.

Leq = equivalent noise level

As discussed above, daytime noise levels generated from project construction would be below the 80 dBA L_{eq} criteria established by the FTA for residential uses. Nevertheless, the proposed project would be required to comply with the construction hours specified in Section 18-63(b)(7) of the City. As specified in **Standard Condition NOI-1**, project construction activities would occur only between the hours and days prescribed in Section 18-63(b)(7) of the City Municipal Code, and project construction would be required to implement City prescribed best practices for reducing construction noise. Adherence to **Standard Condition NOI-1** would ensure the project would not generate a substantial temporary increase in ambient noise levels in the project vicinity in excess of standards established in the local general plan or noise ordinance during more sensitive hours. Therefore, the overall noise levels generated by project construction would be minimized, and construction noise impacts would be **less than significant**. Mitigation is not required.

Long-Term Off-Site Traffic Noise. Traffic on Foothill Boulevard and Maple Avenue respectively consist of approximately 34,000 and 10,400 vehicles per day.¹²³ Based on the project average daily trip (ADT) volumes identified in the Traffic Impact Analysis, the project is estimated to generate 1,820 vehicle trips per day.¹²⁴ The additional traffic generated by the project represents an incremental increase to the existing roadway traffic volumes; therefore, the project would generate a less than 1 CNEL increase in off-site traffic noise.¹²⁵ This would not be a perceptible noise level increase (i.e., more than 3 dBA CNEL) at nearby sensitive land uses; therefore, off-site traffic noise impact resulting from development of the proposed project would be **less than significant**. Mitigation is not required.

Operational Noise. Long-term noise associated with the project would be generated from vehicle traffic entering and exiting the site, as well as from on-site stationary sources such as roof-top air conditioning usage, parking lot activity, and trash enclosure activity. Whereas mobile noise sources such as vehicle traffic are measured as CNEL, stationary noises are measured as L_{max} and L_{eq} .

To estimate the operational noise impacts, reference noise level measurements were collected from similar types of activities to represent the noise levels expected from operation of the proposed project. Although sound pressure levels (e.g., L_{eq}) quantify in decibels the intensity of given sound sources at a reference distance, sound power levels (L_w) are connected to the sound source and are independent of distance. Sound pressure levels vary substantially with distance from the source and diminish because of intervening obstacles and barriers, air absorption, wind, and other factors. The reference noise level measurements for stationary noise are identified in Table 5.13.E.

¹²³ Urban Crossroads. *Maple Apartments Noise Analysis, City of Fontana*. Table 6-1. June 11, 2024. (Appendix I).

¹²⁴ Translutions, Inc. *Maple Avenue and Foothill Boulevard Apartments Traffic Impact Analysis*. Table A: Project Trip Generation. May 16, 2025. (Appendix J1).

¹²⁵ Urban Crossroads. *Maple Apartments Noise Analysis, City of Fontana*. Page 33. June 11, 2024. (Appendix I).

Table 5.13.E: Reference Noise Level Measurements

Noise Source	Noise Source Height (ft)	Activity Minutes per Hour ²		Reference Noise Level *(dBA Leq) at 50 ft	Sound Power Level (dBA) ³
		Day	Night		
Air Conditioning Unit ¹	3	45	30	44.4	76.0
Trash Enclosure Activity	8	10	10	57.3	88.9
Parking Lot Activities	3	60	30	41.8	73.4

Source: Table 10-1, *Maple Apartments Noise Analysis, City of Fontana, Urban Crossroads*, June 11, 2024. (Appendix I).

1. As measured by Urban Crossroads, Inc.

2. Anticipated duration (minutes within the hour) of noise activity during typical hourly conditions expected at the project site. "Daytime" = 7:00 a.m. - 10:00 p.m.; "Nighttime" = 10:00 p.m. - 7:00 a.m.

3. Sound power level represents the total amount of acoustical energy (noise level) produced by a sound source independent of distance or surroundings. Sound power levels calculated using the CadnaA noise model at the reference distance to the noise source. Numbers may vary due to size differences between point and area noise sources.

Roof-top Air Conditioning Equipment. To assess the noise levels created by the roof-top and ground-mounted air conditioning units, reference noise levels were taken from equipment specifications for a 3- to 5-ton residential packaged air conditioning unit. The air conditioning units were modeled 3 feet above the roof level, operating 45 minutes per hour during the daytime and 30 minutes at night. At a uniform reference distance of 50 feet, the units would generate a reference noise level of 44.4 dBA Leq.¹²⁶

Parking Lot Activities. Parking lot activities are based on the area of the parking spaces. The project includes approximately 373 new parking spaces, which are assumed to have up to 2 movements per hour for a total of 746 events in an hour. The average parking procedure, which included movement associated with either entering or exiting the parking area, parking the vehicles, and opening and closing doors, resulted in a sound power level of approximately 63 dBA Lw/square meter per event.¹²⁷

Trash Enclosure Activity. The trash enclosure noise levels describe metal gates opening and closing, metal scraping against concrete floor sounds, dumpster movement on metal wheels, and trash dropping into the metal dumpster. The reference noise levels describe trash enclosure noise activities when trash is dropped into an empty metal dumpster, as would occur at the project site. The reference noise level describes the expected noise source activities associated with the trash enclosures for each of the project buildings. Typical trash enclosure activities are estimated to occur for 10 minutes per hour. The measured reference noise level at the uniform 50-foot reference distance is 57.3 dBA Leq for the trash enclosure activity.¹²⁸

Operational Noise Level Summary. Operational noise level calculations account for the distance attenuation provided due to geometric spreading, when sound from a stationary source propagates uniformly outward in a spherical pattern. Project-related noise level

¹²⁶ *Ibid.* Page 37.

¹²⁷ *Ibid.*

¹²⁸ *Ibid.*

increases that would occur at the referenced sensitive receiver locations during project operation are detailed in Tables 5.13.F and 5.13.G.

Table 5.13.F: Daytime Project Operational Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Roof-top Air Conditioning Unit	41.0	41.2	39.2	36.9	36.7	40.6
Trash Enclosure Activity	37.4	44.8	41.8	18.7	16.0	17.7
Parking Lot Activity	48.8	47.7	40.4	24.5	24.5	41.1
Total (All Noise Sources)	49.7	50.1	45.4	37.2	37.0	43.9

Source: Table 10-2, Maple Apartments Noise Analysis, City of Fontana, Urban Crossroads, June 11, 2024. (Appendix I).

Noise receiver locations R-1 through R6 are shown in Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers.

dBA = A-weighted decibels

Leq = equivalent noise level

During daytime hours (7 AM to 10 PM), hourly noise levels resulting at off-site receiver locations originating from on-site sources would range from 37.0 to 50.1 dBA Leq.

Table 5.13.G: Nighttime Project Operational Noise Levels

Noise Source	Operational Noise Levels by Receiver Location (dBA Leq)					
	R1	R2	R3	R4	R5	R6
Roof-top Air Conditioning Unit	33.2	38.5	36.5	34.2	34.0	37.9
Trash Enclosure Activity	36.5	43.8	40.9	17.7	15.0	16.7
Parking Lot Activity	48.8	47.7	40.4	24.5	24.5	41.1
Total (All Noise Sources)	49.4	49.5	44.4	34.7	34.5	42.8

Source: Table 10-3, Maple Apartments Noise Analysis, City of Fontana, Urban Crossroads, June 11, 2024. (Appendix I).

Noise receiver locations R-1 through R6 are shown in Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers.

dBA = A-weighted decibels

Leq = equivalent noise level

During nighttime hours (10 PM to 7 AM), hourly noise levels resulting at off-site receiver locations originating from on-site sources would range from 34.5 to 49.5 dBA Leq.

Table 5.13.H demonstrates that project operational noise levels would satisfy the City of Fontana 65 dBA Leq daytime and 65 dBA Leq nighttime exterior noise level standards at the nearest receiver locations.

Table 5.13.H: Operational Noise Level Compliance

Receiver Location ¹	Project Operational Noise Levels (dBA Leq) ²		Noise Level Standards (dBA Leq) ³		Noise Level Standards Exceeded ? ⁴	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	49.7	49.4	65	65	No	No
R2	50.1	49.5	65	65	No	No
R3	45.4	44.4	65	65	No	No
R4	37.2	34.7	65	65	No	No
R5	37.0	34.5	65	65	No	No
R6	4.39	42.8	65	65	No	No

Table 5.13.H: Operational Noise Level Compliance

Receiver Location ¹	Project Operational Noise Levels (dBA Leq) ²		Noise Level Standards (dBA Leq) ³		Noise Level Standards Exceeded ? ⁴	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime

Source: Table 10-4, Maple Apartments Noise Analysis, City of Fontana, Urban Crossroads, June 11, 2024. (Appendix I).

1. Noise receiver locations are shown in Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers.

2. Per Tables 5.14.F and 4.15.G.

3. City of Fontana Development Code, 30-469 (Appendix 3.1)

4. Do the estimated Project operational noise source activities exceed the noise level standards?

dBA = A-weighted decibels

Leq = equivalent noise level

As detailed in Table 5.13.I, the proposed project would generate an unmitigated daytime operational noise level increase up to 0.9 dBA Leq at the nearest receiver locations.

Table 5.13.I: Daytime Operational Noise Increases

Receiver Location ¹	Total Project Operational Noise Level ²	Ambient Noise Measurement Location ³	Reference Ambient Noise Levels ⁴	Combined Project and Ambient ⁵	Project Increase ⁶	Increase Criteria	Increase Criteria Exceeded?
R1	49.7	L1	56.9	57.7	0.8	5.0	No
R2	50.1	L2	56.5	57.4	0.9	5.0	No
R3	45.4	L3	60.2	60.3	0.1	3.0	No
R4	37.2	L4	66.9	66.9	0.0	1.5	No
R5	37.0	L5	67.8	67.8	0.0	1.5	No
R6	43.9	L6	63.7	63.7	0.0	3.0	No

Source: Table 10-5, Maple Apartments Noise Analysis, City of Fontana, Urban Crossroads, June 11, 2024. (Appendix I).

1. Noise receiver locations are shown in Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers

2. Per Table 5.14.F.

3. Ambient noise measurement locations are shown in Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers

4. Observed daytime ambient noise levels per Table 5.13.A

5. Represents the combined ambient plus project activities.

6. The noise level increase with the addition of proposed project activities.

dBA = A-weighted decibels

Leq = equivalent noise level

As detailed in Table 5.13.J, the nighttime project-related operational noise level would increase by up to 3.6 dBA Leq.¹²⁹

Table 5.13.J: Nighttime Operational Noise Increases

Receiver Location ¹	Total Project Operational Noise Level ²	Ambient Noise Measurement Location ³	Reference Ambient Noise Levels ⁴	Combined Project and Ambient ⁵	Project Increase ⁶	Increase Criteria	Increase Criteria Exceeded?
R1	49.5	L1	48.3	51.9	3.6	5.0	No
R2	49.5	L2	49.2	52.4	3.2	5.0	No
R3	44.4	L3	55.5	55.8	0.3	5.0	No
R4	34.7	L4	62.8	62.8	0.0	3.0	No
R5	34.5	L5	64.0	64.0	0.0	3.0	No

¹²⁹ Ibid. Page 41.

Table 5.13.J: Nighttime Operational Noise Increases

R6	42.8	L6	59.0	59.1	0.1	5.0	No
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Source: Table 10-6, *Maple Apartments Noise Analysis*, City of Fontana, Urban Crossroads, June 11, 2024. (Appendix I).

1. Noise receiver locations are shown in Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers

2. Per Table 5.14.G.

3. Ambient noise measurement locations are shown in Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers

4. Observed nighttime ambient noise levels per Table 5.13.A

5. Represents the combined ambient plus project activities.

6. The noise level increase with the addition of proposed project activities.

dBA = A-weighted decibels

Leq = equivalent noise level

As the project-related operational noise level increases do not exceed the significance standards identified in Table 5.14.C, these increases are determined to be **less than significant** at all sensitive receiver locations. Mitigation is not required.

