Initial Study and Mitigated Negative Declaration (IS/MND)
Northgate Market Center Project

Master Case No. 20-016
Design Review No. 20-002

Prepared for:

CITY OF FONTANA

City of Fontana Planning Department
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PROJECT INFORMATION SHEET

1. Project Title	Northgate Market Center Project Master Case No. (MCN) 20-016 Design Review Project No. (DRP) 20-002
2. CEQA Lead Agency and Address	**City of Fontana** 8353 Sierra Avenue Fontana, CA 92335-3528
3. Contact and Phone Number	Brett Hamilton, Associate Planner (909) 350-6656 BHamilton@fontana.org
4. Project Applicant	Northgate Gonzalez Markets 1201 N. Magnolia Avenue Anaheim, CA 92801
5. Project Location	9610 Sierra Avenue Fontana, CA 92335
6. Assessor's Parcel Numbers	APNs: 0193-251-43 and 0193-251-44
7. Project Site General Plan Designation(s)	WMXU-1, Walkable Mixed-Use Corridor & Downtown
8. Project Site Zoning Designation(s)	Form Based Code: Sierra Gateway
9. Surrounding Land Uses and Setting	Land uses surrounding the project site include residential and commercial uses. **North** Form Based Code: Sierra Gateway WMXU-1Residential and commercial land uses are located to the north. **South** Form Based Code: Sierra Gateway WMXU-1Residential and commercial land uses are located to the south. **West** Form Based Code: Sierra Gateway WMXU-1Primarily residential (multi-family and single-family) land uses are located to the west. **East** Form Based Code: Sierra Gateway Walkable Mixed-Use Corridor Downtown Commercial land uses are located to the east.

10. Description of Project

The project, as planned, and consistent with the City of Fontana General Plan designation of Neighborhood-Serving Retail, is a proposed neighborhood retail center with a total floor area of 56,917 square feet within four buildings. The project would be anchored by a 42,850-square-foot supermarket (Northgate Market) and include a variety of local serving retail/commercial uses and restaurant/food uses within three building pads. Pad 1 (proposed for future use) would consist of 6,690 square feet multi-tenant building designed to accommodate a 2,700-square-foot fast-food restaurant with drive-through window and up to 3,990 square feet commercial space that may be occupied by a mix of medical-related commercial services (i.e. optometry, chiropractor, wellness center or dental/orthodontist uses). Pad 2 is planned as 2,300-square-foot fast-food restaurant or fast casual restaurant with drive-through window. Pad 3 (proposed for future use), similar to Pad 1, would include a 5,077-square-foot multi-tenant building that is expected to be occupied by a mix of retail/service retail uses (i.e. beauty/nail salon/barber shop), fast-casual restaurant uses, and/or a fast-food restaurant or coffee shop with drive-through window. Although not a part of the proposed project, the 7,120-square-foot shops building that was recently completed and shown on the site plan, is considered a part of the neighborhood retail center and is included as a cumulative project for future opening year (Year 2022) and long-term (Year 2040) traffic conditions.

The project would provide 275 parking stalls on the property as well as 75 stalls including the adjacent development, for a total of 350 spaces.

Primary site access would be provided by an approximately 50-foot-wide driveway along Sierra Avenue. A second existing entrance to remain as a 39-foot, four-inch-wide driveway isle would also be located on San Bernardino Avenue.

Onsite sewer, water, and storm drain utility improvements would be provided. Offsite utility improvements would include both wet and dry; domestic and fire water, stormwater, sewer,

electrical, gas, cable tv, communication, and possibly more.

Circulation and street improvements would be provided along Sierra Avenue from the northern edge or the Shell Station parcel to the southern edge of the Dunkin Donuts parcel.

The site currently contains a vacant parking lot that previously was a car dealership. Buildings associated with the dealership have been previously demolished. The proposed project would involve the demolition of the remnants of earlier development, primarily consisting of a concrete parking lot and related lighting fixtures.

11. Selected Agencies whose Approval is Required

City of Fontana
Fontana Water Company/San Gabriel Valley Water Company
Southern California Gas Company
Southern California Edison Company

12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code § 21080.3.1? If so, has consultation begun?

Letters were sent by the City of Fontana's Planning Department (the lead agency) (City) to 18 local Native American tribes asking if they wished to participate in AB 52 consultation concerning the Northgate Market Center Project within the City of Fontana. The letters were sent on April 7, 2020 by certified mail and emails were sent on April 13, 2020.

The City received a reply from the Gabrieleño Band of Mission Indians – Kizh Nation on April 14, 2020, with an attached letter requesting consultation. A consultation teleconference call between the City and the Gabrieleño – Kizh Nation was conducted on May 21, 2020. The City received a response on April 14, 2020 from the Quechan Tribe of the Fort Yuma Reservation. A response was received on April 13, 2020 from the Santa Rosa Band of Mission Indians. The Torres-Martinez Desert Cahuilla Indians responded via email on April 21, 2020. A response was received from the San Manuel Band of Mission Indians on May 12, 2020. Consultation with these tribes is complete. Refer to Section 4.18 of this IS for details.

The remaining tribes did not reply to the City within the 30-day response period or thereafter.

13. Other Public Agencies whose Approval is Required	None.

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ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Term
°F	degrees Fahrenheit
AB	Assembly Bill
AB 32	California Global Warming Solutions Act of 2006
AB 939	California Integrated Waste Management Act (CIWMA)
AB 1327	California Solid Waste Reuse and Recycling Access Act of 1991
ACM(s)	asbestos-containing material(s)
AIA	Airport Influence Area
amsl	above mean sea level
APE	area of potential effect
APN	Assessor's Parcel Number
AQMP	Air Quality Management Plan
ARB	Air Resources Board
AST	aboveground storage tank
ASTM	American Society for Testing and Materials
ATP	Active Transportation Plan
bgs	below ground surface
BMPs	Best Management Practices
BSA	Biological Study Area
CAAQS	California Ambient Air Quality Standards
CAGN	California gnatcatcher
Cal/OSHA	California Division of Occupational Safety and Health
CalEEMod	California Emissions Estimator Model
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CAOs	Cleanup and Abatement Orders
CBC	California Building Code
CCAA	California Clean Air Act
CCR	California Code of Regulations
CDOs	Cease and Desist Orders
CDFW	California Department of Fish & Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CGS	California Geologic Society
CH_4	methane
CHRIS	California Historic Resources Inventory System
City	City of Fontana
CIWMA	State of California Integrated Waste Management Act
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level

Acronym/Abbreviation	Term
CNPS	California Native Plant Society
CNRA	California Natural Resources Agency
CO	Carbon monoxide
CO_2	carbon dioxide
CO_{2e}	carbon dioxide equivalent
CRC	California Residential Code
CRHR	California Register of Historic Resources
dB	decibel
dBA	A-weighted decibel scale
DCAP	Draft Climate Action Plan
DIF	Development Impact Fees
DOC	California Department of Conservation
DOSH	California Division of Safety and Health
DRP	Design Review Project
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EMS	Emergency Medical Services
ESA	Endangered Species Act
ESA	Environmental Site Assessment
FAR	floor area ratio
FBC	Form-Based Code designation
FFPD	Fontana Fire Protection District
FHSZ	Fire Hazard Severity Zones
FMMP	Farmland Mapping and Monitoring Program
FPD	Fontana Police Department
FRAP	CalFire Fire Resource and Assessment Program
FTA	Federal Transit Administration
FUSD	Fontana Unified School District
FWC	Fontana Water Company
GHG	greenhouse gas
GIS	Geographic Information System
GPCD	gallons per capita per day
GWP	global warming potential
HCP	Habitat Conservation Plan
HFCs	hydrofluorocarbons
Hz	hertz
IEUA	Inland Empire Utilities Agency
IFC	International Fire Code
Interim Policy	North Fontana MSHCP Conservation Plan Policy
IPaC	Information, Planning and Conservation
IPCC	Intergovernmental Panel on Climate Change
IS	Initial Study
kWh	killowatt hours
L_{90}	noise level that is exceeded 90% of the time....
L_{eq}	equivalent noise level
LAPM	Los Angeles pocket mouse

Acronym/Abbreviation	Term
LBP	lead-based paint
LED	light-emitting diode
LHMP	Local Hazard Mitigation Plan
LID	Low Impact Development
L_{max}	root mean square maximum noise level
LOS	Level of Service
LRA(s)	Local Responsibility Area(s)
LSTs	Localized Significance Thresholds
LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MCN	Master Case No.
mg/kg	microgram per kilogram
MLD	Most Likely Descendant
MM(s)	mitigation measure(s)
MMRP	Mitigation Monitoring and Reporting Program
MMT	million metric tons
$MMTCO_{2e}$	million metric tons of CO2e
MND	Mitigated Negative Declaration
MRZ	Mineral Resource Zone
MS4	municipal separate storm sewer systems
MSHCP	Multiple Species Habitat Conservation Program
MWD	Metropolitan Water District of Southern California
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Communities Conservation Plan
ND	Negative Declaration
NMFS	National Marine Fisheries Service
NHPA	National Historic Preservation Act
NO	nitric oxide
NO_2	nitrogen dioxide
NOx	Nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NPPA	Native Plant Protection Act
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
O_3	Ozone
OPR	Governor's Office of Planning and Research
OSHA	Occupational Safety and Health Administration
Pb	lead
pCi/L	picocuries per liter
PFCs	perfluorocarbons
PM	particulate matter
$PM_{2.5}$	fine particulate matter
PM_{10}	respirable particulate matter

Acronym/Abbreviation	Term
PPM	parts per million
PPV	peak particle velocity
Program	North Fontana Conservation Program
Qyf5	Young Alluvial Fan Deposits, unit 5
Qyfl	Young Alluvial Fan Deposits of Lytle Creek
RAFSS	Riversidean alluvial fan sage scrub
RCRA	Resource Conservation and Recovery Act
REC(s)	recognized environmental condition(s)
RMS	root mean square
ROG	Reactive organic gases
ROW	right-of-way
RP	Regional Plant
RSS	Riversidean sage scrub
RWQCB	Regional Water Quality Control Board
SARWQCB	Santa Ana Regional Water Quality Control Board
SAWs	Santa Ana Winds
SBCIWMP	San Bernardino Countywide Integrated Waste Management Plan
SBCTA	San Bernardino County Transportation Authority
SBKR	San Bernardino kangaroo rat
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SF_6	sulfur hexafluoride
SIP	State Implementation Plan
SLF	Sacred Lands File
SO_2	sulfur dioxide
SoCalGas	Southern California Gas Company
SRA(s)	State Responsibility Area
SRAs	source receptor area(s)
SSC	species of special concern
STIP	Statewide Transportation Improvement Program
SUSMP	Standard Urban Stormwater Mitigation Plan
SWRCB	California State Water Resources Control Board
SWPPP	Stormwater Pollution Prevention Plan
TCRs	tribal cultural resources
TIA	Traffic Impact Analysis
TMP	Traffic Management Plan
UEI	UltraSystems Environmental Inc.
USDA	United States Department of Agriculture
USGS	United States Geological Survey
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
UST	underground storage tank
UWMP	Urban Water Management Plan

Acronym/Abbreviation	Term
VCP	Vitrified Clay Pipe
VdB	vibration decibels
VHFHSZs	very high fire hazard severity zones
VMT	vehicle miles traveled
VOC	volatile organic compound
WEAP	Worker Environmental Awareness Program
WMXU-1	Walkable Mixed-Use Corridor Downtown General Plan land use designation
WMXU-2	Walkable Mixed-Use Urban Village General Plan land use designation
WQMP	Water Quality Management Plan
WOUS	water(s) of the United States
°F	degrees Fahrenheit

1.0 INTRODUCTION

1.1 Proposed Project

The City of Fontana (City) is processing a request to implement a series of discretionary actions that would ultimately allow for the development of the Northgate Market Center Project (hereby referred to as the "proposed project" or the "project"), located at the northwest intersection of San Bernardino Avenue and Sierra Avenue in Fontana, California (APNs: 0193-251-43 and 0193-251-44).

1.1.1 Project Components

The proposed project would consist of 56,917 square feet of building area on an approximately 7.04-acre site. The project proposes construction of an approximately 42,850-square-foot major space to house Northgate Gonzalez Market, as well as three drive-through restaurant pads. The three pads are as follows: Pad 1 has a total of approximately 6,690 square feet [this building will be comprised of an end cap drive-thru restaurant and other businesses customarily found in grocery-anchored shopping centers]; Pad 2 is approximately 2,300 square feet; and Pad 3 is 5,077 square feet. Surface parking is provided for a total of approximately 275 spaces (4.83/1,000 square foot parking ratio).

The project application is for permits for: 1) demolition of existing structures on site; and 2) grading and construction permits for onsite development. The City would process Master Case No. (MCN) 20-016, Zoning Code Amendment No. 20-005, Tentative Parcel Map No. 20-003, Design Review Project No. 20-002, Water Quality Management Plan (WQMP) No. 20-011, and Minor Use Permit Nos. 20-006, -007 and -008 for the proposed project.[1] Refer to **Section 3.0**, Project Description, of this document for additional details.

1.1.2 Estimated Construction Schedule

Project construction is anticipated to begin around August 1, 2021 and would last approximately nine months, ending around May 1, 2022. The anticipated hours of operation during construction will be 7:00 am to 7:00 pm and the site would be secured and locked in the evening time.

1.2 Lead Agencies – Environmental Review Implementation

The City of Fontana is the Lead Agency for the proposed project. Pursuant to the California Environmental Quality Act (CEQA) and its implementing regulations,[2] the Lead Agency has the principal responsibility for implementing and approving a project that may have a significant effect on the environment.

1.3 CEQA Overview

1.3.1 Purpose of CEQA

All discretionary projects within California are required to undergo environmental review under CEQA. A Project is defined in CEQA Guidelines § 15378 as the whole of the action having the potential

1 Zoning Code Amendment No. 20-005 only concerns setbacks; it does not affect the permitted number of dwelling units on the project site.

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

to result in a direct physical change or a reasonably foreseeable indirect change to the environment and is any of the following:

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

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

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

1.3.2 Authority to Mitigate under CEQA

CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible. Under CEQA Guidelines § 15041 a Lead Agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment, consistent with applicable constitutional requirements such as the "nexus"[3] and "rough proportionality"[4] standards.