Standard Conditions. Mitigation is not required; however, the following Standard Conditions are regulatory requirements that would be implemented pursuant to Section 18-63(7) of the Fontana Municipal Code to ensure impacts related to construction-period noise remain **less than significant**.

Standard Condition NOI-1

Prior to issuance of grading and building permits, the project Applicant shall provide evidence to the City that construction plans include direction to adhere to the following source controls at all times:

- a. Construction shall be limited to 7:00 a.m. to 6:00 p.m. on weekdays, 8:00 a.m. to 5:00 p.m. 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(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:

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

This condition shall be implemented to the satisfaction of the City of Fontana Building Inspector.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact. Groundborne noise is typically assessed at locations where there is no airborne noise path, or for buildings with substantial sound insulation such as a recording studio. For typical buildings, the interior airborne noise levels are often higher than the groundborne noise levels. Therefore, the main focus of the discussion and analysis is groundborne vibration as it relates to human annoyance and off-site building damage.

Construction. The City of Fontana Municipal Code does not establish the maximum acceptable vibration levels that can be generated by stationary/area vibration sources at residential land uses. When construction activity occurs pursuant City Municipal Code Section 18-63(b)(7), predicted vibration levels are considered as an acceptable intrusion of the ambient noise within the project area.¹³⁰ Therefore, vibration that could result from construction that occurs 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 as required under **Standard Condition NOI-1**, would ensure impacts related to human annoyance from construction vibration would be **less than significant**. Mitigation is not required.

In regard to building damage, in the absence of a City standard, a vibration threshold from Caltrans is used, which dictates that project construction-source and/or stationary/area-source vibration that would cause or result in vibration levels exceeding 0.30 PPV (in/sec) would potentially expose persons to vibration levels would be potentially significant.¹³¹ Construction vibration levels at the receiver locations are identified in Table 5.13.K, which demonstrates vibration levels at the nearest receiver locations would not exceed the level that would cause

¹³⁰ City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099.* Page 5.10-7. June 8, 2018.

¹³¹ Urban Crossroads. *Maple Apartments Noise Analysis, City of Fontana.* Pages 21 and 22. June 11, 2024. (Appendix I).

building damage. Therefore, construction-related vibration impacts would be **less than significant**, and mitigation is not required.

Table 5.13.K: Construction Equipment Vibration Levels

Receiver Location ¹	Distance to Construction Activity (feet) ²	Typical Construction Vibration Levels PPV (in/sec) ³					Threshold PPV (in/sec) ⁴	Threshold Exceeded? ⁵
		Small bulldozer	Jack-hammer	Loaded Trucks	Large bulldozer	Highest Vibration Level		
R1	103	0.00	0.00	0.01	0.01	0.01	0.30	No
R2	107	0.00	0.00	0.01	0.01	0.01	0.30	No
R3	84	0.00	0.01	0.01	0.01	0.01	0.30	No
R4	328	0.00	0.00	0.00	0.00	0.00	0.30	No
R5	343	0.00	0.00	0.00	0.00	0.00	0.30	No
R6	127	0.00	0.00	0.01	0.01	0.01	0.30	No

Source: Table 11-5, *Maple Apartments Noise Analysis, City of Fontana, Urban Crossroads*, June 11, 2024. (Appendix I).

1. Noise receiver locations are shown in Figure 14: Ambient Noise Measurement Locations and Sensitive Receivers.

2. Distance from receiver location to project construction boundary.

3. See Table 11-4, *Maple Apartments Noise Analysis, City of Fontana, Urban Crossroads*, June 11, 2024.

4. Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*

5. Does the peak vibration exceed the acceptable vibration thresholds?

"PPV" = Peak Particle Velocity

Long-Term Operational Vibration. Occupation of the project would allow activities typical of multi-family residential uses and does not include feature or activities that would generate significant levels of vibration. Vibration levels generated from project-related traffic on the adjacent roadways are unusual for on-road vehicles because the rubber tires and suspension systems of on-road vehicles provide vibration isolation. If a roadway is smooth, associated ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level. The typical threshold for human perception of vibration is 65 VdB, with 100 VdB as the general threshold where minor damage can occur in fragile buildings; therefore, operation (traffic) of the project would not result in vibration levels that would annoy persons or damage structures. Impacts are **less than significant**, and mitigation is not required.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The nearest airports to the project site are San Bernardino International Airport (SBIA) and Ontario International Airport (OIA), which are located approximately 9 miles east and 11 miles southwest of the project site, respectively. The project site is not located within the Airport Influence Area or 65 dBA CNEL noise contour established for SBIA.¹³² The project site is additionally located outside the Ontario Airport Influence Area of the Ontario International Airport Land Use Compatibility

¹³² City of San Bernardino. *City of San Bernardino General Plan*. Figure LU-4. Adopted November 1, 2005.

Plan (ONTLUCP)¹³³ and outside the 60 dBA CNEL noise impact area established for the OIA.¹³⁴ Therefore, the project would not expose people working in the project area to excessive airport-related noise levels. **No impact** would occur, and no mitigation is required.

¹³³ Ontario International Airport Land Use Compatibility Plan. *Chapter 2: Procedural and Compatibility Policies*. Map 2-1: Airport Influence Area. April 19, 2011.

¹³⁴ *Ibid.* Map 2-3: Compatibility Policy Map: Noise Impact Zones.

5.14 POPULATION AND HOUSING

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

5.14.1 Impact Analysis

- 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. CEQA Guidelines Section 15126.2[d] identifies a project as growth inducing if it fosters economic or population growth, or development of businesses or housing either directly or indirectly in the surrounding environment. New employees from commercial or industrial development and new population from residential development represent direct forms of growth, which have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment. Typically, the growth-inducing potential of a project would be considered substantial if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies (e.g., SCAG).

The project site is located along Foothill Boulevard in an area that is fully served by dry and wet utility providers; therefore, the project does not require the extension of new or expansion of existing roads or other infrastructure.

As of July 1, 2023, the United States Census Bureau estimated the City's population to be 215,465 persons.¹³⁵ The project site is currently designated R-MFMH (Multi-family Medium/High Residential, 24.1 – 39.0 du/ac) in the City's General Plan and is zoned R-4 (Mult Family Medium/High Density Residential). This zoning district provides space for high density residential transit-oriented development commonly found in an urban environment, especially along existing and/or anticipated future bus routes. Permitted uses include multi-story apartments and mixed-use developments. Based on the project site and the number of units proposed, the project would provide approximately 32.6 du/ac, which is within the residential density range established for the City for the project site. No land use action to change the General Plan land use designation or zoning district is required.

¹³⁵ United States Census Bureau. *QuickFacts, Fontana City, California.* <https://www.census.gov/quickfacts/fact/table/fontanacitycalifornia,US/PST045223> (accessed September 26, 2024).

Based on a population forecast of 4.04 persons/unit, the 265 units proposed could result in a population of up to 1,071 persons.¹³⁶

The California Department of Housing and Community Development (HCD) supplies a regional housing goal to SCAG, which is then mandated to allocate the housing goal to City and County jurisdictions in the region through a Regional Housing Needs Allocation (RHNA.) SCAG adopted its RHNA for the 6th cycle, which covers an eight-year planning period (2021-2029) to address housing issues related to future growth in the SCAG region. The major goal of the RHNA is to assure a fair distribution of housing with the SCAG region so that every community provides an opportunity for a mix of housing that accommodates all economic segments of the community. Fontana's share of the SCAG regional growth allocation is 17,519 new housing units.¹³⁷ Table 5.13.A identifies the distribution of these housing units for each economic category.

Table 5.14.A: Housing Needs for 2021 -2029

Income Category (percent of County Adjusted Median Income) ¹	Number of Units	Percent
Extremely Low (30 percent or less)	2,554	13
Very Low (31 to 50 percent) ²	2,555	15
Low (51 to 80 percent)	2,950	17
Moderate (81 to 120 percent)	3,035	17
Above Moderate (over 120 percent)	6,425	37
Total	17,519	100

Source: Table 3-4, *Fontana 6th Cycle Housing Element Update*. City of Fontana. Adopted February 8, 2022.

1. In 2019, the median household income for Fontana was \$72,918, whereas the County median income was \$63,362.15.
2. Pursuant to AB 2634, local jurisdictions are also required to project the housing needs of extremely low-income households (0-30% AMI). In estimating the number of extremely low-income households, a jurisdiction can use 50% of the very low-income allocation or apportion the very low-income figure based on Census data.

The project would provide a mix of 1-, 2-, and 3-bedroom units providing housing options suitable to various economic segments of the community, furthering the provision of housing required under the RHNA. The proposed project is consistent with the type and intensity of use previously anticipated in the City General Plan and General Plan EIR. As City and County land use assumptions provide foundational inputs used in regional forecasts, and because the project is consistent with the City's current General Plan and zoning, development and occupation of the proposed multi-family residential uses would not result in regional growth exceeding that previously forecast by SCAG. Impacts related to population growth would be **less than significant**, and mitigation is not required.

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 vacant, and no residential units are present on the site. Therefore, implementation of the proposed project would not displace substantial numbers of

¹³⁶ According to the SCAG *Local Profiles Dataset for 2021* (<https://scag.ca.gov/data-tools-local-profiles>), Fontana has an average household size of 4.04 persons per dwelling unit. Therefore, 4.04 x 265 dwelling units = 1,071 residents.

¹³⁷ City of Fontana. *Fontana 6th Cycle Housing Element Update*. Adopted February 8, 2022.

existing people or housing, necessitating the construction of replacement housing elsewhere. **No impact** would occur, and no mitigation is required.

5.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

5.15.1 Impact Analysis

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

i. *Fire protection?*

Less than Significant Impact. Development of the proposed residential uses may incrementally increase the demand for fire protection services due to the increase in the resident population at the project site, but not to the degree that the existing fire stations, staff, and equipment within the City could not meet demand. The San Bernardino County Fire Department provides fire protection, fire prevention, and emergency services to the Fontana Fire Protection District (FFPD) for the City of Fontana, including the project site. The project site is located within the jurisdiction of Division 1¹³⁸ with the nearest fire station being Station 71 located at 16980 Arrow Boulevard, approximately 2.2 miles (via local roadways) southwest of the project site. Fire Station 71 is staffed with two captains, two engineers, three firefighter paramedics, and one firefighter, and is equipped with one medic engine, one medic truck, and one medic squad vehicle.¹³⁹ This station responds to approximately 6,000 incidents per year, 80 percent of which are for emergency medical services. In 2022, the response time for San Bernardino County Fire Department for critical emergencies was 7 minutes and

¹³⁸ San Bernardino Fire Protection District. *Fire Stations*. <https://sbcfire.org/firestations/> (accessed October 16, 2024).

¹³⁹ City of Fontana. *About the Fontana Fire District, Stations & Equipment, Fire Station 71*. <https://www.fontanaca.gov/639/Stations-Equipment>. (Accessed September 26, 2024).

30 seconds.¹⁴⁰ However, this time is skewed due to the long response distances in outlying areas of the County. The County Fire Department, in urban areas, has a target response time of 7 minutes and 30 seconds. Average travel time between Fire Station 71 and the project site is approximately 4 minutes. As discussed in Section 5.17, Transportation, the project would generate approximately 108 and 138 vehicle trips during the a.m. and p.m. peak hour, respectively, and is not expected to result in an adverse effect on the surrounding transportation network or increase congestion on roadways within the project vicinity such that roadway intersections would operate at deficient levels of service. Furthermore, the project site is located in an urban setting already served by the FPD. First responders already patrol the project vicinity, and all vehicles are required to yield the right-of-way to authorized emergency vehicles pursuant to California Vehicle Code 21806. Therefore, the project is not expected to increase the FFPD's response times such that the target response time of 7 minutes and 30 seconds could not be maintained.

As detailed in Section 5.14, Population and Housing, the project would not induce substantial unplanned population growth in the city or region. Furthermore, the project site is located within an urbanized area and would be connected to existing municipal roadways and utility infrastructure. As discussed in Section 5.20, Wildfire, the project site is not within a State or Local Responsibility Area (SRA or LRA) High or Very High Fire Hazard Severity Zone (H/VHFHSZ) and is not located in an area identified by the City to be at risk of a wildfire event. The proposed project would be constructed in accordance with the current (2022) California Building Code, Part 9 (the California Fire Code or CFC), as adopted by reference and amended by the San Bernardino County Fire Protection District and as administered locally by the Fontana Fire Protection District. The CFC requires the proposed buildings to incorporate construction techniques and materials such as roofs, eaves, exterior walls, vents, appendages, windows, and doors resistant to and/or to perform at high levels against ignition during exposure to fires. Fire sprinklers also would be incorporated throughout the proposed buildings to further reduce fire risk and service demand.

The FFPD provides technical review of all building construction plans within the City of Fontana and would review the proposed project to ensure the buildings meet the most current adopted version of the CFC and CBC prior to construction. The project would implement fire prevention and suppression, including fire hydrants, fire alarms, and building sprinkler systems, to reduce the potential for fires at the site and demand for fire services. Sheet A1.3 of Appendix A reflects the fire access plan for the proposed project, which details project design features that facilitate fire apparatus turning radii, fire ladder setbacks, and fire lanes throughout the site. The project provides a 30-foot drive aisle around and between buildings 1 and 2, allowing emergency access to the center portion of the site. Buildings 3-6 are bounded by 30-foot drive aisles and public rights-of-way, allowing emergency access to the perimeter of the site. Vehicular access to private parking areas is through gated entry at the project entrances. Entry security gates would include an override switch to allow access by emergency responders. The proposed project's internal circulation system would also be developed consistent with County and Fire Code requirements to facilitate emergency vehicles access. Additionally, locations of proposed fire hydrants are marked to ensure a maximum 150-foot hose pull, and the fire

¹⁴⁰ San Bernardino County Fire Protection District. *Service Zone FP-5, 2022 Information, Valley Service Zone, West Valley*. <https://sbcfire.org/fp5/>. (Accessed February 3, 2023).

riser rooms are clearly identified in the project plans in accordance with the CFC and CBC for review by the FFPD.

The proposed project design would be submitted to and approved by the FFPD prior the issuance of building permits to ensure the design meets the requirements of the FFPD and would be designed and operated per applicable standards required by the City for new development with regard to fire protection. In addition, the City maintains mutual aid agreements with fire protection agencies in the surrounding cities (e.g., Rancho Cucamonga, Ontario, and Rialto), which allow for the services of nearby fire departments to assist the FFPD during major emergencies.

Construction and occupation of the proposed multi-family residential project in accordance with applicable policies (i.e., CBC and CFC) designed to minimize fires and risk to persons and structures from exposure to fires would not require new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts. Impacts associated with the need to expand fire protection services and facilities in order to maintain acceptable levels of service would be **less than significant**, and mitigation is not required.

ii. Police protection?

Less than Significant Impact. The City of Fontana Police Department (FPD) headquarters is located at 17005 Upland Avenue, approximately 1.6 miles southwest of the project site. The City monitors staffing levels to ensure that adequate police protection and response times continue to be provided as individual development projects are proposed and on an annual basis as part of the City Council's budgeting process. Additionally, the City employs a 5-year strategic planning process to ensure adequate police services as buildout of the City occurs. Implementation of the proposed multi-family residential uses could incrementally increase the demand for police services. However, the site has been designated for higher density residential development and would not result in changes in the amount or location of population forecast by the City in its General Plan or in police strategic planning.

The FPD has just over 300 employees, with 192 sworn officers and 112 civilian staff, and operates out of the FPD headquarters. The FPD is organized with four patrol beats, with the project site located in Beat 2 (areas south of I-210 and north of Foothill Boulevard). The Patrol Division is divided into five patrol teams, with officers working three 12-hour shifts to cover the four beats. The FPD operates with a mandatory minimum of 10 officers per shift, though a shift typically includes 12 to 14 officers supervised by a corporal, sergeant, and lieutenant.¹⁴¹ In September 2024, the current average response time for Class I calls (calls related to an immediate risk to life/safety) was 4.14 minutes,¹⁴² and the FPD made 702 Class A arrests, of which approximately 24 percent were made within FPD Beat 2.¹⁴³ As discussed in Section 5.17, Transportation, the project would generate approximately 108 and 138 vehicle trips during the a.m. and p.m. peak hour, respectively, and is not expected to result in an

¹⁴¹ Heintze, Hillard. *Fontana Police Department, An Independent Assessment of Law Enforcement Operations*. November 6, 2000. <https://www.fontanaca.gov/3337/Police-Audit-Crime-Statistics>. Accessed October 20, 2024.

¹⁴² Fontana Police Department. *Police Department Monthly Report, September 2024*. <https://www.fontanaca.gov/DocumentCenter/View/45275/September-2024-Crime-Stats>. Accessed October 30, 2024.

¹⁴³ Citywide Arrests: Crimes against persons, 189 (27 percent); crimes against property, 345 (49 percent); crimes against society, 168 (24 percent). Fontana Police Department. *Police Department Monthly Report, September 2024*. <https://www.fontanaca.gov/DocumentCenter/View/45275/September-2024-Crime-Stats>. Accessed October 30, 2024.

adverse effect on the surrounding transportation network or increase congestion on roadways within the project vicinity such that roadway intersections would operate at deficient levels of service. Furthermore, the project site is located in an urban setting already served by the FPD. First responders already patrol the project vicinity, and all vehicles are required to yield the right-of-way to authorized emergency vehicles pursuant to California Vehicle Code 21806. Accordingly, the continual monitoring of police staffing levels by the City would ensure the proposed project would not result in a significant reduction in police response times. The project would be designed and operated per applicable standards required by the City and FPD for new development with regard to public safety. The City maintains mutual aid agreements with police agencies in the surrounding cities (e.g., Rancho Cucamonga, Ontario, and Rialto) and with the San Bernardino County Sheriff's Department, which allow for the services of nearby police departments to assist the FPD during major emergencies.

The FPD employs Crime Prevention Through Environmental Design (CPTED) principles during the development review process for new construction and offers CPTED inspection services free of charge to reduce the likelihood of criminal activity and create safer places for the community.¹⁴⁴ The proposed project would incorporate CPTED pursuant to Section 30-395 of the City's Zoning and Development Code to keep FPD service demand increases to a minimum. For example, the proposed project would implement informal surveillance design such as architecture, landscaping, and lighting designed to minimize visual obstacles and eliminate places of concealment for potential assailants. Additionally, access to the project site would be managed with security gates, and the proposed residential buildings would have security lighting located on the building façades to reduce the potential for crime.

Construction and occupation of the proposed multi-family residential project in accordance with applicable policies designed to ensure adequate public safety would not require new or physically altered police protection facilities, the construction of which could cause significant environmental impacts. Impacts associated with the need to expand police protection services and facilities in order to maintain acceptable levels of service would be **less than significant**, and mitigation is not required.

iii. Schools?

Less than Significant Impact. The project site is located within the Fontana Unified School District (FUSD) within the attendance area of 45 schools serving students from preschool through adult education, including 30 elementary schools, 7 middle schools, 5 traditional high schools, 2 alternative high schools, and an on-line learning program.¹⁴⁵ As of the 2022-23 school year, the Fontana Unified School District reported an enrollment amount of 33,410 students which included 15,187 enrolled in elementary schools, 6,949 enrolled in middle school, 11,271 enrolled in high school, and 33 enrolled

¹⁴⁴ City of Fontana. *Crime Prevention Through Environmental Design*. <https://www.fontanaca.gov/DocumentCenter/View/7417/CPTED-Guidelines>. Accessed October 16, 2024.

¹⁴⁵ Fontana Unified School District. *Our Schools*. <https://www.fusd.net/>. Accessed October 16, 2024.

in “nonpublic nonsectarian” schools.¹⁴⁶ The project site is located within the attendance boundaries of the following schools:¹⁴⁷

- Virginia Primrose Elementary School: 2022-2023 enrollment, 373 students¹⁴⁸
- Adler Middle School: 2022-223 enrollment, 957 students¹⁴⁹
- A.B. Miller High School: 2022-2023 enrollment, 2,125 students¹⁵⁰

The FUSD *Developer Fee Justification Study*¹⁵¹ identified the development of 2,512 additional residential units within the District’s boundaries during the five year (2022-2027) forecast period. Of these, 253 were anticipated to be single-family attached units, 651 single-family detached units, and 1,608 multi-family attached units. Although sufficient school capacity at the middle and high school level was available, the *Developer Fee Justification Study* identified a shortage of permanent capacity at the elementary school level that would result from new residential development within FUSD boundaries.¹⁵² Based on FUSD student generation factors, and as detailed in Table 5.15.A, the proposed multi-family residential development would generate up to 105 additional students. Of these, 51 students would attend elementary school.

Table 5.15.A: Estimated Student Generation

School Level	Student Generation Factor (per unit)	Units	Students
Elementary School	0.1905	265	51
Middle School	0.0704	265	19
High School	0.1303	265	35
Total			105

Source: EH&A. *Developer Fee Justification Study for Residential & Commercial/Industrial Development*. June 22, 2022.

California Government Code (Section 65995[b]) establishes the base amount of allowable developer fees imposed by school districts. These base amounts are commonly referred to as “Level 1 fees” and are subject to inflation adjustment every two years. School districts are placed into a specific “level”

¹⁴⁶ California Department of Education. *DataQuest. 2023-24 Enrollment by Grade, Fontana Unified Report (36-67710)*. <https://dq.cde.ca.gov/dataquest/dq census/EnrGrdLevels.aspx?cds=3667710&agglevel=district&year=2023-24&ro=y> (Accessed September 26, 2024).

¹⁴⁷ Fontana Unified School District. *Interactive School Locator*. <https://fUSD.maps.arcgis.com/apps/Viewer/index.html?appid=078dcb92aa5c4e1a89a1a628f0f6e5ff> (Accessed September 26, 2024).

¹⁴⁸ Fontana Unified School District. *Virginia Primrose Elementary School 2022-2023 School Accountability Report Card*. chrome-extension://efaidnbmninnibpcapjpcglclefindmkaj/https://www.edfographics.com/SARC/CURRENT/_1/36677106035893_1.pdf (Accessed: September 26, 2024).

¹⁴⁹ Fontana Unified School District. *Adler Middle School 2022-2023 School Accountability Report Card*. https://www.edfographics.com/SARC/CURRENT/_1/36677106035893_1.pdf (Site Accessed: September 26, 2024).

¹⁵⁰ Fontana Unified School District. *A.B. Miller High School 2022-2023 School Accountability Report Card*. https://www.edfographics.com/SARC/CURRENT/_1/36677103630555_1.pdf (Site accessed: September 26, 2024).

¹⁵¹ EH&A. *Developer Fee Justification Study for Residential & Commercial/Industrial Development*. June 22, 2022. <https://www.fUSD.net/cms/lib/CA50000190/Centricity/Domain/4/Fontana%20Unified%20Developer%20Fee%20Justification%20Study%202022.pdf> (Accessed: September 26, 2024).

¹⁵² *Ibid.* Page 3.

based on school impact fee amounts that are imposed on the development. With the adoption of Senate Bill 50 and Proposition 1A in 1998, schools meeting certain criteria can now adopt Level 2 and 3 developer fees. The amount of fees that can be charged over the Level 1 amount is determined by the district's total facilities needs and the availability of State matching funds. If there is State facility funding available, districts are able to charge fees equal to 50 percent of their total facility costs, termed "Level 2" fees. If, however, there are no State funds available, "Level 3" fees may be imposed for the full cost of their facility needs.¹⁵³ As determined by the *Developer Fee Justification Study*, the FUSD is fully justified in levying the maximum residential school Fee of \$4.79 per square foot for all new future residential development.

Per California Government Code, "The payment or satisfaction of a fee, charge, or other requirement levied or imposed ... are hereby deemed to be full and complete mitigation of the impacts on the provision of adequate school facilities." The project Applicant would be required to pay these development fees in accordance with Government Code 65995 and Education Code 17620. Through payment of applicable development fees, impacts to school facilities and services would be **less than significant**. Mitigation is not required.

iv. Parks?