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

1.4 Purpose of Initial Study

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

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

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

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

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

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

1.5 Review and Comment by Other Agencies

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

- A Responsible Agency (14 CCR § 15381) is a public agency, other than the Lead Agency, that has discretionary approval power over the Project, such as permit issuance or plan approval authority.
- A Trustee Agency[5] (14 CCR § 15386) is a state agency having jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State of California.
- Agencies with Jurisdiction by Law (14 CCR § 15366) are any public agencies who have authority (1) to grant a permit or other entitlement for use; (2) to provide funding for the project in question; or (3) to exercise authority over resources which may be affected by the project. Furthermore, a city or county will have jurisdiction by law with respect to a project when the city or county having primary jurisdiction over the area involved is: (1) the site of the project; (2) the area in which the major environmental effects will occur; and/or (3) the area in which reside those citizens most directly concerned by any such environmental effects.

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

1.6 Impact Terminology

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

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

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

1.7 Organization of Initial Study

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

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

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

- Appendix A Project Plans and Drawings
- Appendix B Water Quality Management Plan (WQMP) and Preliminary Drainage Report
- Appendix C Geotechnical Study
- Appendix D Phase I ESA and Limited Phase II Report
- Appendix E Cultural Resources Report

- Appendix F Traffic Impact Analysis Report
- Appendix G Air Quality and Greenhouse Gas (GHG) Emissions Data and Calculations
- Appendix H Arborist Study

1.8 Findings from the Initial Study

1.8.1 No Impact or Impacts Considered Less than Significant

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

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

1.8.2 Impacts Considered Less than Significant with Mitigation Measures

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

- Aesthetics
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Mandatory Findings of Significance

2.0 ENVIRONMENTAL SETTING

2.1 Project Location

The proposed project, Northgate Market Center Project, is located at the northwest intersection of San Bernardino Avenue and Sierra Avenue. Refer to **Figure 2.1-1**, which shows the project's regional location. The property is adjacent to single-family residences; multi-family residences and an automotive shop are located to the north; Sierra Avenue and a commercial shopping center are located to the east; San Bernardino Avenue, open disturbed land, multi-family residences and a commercial center are located to the south; and condominiums are located to the west. See **Figure 2.1-2**, which shows the project's location.

2.2 Project Setting

The project is comprised of two parcels: APN 0193-251-43 and 0193-251-44. The project site is approximately 7.7 gross acres and is located adjacent to parcels that are residential and commercial in nature. The project site is located in an urban and developed area within the City of Fontana and is located along a major street – Sierra Avenue, which is surrounded by commercial land uses. A mix of residential types is located in the project vicinity including single-family homes, apartments and condominiums. Photographs depicting the project site are provided in **Figure 2.2-2**.

2.2.1 Land Use and Zoning

The land use designation and zoning of the project site and surrounding areas are listed in **Table 2.2-1.** The General Plan designation for the project site is Walkable Mixed-Use Corridor Downtown (WMXU-1) and the site's zoning designation is Sierra Gateway of the Form-Based Code designation (FBC).

Table 2.2-1
SUMMARY OF LAND USE AND ZONING

Location	General Plan	Zoning	Existing Use
Project Site	Walkable Mixed-Use Corridor Downtown (WMXU-1)	Sierra Gateway of FBC	Abandoned parking lot
Surrounding Areas			
North	Walkable Mixed-Use Corridor Downtown (WMXU-1)	Sierra Gateway of FBC	Single-family residence, apartments and automotive shop
East	Walkable Mixed-Use Corridor Downtown (WMXU-1)	Sierra Gateway of FBC	Sierra Avenue and commercial land uses
West	Walkable Mixed-Use Corridor Downtown (WMXU-1)	Sierra Gateway of FBC	Sunset Village Condominiums
South	Walkable Mixed-Use Corridor Downtown (WMXU-1)	Sierra Gateway of FBC	San Bernardino Avenue, vacant disturbed land, apartments, and commercial shopping center.

Source: UltraSystems, 2020; City of Fontana Zoning Map, 2019.

Figure 2.1-1
REGIONAL LOCATION

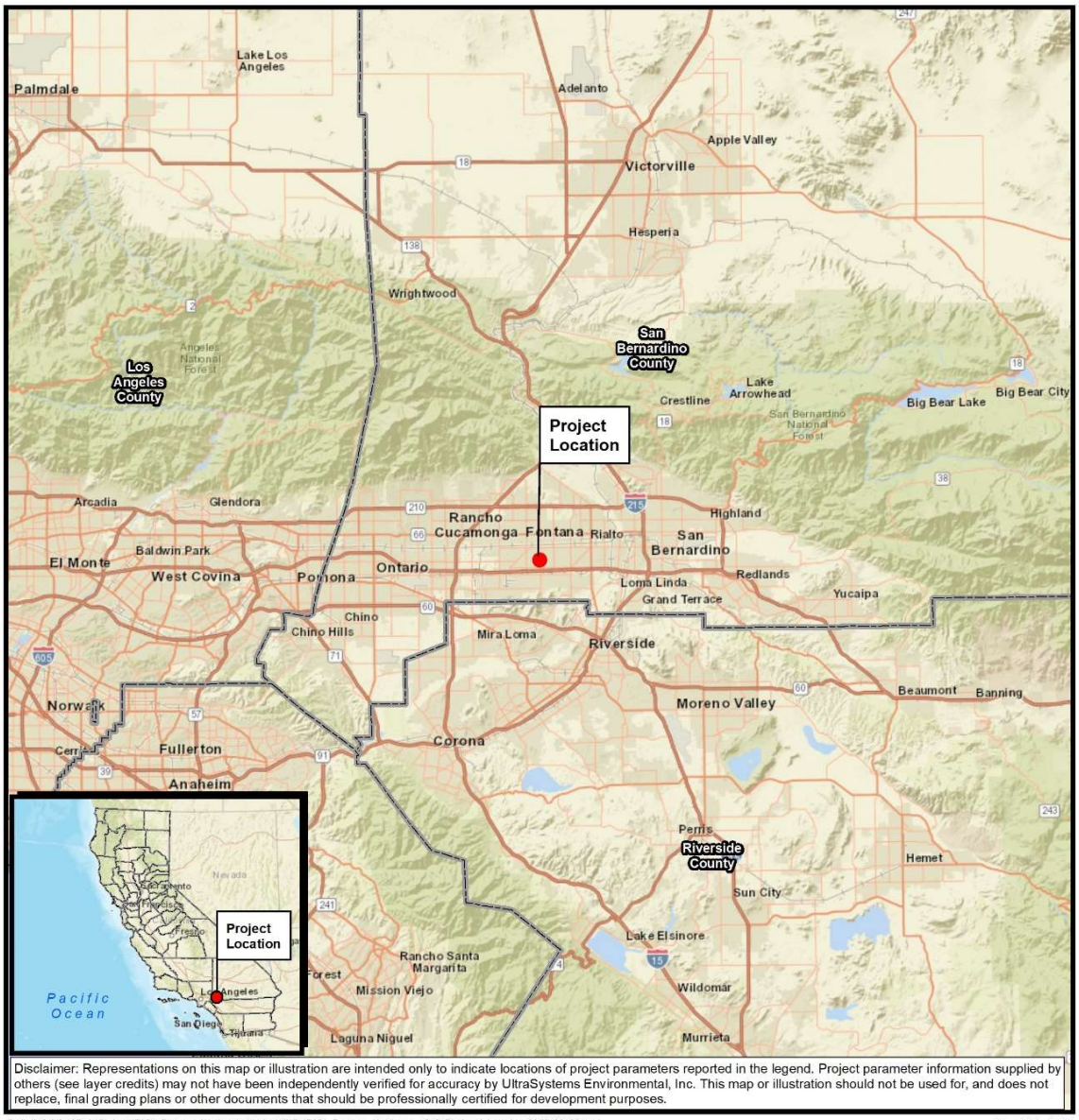


Figure 2.1-2
PROJECT LOCATION

Path: \\10.0.0.137\gis\Projects\7051_Fontana_Northgate_Market\MXDs\7051_Fontana_Northgate_Project_Location_2020_03_20.mxd
March 23, 2020
Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Esri, HERE, Garmin, (c) OpenStreetMap contributors, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community; UltraSystems Environmental, Inc., 2020

Scale: 1:4,800

N

0 200 400 Feet

0 50 100 Meters

Legend

Project Boundary

Northgate Market Center Project

Project Location

UltraSystems environmental • management • planning

Figure 2.2-2
PROJECT SITE PHOTOGRAPHS

PHOTO 1: View looking north of an auto store.

PHOTO 2: View looking south of apartments and a commercial shopping center.

PHOTO 3: View of the eastern portion of the project site, along Sierra Avenue.

PHOTO 4: View looking west of condominiums.

2.3 Existing Characteristics of the Site

2.3.1 Climate and Air Quality

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

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

2.3.2 Geology and Soils

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

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

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

2.3.3 Hydrology

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

2.3.4 Biology

The portion of the City of Fontana in which the project is located is urbanized and the existing vegetation is largely ornamental. The project site is located in a highly urbanized area, which provides low habitat value for special status plant and wildlife species. Paved asphalt, concrete, and weeds are located on the project site.

2.3.5 Public Services

The City is served by a full range of public services and utilities. Fire prevention, fire protection and emergency medical service (EMS) for the city of Fontana are provided by the Fontana Fire Protection Department (FFPD) through a contract with the San Bernardino County Fire Department.

The City of Fontana Police Department (FPD) provides police and law enforcement services in the project area. The FPD has 306 full-time employees (204 sworn and 102 non-sworn) and is comprised of four separate divisions: Office of the Chief of Police; Administrative Services; Field Services; and Special Operations (City of Fontana, 2020c).

Recreational services within the city of Fontana are provided by the City's Department of Facilities and Parks, which maintains over 40 parks, sports facilities, and community centers (City of Fontana, 2020g).

Library services within the city are provided by the San Bernardino County Library System, which has a total of 32 branch libraries. Within the city of Fontana, there are two libraries, including Fontana Lewis Library and Technology Center, and the Summit Branch Library (City of Fontana Departments, 2020).

2.3.6 Utilities

Fontana Water Company manages the water supply for much of the city of Fontana, including the project area (Fontana Water Company, 2020). Fontana Water Company provides water utility service to a population of more than 209,000 persons. Regional domestic wastewater treatment services are provided under the Regional Sewer Service Contract in which seven agencies currently contract with the Inland Empire Utilities Agency (IEUA). These agencies include Fontana, Cucamonga Valley Water District, Montclair, Upland, Chino, Chino Hills and Ontario. Wastewater generated by the project would be treated at the Regional Water Recycling Plant #1 (IEUA, 2020).

Solid waste disposal services for Fontana are provided by Burrtec Waste Industries, a private company under franchise agreement with the City. Burrtec also operates the City's curbside recycling (including greenwaste recycling) program. Electrical service to the site is provided by Southern California Edison Company (SCE) through a grid of transmission lines and related facilities. Natural gas is provided by Southern California Gas Company (SoCalGas), which maintains a local system of transmission lines, distribution lines and supply regulation stations (City of Fontana Utilities, 2020).

Sewer service for the project site is provided by the City of Fontana (City of Fontana Utilities, 2020). Water service to the project site is provided by the Fontana Water Company (Fontana Water Company, 2020). Both the City and the San Bernardino County Flood Control District provide flood control facilities for Fontana. The Flood Control District agency is responsible for the construction of dams, containment basins, channels and storm drains to intercept and convey flood flows through

and away from developed areas. The City implements construction and maintenance of local storm drains that feed into the County's area-wide system. (Stantec, et al., 2018. p. 10-1).

3.0 PROJECT DESCRIPTION

3.1 Project Background

The City of Fontana (City) is processing a request to implement a series of discretionary actions that would ultimately allow for the construction of a new multi-tenant commercial center anchored by Northgate Gonzalez Market. The site, which was occupied by three commercial buildings before 2018, is located north of San Bernardino Avenue and west of Sierra Avenue, immediately to the north and west of an existing gas station located at the northwest corner of the intersection of the two major streets.

The project application includes Master Case No. (MCN) 20-016, Zoning Code Amendment No. 20-005, Tentative Parcel Map No. 20-003, Design Review Project No. 20-002, Water Quality Management Plan (WQMP) No. 20-011, and Minor Use Permit Nos. 20-006, -007 and -008. The project would also need demolition, grading and construction permits for onsite development. The City is the Lead Agency for the purposes of CEQA.

The approximately seven-acre project site currently is largely vacant but fully developed, with only the remnants of earlier development (a parking lot with light standards) still standing. Sierra Avenue is a major north/south retail corridor for the City, and land uses to the immediate east (across Sierra Avenue) and south (across San Bernardino Avenue) are primarily retail in nature.

The City's General Plan land use designation for the site is WMXU-1 (Walkable Mixed-Use Corridor & Downtown), allowing commercial uses having a floor area ratio (FAR) of up to 2.0 (City of Fontana, 2019). According to the City's Form-Based Zoning Code, the project is located within the Sierra Gateway District, which "is intended to encourage pedestrian-oriented development and land uses. Uses are to include a mix of medium- to high-density residential, retail and services, office, entertainment, education, and open space" (City of Fontana Form-Based Code, p. 51).

3.2 Project Overview

The proposed project would include the construction of approximately 64,037 square feet of building area on an approximately 7.04-acre site (APN 0193-251-43 and 0193-251-44). It consists of the development of a Northgate Gonzalez Market store and three quick service pads, plus surface parking. The proposed Pad 2 would be developed with a fast-food restaurant with drive through window. Pad 1 and Pad 3 are planned for future use and would be occupied by a mix of retail/service retail uses, fast-casual restaurant uses, and/or a fast-food restaurant uses with drive-through windows. The specifics of future uses planned for Pad 1 and Pad 3 are currently not known, therefore, for the purpose of CEQA environmental analysis, this IS/MND considers a worst case scenario and assumes that Pad 1 and Pad 3 would both include a mix of local serving retail uses along with fast-food restaurants with drive through windows.