Less than Significant Impact. Please refer to Section 5.16, Recreation, below for a discussion and analysis of park and recreation impacts based on implementation of the proposed project. The proposed project does not include the development of publicly available park/recreational uses on site, nor would it generate more population or growth than anticipated for the area such that impacts to park/recreational facilities would result in the need for new facilities, the development of which could cause a significant environmental effect. Furthermore, the payment of required park fees would be used to acquire, develop, expand, or maintain park and recreation facilities in the City under separate actions, as needed. Therefore, impacts would be **less than significant**, and mitigation is not required.

v. Other public facilities?

Less than Significant Impact. Development of the project would result in incremental impacts to the City's public services and facilities such as storm drain usage, solid-waste disposal, water usage, and wastewater disposal. These impacts are analyzed in Section 5.10, Hydrology and Water Quality, and Section 5.19 Utilities and Service Systems.

Other public facilities include the City's three libraries: Fontana Lewis Library and Technology Center (8437 Sierra Avenue), San Bernardino County Library Summit Branch (15551 Summit Avenue), and the Kaiser Branch Library (11155 Almond Avenue), respectively located two miles southwest, 6.2 miles northwest, and 8.8 miles southwest of the project site. The Bloomington Branch Library (18028 Valley

¹⁵³ California State Legislature, Legislative Analyst's Office. *An Evaluation of the School Facility Fee Affordable Housing Assistance Programs, January 2001*. Website: http://www.lao.ca.gov/2001/011701_school_facility_fee.html (accessed June 23, 2023).

Boulevard), located in the unincorporated community of Bloomington, is located 2.6 miles south of the project site.

At full occupancy, the proposed project could increase the City's population by up to 1,071 residents,¹⁵⁴ which would equate to an approximate 0.49 percent population increase in the City. The population increase may incrementally increase demand on public facilities such as local public libraries. However, the proposed project is consistent with the type and intensity of use previously anticipated in the City General Plan and General Plan EIR and would not result in population growth exceeding that previously forecast by the city such that existing public facilities would be required to be expanded or new facilities constructed to serve the new residents of the project. As the proposed project would not substantially affect existing public facilities or require the need for new or altered public facilities, impacts would be **less than significant**, and mitigation is not required.

¹⁵⁴ According to the SCAG *Local Profiles Dataset for 2021* (<https://scag.ca.gov/data-tools-local-profiles>), Fontana has an average household size of 4.04 persons per dwelling unit. Therefore, 4.04×265 dwelling units = 1,071 residents.

5.16 RECREATION

	Potentially Significant Impact	Less Than Significant 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

5.16.1 Impact Analysis

- 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?*
- 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?*

Less than Significant Impact. The closest parks to the project site are Fernandez Park (18006 Miller Avenue) and North Tamarind Park (8025 Tamarind Avenue), located approximately 0.50 and 0.81 mile northwest and west, respectively. These parks are open to the public and include ball fields (North Tamarind Park), barbecue areas, picnic tables and shelters, playgrounds, and restroom facilities. The proposed project provides two community courtyards between the four-story buildings that would include one pool and spa, lounge areas, green space, and other amenities for use by the project residents. As these features are part of the project, their potential environmental effects are addressed as part of this IS/MND. The proposed project does not include the development or expansion of any off-site recreational facilities; therefore, no off-site effect on the environment would occur.

The City maintains a performance standard of five acres for every 1,000 residents. Based on the per-unit occupancy and number of residential units, the project has the potential to increase the City's population by up to 1,071 persons. Per the City General Plan, the City's park inventory includes 34 parks encompassing 1,195 acres of protected open space.^{155,156} As discussed in Section 5.14(a), the City's population is estimated at 215,465 persons, which equates to a current parkland ratio of 5.54 acres per 1,000 residents. Assuming persons occupying the new residential uses are all new residents of the City, the City's parkland ratio would decrease to 5.51 acres per 1,000 residents;¹⁵⁷ which still exceeds the City's desired parkland-to-resident ratio.

¹⁵⁵ City of Fontana. *City of Fontana General Plan, Conservation Open Space, Parks and Trails Element*. Page 7.6. Approved and adopted November 13, 2018.

¹⁵⁶ Seventy-two percent of City's park total is in the 861-acre Martin Tudor Jurupa Hills Regional Park, including the Mary Vagle Science Center, at the southern end of the City.

¹⁵⁷ Existing population (215,645) + project population (1,071) = 216,716. 1,195 acres/216,716 = 5.51 acres/1,000 residents.

California Government Code Section 66477 (Quimby Act) specifically authorizes the city to require dedication of park land or payment of fees in lieu of such dedication in set amounts to meet the needs of the citizens of the community for park land and to further the health, safety and general welfare of the community. The Quimby Act further authorizes the city to require payment of certain recreational facilities fees to serve new development in accordance with the master infrastructure facilities plan to be adopted by the City Council in accordance with the requirements of the city's General Plan. The City's process for implementing the Quimby Act are outlined in Sections 21-81 through 21-98 of the City's Municipal Code. The project would be required to pay the City's Quimby Fees for future park maintenance and development, which would be utilized (as determined appropriate by the City) for the acquisition, development, expansion, or maintenance of park and recreation areas in the City under separate actions. Therefore, impacts related to increased use of park and recreation facilities are **less than significant**, and mitigation is not required.

5.17 TRANSPORTATION

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

The information and analysis in this section is based on the Maple Avenue and Foothill Boulevard Residential Traffic Impact Analysis (TIA) prepared by Translutions, Inc., dated May 16, 2025 and the Maple Avenue and Foothill Boulevard Residential, City of Fontana - Vehicle Miles Traveled Screening Analysis (VMT Memo) prepared by Translutions, Inc., dated May 16, 2025, which are included as Appendices J1 and J2, respectively, to this IS/MND.

5.17.1 Impact Analysis

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

This section discusses potential impacts to the circulation system, bicycle facilities, pedestrian facilities, and transit system.

5.17.1.1 Traffic Circulation System

Less than Significant Impact. Other than construction of the two driveways proposed respectively along Maple Avenue and Foothill Boulevard and the installation of curbs, gutters, and sidewalks along the project frontages, the project would not alter Maple Avenue or Foothill Boulevard. The City General Plan Transportation Element establishes standards for arterial streets, collector streets, sidewalks, and similar improvements. The City's Department of Engineering is responsible for designing and managing the City's public infrastructure, including the development of public streets, curbs, gutters, and sidewalks and maintains design and construction standards for necessary infrastructure.¹⁵⁸ All frontage, roadway and other infrastructure improvements would be designed and constructed in conformance with established City standards, as verified through the plan check process.

Revisions to CEQA Guidelines resulting from passage of Senate Bill (SB) 743, removed the consideration of vehicle delay and level of service (LOS) from CEQA and replaced it with vehicle miles

¹⁵⁸ City of Fontana. *Design and Construction Standards*. <https://www.fontanaca.gov/3483/Design-and-Construction-Standards> (accessed February 25, 2025).

traveled (VMT) as the applicable metric against which impacts to transportation are evaluated. A project-specific Traffic Impact Analysis (TIA) (Appendix J1)¹⁵⁹ addressing the project's effect on LOS, and a vehicle mile traveled (VMT) memo (Appendix J2),¹⁶⁰ were prepared for the project. These analyses were conducted to satisfy the requirements for a traffic analysis established in *City of Fontana Traffic Impact Analysis Guidelines for Vehicle Miles Traveled and Level of Service Assessment* (October 2020).¹⁶¹ While LOS and congestion are no longer considered in CEQA documents, the City has adopted LOS policies in its General Plan. The recommended improvements stated in the TIA required to offset the project's effects on LOS and congestion are addressed through the imposition of conditions of approval on the project, thereby ensuring that General Plan standards relative to congestion on the City's circulation system are appropriately addressed. Therefore, traffic operation (circulation) impacts would be **less than significant**, and mitigation is not required.

5.17.1.2 Bicycle Facilities

Currently, no bicycle facilities exist in the vicinity of the project site. An existing Class III bike lane is present on Alder Avenue, approximately 0.65 mile west of the project site. According to Chapter 9, Community Mobility and Circulation, of the City's General Plan (Exhibit 9.6), Class II¹⁶² bike lanes are planned along Foothill Boulevard and Maple Avenue, including along the project frontages as part of the City's capital improvement plans under a separate action. The proposed project does not include the installation of bicycle facilities but would not affect or alter the City's future plans to develop such facilities. Therefore, implementation of the proposed project would not significantly impact existing or planned bicycle facilities, programs, plans, or policies addressing bicycle facilities. Impacts would be **less than significant**, and mitigation is not required.

5.17.1.3 Pedestrian System

Sidewalks in the project vicinity are provided on south side of Foothill Boulevard, on the north side of Foothill Boulevard west of the project site, on the east side of Maple Avenue near the existing multi-family uses, and on the north side of Barbee Street. The proposed project includes construction of a 5-foot-wide sidewalk and a landscaped parkway along the project frontages of Maple Avenue (west side) and Barbee Street (south side), and a 6-foot-wide sidewalk and a landscaped parkway along the north side of Foothill Boulevard. Implementation of the proposed project would help fill in gaps in the City's sidewalk network pursuant to General Plan *Community Mobility and Circulation Element* Goals 1 and 2 to facilitate pedestrian movement to and from the project site. Therefore, the project would

¹⁵⁹ Translutions, Inc. *Maple Avenue and Foothill Boulevard Residential – Traffic Impact Analysis*. May 16, 2025. (Appendix J1).

¹⁶⁰ Translutions, Inc. *Maple Avenue and Foothill Boulevard Residential, City of Fontana - Vehicle Miles Traveled Screening Analysis*. May 16, 2025. (Appendix J2).

¹⁶¹ City of Fontana. Department of Engineering, Traffic Engineering Division. *Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment*. Pages 13 and 14. October 21, 2020.

¹⁶² **Class I (Shared-Use Paths)** are a shared-use path that allows for two-way off-street bicycle use and may be used by pedestrians, skaters, wheelchair users, joggers, and other non-motorized users. **Class II (Bicycle Lanes)** is a bicycle lane that is a portion of the roadway that has been designated by striping, signing, and pavement markings for the preferential and exclusive use of bicyclists. Bicycle lanes are always located on both sides of the road (except one-way streets) and allow bicyclists to ride in the same direction as adjacent motor vehicle traffic. **Class III (Bike Routes)** generally employ bikeway signage, and may also use pavement markings, to guide bicyclists to popular destinations on low-volume, bike-friendly roadways.

not significantly impact any existing or planned programs, plans, or policies addressing pedestrian facilities. Impacts would be **less than significant**, and mitigation is not required.

5.17.1.4 Transit Services

The project area is currently served by Omnitrans, a public transit agency serving various jurisdictions within San Bernardino County along the following routes:

- Route 312 provides service to Fontana, Rialto, Muscoy, and California State University San Bernardino. Route 312 operates at 60-minute headways during the week with major stops including the Fontana Metrolink Transit Center. The nearest stop is located on the northeast corner of Linden Avenue and Foothill Boulevard, approximately 0.25 mile east west of the project site.
- Route 314 provides service between San Bernardino and Fontana via Rialto. Route 314 travels along Foothill Boulevard with 20-minute headways during peak hours and 30-minute headways during off-peak hours. Major stops include the San Bernardino Transit Center and the Fontana Metrolink Transit Center. The project includes a bus turnout along Foothill Boulevard along the southern frontage of the site to accommodate service along Route 314.

Commuter rail service is provided by Metrolink, which is operated by the Southern California Regional Rail Authority. Metrolink train service is available between the counties of Ventura, Los Angeles, San Bernardino, Orange, Riverside, and north San Diego. The City of Fontana is served by the San Bernardino Line, which runs east-west between the San Bernardino Station and the Los Angeles Union Station. The Fontana Station is the nearest Metrolink station to the project site and is approximately 2.5 miles southwest of the project site.