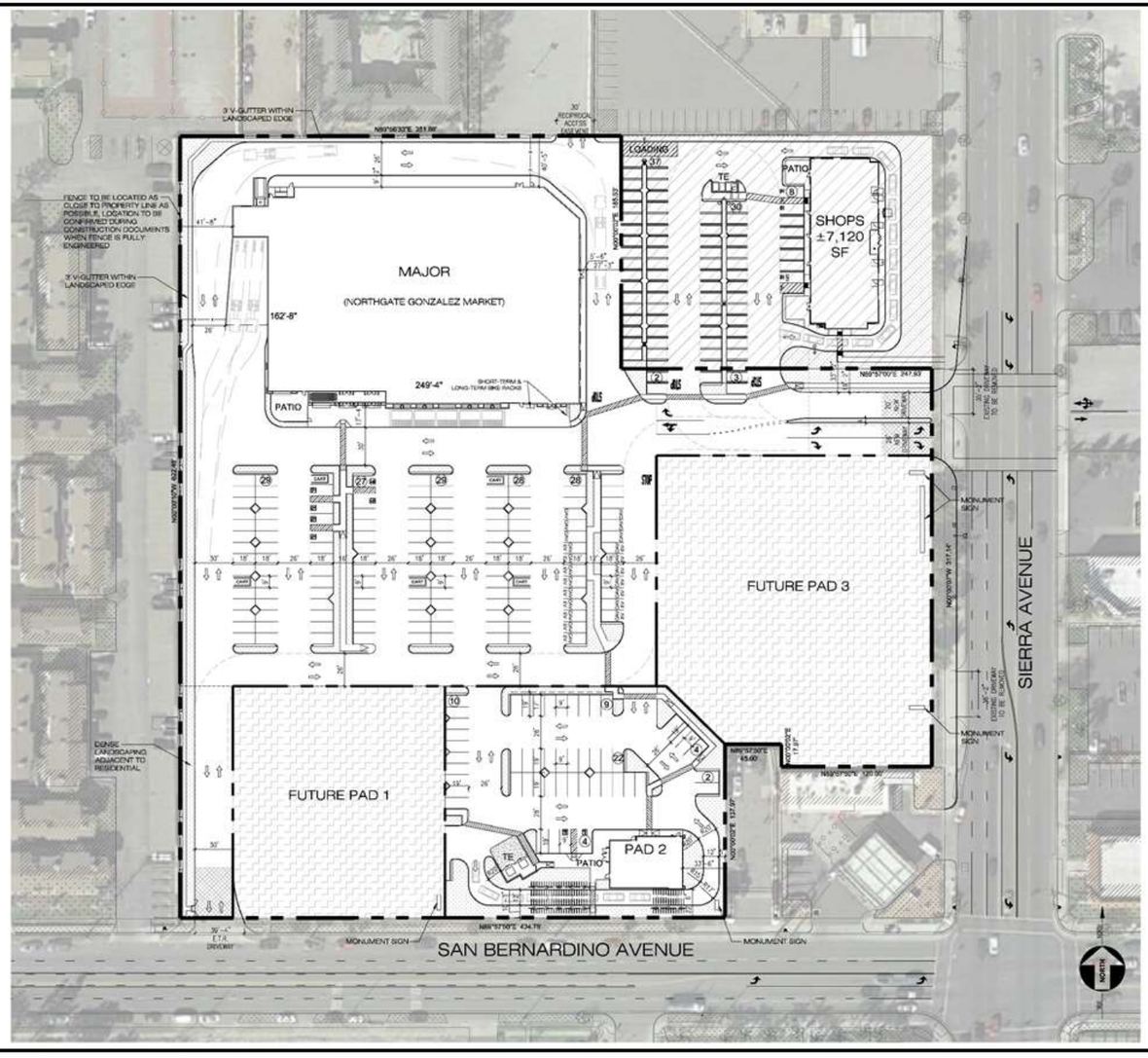
3.2.1 New Construction

The project, as planned, and consistent with the City of Fontana General Plan designation of Neighborhood-Serving Retail, is a proposed neighborhood retail center with a total floor area of 56,917 square feet within four buildings. The project will be anchored by a 42,850-square-foot supermarket (Northgate Market) and includes a variety of local serving retail/commercial uses and restaurant/food uses within three building pads. It is assumed that Pad 1 (planned for future use) would consist of a 6,690-square-foot multitenant building designed to accommodate a 2,700-square-

foot fast-food restaurant with drive-through window and up to 3,990 square feet of commercial space that may be occupied by a mix of medical-related commercial services (i.e. optometry, chiropractor, wellness center or dental/orthodontist uses). Pad 2 is planned as a 2,300-square-foot fast-food restaurant or fast casual restaurant with drive-through window. It is assumed that Pad 3 (planned for future use), similar to Pad 1, would be developed with a 5,077-square-foot multitenant building that is expected to be occupied by a mix of retail/service retail uses (i.e. beauty/nail salon/barber shop), fast-casual restaurant uses, and/or a fast-food restaurant or coffee shop with drive-through window. Although not a part of the proposed project, the 7,120-square foot shops building that was recently completed and shown on the site plan, is considered a part of the neighborhood retail center and is included as a cumulative project for future opening year (Year 2022) and long-term (Year 2040) traffic conditions. Surface parking would be provided for approximately 275 spaces (4.83/1,000 square feet parking ratio).

Figure 3.2-1 depicts the conceptual site plan for the proposed project. A complete set of project drawings including site plan, floor plans, elevations, and landscaping plans is included in **Appendix A** to this Initial Study.

Figure 3.2-1
CONCEPTUAL SITE PLAN



LEGEND

- DELIVERY TRUCK PATH
- FIRE TRUCK PATH - REFER TO FIRE ACCESS PLAN
- VEHICLE PATH
- DECORATIVE PAVING AT DRIVE ENTRIES
- LANDSCAPE PLANTER/POT
- PREVIOUSLY APPROVED SITE AREA
- FUTURE SCOPE OF WORK
- SECURITY GATES TO TO REMAIN CLOSED AND SECURED AT ALL TIMES EXCEPT DURING TRUCK DELIVERIES. STEEL FENCE ALONG WESTERN PROPERTY LINE PER SITE DETAIL PAGE
- LINE OF SHOPPING CART CONTAINMENT
- STAMPED CONCRETE - REFER TO SITE DETAILS PAGE

SITE INFORMATION

APN: 0193-251-43 & 0193-251-44

SITE AREA OF PROJECT SCOPE:	±306,868 SF (7.04 AC)
SITE AREA OF DUNKIN PARCEL:	±46,000 SF (1.06 AC)
TOTAL SITE AREA OF SHOPPING CENTER:	±352,868 SF (8.10 AC)

Not to scale.

Disclaimer: Illustration provided by Bickel Group Architecture et. al, who has indicated that the information is true and correct. No other warranties are expressed or implied.

Source: Bickel Group Architecture et. al, August 12, 2020.

UltraSystems environmental•management•planning

Northgate Market Center Project

Site Plan

Energy-efficient features, including insulated and glazed windows and low E coating on windows, would be incorporated into building design to comply with the provisions of the California Green Building Code, Title 24, Part 11 of the California Code of Regulations. Title 24, Part 11 requires new structures to incorporate a variety of mandatory features to promote green buildings as means to improve energy efficiency, reduce water demand, promote recycling, and other measures. The project would be designed and constructed in compliance with applicable City codes, including, but not limited to, the 2019 California Building Code, 2019 California Plumbing Code, 2019 California Mechanical Code, 2019 California Electrical Code, 2019 California Energy Code, 2019 California Fire Code, 2019 California Green Building Standards Code, and 2019 California Residential Code.

3.2.2 Project Operations

The anticipated hours of operation and employees for the project are provided in **Table 3.2-1**.

Table 3.2-1
PROJECT OPERATIONS SUMMARY

Proposed Use/Facility	Anticipated Hours of Operation	Anticipated Delivery Times	Approximate Number of Employees
Northgate Gonzalez Market	6 am - 11 pm	7 am - 5 pm	180 (spaced between 3 shifts)
Quick Serve 1, 2 and 3 (Drive-thru Facilities)	6 am – midnight (drive-throughs could be 24 hour)	Undetermined until leases are signed	20 each
Other proposed businesses (such as a dental office)	8 am – 6:30 pm	Not Applicable	20

Source: Information provided by the Project Applicant in response to a Data Needs List prepared by UltraSystems, requesting information regarding proposed project operations.

3.2.3 Site Access, Circulation and Parking

Primary site ingress and egress would be provided by an approximately 50-foot-wide driveway off Sierra Avenue, directly south of the recently-built 7,120-square-foot multi-tenant commercial building housing a drive-through Dunkin Donuts and space for three additional tenants, which is adjacent to (but not a part of) the project site's northeast corner. A second existing entrance to remain as a 39-foot, four-inch-wide driveway would also be located on San Bernardino Avenue at the project site's southwest corner. The project includes a total of approximately 275 parking spaces, with the majority located in a single-surface lot directly to the south of the proposed market building. Additional parking areas (included in the 275-space total) are located adjacent to each of the three drive-through restaurant pads.

3.2.4 Exterior Lighting

Lighting for the project would comply with the requirements of the City's Municipal Code. Specifically, the project would be required to comply with City of Fontana Municipal Code § 30-260, Lighting and Glare, which states, "all lights shall be directed and/or shielded to prevent the light from adversely affecting adjacent residential or commercial properties. No structure or feature shall be permitted which creates adverse glare effects." The proposed project would include installation of exterior lighting fixtures, as necessary, for safety and security.

3.2.4 Landscaping

As shown on the conceptual landscape plan included in **Appendix A**, existing street trees (magnolia trees) located on San Bernardino Avenue and Sierra Avenue would not be removed. Proposed new landscaping would be comprised of drought-resistant species including trees, palms, one- and five-gallon shrubs, vines and groundcovers. The majority of landscaping would be located in or near parking areas and around each of the restaurant pads, as well as along the western edge of the project site, adjacent to existing residential development to the west of the site. The quantity, type, and purpose of trees, shrubs, and ground cover are summarized in **Table 3.2-2**. The conceptual landscaping plan for the project is provided in **Appendix A** to this IS.

Table 3.2-2
LANDSCAPE PLANTINGS

Common Name	Scientific Name	Size
Trees		
Southern Magnolia	*Magnolia Grandiflora*	24-inch box + street trees
Palo Verde	*Cercidium 'Desert Museum'*	24-inch box
NCN	*X Chitalpa Tashkentensis 'Pink Dawn'*	24-inch box
Australian Willow	*Geijera Parviflora*	24-inch box
Grape Myrtle	*Lagerstroemia Hybrids 'Muskogee'*	24-inch box
Olive	*Olea Europaea*	24-inch box
California Pepper	*Schinus Molle*	24-inch box
Palms		
Date Palm	*Phoenix Dactylifera 'Medjool'*	
Shrubs		
Century Plant	*Agave Americana*	5-gallon
Variegated Century Plant	*Agave Ame. 'Mediopicta'*	5-gallon
Artichoke Agave	*Agave Parryi*	1-gallon
NCN	*Agave 'Blue Glow'*	5-gallon
Coral Aloe	*Aloe Striata*	1-gallon
Kangaroo Paw	*Anigozanthos Hybrids 'Bush Lantern'*	1-gallon
Strawberry Tree	*Arbutus unedo "Elfin King"*	5-gallon
Bougainvillea	*Bougainvillea Spectabilis 'La Jolla'*	5-gallon
Desert Spoon	*Dasylirion Wheeleri*	5-gallon
Blue Flax Lily	*Dianella Caerulea*	5-gallon
Variegated Flax Lily	*Dianella Caerulea 'Variegata'*	5-gallon
Firecracker Bush	*Hamelia Patens 'Sierra Red'*	5-gallon
Blue Oat Grass	*Helictotrichon Sempervirens*	1-gallon
Red Yucca	*Hesperaloe Parviflora 'Brakelight'*	5-gallon
Texas Ranger	*Leucophyllum Frutescens*	5-gallon
Wax-Leaf Privet	*Ligustrum Japonicum 'Texanum'*	5-gallon
Pink Muhly	*Muhlenbergia Capillaris*	5-gallon
No Common Name	*Grevillea 'Noelii'*	5-gallon
Pink Indian Hawthorn	*Rhaphiolepis Indica 'Pink Lady'*	5-gallon
Vines		
Boston Ivy	*Parthenocissus Tricuspidata*	1-gallon
Ground Cover		
Cedar Bark Mulch	*NA*	
Bearberry Cotoneaster	*Cotoneaster Dammeri*	

Common Name	Scientific Name	Size
Lantana	*Lantana Hybrids 'Gold Rush'*	
Trailing Lantana	*Lantana Montevidensis 'Purple'*	

Source: Studio Five Preliminary Planting Plan dated June 11, 2020.

3.2.5 Perimeter Fencing and Exterior Walls

Existing walls on the west and north project property lines would remain. The existing walls would be aesthetically improved and increased in height, as feasible, based on existing footings.

3.2.6 Utilities

Sanitary Sewer: The project proposes offsite sewer improvements to connect the sewer lines from the project site to the existing sewer network in San Bernardino Avenue. It proposes to construct a six-inch Vitrified Clay Pipe (VCP) sewer line along the western edge of the site, including two sewer manholes with a connection to San Bernardino Avenue, a proposed six-inch VCP sewer line southeast of the project with a second connection on San Bernardino Avenue, and a proposed six-inch VCP sewer lateral east with a new connection into Sierra Avenue. All sewer line sizes and connections are subject to review by the City. The project applicant will work with the City's Public Works Department for necessary approvals and ensure compliance with applicable requirements.

Domestic Water: New water meters would be installed as required to meet the demands calculated by the civil engineers for the project and in compliance with the requirements of the City's Public Works Department. The proposed domestic water lines would be serviced from Sierra Avenue.

Dry Utilities: It is anticipated that a new natural gas connection would be needed to serve the project. Natural gas service would be provided to the project site by the SoCalGas. Southern California Edison Company would provide electricity to the project site.

Stormwater: Stormwater drainage would be handled through use of the 2,573-cubic-foot underground retention system located at the southwest corner of the Property and three Maxwell Drywells that are located downstream of the retention tank to promote infiltration. A second underground retention system of 12,300 CF is located east of Pad 1. Also, 6 drywells are located downstream to promote infiltration. High-flow would be discharged out through parkway culverts on San Bernardino Ave.

Detailed civil engineering drawings, including Preliminary Grading Plan, Preliminary Water Quality Management Plan, and Preliminary Wet Utility Plan, are provided in **Appendix B** of this Initial Study.

3.3 Construction Activities

3.3.1 Onsite Construction

The proposed project would involve the demolition of the remnants of earlier development, primarily consisting of a concrete parking lot and related lighting fixtures. Project grading would result in approximately 10,800 cubic yards of raw cut and 11,800 cubic yards of raw fill. Any removal and over-excavated soils would be recycled for the site.

Construction phasing would include the following: demolition; rough grading including deeper excavation and shoring; undergrounding and utility improvements; vertical construction; concrete and paving improvements; final grading; and landscaping. For safety reasons, temporary barricades would be used to limit access to the site during project construction. Safe access for construction workers would be maintained throughout construction.

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

- Demolition: Backhoe with hydraulic hammer, bulldozer, and dump trucks to dispose of concrete, asphalt, organics, debris, etc. All equipment to be used for a total of approximately two weeks.

- Grading: Motor graders, scrapers, and dump trucks (dump trucks only needed if the site is an export site). Backhoe to excavate for building pads and trash enclosure and a sheepsfoot roller for building pad compaction. All equipment to be used for a total of approximately three months.

- Placement of concrete: Concrete trucks would be used to deliver concrete. Concrete would be placed at the buildings for the slab, foundations (trash enclosure, site lighting, etc.), and for flatwork/curb and gutter. All equipment to be used for a total of approximately two months.

- Framing: Gradall® to be used for setting wood-framed walls and setting wood and steel beams and columns in place (approximately three weeks in total).

- Placement of asphaltic concrete: Milling machine on runway, dump truck, asphalt paver, and asphalt paver and roller will be used in conjunction with the asphalt placement. All equipment to be used for a total of approximately two days.

- Excavation for wet and dry utility lines: Backhoe with loader and Ditch Witch. All equipment to be used for a total of approximately four months.

- Placement of HVAC/RTUs on roof: Crane for a total of approximately one week.

A total of 500 to 800 workers are anticipated to work on the construction site for the entire project. Construction staging areas would be provided within the boundaries of the project site. Construction workers would park vehicles onsite and construction trucks and equipment would also be parked and stored onsite.

3.3.2 Offsite Improvements

The project would include the following offsite improvements:

- Closing of a driveway on Sierra Avenue and the relocation and widening of the main drive entrance on Sierra Avenue.

- Utility improvements would include both wet and dry; domestic and fire water, stormwater, sewer, electrical, gas, cable tv, communication, and possibly more.

- The stormwater overflow from the planned underground infiltration basin and drywells would discharge via multiple parkway drains to San Bernardino Avenue.

3.3.3 Construction Schedule

Construction is anticipated to begin around August 1, 2021 and would last approximately nine months, ending around May 1, 2022. The anticipated hours of operation during construction will be 7:00 am to 7:00 pm and the site will be secured and locked in the evening time.

3.4 Standard Requirements and Conditions of Approval

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

- City of Fontana Building and Safety Division;
- City of Fontana Community Development Department;
- City of Fontana Public Works Department;
- City of Fontana Fire Protection District;
- City of Fontana Water Department;
- City of Fontana Engineering Department.

3.5 Discretionary and Ministerial Approvals

In order for the proposed project to be implemented, the Applicant would require Fontana Planning Commission approval of Design Review No. 20-002. The project would also require approval of Zoning Code Amendment No. 20-005, approval of Tentative Parcel Map No. 20-003 for subdividing the property into three parcels, and approval of four Minor Use Permit Nos. 20-006, -007 and -008 (one for each of the three drive-through pads and one for the Northgate Market's ABC license). Prior to arriving at a decision on whether to approve these applications, the Fontana Planning Commission must first approve the CEQA documents prepared for the proposed project.

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

Table 3.5-1
MINISTERIAL PERMITS AND APPROVALS

Agency	Permit or Approval
City of Fontana Building & Safety Division	Site Plan review and approval, and Building Permits.
Fontana Fire Protection District	Building plan check and approval. Review for compliance with the 2019 California Fire Code, 2019 California Building Code, California Health & Safety Code and Fontana Municipal Code. Plans for fire detection and alarm systems, and automatic sprinklers.
Fontana Public Works Department	Approval for proposed offsite utility improvements.

Agency	Permit or Approval
Fontana Water Company/San Gabriel Valley Water Company	Letter of authorization/consent for proposed improvements to provide water supply connection to new development.
Southern California Gas Company	Letter of authorization/consent for proposed improvements to provide natural gas connection to new development.
Southern California Edison Company	Letter of authorization/consent for proposed improvements to provide electrical connection to new development.

4.0 ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected

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

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

Determination (To Be Completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

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

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

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

_____ _____

Signature Date

_____ City of Fontana

Printed Name

Evaluation of Environmental Impacts

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

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

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

(4) "Negative Declaration: Less than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to less than significant level.

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

   (a) Earlier Analyses Used. Identify and state where the earlier analysis available for review.

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

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

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

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

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

(9) The explanation of each issue should identify:

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

(b) The mitigation measure identified, if any, to reduce the impact to less than significant.

4.1 Aesthetics

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

A "visual environment" includes the built environment (development patterns, buildings, parking areas, and circulation elements) and natural environment (such as hills, vegetation, rock outcroppings, drainage pathways, and soils) features. Visual quality, viewer groups and sensitivity, duration, and visual resources characterize views. *Visual quality* refers to the general aesthetic quality of a view, such as vividness, intactness, and unity. *Viewer groups* identify who is most likely to experience the view. *High-sensitivity land uses* include residences, schools, playgrounds, religious institutions, and passive outdoor spaces such as parks, playgrounds, and recreation areas. *Duration* of a view is the amount of time that a particular view can be seen by a specific viewer group. *Visual resources* refer to unique views, and views identified in local plans, from scenic highways, or of specific unique structures or landscape features.

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

Less than Significant Impact

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

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

spaces in the vicinity of the project site to distant San Gabriel Mountains (to the north) and foothills of the Jurupa Mountains (to the south).

In general, existing views in the project vicinity include views of the distant Jurupa Mountains to the south and distant views of the San Gabriel Mountains to the north. The San Gabriel Mountains are located approximately seven miles north of the project site, and the Jurupa Mountains are approximately two miles south of the project site (Google Earth Pro, 2020). From the project site, views of the Jurupa Mountains and the San Gabriel Mountains are partially blocked by adjacent buildings and trees surrounding the project site. Therefore, the proposed project would not have a significant impact on views of the San Gabriel and San Bernardino Mountains because those features are so distant from the project site and views thereof are already blocked by intervening development.

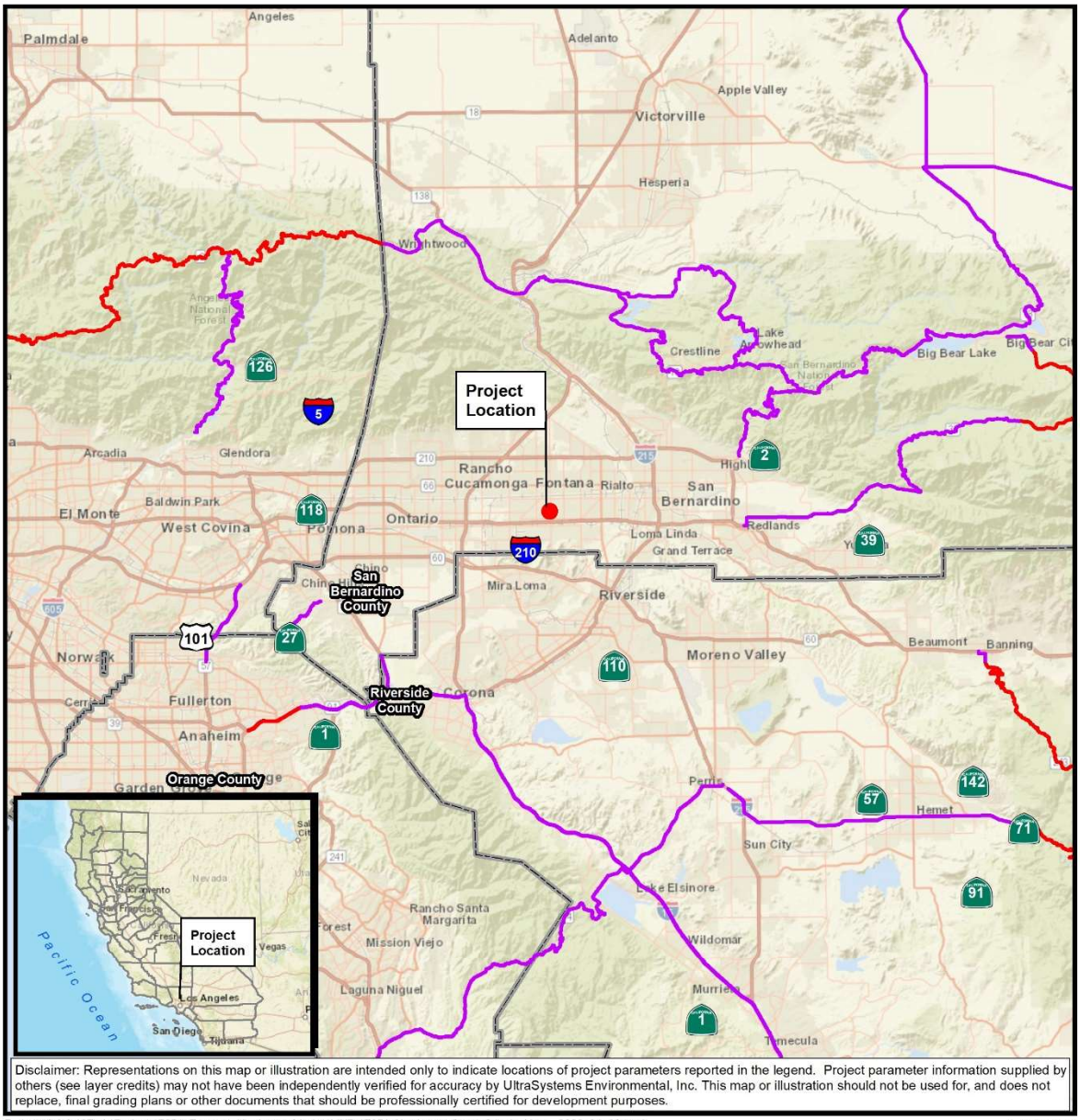
The project proposes the construction of a shopping center comprised of three parcels. The first parcel would be developed with an approximately 42,850-square-foot single-story building dedicated to the Northgate Gonzalez Market and associated parking lot and driveways. The second parcel would consist of a 5,077-square-foot single-story building (PAD 3) and associated parking and drive-thru lanes. The third parcel would contain an approximately 9,390-square-foot single-story building comprised of an end cap drive-thru restaurant and other businesses customarily found in grocery anchored shopping centers (PAD 1). Additionally, this parcel would contain a 2,300-square-foot, single-story building (PAD 2) with associated parking and drive-thru lanes. The proposed project would be designed and constructed to be compatible with the commercial uses to the east, south, and southeast, in terms of architectural style, density, height, bulk, and setback. As mentioned above, there are intervening buildings and trees that block the distant views of the mountains to the north and the south of the project site. Therefore, the proposed project would result in less than significant impacts on scenic vistas.

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

No Impact

The California Department of Transportation (Caltrans) provides information regarding officially designated or eligible state scenic highways, designated as part of the California Scenic Highway Program. According to Caltrans, there are no officially designated scenic highways within or adjacent to the project area, and no roadways near the project site are currently eligible for scenic highway designation (Caltrans, 2015), as shown in **Figure 4.1-1**. The closest official state scenic highway, State Route 2 (SR-2), is approximately 23.5 miles northwest of the project site. The closest eligible state scenic route, State Route 138 (SR-138), is approximately 13.5 miles northwest of the project site. Therefore, due to the distance between the project site and nearest state scenic highway, the project would have no impacts on trees, rock outcroppings and historic buildings within a state scenic highway.

Figure 4.1-1
SCENIC HIGHWAYS



c) Except as provided in Public Resources Code Section 21099, would the project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less than Significant Impact with Mitigation Incorporated

As discussed in the city's General Plan EIR, the city is an urbanized, largely built-out area that includes residential, commercial, industrial, and open space uses. Future development within the City would largely consist of infill development and redevelopment of previously built sites to accommodate new growth. Infill development in central Fontana is a prominent strategy in the General Plan Update, and several policies encourage the revitalization and redevelopment of downtown and older neighborhoods in the central core. To that end, the General Plan Update proposes two new land use categories that could potentially impact the visual character of the central core and surrounding areas. The Walkable Mixed-Use Corridor Downtown (WMXU-1) and Walkable Mixed-Use Urban Village (WMXU-2) would allow development to occur in the City's downtown area and on vacant underutilized lots in adjacent areas (Stantec 2018b, p. 5.1-10).

The proposed project would support the City's General Plan Land Use, Zoning and Urban Design Section Goal 3, for infill development on previously developed and underutilized sites. **Table 4.1-1** below lists applicable city goals and policies regarding visual character and how the proposed project would comply.

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

General Plan Element	Project Compliance
Community and Neighborhoods: **Goal 6 The safe, attractive, and lively central part of the city has new infill development and infrastructure and public realm improvements.**	
Policy: Support revitalization of the central area of the city with an integrated approach including mixed-use development, infill housing, infrastructure improvements, interconnections, and placemaking programs.	The proposed project would revitalize vacant land with infill development. Therefore, the proposed project would not conflict with this policy.
Downtown Area Plan Element: Goal 4 Reinvigorate the Foothill and Sierra corridors with a mix of retail, employment, mixed-use and housing development as an economic engine for the downtown area, and as gateways to downtown.	
Goal 4 Reinvigorate the Foothill and Sierra corridors with a mix of retail, employment, mixed-use and housing development as an economic engine for the downtown area, and as gateways to downtown.	The proposed project would develop a new commercial shopping center along Sierra Avenue which would reinvigorate a vacant piece of land along Sierra Avenue. Therefore, the project would not conflict with this policy.
Land Use, Zoning, and Urban Design: Goal 7: Public and private development meets high design standards.	
Policy: Support high-quality development in design standards and in land use decisions.	The proposed project would be designed with similar architectural style as the surrounding area and would provide a high-quality development that meets the

General Plan Element	Project Compliance
	city's design criteria. Therefore, the project would not conflict with this policy.