As stated previously, Omnitrans Route 314 provides direct access to both the San Bernardino Transit Center and the Fontana Metrolink Transit Center, and the project includes the installation of a bus turnout area along the Foothill Boulevard frontage to improve the existing bus stop at this location. Omnitrans periodically reviews their service and stop locations to address ridership, budget, and community demand needs. Implementation of the proposed project could increase the demand for public transit. The location of the project along existing public transit corridors, which themselves connect to sub-regional/regional transit services, and the provision of a bus turnout would facilitate public use of transit facilities. Therefore, implementation of the proposed project would not significantly impact any programs, plans, or policies addressing transit facilities. Impacts would be **less than significant**, and mitigation is not required.

Based on the discussion above, implementation of the proposed project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impacts would be **less than significant**. Mitigation is not required.

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

Less than Significant Impact. CEQA Guidelines Section 15064.3, subdivision (b) establishes “vehicle miles traveled” criteria in lieu of “level of service” (LOS) for analyzing transportation impacts and was

signed into law as Senate Bill (SB) 743 in 2013. VMT refers to the amount and distance of automobile travel attributable to a project. As a result of Senate Bill (SB) 743, the California Office of Administrative Law cleared the revised CEQA Guidelines for use on December 28, 2018. Among the changes to the guidelines was the removal of vehicle delay and level of service from consideration under CEQA. The intent of SB 743 and the revised *State CEQA Guidelines* is to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. With the adopted guidelines, transportation impacts are to be evaluated based on a project's effect on VMT.

The City has updated their transportation impact guidelines *City of Fontana Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment* (Traffic Guidelines) to provide thresholds of significance and methodology for identifying VMT related impacts. Based on the City's guidelines, there are four screening criteria that may be applied to effectively screen out land use projects from project-level assessment:

- Transit Priority Area (TPA) Screening,
- LOW VMT Area Screening,
- Low Project Type Screening, and
- Projects Generation Net Daily Trips Less than 500 Average Daily Traffic (ADT).

A land use project need only to meet one of the above screening thresholds to result in a less than significant impact. As stated in the VMT Screening Memo, residential and office projects located within a low-VMT generating area may be presumed to have a less than significant impact absent substantial evidence to the contrary.¹⁶³ The San Bernardino County baseline VMT is 33.10 miles. Based on the City's Traffic Guidelines, a project would have a significant impact if the project VMT exceeds 15 percent (28.14 VMT)¹⁶⁴ below the County of San Bernardino baseline VMT.

Using the San Bernardino County Transportation Authority VMT Screening Tool, the project site is identified in a low-VMT generating Traffic Analysis Zone (TAZ) (TAZ 53738101) with a baseline VMT 22.70 miles, which meets the minimum 15 percent reduction (28.14 VMT) threshold.¹⁶⁵ As such, the proposed project is screened out from requiring a full VMT analysis and would have a **less than significant** VMT impact. Mitigation is not required.

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. Construction of the proposed project may temporarily require partial lane closures. Standard construction safety measures would be implemented, including appropriate signage and flagmen visible to approaching motorists and pedestrians indicating roadway access limitations and other necessary warnings. Full road closures are not anticipated during construction.

¹⁶³ Translutions, Inc. *Maple Avenue and Foothill Boulevard Residential, City of Fontana - Vehicle Miles Traveled Screening Analysis*. Page 1. May 16, 2025. (Appendix J2).

¹⁶⁴ San Bernardino County baseline VMT 33.10 x 0.85 (15 percent) = 28.14

¹⁶⁵ TAZ baseline VMT = 22.70 which is lower than the 15 percent below San Bernardino County VMT Baseline (28.14).

In the event that partial lane closures are required during construction, detour/safety signage would be installed to direct drivers around construction activities along adjacent streets.

The project would be accessible via one main driveway (full access) on Maple Avenue and a secondary driveway (right-out only) on Foothill Boulevard. The project does not include vehicular access from Barbee Street. The project provides a 30-foot drive aisle around and between buildings 1 and 2. Buildings 3-6 are bounded by 30-foot drive aisles and public rights-of-way, which would ensure full and safe vehicular circulation within the site. Other than the construction of these two driveways, and the installation of curbs, gutters, and sidewalks along the project frontages, the project would not alter the alignment or function of Barbee Street, Maple Avenue, or Foothill Boulevard.

The proposed residential development would not result in uses that would be incompatible with the existing land uses surrounding the project site, which also includes multi-family residential uses to the east and south. The project would be subject to design review by the Development Advisory Board which would ensure that entrances and exits would be marked with appropriate directional signage, and all site access points, and driveway aprons would be constructed at appropriate distances from public intersections and to adequate widths for public safety and to ensure the project access driveways would not result in hazardous geometric design hazards (e.g., blind/sharp curves or dangerous intersections). In the absence of any substantial geometric design hazards or incompatible uses, impacts are **less than significant**. Mitigation is not required.

d. Would the project result in inadequate emergency access?

Less than Significant Impact.

Construction. Construction of the proposed project may require partial lane closures that may temporarily restrict vehicular traffic and therefore would be required to implement appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. A Traffic Control Permit is required for any work within the public right-of-way. The City of Fontana's Excavation and Traffic Control Permit (see Fontana Municipal Code Section 25-151 through 25-155) requirements may include prior notification of any lane or road closures with sufficient signage before and during any closures, flag crews with radio communication when necessary to coordinate traffic flow, etc. As appropriate, the project applicant would be required to comply with these requirements, which would maintain emergency access and allow for evacuation, if necessary, during construction activities. Compliance with these requirements would ensure that short-term impacts related to emergency access are **less than significant**. Mitigation is not required.

Operation. In accordance with the California Fire Code, project structures, access, and on-site features would be designed, constructed, and maintained to allow appropriate emergency/evacuation access to and from the project site, as codified in Section Nos. 30-529 (Public Safety), 30-541(D)(7)(a) and (b) (Fences and Walls), and 30-550 (h) (Site Plan Design) of the City Municipal Code.

The project would be accessible via one main driveway (full access) on Maple Avenue and a secondary driveway (right-out only) on Foothill Boulevard. The project provides a 30-foot drive

aisle around and between buildings 1 and 2, allowing emergency access to the center portion of the site. Buildings 3-6 are bounded by 30-foot drive aisles and public rights-of-way, allowing emergency access to the perimeter of the site. All entry security gates would include an override switch to allow access by emergency responders. Except for the installation of access points, curb, gutter, and sidewalks, the project would not alter existing roadways in the project area and, therefore, would not affect usage of these roadways by emergency vehicles.

All points of site access and driveway aprons are designed and would be constructed to adequate widths for public safety pursuant to local requirements. These improvements would be subject to compliance with the City Municipal Code sections specified above and would be reviewed by the Fontana Fire Protection District and Police Department through the City's design review process by the Development Advisory Board, ensuring the long-term impacts related to emergency access are **less than significant**. Mitigation is not required.

5.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or	☐	☐	☒	☐
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.	☐	☐	☒	☐

5.18.1 Impact Analysis

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)?*

Please refer to Section 5.18.b, below.

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. The term "California Native American tribe" is defined as "a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC."

Chapter 532, Statutes of 2014 (i.e., Assembly Bill 52) requires Lead Agencies to evaluate a project's potential to affect "tribal cultural resources." Such resources include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." Assembly Bill (AB) 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a "tribal cultural resource."

CEQA defines a "historical resource" as a resource that meets one or more of the following criteria: (1) is listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) is listed in a local register of historical resources as defined in PRC Section 5020.1(k); (3) is identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) is determined to be a historical resource by a project's Lead Agency (PRC Section 21084.1 and State CEQA Guidelines Section 15064.5[a]).

"Local register of historical resources" means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

A resource may be listed as a historical resource in the California Register of Historical Resources if it meets any of the following National Register of Historic Places criteria as defined in PRC Section 5024.1(C):

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

A "substantial adverse change" to a historical resource, according to PRC Section 5020.1(q), "means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired."

The CEQA Guidelines do not preclude identification of historical resources as defined in Public Resources Code Sections 5020.1(j) or 5024.1. Pursuant to State CEQA Guidelines Section 15064.5[c][4], if an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study, but they need not be considered further in the CEQA process.¹⁶⁶

¹⁶⁶ Pursuant to Section 21082.3(c) of the Public Resources Code, details on the nature, extent, and location of tribal cultural resources identified by Native American Tribes shall remain confidential for the purposes of this analysis.

Per AB 52 (specifically California Public Resources Code 21080.3.1), Native American consultation is required upon request by interested California Native American tribes that have previously requested that the City provide them with notice of such projects. A Sacred Lands File Search was conducted through the California Native American Heritage Commission (NAHC) on August 25, 2023. The search result were “positive,” indicating the presence of sacred lands in the project vicinity.¹⁶⁷ The NAHC requested the City contact the Gabrieleño Band of Mission Indians-Kizh Nation for more information and provided a list of 37 tribal contacts. The City sent letters to listed tribal contacts on October 22, 2024, requesting the initiation of consultation pursuant to AB52.

The Yuhaaviatam of San Manuel Nation (formerly known as the San Manuel Band of Mission Indians) provided input on the project on October 30, 2024, and the Gabrieleño Band of Mission Indians-Kizh Nation responded in written form in lieu of an in-person meeting on November 7, 2024. Both Tribes shared their knowledge of tribal cultural resources in the project vicinity.

The Yuhaaviatam of San Manuel Nation (YSMN) informed the city on October 30, 2024, that the YSMN does not have any concerns with the proposed project’s implementation as currently planned and proposed mitigation for unanticipated encounters with cultural resources, including tribal cultural resources. The Gabrieleño Band of Mission Indians-Kizh Nation advised the city of the project site’s sensitivity regarding tribal cultural resources on November 7, 2024, and proposed mitigation for tribal cultural resources in lieu of an in-person meeting as part of consultation on the project. Specific information regarding sensitivity for tribal cultural resources is not available to the public but is included in the confidential project record for use by City staff as needed.

Although the September 14, 2023, pedestrian survey did not identify any cultural resources or tribal cultural resources on the project site, as discussed in Sections 5.5.b and 5.5.c, above, the project would have the potential to impact tribal cultural resources or Native American human remains if discovered during project construction. Accordingly, **Standard Conditions CUL-1** through **CUL-4** are prescribed to ensure that tribal cultural resources and Native American human remains are protected if discovered during project construction. Compliance with **Standard Conditions CUL-1** through **CUL-4** would ensure the project would be conditioned to cease excavation or construction activities if cultural, tribal cultural, archaeological resources, or human remains are identified and would include provisions for Native American monitoring of ground-disturbing activities in such an instance. These conditions also would ensure further consultation with interested Native American Tribes for the appropriate treatment of tribal cultural resources. Therefore, impacts to tribal cultural resources would remain **less than significant**. Mitigation is not required.

¹⁶⁷ California Native American Heritage Commission, project correspondence, October 20, 2023.

5.19 UTILITIES AND SERVICE SYSTEMS

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

5.19.1 Impact Analysis

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

Less than Significant Impact. Proposed project improvements, including the construction and expansion of water, drainage, electric, and telecommunications facilities, are described in Section 2.4.8, Infrastructure and Off-Site Improvements. The proposed residential development would interconnect to existing utilities where available along Foothill Boulevard or Maple Avenue.

The approval of drainage features and other utility improvements occurs through the building plan check process and during the applicable interconnection process required by utility service providers. As part of this process, all project-related drainage features and utility infrastructure would be required to comply with Section 21-85(c) (Additional Public Improvements) and Chapter 27 (Utilities) of the City Municipal Code, as well as Santa Ana RWQCB standards. On-site project-related drainage features would be designed, installed, and maintained per the San Bernardino County MS4 Permit, the City Municipal Code, and the requirements identified in the Final WQMP (per **Standard Conditions HYD-3** and **HYD-4**).