Source: (Stantec, 2018b, p. 5.1-12 and 5.1-13)

As detailed above, the project would not conflict with applicable policies or regulations regarding visual resources. Therefore, the proposed project would have no impact regarding conflict with applicable zoning and other regulations governing scenic quality. The project site is located in an urban setting characterized by a mix of commercial and residential land uses. Views of the existing streetscape are characterized by low height (one- or two-story) buildings that house residential land uses (including apartment and condominiums), commercial/retail land uses in the immediate project vicinity are limited to one- and two-story buildings. Refer to **Table 4.1-2** below, which describes the existing visual character in the vicinity of the project site. **Figure 4.1-2** includes photographs of development in the vicinity of the project site.

Table 4.1-2
EXISTING VISUAL CHARACTER AND LAND USES IN THE PROJECT AREA

Location	General Characteristics	Existing Lighting	Building Height and Design	Landscaping
Project Site	Vacant parking lot with ornamental landscaping that previously was a car dealership.	Not applicable; abandoned parking lot.	Not applicable: No buildings on the project site.	Ornamental landscaping, weeds
Surrounding Areas				
North	Single-family and multi-family homes.	Exterior lighting associated with the exterior building, parking lot, and street lights along Holly Drive.	Single-family homes are one story and made from stucco, wood, and tiling. Multi-family homes are two-stories. and made from stucco, wood, and tiling.	Ornamental grass, trees, and shrubs.
East	ROW (Sierra Avenue)	Street lighting and lighting from road vehicles.	No height. Designed as a ROW.	Ornamental grass, trees, and shrubs.
West	Multi-family homes.	Exterior lighting associated with the exterior building and parking lot.	Multi-family homes are two-stories. and made from stucco, wood, and tiling.	Ornamental grass, trees, and shrubs.
South	Multi-family homes and commercial shopping center.	Exterior lighting associated with the exterior building, parking lot, and street lights along San Bernardino Avenue.	Multi-family homes are two stories. and made from stucco, wood, and tiling. Commercial shopping center is one-story with concrete and stucco.	Ornamental grass, trees, and shrubs.

Source: UltraSystems 2020 and Google Earth Pro 2020.

Figure 4.1-2
EXISTING VISUAL CHARACTER IN THE VICINITY OF THE PROJECT SITE

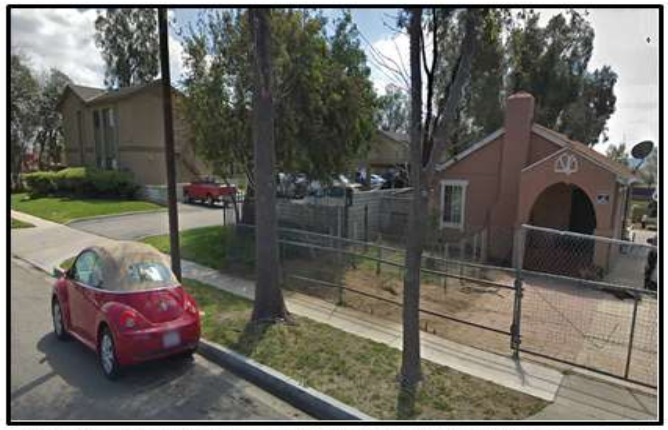


PHOTO 1: View of the single family and multi-family homes located north of the project site.

PHOTO 2: View of the multi-family homes, commercial shopping center and vacant land located south of the project site, along San Bernardino Avenue.

PHOTO 3: View of the commercial shopping centers located east of the project site, along Sierra Avenue.

PHOTO 4: View of the condominiums located west of the project site.

Source: Google Earth Pro, 2020

Construction

Construction of the proposed project would include views associated with construction activities, construction staging areas, grading, excavation, construction equipment, material storage areas, construction debris, exposed trenches, etc. Therefore, project construction could temporarily degrade the existing visual character of the project area and its immediate surroundings. While these elements would be removed following construction, they would nonetheless result in a temporary impact. However, with implementation of mitigation measure **AES-1** during project construction, short-term visual impacts during the construction phase would be less than significant.

Operation

Implementation of the project would not degrade the existing visual character of the site. As discussed in response to Checklist Question 4.1 a) above, with the proposed project, development onsite would be consistent with the general character of existing buildings in the surrounding neighborhood in terms of architectural style, density, height, bulk, and setback.

The proposed shopping center would be designed with a contemporary architectural style. Proposed new landscaping would include drought-resistant species that consists of trees, shrubs, vines, and groundcover. The majority of landscaping would occur along the perimeter of the project site and throughout the parking lot, with a small number of trees, shrubs, groundcover, and vines located near the building entrance and around the building perimeter.

The project would be developed on a site that is currently is largely vacant, with only the remnants of earlier development (a parking lot with light standards) still standing. The proposed project would increase the density, scale, and height of development. However, the project would not be out of character with the surrounding area, which contains a mix of land uses, with commercial/retail land uses located east, south, and southeast of the project site. Refer to **Appendix A**, which includes some of the elevations of the proposed buildings, and more detail regarding colors/materials as well as outdoor patio elements.

The project would improve an existing vacant piece of land with a new well-designed shopping center, thereby resulting in a beneficial change to existing site conditions and not representing an adverse impact or degradation in the existing visual character of the site and its surroundings. The proposed project land use and design would be in line with the existing retail/commercial land uses located to the south, east, and southeast of the project site, as described in **Table 4.1-1**.

Mitigation Measure

MM AES-1 The project applicant shall ensure that construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site to the extent practical. Staging areas shall be screened from view from residential properties with solid wood fencing or green fence. Construction worker parking may be located offsite with approval of the city; and on-street parking of construction worker vehicles on residential streets shall be prohibited. Vehicles shall be kept clean and free of mud and dust before leaving the project site. Surrounding streets shall be swept daily and maintained free of dirt and debris.

Level of Significance After Mitigation

Based on the above analysis, the proposed project would have a less than significant impact with mitigation incorporated on the visual character or quality of the site and its surroundings.

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

Less Than Significant Impact

The project site is located in an urban area, which is characterized by low to medium nighttime ambient light levels. Street lights, traffic on local streets and exterior lighting in surrounding developments are the primary sources of light that contribute to the ambient light levels in the project area.

The project proposes new exterior lighting throughout the site, including parking lot lighting, which would be necessary for safety and nighttime visibility throughout the project site. The new project lighting would be visible from the surrounding area. There are adjacent residential land uses to the north, south and west of the proposed project that are considered light-sensitive land uses. However, the project would comply with California Building Code standards for outdoor lighting that are intended to reduce light pollution and glare by regulating light power and brightness, and shielding. Lighting for the project would also comply with the requirements of the City's Municipal Code. Specifically, the project would be required to comply with City of Fontana Municipal Code § 30-260, Lighting and Glare, which states, "all lights shall be directed and/or shielded to prevent the light from adversely affecting adjacent residential or commercial properties. No structure or feature shall be permitted which creates adverse glare effects" (City of Fontana Municipal Code, 2020). None of the materials proposed would have a mirror finish or would be highly reflective. Refer to **Appendix A** of this document, which contains project plans. Outdoor lighting fixtures would be installed in accordance with applicable Fontana Municipal Code standards to ensure that the light does not illuminate nearby and adjacent properties and residences. Adherence to applicable City Municipal Codes would ensure that new sources of light or glare would not adversely affect day or nighttime views in the area. Therefore, impacts from a new source of substantial light or glare would be less than significant.

4.2 Agriculture and Forestry Resources

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

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

No Impact

The Farmland Mapping and Monitoring Program of the California Resources Agency (FMMP) was established in 1982 by the California Department of Conservation (DOC) to identify critical agricultural farmlands and track if and how the lands are converted and used for other things. According to FMMP, the proposed project is located in an area that FMMP deems as "Urban and Built-up Land," which means it is land that has a building density of at least one building to 1.5 acres of land and is primarily used for residential, industrial, commercial, construction, or other non-agricultural business (DOC, 2016). Since the project meets these criteria, it will not convert farmland for non-agricultural use. No impacts would occur.

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

No Impact

The Williamson Act, also known as the California Conservation Act of 1956, allows local governments to work with private landowners by negotiating an agreement to tax these landowners at lower rates if they restrict specific pieces of land to agricultural or open space use. According to San Bernardino County's Williamson Act Contract Map, the proposed project is shown as being on land identified as "Urban and Built-Up Land" and does not contain any land under the specific jurisdiction of the Williamson Act (DOC, 2020a) (Refer to **Figure 4.2-1,** *Williamson Act Lands*). The City of Fontana's General Plan for 2015-2030 identifies the proposed project area as "WMXU-1," a walkable mixed-use corridor downtown (City of Fontana, 2019). Currently, no agricultural operations are in the vicinity of the site (Google Earth Pro, 2020). Therefore, the project would not conflict with existing zoning for agriculture uses or any Williamson Act contracts. No impacts would occur.

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

No Impact

The proposed project is located in a highly-urbanized setting and is zoned as "WMXU-1," indicating that it is mixed use (City of Fontana, 2019). The definitions given by PRC § 42526 regarding timberland, by PRC § 12220(g) for forest land, or by California Government Code § 51104(g) for timberland zoned for production do not apply to this type of zoning because forest and timberland do not exist there. Being in a highly-urbanized area, the project would have no impact on existing forestry or timberland zoning, or cause their rezoning.

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

No Impact

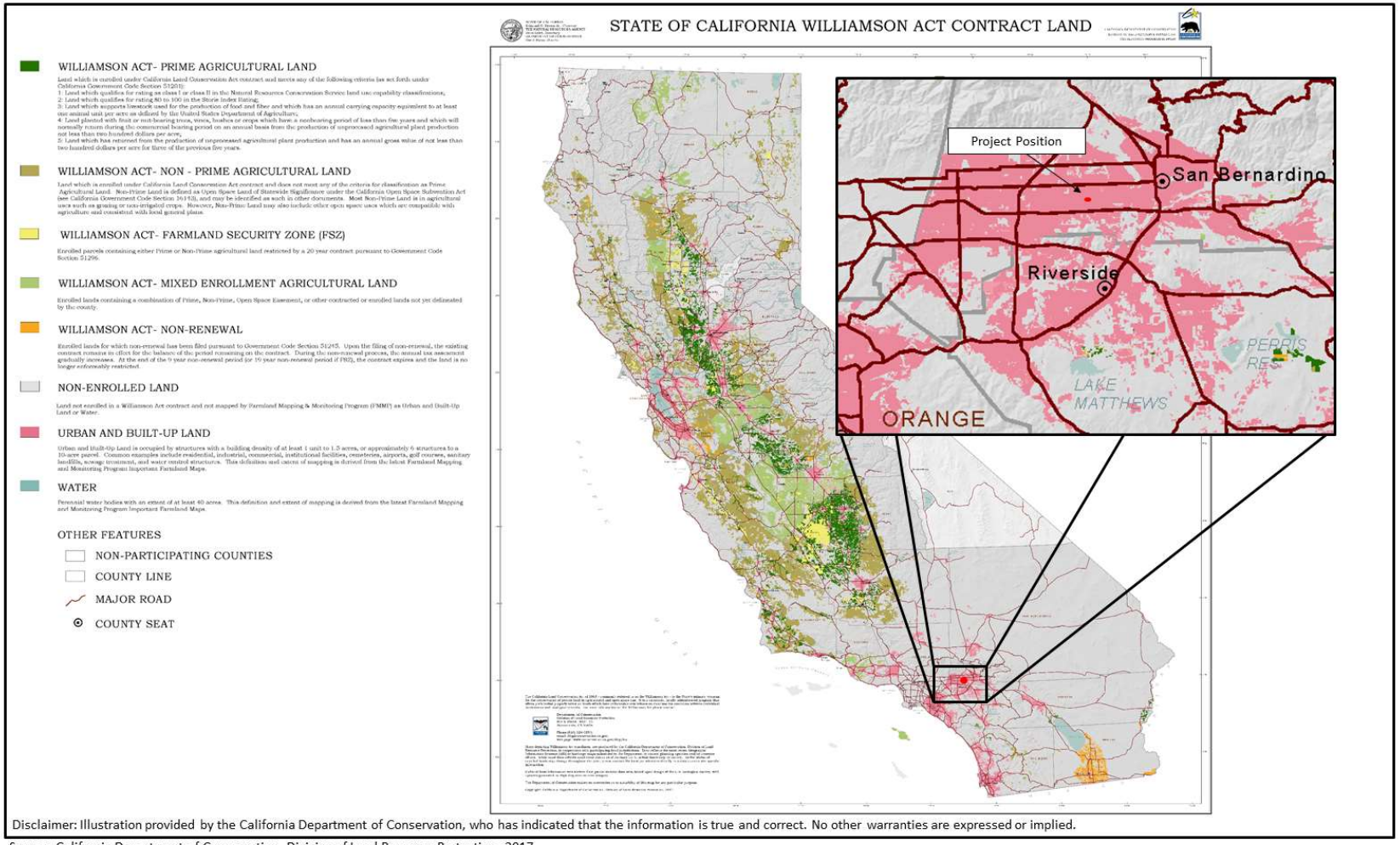
The project is not within a forest area and is located on land specified as "WMXU-1," mixed use (City of Fontana, 2019). The project would not result in the loss or conversion of forest land because construction and other related activities would happen specifically on the project site. Therefore, the proposed project would not have any effect regarding the loss and/or conversion of forest land.

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

No Impact

The proposed project is located on land zoned as "WXMU-1," which means it is highly-urbanized in nature. It is also surrounded by land with the same zoning, and so it would not affect land identified as farmland or forest space.

Figure 4.2-1
WILLIAMSON ACT LANDS



Source: California Department of Conservation, Division of Land Resource Protection, 2017.