All proposed improvements and interconnection to drainage, electric power, water, and wastewater facilities would be installed simultaneously with finish grading activities and required project frontage improvements (sidewalk, landscaping, and trees) along Barbee Street, Maple Avenue, and Foothill Boulevard. The areas of potential impact from drainage and utility infrastructure improvements occur

in an urbanized environment and are included in the analytical footprint of this Initial Study and associated technical studies, and impacts are mitigated where necessary to less than significant levels. As a result, interconnection to the existing utilities in the project vicinity would not result in substantial disturbance to native habitat or soils, or to the operation of existing roadways and utilities. There would be no significant environmental effects specifically related to the installation of utility interconnections that are not encompassed within the project's construction and operational footprints, and therefore already identified, disclosed, and subject to all applicable mitigation measures, as well as local, State, and federal regulations, as part of this Initial Study. Therefore, impacts related to relocation or construction of utilities would be **less than significant**. Mitigation is not required.

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 FWC supplies water to the project site via groundwater supplies from three adjudicated basins, including the Chino Basin, Rialto-Colton Basin (including the No Man's Land Basin), and the Lytle Basin. The Chino Basin is the main source of water for the FWC. According to the FWC UWMP, none of the basins supplying groundwater to the FWC are in "critical condition of overdraft." FWC's current available pumping capacity totals approximately 37,222 gallons per minute (gpm), with individual well production ranging from approximately 189 gpm to 2,955 gpm.¹⁶⁸ In addition, the proposed Chino Basin Program will augment the existing Chino Basin groundwater supply with recycled water through the construction of an advanced water treatment facility to provide high-quality recycled water for storage in the Chino Basin.¹⁶⁹

Based on the projected future population within the FWC service area and assuming current per capita water consumption patterns, the FWC determined it has adequate water supplies to meet the projected demand for Normal Year, Single Dry Year, and Five Consecutive Dry Year scenarios through the year 2045.¹⁷⁰

The General Plan designation for the site is Multi-family Medium/High Residential (R-MFMH) and is zoned R-4 (Multi Family Medium/High Density Residential). No action to change the General Plan land use designation or zoning for the site is required. As discussed in Section 5.14, Population and Housing, based on a population forecast of 4.04 persons/unit, the proposed 265 dwelling units could result in a population of up to 1,071 persons. As the project is consistent with the General Plan density used in the development of the UWMP, the proposed project would not increase water demand on-site beyond that which is anticipated for the property in the UWMP. As the FWC has determined a sufficient water supply is available to meet normal, single-dry, and multiple-dry year demands through the year 2045, impacts related to water supply are **less than significant**. Mitigation is not required.

¹⁶⁸ San Gabriel Water Company, Fontana Water Company Division. 2020 *Urban Water Management Plan*. Pages 6-5 through 6-8. June 2021.

¹⁶⁹ *Ibid.* Pages 7-9.

¹⁷⁰ *Ibid.* Pages 7-5 through 7-8, 8-1.

- 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. The project site is within the sewer service area of the City of Fontana and the Inland Empire Utilities Agency (IEUA). Operational discharge flows treated by the IEUA would be required to comply with waste discharge requirements for that facility. IEUA serves approximately 875,000 people over 242 square miles in Western San Bernardino County and provides services to the Cities of Chino, Chino Hills, Fontana, Montclair, Ontario, Upland, and Rancho Cucamonga.¹⁷¹ IEUA operates four Regional Water Recycling Plants (RPs), including RP-1, RP-4, RP-5, and the Carbon Canyon Water Recycling Facility. IEUA's RP-4 located near the intersection of Etiwanda Avenue and 6th Street in the City of Rancho Cucamonga treats local wastewater generated by the City of Fontana.

IEUA's four RPs have a combined treatment capacity of approximately 86 million gallons per day (MGD) and currently treat over 50 MGD.¹⁷² RP-1 has a capacity of 44 MGD and treats an average flow of 28 MGD of wastewater, with a surplus capacity of approximately 16 MGD, and is operated in conjunction with RP-4 to provide recycled water to users.¹⁷³ RP-4 has recently been expanded to a capacity of 14 MGD and treats an average flow of 10 MGD, with a surplus capacity of approximately 4 MGD.¹⁷⁴ Together, RP-1 and RP-4 have a 20 MGD surplus capacity.

Using an average flow average flow rate of 5,200 gallons per day (gpd) per acre (gpd/ac) for multi-family residential uses,¹⁷⁵ the proposed project would generate approximately 43,160 gpd. The project's estimated wastewater treatment demand represents 0.2 percent of the RP-1 and RP-4 current daily surplus capacity,¹⁷⁶ and sufficient surplus wastewater treatment capacity is available to serve the project. Wastewater flows from the project would flow to a proposed sewer line in Foothill Boulevard which would tie into the existing 10-inch sewer line located within Locust Avenue. The calculated flow into the existing sewer line in Locust Avenue represents 78 percent of half-full capacity and 36 percent of the full capacity of this line and therefore can support the increased wastewater flows generated by the proposed project.¹⁷⁷ As sufficient wastewater conveyance and treatment capacity exists to accommodate the proposed project, impacts would be **less than significant**, and mitigation is not required.

¹⁷¹ Inland Empire Utilities Agency. *About us*. <https://www.ieua.org/about-us/> (accessed June 23, 2023).

¹⁷² Inland Empire Utilities Agency. *Facilities*. <https://www.ieua.org/facilities/> (accessed June 23, 2023).

¹⁷³ Inland Empire Utilities Agency. *Facilities, Regional Water Recycling Plant No. 1*. <https://www.ieua.org/regional-water-recycling-plant-no-1/> (accessed October 13, 2024).

¹⁷⁴ Inland Empire Utilities Agency. *Facilities, Regional Water Recycling Plant No. 4*. Website: <https://www.ieua.org/regional-water-recycling-plant-no-4/> (accessed October 13, 2024).

¹⁷⁵ Allard Engineering. *TPM 20704 Foothill Blvd & Maple Ave. Apartment Fontana, CA 92337 Preliminary Sewer Study*. Table 2. August 13, 2024.

¹⁷⁶ 43,160 gallons per day Project demand ÷ 20,000,000 gallons per day WWTP surplus = 0.2 percent.

¹⁷⁷ Allard Engineering. *TPM 20704 Foothill Blvd & Maple Ave. Apartment Fontana, CA 92337 Preliminary Sewer Study*. Page 1. August 13, 2024.

- 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 collection is a “demand-responsive” service, and current service levels can be expanded and funded through user fees. The City currently contracts with Burrtec Waste Industries, Inc. to provide trash and recycling services. Once collected, solid waste is transported to the West Valley Materials Recycling Facility (MRF)/Transfer Station. From the MRF, the non-recyclable material would be sent to Mid-Valley Landfill.¹⁷⁸ Mid-Valley Landfill has a daily throughput of 7,500 tons. The maximum and remaining capacity of this landfill is 101,300,000 and 54,219,377 cubic yards, respectively, and has an estimated closure date of 2045.¹⁷⁹

Based on a generation rate of 5.5 pounds per capita per day,¹⁸⁰ at full occupancy, the proposed project would generate up to 5,890 pounds (2.945 tons) of solid waste per day.¹⁸¹ This amount is equivalent to as much as 0.03 percent of the daily throughput at Mid-Valley Landfill.¹⁸² As such, Mid-Valley Landfill has adequate capacity to serve the proposed project.

As adequate daily surplus capacity exists at the receiving landfill, and the project would comply with local and State waste reduction strategies, the project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure. Impacts would be **less than significant**, and mitigation is not required.

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

Less than Significant Impact.

Construction. The City would require the project Applicant to prepare a Construction Waste Management Plan to ensure a minimum 65 percent of all construction waste would be recycled/reused in accordance with CalGreen Code Sections 4.408 and 5.408. Therefore, the project would comply with federal, State, and local management reduction statutes and regulations related to solid waste during project construction. Impacts would remain **less than significant**. Mitigation is not required.

Operation. The project operator is required to coordinate with Burrtec Waste Industries, Inc., which would collect solid waste from the site and transfer the solid waste to the MRF. The MRF would sort the solid waste into recyclable and non-recyclable waste and would transfer the non-

¹⁷⁸ City of Fontana. *Trash Pickup.* <https://fontanaca.maps.arcgis.com/apps/webappviewer/index.html?id=de0bfb8f31a7415ca8ffd2c9ec550f22> (accessed October 13, 2024).

¹⁷⁹ California Department of Resources Recycling and Recovery (CalRecycle). *Solid Waste Information System (SWIS). SWIS Facility/Site Activity Details: Mid-Valley Sanitary Landfill (36-AA-0055).* <https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1880?siteID=2662> (accessed October 13, 2024).

¹⁸⁰ California Department of Resources Recycling and Recovery (CalRecycle). *Disposal Rate Calculator (Fontana, 2023).* <https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/sicp/capacityplanning/recycling/DisposalRateCalculator> (accessed October 13, 2024.)

¹⁸¹ 5.5 pounds per capita per day x 1,071 residents = 5,890 pounds/day (÷ 2,000 pounds/ton = 2.945 tons).

¹⁸² 2.945 tons/day ÷ 7,500 tons/day daily throughput = 0.03 percent.

recyclable waste to Mid-Valley Landfill for disposal. All development within the city, including the proposed project, is required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other local, State, and federal solid waste disposal standards. The City's target disposal rate is 6.0 pounds/day per capita and has a (2023) disposal rate of 5.5 pound/day per capita,¹⁸³ further satisfying solid waste reduction goals. Therefore, the project would comply with federal, State, and local management reduction statutes and regulations related to solid waste during project operation. Impacts would be **less than significant**, and mitigation is not required.

¹⁸³ California Department of Resources Recycling and Recovery (CalRecycle). *Disposal Rate Calculator (Fontana, 2023)*. <https://www2.calrecycle.ca.gov/LGCentral/AnnualReporting/sicp/capacityplanning/recycling/DisposalRateCalculator> (accessed October 13, 2024).

5.20 WILDFIRE

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

5.20.1 Impact Analysis

a. Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The project site is not located within a State Responsibility Area. According to the California Department of Forestry and Fire Protection (CALFIRE) Fire Hazard Severity Zones mapping, the project site is located within a Local Responsibility Area (LRA) but is not designated as a High or Very High Fire Hazard Severity Zone (VHFHSZ).¹⁸⁴ The nearest VHFHSZ is located approximately 3.6 miles northwest of the site. The project is located in an area that is developed with local roads and regional highways that provide adequate access and departure from the area in the event of an emergency, such as a wildfire.

The proposed project would be designed to comply with the current CFC (2022) standards for development for residential uses, CBC standards, and standards as set forth by the FFPD. The project would be accessible via one main driveway (full access) on Maple Avenue and a secondary driveway (right-out only) on Foothill Boulevard. The project provides a 30-foot drive aisle around and between buildings 1 and 2, allowing emergency access to the center portion of the site. Buildings 3-6 would be bounded by 30-foot drive aisles and public rights-of-way, allowing emergency access to the perimeter of the site (see **Figure 6: Fire Access Plan**). All entry security gates would include an override switch to allow access by emergency responders.¹⁸⁵ Furthermore, as detailed in Table 5.17.C, project opening

¹⁸⁴ California Department of Forestry and Fire Protection (CALFIRE). *FHSZ Viewer*. [Map of CAL FIRE's Fire Hazard Severity Zones in Local Responsibility Areas – Fontana \(34c031f8-c9fd-4018-8c5a-4159cdf6b0d-cdn-endpoint.azureedge.net\)](https://www.fire.ca.gov/Map-of-CAL-FIREs-Fire-Hazard-Severity-Zones-in-Local-Responsibility-Areas-Fontana) (accessed October 13, 2024).

¹⁸⁵ The fire access lanes provide sufficient turning radius for fire apparatus and provides appropriate fire ladder setbacks required for four-story buildings (Buildings 1 and 2).

year (2025) without- and with-project conditions, and Table 5.17.D, future build-out year (2045) without- and with-project conditions, all study area intersections are forecast to operate at satisfactory LOS (refer to Section 5.17(a) of this Initial Study). Therefore, the project would not contribute to congestion on roadways and intersections that are part of a neighborhood or city-wide evacuation plan, and the project would not substantially impair an adopted emergency response plan or emergency evacuation plan within a VHFHSZ. Impacts are **less than significant**, and mitigation is not required.

b. 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?

Less than Significant Impact. The project site is not located within a State Responsibility Area or within High or Very High Fire Hazard Severity Zone (HFHSZ or VHFHSZ). Wildfires have the tendency for uncontrolled spread when the terrain is hilly or mountainous and not conducive to practicable firefighting capabilities. The project site and vicinity are not located in areas identified by the city to be areas at risk of a wildfire event. The likelihood of uncontrolled spread of a wildfire near or on the project site is relatively low since the site and surrounding areas are generally level, substantially developed, and sufficiently distant from areas of natural open spaces that are susceptible to wildfires.

San Bernardino County and Fontana are subject to seasonal wind events including times during the fall when Santa Ana Wind conditions are prevalent. Santa Ana Wind conditions in the area of the proposed project typically blow from a northeast to southwest direction (an offshore flow). Wildfires have been recorded to occur in such Santa Ana Wind events sometimes leading to uncontrolled spread of wildfires. CALFIRE and the San Bernardino County Fire Department have taken these conditions and the locations of Fire Hazard Severity Zones into consideration when determining potential impacts associated with wildfire spread within the City of Fontana and surrounding cities. If such a conflagration¹⁸⁶ driven by winds were to get out of control, the City's FFPD and San Bernardino County Fire Department have procedures in place to respond to such an emergency and evacuate residents and employees as needed.¹⁸⁷

Wind events can also result in smoke drift from nearby wildfires resulting in smoke settling in low-lying areas. The City is located in a valley between the San Bernardino/San Gabriel Mountains and the Jurupa Mountains; as such, the potential for smoke settlement from nearby wildfires is a possibility. Such smoke settlement is expected to clear out within a couple days of when settlement commenced (based on weather conditions).

Overall, implementation of the proposed project would have a low probability of exposing occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope or prevailing winds. Impacts would be **less than significant**. Mitigation is not required.

¹⁸⁶ Conflagration is an extensive fire that destroys a great deal of land or property.

¹⁸⁷ City of Fontana. *Local Hazard Mitigation Plan*. Page 176. June 2017; approved and adopted August 14, 2018.

- c. 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?*

Less than Significant Impact. As described above, the proposed project is not located within or near a wildfire State Responsibility Area, nor is the land classified as a VHFHSZ. The proposed project includes development of three- and four-story residential buildings, site amenities, surface parking lot, on-site utility infrastructure, and landscaping. In the absence of any significant potential for on-site or adjacent wildfire hazard, the proposed project would not need to incorporate fire protection infrastructure, such as roads, fuel breaks, emergency water sources, power lines, or other utilities that may themselves exacerbate fire risk.

As stated in the response 5.17(d), project structures, access, and on-site features would be designed, constructed, and maintained to allow appropriate emergency/evacuation access to and from the project site, as codified in Section Nos. 30-529 (Public Safety), 30-541(D)(7)(a) and (b) (Fences and Walls), and 30-550 (h) (Site Plan Design) of the City Municipal Code; therefore, impacts related to this issue would be **less than significant**. Mitigation is not required.

- d. Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

Less than Significant Impact. As described above, the proposed project is not located within or near a wildfire State Responsibility Area, nor is the land classified as a LRA VHFHSZ. According to the City's Local Hazard Mitigation Plan, the project site is not located in flood hazard or inundation zones,¹⁸⁸ and the site is not located near bodies of water or enclosed water storage features which could generate tsunamis or seiches. Therefore, risks associated with runoff caused by post-fire slope instability or post-fire drainage change are low.

The project site is located in an urbanized area surrounded by residential and commercial land uses. The site and surrounding areas are generally level, substantially developed, and sufficiently distant from areas of natural open spaces that are susceptible to wildfires. Due to the absence of hills in the project vicinity, development of the proposed project would not expose persons or property to post-fire slope instability or post-fire drainage changes. Therefore, potential impacts related to the exposure of people or structures due to significant downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes would be **less than significant**. Mitigation is not required.

¹⁸⁸ City of Fontana. *Local Hazard Mitigation Plan*. Figure 4-1: Flood Hazard Map and Figure 4-2: Dam Inundation areas in Fontana. June 2017; approved and adopted August 14, 2018.

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

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

5.21.1 Impact Analysis

- 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 with Mitigation Incorporated. The project site is bounded by single-family residential uses to the north, multi-family residential uses (Maple Hills Apartments) to the south; vacant land, a single-family residence, and multi-family building (Maple Gardens Apartments) to the east (in the City of Rialto); and auto repair/salvage and commercial uses to the west. Additionally, the project site has been subjected to repeated and ongoing disturbance from human activities. No riparian or sensitive natural community is located on site, and there is no designated critical habitat for any species within or adjacent to the project site. The project site does not include any federally protected wetlands or any drainage features, ponded areas, wetlands, or riparian habitat subject to jurisdiction by the CDFW, USACE, and/or RWQCB, nor any critical habitat or sensitive natural community. The Crotch bumble bee is a candidate species for state listing and therefore afforded all the protections as though it were listed under the California ESA. The project site contains marginally suitable habitat for this species in the form of suitable burrows and nectar sources on and adjacent to the project site. Due to the presence of potential foraging, nesting, and overwintering habitat and noted occurrences within five miles of the project site, this species has a moderate potential to occur on-site. **Mitigation Measure BIO-1** identifies pre-construction survey and construction avoidance measures to protect the Crotch bumble bee.

The Burrowing Owl is a candidate species for state listing and therefore afforded all the protections as though it were listed under the California ESA. Although the burrow survey did not identify burrowing owls or occupied burrows, burrows of sufficient size for burrowing owls were identified on the project site. Because of the size of the project site and isolation of the project site from more suitable habitat, it is unlikely that burrowing owl would occupy the project site. Nevertheless, there is potential, although low, for burrowing owl to inhabit the site in the future. **Mitigation Measure BIO-2** requires a that pre-construction burrowing owl survey be conducted prior the initiation of project activities. If burrowing owl is detected, on-site areas actively occupied by owl must be avoided. If unavoidable, construction activities would proceed per the burrowing owl mitigation plan developed in consultation with the CDFW.

Although no sign of bat use was identified during the on-site biological survey, the abandoned portable structure on-site, the presence of palm trees with intact thatch skirts, and the presence of suitable foraging habitat on-site facilitates potential bat roosting activity on-site. Accordingly, the western yellow bat (*Lasiurus xanthinus*) has a some potential, albeit low, to occur on-site. **Mitigation Measures BIO-3** requires that a pre-construction bat survey be conducted, and if bats are determined present, a bat management plan must be prepared to minimize impacts to roosting bats during construction. Furthermore, **Mitigation Measure BIO-4** identifies the timing and process of removal and/or modification of trees deemed suitable for bats to roost.

Potential nesting habitat for migratory birds and raptors in the form of mature and emergent tree-of-heaven, eucalyptus, and ornamental trees, as well as suitable nesting habitat for ground-nesting bird species, such as mourning doves, is present on-site. **Mitigation Measure BIO-5** requires a pre-construction nesting bird survey and identifies the process to ensure active nests are protected.

Finally, the project would be conditioned to comply with the City's tree protection ordinance by ensuring the replacement of each living tree on the project site (pursuant to Section 28-67 (c) of the City Municipal Code, as codified in **Standard Condition BIO-1**.

With implementation of **Mitigation Measures BIO-1** through **BIO-4**, impacts to candidate, sensitive, or special-status species would be **less than significant with mitigation incorporated**. With implementation of **Mitigation Measure BIO-5**, impacts to native resident or migratory fish or other wildlife species (including nesting birds), established native resident or migratory wildlife corridors, and native wildlife nursery sites would be reduced to **less than significant with mitigation incorporated**. Through implementation of **Standard Condition BIO-1**, the project would comply with the City's tree preservation ordinance and therefore would not conflict with any local policies or ordinances protecting biological resources, including trees.

Based on the results of the cultural records search and cultural resource survey, no cultural resources have been previously recorded or identified on the project site. Due to the age (Holocene) of alluvial soils on-site, the proximity to historically perennial waterways (e.g., Lytle Creek 3.5 miles northeast), the presence of historic-era homes in the project vicinity, and the positive indication of sacred lands within the project area, there is a moderate potential for cultural and tribal cultural resources to be present and buried on-site. Although there were no cultural resources identified on the project site, the project would be required to comply with all applicable regulations protecting cultural and tribal cultural resources in the event that these resources are encountered during project construction.

Though implementation of City **Standard Conditions CUL-1** through **CUL-4**, the project would be conditioned to cease excavation or construction activities if cultural or tribal cultural resources or human remains are identified and would include provisions for Native American monitoring of ground-disturbing activities in such an instance. These conditions also would ensure further consultation with interested Native American Tribes for the appropriate treatment of Tribal Cultural Resources and establish the notification and treatment process in the event human remains are encountered during ground disturbance or construction activity. Additionally, implementation of **Mitigation Measure GEO-2** would ensure unanticipated paleontological resources encountered during construction would be managed pursuant to applicable regulatory policy. Accordingly, impacts to important examples of major periods of California history or prehistory would be **less than significant with mitigation incorporated**.

The proposed project has either no impact, a less than significant impact, or a less than significant impact with mitigation incorporated with respect to all natural resources issues pursuant to CEQA. Implementation of the mitigation measures described above would ensure impacts to the quality of the environment would be reduced to **less than significant with mitigation incorporated**.

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 with Mitigation Incorporated. CEQA defines cumulative impacts as “two or more individual effects which, when considered together, are considerable, or which can compound to increase other environmental impacts.” Section 15130 of the CEQA Guidelines requires evaluation of potential environmental impacts when the project’s incremental effect is cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of “reasonably foreseeable probable future” projects, per CEQA Section 15355. Cumulative effects can also be evaluated by considering the project’s compatibility with projections contained in an adopted general plan or related planning document with regard to long-term population, employment, and household projections of the region.¹⁸⁹ Cumulative impacts can result from a combination of the proposed project together with other closely related projects that cause an adverse change in the environment or an unplanned increase in land use or development intensity that could potentially overburden community infrastructure or service capacity. Cumulative impacts can result from individually minor but collectively significant projects taking place over time.

Potentially significant impacts that would be reduced to a **less-than-significant level with implementation of mitigation** include the topics of biological resources and geology. Specifically, implementation of **Mitigation Measures BIO-1** and **BIO-2** ensure that impacts to Crotch bumble bee and burrowing owl are reduced to a less-than-significant level, while implementation of **Mitigation Measures BIO-3** and **BIO-4** ensure that potential impacts to sensitive bat species are

¹⁸⁹ City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099*. Page 7-1. June 8, 2018.

reduced to a less than significant level. Impacts to nesting birds are reduced to a less than significant level through the implementation of **Mitigation Measure BIO-5**. Other cumulative development in the City would implement similar standard conditions or the recommendations identified in the site- and project-specific biological resource assessments prepared (as necessary) for those projects. With the implementation such measures, the proposed project would not significantly contribute to a cumulatively considerable impact to biological resources .

With regard to geology, potentially significant impacts to humans and structures from ground shaking and unstable soils would be reduced to less-than-significant levels with implementation of **Mitigation Measure GEO-1**, while potential impacts to paleontological resources would be reduced to less-than-significant levels with implementation of **Mitigation Measure GEO-2**. All environmental impacts that could occur as a result of the proposed project would be reduced to a less-than-significant level through the implementation of the mitigation measures recommended in this Initial Study, and all discretionary projects in the City would be subject to similar review and mitigation to collectively mitigate impacts to biological and geological resources, thereby ensuring the proposed project's contribution to cumulatively considerable impacts would be reduced to **less-than-significant levels with implementation of mitigation**.

As stated above, City **Standard Conditions CUL-1** through **CUL-4** have been identified ensure potential cultural and tribal cultural resources identified during the course of construction activities is appropriately assessed. These conditions further establish the requirements for subsequent monitoring, treatment, preservation, and/or curation of any such material; identify the professional qualifications and standards of required archeological monitors; and establish the notification and treatment process in the event human remains are encountered during ground disturbance or construction activity, including assessment by and consultation with Native American (as appropriate) of any cultural/archeological material and/or human remains. Other cumulative development in the City would implement similar standard conditions or the recommendations identified in the site- and project-specific cultural resource assessments prepared (as necessary) for those projects. With implementation of such measures, the proposed project would not significantly contribute to a cumulatively considerable impact.