UltraSystems environmental • management • planning

Northgate Market Center Project

Williamson Act Farmland

4.3 Air Quality

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

4.3.1 Pollutants of Concern

Criteria pollutants are air pollutants for which acceptable levels of exposure can be determined and ambient air quality standards have been established by the U.S. Environmental Protection Agency (USEPA) and/or the California Air Resources Board (ARB). The criteria air pollutants of concern are nitrogen dioxide (NO_2), carbon dioxide (CO_2), partiate matter (PM_{10} and $PM_{2.5}$), sulfur dioxide (SO_2), lead (Pb), and ozone (O_3), and their precursors, such as reactive organic gases (ROG), which are ozone precursors. Since the proposed project would not generate appreciable SO_2 or Pb emissions,[6] it is not necessary for the analysis to include those two pollutants. Presented below is a description of the air pollutants of concern and their known health effects.

Nitrogen oxides (NO_X) serve as integral participants in the process of photochemical smog production and are precursors for certain particulate compounds that are formed in the atmosphere. The two major forms of NO_x are nitric oxide (NO) and NO_2. NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO_2 is a reddish-brown pungent gas formed by the combination of NO and oxygen. NO_2 is an acute respiratory irritant and eye irritant and increases susceptibility to respiratory pathogens. A third form of NO_X, nitrous oxide (N_2O), is a greenhouse gas (GHG) (USEPA, 2020a).

Carbon monoxide (CO) is a colorless, odorless non-reactive pollutant produced by incomplete combustion of carbon substances (e.g., gasoline or diesel fuel). The primary adverse health effect associated with CO is its binding with hemoglobin in red blood cells, which decreases the ability of these cells to transport oxygen throughout the body. Prolonged exposure can cause headaches, drowsiness, or loss of equilibrium; high concentrations are lethal (USEPA, 200b).

6 Sulfur dioxide emissions will be below 0.5 pound per day during construction and operations.

Particulate matter (PM) consists of finely divided solids or liquids, such as soot, dust, aerosols, fumes, and mists. Two forms of fine particulate matter are now regulated. Respirable particles, or PM_{10}, include that portion of the particulate matter with an aerodynamic diameter of 10 micrometers (i.e., 10 one-millionths of a meter or 0.0004 inch) or less. Fine particles, or $PM_{2.5}$, have an aerodynamic diameter of 2.5 micrometers (i.e., 2.5 one-millionths of a meter or 0.0001 inch) or less. Particulate discharge into the atmosphere results primarily from industrial, agricultural, construction, and transportation activities. However, wind action on the arid landscape also contributes substantially to the local particulate loading. Fossil fuel combustion accounts for a sizable portion of $PM_{2.5}$. In addition, particulate matter forms in the atmosphere through reactions of NO_X and other compounds (such as ammonia) to form inorganic nitrates and sulfates. Both PM_{10} and $PM_{2.5}$ may adversely affect the human respiratory system, especially in those people who are naturally sensitive or susceptible to breathing problems (USEPA, 2020a; 2020b).

Reactive organic gases (ROG) are compounds comprised primarily of atoms of hydrogen and carbon that have high photochemical reactivity. The major source of ROG is the incomplete combustion of fossil fuels in internal combustion engines. Other sources of ROG include the evaporative emissions associated with the use of paints and solvents, the application of asphalt paving and the use of household consumer products. Some ROG species are listed toxic air contaminants, which have been shown to cause adverse health effects; however, most adverse effects on human health are not caused directly by ROG, but rather by reactions of ROG to form other criteria pollutants such as ozone. ROG are also transformed into organic aerosols in the atmosphere, contributing to higher levels of fine particulate matter and lower visibility. The term "ROG" is used by the ARB for air quality analysis and is defined essentially the same as the federal term "volatile organic compound" (VOC).[7]

Ozone (O_3) is a secondary pollutant produced through a series of photochemical reactions involving ROG and NO_X. Ozone creation requires ROG and NO_x to be available for approximately three hours in a stable atmosphere with strong sunlight. Because of the long reaction time, peak ozone concentrations frequently occur downwind of the sites where the precursor pollutants are emitted. Thus, O_3 is considered a regional, rather than a local, pollutant. The health effects of O_3 include eye and respiratory irritation, reduction of resistance to lung infection and possible aggravation of pulmonary conditions in persons with lung disease. Ozone is also damaging to vegetation and untreated rubber (USEPA, 2020).

4.3.2 Climate/Meteorology

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

[7] Emissions of organic gases are typically reported only as aggregate organics, either as VOC or as ROG. These terms are meant to reflect what specific compounds have been included or excluded from the aggregate estimate. Although EPA defines VOC to exclude both methane and ethane, and CARB defines ROG to exclude only methane, in practice it is assumed that VOC and ROG are essentially synonymous.

The annual average temperature varies little throughout the 6,600-square-mile SCAB, ranging from the low 60s to the high 80s. However, with a less pronounced oceanic influence, the inland portion shows greater variability in the annual minimum and maximum temperatures (SCAQMD, 1993). The mean annual high and low temperatures in the project area—as determined from the nearest weather station in the City of San Bernardino,[8] (Western Regional Climate Center, 2020) which has a period of record from 1893 to 2004—are 79.9 degrees Fahrenheit (°F) and 48.2°F, respectively. The overall climate is a mild Mediterranean, with average monthly maximum temperatures exceeding 96°F in the summer and dipping to 38.5°F in the winter.

In contrast to a steady pattern of temperature, rainfall is seasonally and annually highly variable. The total average annual precipitation is 16.12 inches, of which 81 percent occurs between November and March.

4.3.3 Local Air Quality

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

The South Coast Air Quality Management District (SCAQMD) has divided the SCAB into source receptor areas (SRAs), based on similar meteorological and topographical features. The proposed project site is in SCAQMD's Central San Bernardino Valley (SRA 34), which is served by the Fontana-Arrow Monitoring Station, located about 3.4 miles northwest of the proposed project site, at 14360 Arrow Route, in Fontana (SCAQMD, 2020). Criteria pollutants monitored at the Fontana-Arrow Monitoring Station include ozone, PM_{10}, $PM_{2.5}$, and NO_2. This station ceased monitoring CO in 2012 and CO has not been monitored in the SCAB since 2012. The ambient air quality data in the proposed project vicinity as recorded at the Fontana-Arrow Monitoring Station from 2016 to 2018 and the applicable state standards are shown in **Table 4.3-2**.

[8] Data for San Bernardino Fire Station #226. Accessed June 2020. A closer weather station was available up until 1984. The San Bernardino station represents more current data.

Table 4.3-1
FEDERAL AND STATE ATTAINMENT STATUS

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

Sources: ARB, 2020a; USEPA, 2019a, 2019b, 2019c, 2019d, 2019e.

Table 4.3-2
AMBIENT AIR QUALITY MONITORING DATA

Air Pollutant	Standard/Exceedance	2016	2017	2018
Ozone (O_3)	Max. 1-hour Concentration (ppm) Max. 8-hour Concentration (ppm) # Days > Federal 8-hour Std. of 0.070 ppm # Days > California 1-hour Std. of 0.09 ppm # Days > California 8-hour Std. of 0.070 ppm	0.139 0.105 49 34 52	0.137 0.118 49 33 51	0.141 0.111 69 38 72
Nitrogen Dioxide (NO_2)	Max. 1-hour Concentration (ppm) Annual Average (ppm) # Days > California 1-hour Std. of 0.070 ppm	0.071 0.018 0	0.069 0.018 0	0.063 0.018 0
Respirable Particulate Matter (PM_{10})	Max. 24-hour Concentration micrograms per cubic meter (µg/m³) Est. # Days > Fed. 24-hour Std. of 150 µg/m³ Annual Average (µg/m³)	94.0 0 39.2	75.3 ND 39.8	64.1 0 34.6
Fine Particulate Matter ($PM_{2.5}$)	Max. 24-hour Concentration (µg/m³) #Days > Fed. 24-hour Std. of 35 µg/m³ State Annual Average (µg/m³)	58.8 3.2 12.3	39.2 3.0 12.0	29.2 0 11.1

Source: ARB, 2020b.
ND - There was insufficient (or no) data available to determine the value.

4.3.4 Air Quality Management Plan (AQMP)

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

The 2016 AQMP (SCAQMD, 2017b) was adopted by the SCAQMD Board on March 3, 2017, and on March 10, 2017 was submitted to the ARB (SCAQMD, 2017a) to become part of the State Implementation Plan (SIP)[9] (SCAQMD, 2017a). It focuses largely on reducing NO_x emissions as a means of attaining the 1979 1-hour ozone standard by 2022, the 1997 8-hour ozone standard by 2023, and the 2008 8-hour standard by 2031 (SCAQMD, 2017b). The AQMP prescribes a variety of current and proposed new control measures, including a request to the USEPA for increased regulation of mobile source emissions. The NO_x control measures will also help the SCAB attain the 24-hour standard for $PM_{2.5}$.

4.3.5 Sensitive Receptors

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

4.3.6 Response to Checklist Questions

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

Less than Significant Impact

The SCAQMD (2019) has developed criteria in the form of emissions thresholds for determining whether emissions from a project are regionally significant. They are useful for estimating whether a project is likely to result in a violation of the NAAQS and/or whether the project is in conformity with plans to achieve attainment. SCAQMD's significance thresholds for criteria pollutant emissions during construction activities and project operation are summarized in **Table 4.3-3**. A project is

[9] The State Implementation Plan (SIP) is a collection of local and regional plans, regulations, and rules for attaining ambient air quality standards. It is periodically submitted to the USEPA for approval.

considered to have a regional air quality impact if emissions from its construction and/or operational activities exceed any of the corresponding SCAQMD significance thresholds.

Table 4.3-3
SCAQMD EMISSIONS THRESHOLDS FOR SIGNIFICANT REGIONAL IMPACTS

Pollutant	Mass Daily Thresholds (Pounds/Day)	
	Construction	Operation
Nitrogen Oxides (NO_x)	100	55
Volatile Organic Compounds (VOC)	75	55
Respirable Particulate Matter (PM_{10})	150	150
Fine Particulate Matter ($PM_{2.5}$)	55	55
Sulfur Oxides (SO_x)	150	150
Carbon Monoxide (CO)	550	550
Lead	3	3

Source: SCAQMD (2019).

Air Quality Methodology

Estimated criteria pollutant emissions from the project's onsite and offsite project activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2016.3.2. CalEEMod (CAPCOA, 2017) is a planning tool for estimating emissions related to land use projects. Model-predicted project emissions are compared with applicable thresholds to assess regional air quality impacts. As some construction plans have not been finalized, CalEEMod defaults were used for construction offroad equipment and onroad construction trips and vehicle miles traveled. The only modifications to CalEEMod defaults were the construction schedule and equipment list provided by the client and operational trip rates, which are from a Traffic Impact Analysis Report (TIA) prepared for this project (LL&G, 2020). It was also assumed that the construction contractor would comply with all SCAQMD rules that apply to construction activity. For example, SCAQMD Rule 403 requires various control measures to reduce the generation and transmission offsite of dust from operation of construction equipment.[10]

For this analysis, construction activities for the Northgate Market Center Project are anticipated to last nine months and would begin around August 1, 2021 and end in May 2022. There would be five construction phases:

- Site Preparation; including removal of trees and existing asphalt.
- Grading; includes excavations for buildings.
- Building Construction; concrete placement, building framing, and placement of HVAC.
- Architectural Coating; painting of buildings' interior and exterior.
- Paving; placement of asphaltic concrete.
- Trenching; includes excavation for wet and dry utility lines.

[10] Rule 403 applies to fugitive dust emissions. All construction projects in the SCAQMD are required to implement dust control measures such as regularly wetting disturbed soils.

Table 4.3-4 shows the project schedule used for the air quality, GHG emissions (**Section 4.8**) and noise (**Section 4.13**) analyses.

Table 4.3-4
CONSTRUCTION SCHEDULE

Construction Phase	Start	End
Site Preparation	August 1, 2021	August 15, 2021
Grading	August 16, 2021	November 15, 2021
Building Construction	November 16, 2021	February 15, 2022
Architectural Coating	February 16, 2022	May 15, 2022
Paving	February 16, 2022	February 17, 2022
Trenching	February 18, 2022	May 31, 2022

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

Regional Short-Term Air Quality Effects

Project construction activities would result in short-term air quality impacts. Construction emissions can be distinguished as either onsite or offsite. Onsite air pollutant emissions consist principally of exhaust emissions from offroad heavy-duty construction equipment, as well as fugitive particulate matter from earth working and material handling operations. Offsite emissions result from workers commuting to and from the job site, as well as from trucks hauling materials to the site and construction debris for disposal.

As shown in **Table 4.3-5**, construction emissions would not exceed SCAQMD regional thresholds. Therefore, the project's short-term regional air quality impacts would be **less than significant**.

Table 4.3-5
MAXIMUM DAILY REGIONAL CONSTRUCTION EMISSIONS

Construction Activity	Maximum Emissions (pounds/day)				
	ROG	NO_x	CO	PM_{10}	$PM_{2.5}$
Maximum Emissions, 2021	2.1	36.8	13.8	8.0	4.1
Maximum Emissions, 2022	9.3	13.4	13.6	0.9	0.6
SCAQMD Significance Thresholds	*75*	*100*	*550*	*150*	*55*
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by OB-1 Air Analyses with CalEEMod (Version 2016.3.2) (CAPCOA, 2017).

Regional Long-Term Air Quality Effects

The primary source of operational emissions would be vehicle exhaust emissions generated from project-induced vehicle trips, known as "mobile source emissions." Other emissions, identified as "energy source emissions," would be generated from energy consumption for water, space heating, and cooking equipment, while "area source emissions," would be generated from structural maintenance and landscaping activities, and use of consumer products.

As seen in **Table 4.3-6**, for each criteria pollutant, operational emissions would be below the pollutant's SCAQMD significance threshold. Therefore, operational NO_X emissions would be less than **significant**.