The additional traffic generated by the project represents an incremental increase to the existing roadway volume; therefore, the project would generate a less than 1 dBA CNEL increase in off-site traffic noise, which would not be perceptible in an outdoor environment. As stated previously, the project site is located in an urbanized environment adjacent to residential uses (single-family to the north, multi-family to the east and south) and auto/salvage and commercial uses (to the west). Daytime and nighttime noise level increases resulting from occupation of the proposed apartment uses would not exceed established standards. It is unlikely that cumulative development would generate noise that is additive in nature because, 1) the noise sources would have to be adjacent or in close proximity to one another in order for the noises to combine, and 2) the sensitive receptor or receptors would also have to be adjacent to or in close proximity to the noise generators. Due to the developed nature of adjacent properties, it is not likely for cumulative development in the project vicinity to generate noise at the same time and location(s) sufficient to create a significant cumulative noise impact at sensitive receptors. Furthermore, all projects in the City would be required to adhere to Section 18-63(b)(7) of the City Municipal Code, as codified under **Standard Condition NOI-1** for the

proposed project. Therefore, the proposed project would not significantly contribute to a cumulative considerable noise increase in the project vicinity.

The transport, use, and disposal of hazardous materials during project operation would be regulated by the San Bernardino County Fire Department, the Fontana Fire Protection District, and the California Occupational Safety and Health Administration. No indication of above ground storage tanks or underground storage tanks have been or are currently located on the site. No evidence of drums, sumps, pits, pools, lagoons, or ground staining was identified on the project site during the field assessment. The 2005 soil sampling detected OCP pesticide residue, although the detectable residue was within the 2023 regional screening levels established by the US EPA and does not represent a REC for the project site or a significant risk to human health of the environment. The project Applicant would be required to test the portable classroom located on-site to, 1) ascertain the presence/absence of lead base paint and, 2) ensure the removal, remediation, and/or appropriate disposal pursuant to applicable regulations (see **Mitigation Measure HAZ-1**). Additional mitigation (see **Mitigation Measures HAZ-2** and **HAZ-3**) are prescribed to ensure any unknown subsurface conditions on the property, which could include buried pipelines or irrigation channels, septic tanks, and/or other buried objects/debris that may contain asbestos or other hazardous materials, are managed in accordance with applicable regulatory policies. As cumulative development occurs in the city, hazardous material impacts (if any) would be addressed through compliance with applicable regulatory requirements and the recommendations of the site- and project-specific hazardous materials investigation(s). With mitigation, the proposed project would not significantly contribute to a cumulatively considerable impact relative to hazards or hazardous materials.

A cumulative analysis may consider the project's compatibility with projections contained in an adopted general plan or related planning document with regard to long-term population, employment, and household projections of the region. The City of Fontana General Plan designates the project site for Multi-family Medium/High Residential (R-MFMH) uses. The "R-MFMH" designation allows for a higher density multi-family development up to 39 dwelling units per acre. Permitted uses include multi-story apartments and mixed-use developments. Based on the project site and the number of units proposed, the project would provide 32.6 du/ac, which is within the residential density range established for the City for the project site; therefore, the proposed project is consistent with the existing General Plan land use designation and zoning for the project site, and no action to change the land use or zoning district is required. As the project is consistent with the City's General Plan and zoning, the development and occupation of the proposed multi-family residential uses would not result in regional growth exceeding that previously forecast (either population or dwelling units), or increase the demand for public services, parks and recreation facilities, or utility systems beyond that previously forecast, and project impacts would not be cumulatively considerable.

The previously disturbed and undeveloped project site is located in an urbanized area that is neither utilized nor designated for agricultural, forestry, or mineral extraction activities; therefore, the project would have no impact relative to these environmental topics. When considered with cumulative development in the city and region, impacts would not be cumulatively considerable. Relative to the amount of energy (e.g., electricity, natural gas, and vehicle fuels) consumed on a County, regional, or Statewide level, construction and operation of the project would require a negligible amount of energy (refer to Table 5.6.A). As detailed in Section 5.6, there is adequate energy capacity to serve

the project in addition to existing foreseeable future projects. Similar to the proposed project, each cumulative project would be required to comply with federal, State, and local requirements for energy efficiency, including current Title 24 and CalGreen standards. Therefore, the project's energy demand would not be cumulatively considerable when considered with past, current, and future projects.

The project would not result in population growth that is inconsistent with the assumptions used in the development of the City's General Plan and the 2022 AQMP. Air pollution by its very nature is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant. In developing thresholds of significance for air pollutants, the SCAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. The proposed project would not result in the emission of pollutants (VOC, NOX, CO, SOX, PM10, and PM2.5) in exceedance of established SCAQMD significance thresholds (see Tables 5.3.C through 5.3.E above); therefore, construction and operation of the proposed project would not result in a cumulatively considerable increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State ambient air quality standard when considered with past, current, and future projects.

The project would generate 2,090.58 MT CO₂e/yr, which is below San Bernardino County's review threshold of 3,000 MT CO₂e/yr. As such, the project complies with GHG performance standards and would be consistent with the County of San Bernardino Greenhouse Gas Reduction Plan. The project would be subject to applicable provisions of Title 24 and CalGreen standards, which identify minimum standards related to various building features, including solar roofs, electric vehicle charging capacity; appliances; water and space heating/cooling equipment; building insulation and roofing; residential electrification; and lighting. These measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. Therefore, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and would not significantly contribute to a cumulatively considerable impact.

The City is a co-permittee under the Santa Ana RWQCB NPDES Permit Waste Discharge Requirements and the San Bernardino County MS4 Permit. Under these permits, the project and other cumulative developments are required to implement low-impact development best management practices to mimic a project site's natural hydrology to capture, filter, store, evaporate, detain, and infiltrate runoff. All development in the City is subject to these regional permits and City **Standard Conditions HYD-1** through **HYD-4**, which require adherence to the applicable policies, regulations, and requirements of the permits. As such, the project- and site-specific impacts of the project, as well as past, current, and future projects would be appropriately mitigated and would not significantly contribute to a cumulatively considerable impact.

The "R-MFMH" designation allows for a higher density multi-family development up to 39 dwelling units per acre. This zoning district provides space for high density residential transit-oriented development commonly found in an urban environment, especially along existing and/or anticipated future bus routes. Development requirements for the R-4 zoning district are identified in Sections 30-445 through 30-452 of the City's Municipal Code, including permitted uses, residential density,

setback requirements, allowable building types, building heights and unit size, ancillary services, recreational facilities, parking requirements, frontage types, and encroachment requirements. As established in Section 5.1(d), the project is consistent with the City's development standard for the R-4 zoning district. All lighting in the City is further subject to applicable provisions of Section 30-471 (Light and Glare), 30-476(g)(5) (Lighting), and 30-477(1) (Building Design) of the City Municipal Code, which require light shielding, functional and aesthetic design, and compatibility with surrounding uses. As cumulative development occurs, each project would be subject to the design and development standards established by the City for each respective land use district. Through adherence to the design requirements identified and enforced by the city, aesthetic impacts resulting from the project and other past, current, and future projects would not be cumulatively considerable.

Because the project is consistent with local and regional growth projections, it would not result in an unplanned increase in land use or development intensity that could result in a cumulatively considerable overburdening of community infrastructure, such as the circulation network and utilities and service systems, or service capacity, such as public services and recreation facilities. As identified in Table 5.17.D, under future build-out year (2045) conditions, without and with project, all studied intersections are forecast to operate at satisfactory levels of service consistent with the City's General Plan standards. The project is located in a low-VMT-generating zone, which meets the minimum 15 percent below San Bernardino County baseline VMT threshold adopted by the City. The project further provides transit improvements (e.g., bus station turnout) along a bus corridor that connects two regional transit stations, thereby facilitating the reduction of VMT through the use of public transportation. Therefore, the project would not contribute to a significant VMT impact, and when considered with other past, current, and future projects, transportation impacts would not be cumulatively considerable.

Project structures, access, and on-site features would be designed, constructed, and maintained to allow appropriate emergency/evacuation access to and from the site. The project includes development of three- and four-story residential buildings, site amenities, surface parking lot, on-site utility infrastructure, and landscaping in an urbanized area that is not identified by the city be at risk during a wildfire event or post-wildfire hazards; therefore, the project when considered with past, current, or future projects would not significantly contribute to a cumulatively considerable wildfire impact.

As development proposals are considered by the city, each would undergo environmental review pursuant to CEQA. As necessary and appropriate, mitigation measures would be identified to reduce the significance of those site- or project-specific impacts. Implementation of these measures would ensure that the impacts of the proposed project and other projects in the vicinity would be below established thresholds of significance to the extent feasible. In most cases, this environmental review and compliance with project conditions of approval, relevant policies of the City's General Plan, compliance with applicable regulations, and site- and project-specific mitigation would ensure that significant impacts would be avoided or otherwise mitigated to less than significant levels. Project-specific impacts would not combine with the impacts of other cumulative projects to result in a cumulatively considerable impact on the environment as a result of project development. Therefore, this impact would be **less than significant with mitigation incorporated**.

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

Less than Significant with Mitigation Incorporated. Based on the analysis provided throughout this IS/MND, the project would have no impact or less than significant impact directly or indirectly on human beings with regard to public views, air quality, energy, GHG emissions, hydrology and water quality, land use, population/housing, public services or utilities, recreation, transportation, and wildfire.

All development associated with the proposed project must comply with applicable provisions of the 2022 CBC and the City's building regulations. Accordingly, proper engineering design and construction in conformance with the 2022 CBC standards and a site-specific geotechnical investigation prepared in conformance the current CBC and applicable City standards (**Mitigation Measure GEO-1**) would ensure that the project does not expose people or structures to significant geologic hazards.

As detailed in Section 5.13, Noise, construction and operation of the project would not generate a substantial temporary or permanent increase in ambient noise levels or generate vibration in the vicinity of the project in excess of standards established in the local general plan or noise ordinance with adherence to **Standard Condition NOI-1**. Adherence to **Standard Condition NOI-1** would ensure noise and vibration would be restricted to 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, during which time the City considers vibration "an acceptable intrusion of the ambient noise within that project area."¹⁹⁰

A mobile classroom trailer and two metal bins were observed in the north-central portion of the subject site. Flaking, peeling, and cracking exterior paint was observed on the lower edge of the west facing wall of the trailer. The appropriate testing and remediation of LBP or other hazardous material at this location, as required under **Mitigation Measures HAZ-1** through **HAZ-3**, would ensure that significant hazardous material impact to persons would not result from development of the project.

With incorporation of mitigation measures and standard conditions, the proposed project would not result in any environmental effects which could cause substantial adverse effects on human beings, either directly or indirectly. Potential impacts on human beings would be **less than significant with mitigation incorporated**.

¹⁹⁰ City of Fontana. *Fontana Forward General Plan Update 2015-2035. Draft Environmental Impact Report. SCH #2016021099*. Page 5.10-7. June 8, 2018.

6.0 LIST OF PREPARERS

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APPENDIX A

PROJECT PLAN SET

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APPENDIX B

AIR QUALITY ANALYSIS

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APPENDIX C

BIOLOGICAL RESOURCES TECHNICAL REPORT

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ARCHEOLOGICAL RESOURCES INVENTORY

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APPENDIX E

GEOTECHNICAL INVESTIGATION

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APPENDIX F

GREENHOUSE GAS ANALYSIS

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APPENDIX G

PHASE 1 ENVIRONMENTAL SITE ASSESSMENT

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APPENDIX H1

WATER QUALITY MANAGEMENT PLAN

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APPENDIX H2

DRAINAGE REPORT

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APPENDIX I NOISE ANALYSIS

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APPENDIX J1

TRAFFIC IMPACT ANALYSIS

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APPENDIX J2

VMT SCREENING ANALYSIS

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APPENDIX K

MITIGATION MONITORING AND REPORTING PROGRAM

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