Table 4.3-6
MAXIMUM DAILY PROJECT OPERATIONAL EMISSIONS

Emission Source	Pollutant (pounds/day)				
	ROG	NO_X	CO	PM_{10}	$PM_{2.5}$
Area Source Emissions	1.27	0.00005	0.006	0.00002	0.00002
Energy Source Emissions	0.004	0.03	0.03	0.003	0.003
Mobile Source Emissions	5.76	31.13	33.75	7.37	2.02
Total Operational Emissions	**7.0**	**31.2**	**33.8**	**7.4**	**2.0**
SCAQMD Significance Thresholds	*55*	*55*	*550*	*150*	*55*
Significant? (Yes or No)	**No**	**No**	**No**	**No**	**No**

Source: Calculated by OB-1 Air Analyses with CalEEMod (Version 2016.3.2) (CAPCOA, 2017).

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

Less Than Significant Impact

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

As discussed above, the mass daily construction emissions generated by the project would not exceed any of the SCAQMD's significance thresholds and, as discussed below, the localized emissions generated by the project would not exceed the SCAQMD's Localized Significance Thresholds (LSTs). In addition, operational emissions of all criteria pollutants would be less than significant. Therefore, cumulative air quality impacts associated with the project would be less than significant.

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

Less than Significant Impact

Localized Short-Term Air Quality Effects from Construction Activity

Construction of the proposed project would generate short-term and intermittent emissions. Following SCAQMD guidance (Chico and Koizumi, 2008), only onsite construction emissions were considered in the localized significance analysis. The residences to the west of the project site, across Sierra Avenue, are the nearest sensitive receptors, about 80 feet (24 meters) away. Localized significance thresholds for projects in SRA 34 were obtained from tables in Appendix C of the SCAQMD's *Final Localized Significance Threshold Methodology* (Chico and Koizumi, 2008). **Table 4.3-7** shows the results of the localized significance analysis for the proposed project.

The localized significance analysis determined that the project would not expose sensitive receptors to substantial pollutant concentrations. Therefore, impacts would be less than significant.

Table 4.3-7
RESULTS OF LOCALIZED SIGNIFICANCE ANALYSIS

Nearest Sensitive Receptor	Maximum Onsite Emissions (pounds/day)			
	NO_x	CO	PM_{10}	$PM_{2.5}$
Maximum daily emissions	17.4	12.9	2.9	1.8
SCAQMD LST for 5 acres @ 25 meters	*270*	*1,746*	*14*	*8*
Significant (Yes or No)	**No**	**No**	**No**	**No**

Source of thresholds: Chico and Koizumi, 2008, Appendix C.

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

Odors can cause a variety of responses. The impact of an odor results from interacting factors such as frequency (how often), intensity (strength), duration (in time), offensiveness (unpleasantness), location, and sensory perception.

The SCAQMD's criterion for significance of an odor impact is that a project creates an odor nuisance pursuant to SCAQMD Rule 402 (Nuisance)(SCAQMD, 2019). A nuisance is defined by Rule 402 as:

> " … 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."

Land uses typically considered associated with odors include wastewater treatment facilities, waste disposal facilities, or agricultural operations. The proposed project is not a land use typically associated with emitting objectionable odors. It would involve the use of diesel construction equipment and diesel trucks during construction and diesel trucks during operation. However, the project area has a predominance of industrial land uses and therefore emissions from trucks are common throughout the project vicinity. In addition, project-generated emissions would rapidly disperse in the atmosphere and would not be noticeable to the nearby public. Therefore, the project would not generate a significant odor impact during construction or operation.

4.4 Biological Resources

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

Methodology

Manju Venkat, an UltraSystems biologist, researched readily available information, including relevant literature, databases, agency websites, various previously completed reports and management plans, GIS data, maps, aerial imagery from public domain sources, and in-house records to identify the following: 1) habitats, special-status plant and wildlife species, jurisdictional waters,

critical habitats, and wildlife corridors that may occur in and near the project site; and 2) local or regional plans, policies, and regulations that may apply to the project (**Figure 4.4-1**).

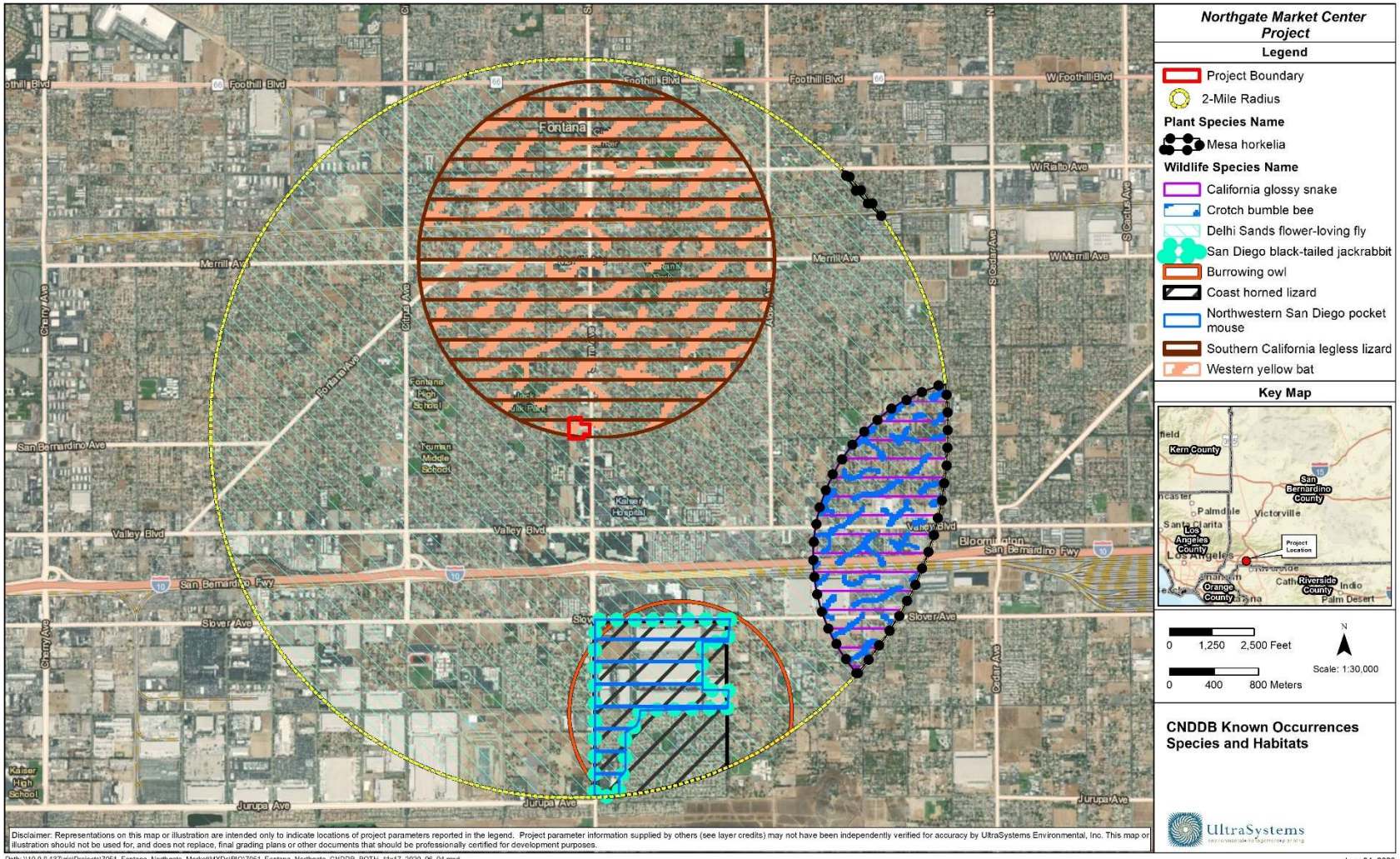
The following data sources were accessed by UltraSystems for synthesis of data within this report.

- United States Geological Survey (USGS) 7.5-Minute Topographic Map *Devore* Quadrangle (USGS, 2020a) and current aerial imagery (Google Earth, 2020).
- The Web Soil Survey, provided by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) (USDA Web Soil Survey, 2020).
- California Natural Diversity Database (CNDDB), provided by the California Department of Fish and Wildlife (CDFW) (CDFW, 2020).
- Information, Planning and Conservation (IPaC), provided by the USFWS (USFWS, 2020a).
- Inventory of Rare and Endangered Plants of California, 8th Edition, provided by the California Native Plant Society (CNPS, 2020).
- National Wetlands Inventory (NWI), provided by the USFWS (USFWS, 2020b).
- National Hydrography Dataset, provided by the USGS (USGS, 2020b).
- Critical Habitat Portal, provided by the USFWS (USFWS, 2020c).
- eBird online database of bird distribution and abundance, provided by Cornell Lab of Ornithology (eBird, 2020).
- Sawyer, J.O., T. Keeler-Wolf, J.M. Evens, 2009. *A Manual of California Vegetation, Second Edition,* provided by California Native Plant Society Press
- EPA Waters GeoViewer, provided by USEPA (EPA, 2020a).

Plant and wildlife species protected by federal agencies, state agencies, and nonprofit resource organizations, such as the California Native Plant Society (CNPS), are collectively referred to as "special-status species".[11] When plant and animal species that are federally or state listed endangered, threatened, or candidate species are discussed as a subcategory of special-status species they are referred to as "listed species". When plant and animal species are protected by an agency but not a "listed species" and are discussed as a subcategory of special-status species they are referred to as "sensitive species". Some of these plant and wildlife species are afforded special legal or management protection because they are limited in population size, and typically have a limited geographic range and/or habitat.

11 Avian species protected by the Migratory Bird Treaty Act (MBTA) are not considered "special-status species."

Figure 4.4-1
CNDDB SPECIAL-STATUS SPECIES



Aerial imagery from the above-mentioned sources was overlaid with geospatial data by utilizing Geographic Information System (GIS) software (ArcGIS 10.1) to identify documented observations of the following biological or environmental components within the project vicinity:

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

(2) Special-status vegetation communities;

(3) Protected management lands;

(4) Proposed and final critical habitats;

(5) Wetlands, waters of the State (WOS), and waters of the United States (WOUS); and

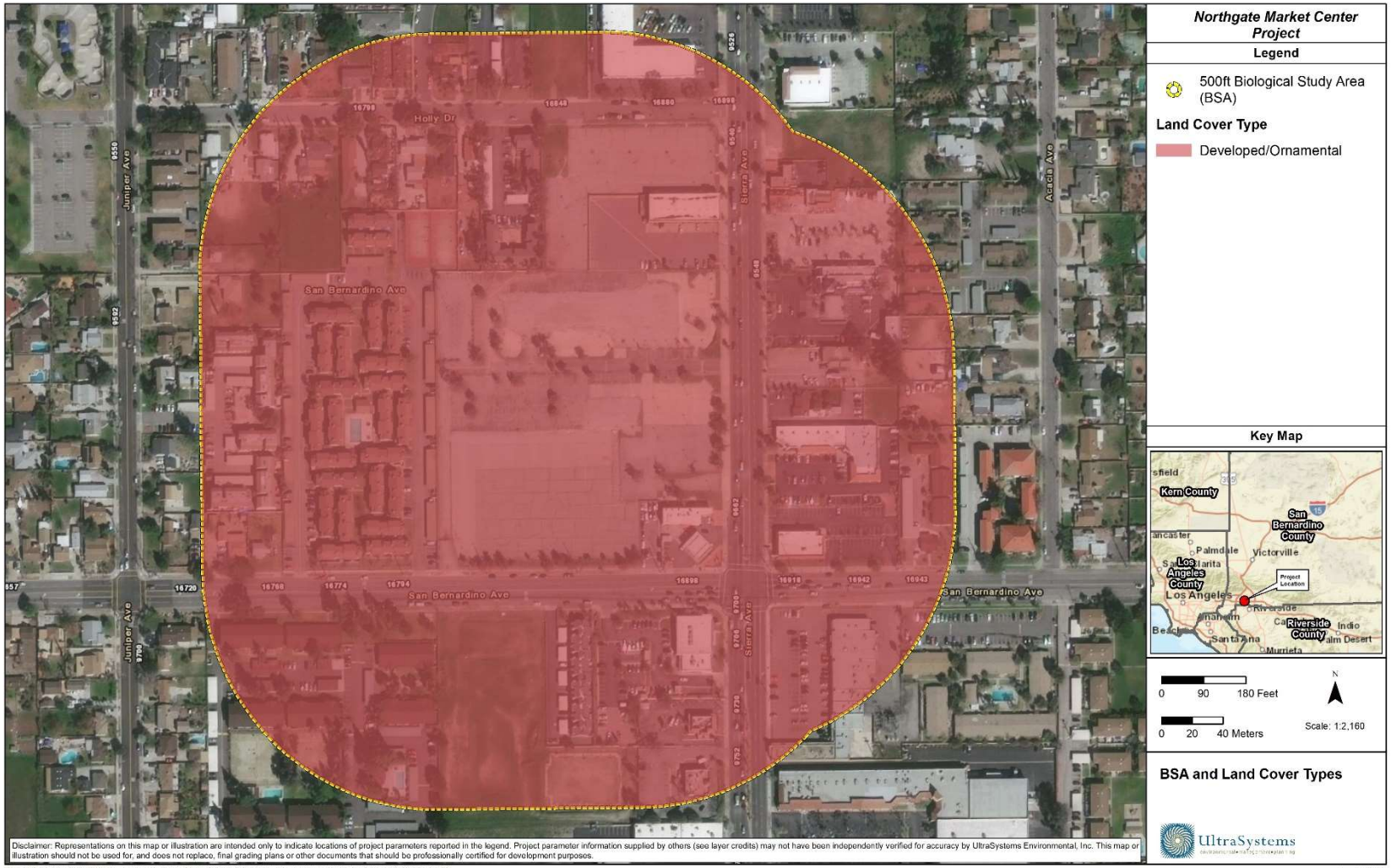
(6) Wildlife corridors.

An analysis was then made to plan either the avoidance of, or to minimize, project impacts to any of those biological resources. A Biological Study Area (BSA) was defined for the project and includes a 500-foot buffer zone around the perimeter of the property (refer to **Figure 4.4-2**).

Existing Setting

The project is located in a highly-urbanized area that is surrounded by industrial/commercial and residential properties, and roads. The project site itself consists of a formerly developed lot with a majority of the surface consisting of developed, concrete impervious surface with little to no vegetation. The land cover type on the project site is best characterized as Developed/Ornamental (**Figure 4.4-2**). A handful of ornamental (urban) trees occur on the site. These conditions render the site low in habitat value for special-status plant and wildlife species (including species listed by state or federal agencies as "candidate" or "sensitive" species).

Figure 4.4-2
LAND COVER TYPE MAP



Impact Analysis

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

Less Than Significant with Mitigation Incorporated

Special-Status Plant Species

Thirty-three (33) special-status plant species within a 10-mile radius of the project site were identified in the literature review and query from publicly available databases[12] for reported occurrences. The 33 special-status plant species are presented in **Table 4.4-1** (refer to **Figure 4.4-1**) with both the taxonomic (scientific) name, common name, status, general habitat, and occurrence potential determination for each plant species.

Further, a query of the USFWS's iPaC database indicated that the project site does not occur within any designated critical habitat for plant species (**Figure 4.4-3**).

As indicated earlier, due to the developed nature of the project site, none of these 33 plant species are expected to occur onsite; therefore, mitigation is not necessary.

12 Databases include California Natural Diversity Database, USFWS' Information, Planning, and Conservation, CNPS' Inventory of Rare and Endangered Plants of California, 8th Edition, Previous studies and reports within the project site and project vicinity were reviewed to gain a sense of the existing conditions at the time the studies were conducted.

Table 4.4-1
PLANT LITERATURE REVIEW RESULTS

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on Project Site
Listed Endangered, Threatened, Candidate and State Rare Plants: Plants with official status under the federal Endangered Species Act (ESA), the California Endangered Species Act (CESA), and/or the Native Plant Protection Act (NPPA). A species may have other sensitive designations in addition to their federal or state listing.				
Ambrosia pumila	San Diego ambrosia	FE, 1B.1	Chaparral, coastal scrub, valley and foothill grassland.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Berberis nevinii	Nevin's barberry	FE, SE, 1B.1	Chaparral, cismontane woodland, coastal scrub, riparian scrub.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Astragalus brauntonii	Braunton's milk-vetch	FE, 1B.1	Chaparral, coastal scrub, valley and foothill grassland.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Dodecahema leptoceras	slender-horned spineflower	FE, SE, 1B.1	Chaparral, cismontane woodland, coastal scrub (alluvial fan sage scrub).	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Eriastrum densifolium ssp. *sanctorum*	Santa Ana River woollystar	FE, SE, 1B.1	Chaparral, coastal scrub	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Sensitive Plants: These plants have no official status under the ESA, the CESA, and/or the NPPA. However, they are designated as sensitive or locally important by federal agencies, state agencies, and/or local conservation agencies and organizations.				
Allium munzii	Munz's onion	1B.1	Chaparral, cismontane woodland, coastal scrub, pinyon juniper woodland, valley & foothill grassland.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on Project Site
Ambrosia monogyra	Singlewhorl burrobrush	2B.2	Chaparral, Sonoran Desert scrub	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Arenaria paludicola	Marsh sandwort	1B.1	Marshes & swamps (freshwater brackish)	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Astragalus hornii var. hornii	Horn's milk-vetch	1B.1	Lake margins, meadows & seeps, playas.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Broadiaea filifolia	Thread-leaved broadiaea	1B.1	Chaparral (openings), cismontane woodland, coastal scrub, playas, valley & foothill grassland, vernal pools.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Centromadia pungens ssp. *laevis*	Smooth tarplant	1B.1	Chenopod scrub, meadows and seeps, playas, riparian woodland, valley and foothills grasslands.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Chloropyron maritimum ssp. *maritimum*	Salt marsh bird's-beak	1B.2	Coastal dunes, marshes and swamps (coastal salt).	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Cuscuta obtusiflora var. *glandulosa*	Peruvian dodder	2B.2	Marshes & swamps	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Eryngium aristulatum var. *parishii*	San Diego button-celery	1B.1	Coastal scrub, valley & foothill grassland, vernal pools.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on Project Site
Helianthus nuttallii ssp. *parishii*	Los Angeles sunflower	1A	Marshes & swamps (coastal salt and freshwater).	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Malacothamnus parishii	Parish's bush mallow	1A	Chaparral, Coastal Scrub	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Orcuttia californica	California Orcutt grass	1B.1	Vernal pools.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Pseudognaphalium leucocephalum	white rabbit-tobacco	2B.2	Riparian woodland, cismontane woodland, coastal scrub, chaparral.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Ribes divaricatum var. *parishii*	Parish's gooseberry	1A	Riparian woodland, Coastal Sage Scrub, wetlands.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Sagittaria sanfordii	Sanford's arrowhead	1B.2	Marshes and swamps (assorted shallow freshwater).	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Senecio aphanactis	chaparral ragwort	2B.2	Chaparral, cismontane woodland, coastal scrub.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Sidalcea neomexicana	Salt spring checkerbloom	2B.2	Chaparral, coastal scrub, Mojavean desert scrub, playas. Prefers alkaline, mesic soils.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on Project Site
Streptanthus bernardinus	Laguna Mountains jewelflower	4.3	Chaparral, lower montane coniferous forests	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Symphyotrichum defoliatum	San Bernardino aster	1B.2	Meadows and seeps, cismontane woodland, coastal scrub, lower montane coniferous forest, marshes and swamps, valley and foothill grassland.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Lepidium virginicum var. *robinsonii*	Robinson's pepper-grass	4.3	Chaparral, coastal scrub.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Phacelia stellaris	Brand's star phacelia	1B.1	Coastal scrub, coastal dunes.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Monardella pringlei	Pringle's monardella	1A	Coastal scrub.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Nasturtium gambelii	Gambel's water cress	1B.1	Marshes and swamps (freshwater or brackish)	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Chorizanthe parryi var. *parryi*	Parry's spineflower	1B.1	Coastal scrub, chaparral, cismontane woodland, valley and foothill grassland.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Horkelia cuneata var. *puberula*	mesa horkelia	1B.1	Chaparral, cismontane woodland, coastal scrub.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on Project Site
Calochortus plummerae	Plummer's mariposa-lily	4.2	Coastal scrub, chaparral, valley and foothill grassland, cismontane woodland, lower montane coniferous forest.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Dodecahema leptoceras	Slender-horned spineflower	1B.1	Chaparral, cismontane woodland, coastal scrub (alluvial fan). Prefers sandy soils.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Galium californicum ssp. *primum*	Alvin Meadow bedstraw	1B.2	Chaparral, lower montane coniferous forest. Prefers granitic, sandy soils	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

***Notes:**

Federal Endangered Species Act (ESA) Listing Codes: The ESA is administered by the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon. For the purposes of the ESA, Congress defined species to include subspecies, varieties, and, for vertebrates, distinct population segments. The official federal listing of Endangered and Threatened plants is published in 50 CFR §17.12.

- **FE = federally listed as endangered:** any species of plant or animal that is in danger of extinction throughout all or a significant portion of their range.

California Endangered Species Act (CESA) and California Native Plant Protection Act (NPPA) Listing Codes: The CESA and NPPA are administered by California Department of Fish and Wildlife (CDFW). The official listing of *Plants of California Declared to Be Endangered, Threatened or Rare* is contained in the California Code of Regulations, Title 14, §670.2. Species, subspecies and varieties of California native plants are declared to be endangered, threatened as defined by §2062 and §2067 of the Fish and Game Code or rare as defined by §1901 of the Fish and Game Code.

- **SE = state-listed as endangered:** "endangered species" means a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease (Fish and Game Code §2062).

California Rare Plant Ranks (Formerly known as CNPS Lists): The CNPS is a statewide, nonprofit organization that maintains, with CDFW, an Inventory of Rare and Endangered Plants of California. In the spring of 2011, CNPS and CDFW officially changed the name "CNPS List" or "CNPS Ranks" to "California Rare Plant Rank" (or CRPR). This was done to reduce confusion over the fact that CNPS and CDFW jointly manage the Rare Plant Status Review Groups and the rank assignments are the product of a collaborative effort and not solely a CNPS assignment.

- **CRPR 1B = California Rare Plant Rank 1B - plants rare, threatened, or endangered in California and elsewhere:** plants with a CRPR of 1B are rare throughout their range with the majority of them endemic to California. Most of the plants that are ranked 1B have declined significantly over the last century. All of the plants constituting CRPR 1B meet the definitions of §2062 and §2067 (CESA) of the Fish and Game Code, and are eligible for state listing. It is mandatory that they be fully considered during preparation of environmental documents relating to CEQA.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on Project Site

- **CRPR 2B = California Rare Plant Rank 2B - plants rare, threatened, or endangered in California, but more common elsewhere:** except for being common beyond the boundaries of California, plants with a CRPR of 2B would have been ranked 1B. From the federal perspective, plants common in other states or countries are not eligible for consideration under the provisions of the ESA. All of the plants constituting CRPR 2B meet the definitions of §2062 and §2067 (CESA) of the Fish and Game Code, and are eligible for state listing. It is mandatory that they be fully considered during preparation of environmental documents relating to CEQA.

- **CRPR 4 = California Rare Plant Rank 4 - plants of limited distribution - a watch list**: the plants in this category are of limited distribution or infrequent throughout a broader area in California. While CNPS and CDFW cannot call these plants "rare" from a statewide perspective, they are uncommon enough that their status should be monitored regularly. Should the degree of endangerment or rarity of a CRPR 4 plant change, CNPS and CDFW will transfer it to a more appropriate rank. Some of the plants constituting CRPR 4 meet the definitions of § 2062 and § 2067 (CESA) of the Fish and Game Code, and few, if any, are eligible for state listing. Nevertheless, many of them are significant locally, and CNPS strongly recommends that CRPR 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA.

California Native Plant Society (CNPS) Threat Ranks: The CNPS Threat Rank is an extension added onto the California Rare Plant Rank (CRPR) (as a decimal code) and designates the level of threats by a 1 to 3 ranking with 1 being the most threatened and 3 being the least threatened. A Threat Rank is present for all CRPR 1B's, 2B's, 4's, and the majority of CRPR 3's. CRPR 4 plants are seldom assigned a Threat Rank of .1, as they generally have large enough populations to not have significant threats to their continued existence in California. However, certain conditions exist to make the plant a species of concern and hence be assigned a CRPR. In addition, all CRPR 1A and 2A (presumed extirpated in California), and some CRPR 3 (need more information) plants, which lack threat information, do not have a Threat Rank extension.

- **.1** = seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
- **.2** = moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
- **.3** = not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

Wildlife

Thirty nine special-status wildlife species within a five-mile radius of the project site were identified in the literature review and query from publicly available databases[13] for reported occurrences, The 39 special-status wildlife species are presented in **Table 4.4-2** (Refer to **Figure 4.4-1**) with the taxonomic (scientific) name, common name, status, and description of each species' preferred habitat.

The project site and surrounding lands are highly developed and are located in a heavily urbanized setting. As indicated earlier, the land cover type on the project site is entirely Developed/Ornamental.

Further, a query of the USFWS's iPaC database indicated that the project site does not occur within any designated critical habitat for any of the wildlife species with a potential to occur in the project area (**Figure 4.4-3**). Due to these reasons, none of these special-status bird species are expected to occur onsite, due to lack of suitable habitat, and/or the site is outside of the known elevation, and/or general distribution of the target species.

However, the project site supports a few ornamental (likely non-native) trees. These trees could provide suitable future or current nesting sites, including nesting sites for common passerine bird species such as House Sparrow (*Passer domesticus*), House Finch (*Haemorhous mexicanus*), Lesser Goldfinch (*Carduelis psaltria*), and Mourning Dove (*Zenaida macroura*). Birds that nest on the ground, such as killdeer (*Charadrius vociferus*) may also utilize the unpaved areas within the project site for nesting.

Migratory birds are protected by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code, which render it unlawful to take migratory birds, and their nests, eggs, and young. California defines "take" as "to hunt, pursue, catch, capture, kill, or attempt to hunt, pursue, catch, capture, or kill." California courts have held that take includes incidental take and is not limited to hunting and fishing and other activities that are specifically intended to kill protected fish and wildlife. Over 600 species of migratory birds live in or migrate through California (CDFW and DOJ, 2018).

13 Databases include California Natural Diversity Database, USFWS' Information, Planning, and Conservation, Previous studies and reports within the project site and project vicinity were reviewed to gain a sense of the existing conditions at the time the studies were conducted.

Table 4.4-2
WILDLIFE LITERATURE REVIEW RESULTS

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on the Project Site
Listed Endangered, Threatened, and Candidate Wildlife: Wildlife with official status under the federal Endangered Species Act (ESA) and/or the California Endangered Species Act (CESA). A species may have other sensitive designations in addition to their federal or state listing.				
Anaxyrus californicus	arroyo toad	FE, SSC	Semi-arid regions near washes or intermittent streams, including valley-foothill and desert riparian, desert wash, etc.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Coccyzus americanus occidentalis	Yellow-billed Cuckoo	FT, ST, S1	Inhabits extensive deciduous riparian thickets or forests with dense, low-level or understory foliage, and which abut on slow-moving watercourses, backwaters, or seeps. Willow almost always a dominant component of the vegetation	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Euphydryas editha quino	Quino checkerspot butterfly	FE	This butterfly prefers patchy shrub or small tree landscapes with openings of several meters between large plants, or a landscape of open swales alternating with dense patches of shrubs. Adult butterflies will only deposit eggs on species they recognize as host plants. Egg deposition has been documented on *Plantago erecta* (erect or dwarf plantain), *Plantago patagonica* (Patagonian plantain), and *Anterrhinum coulterianum* (white snapdragon)	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Laterallus jamaicensis coturniculus	California black rail	ST	The majority of California Black Rails (>90 percent) are found in the tidal salt marshes of the northern San Francisco Bay region, primarily in San Pablo and Suisun Bays. Formerly a local resident in coastal wetlands from Santa Barbara County to San Diego County; still winters in these areas.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Rana muscosa	southern mountain yellow-legged frog	FE, SE, WL	Federal listing refers to populations in the San Gabriel, San Jacinto and San Bernardino mountains (southern DPS). Northern DPS was determined to warrant listing as endangered, Apr 2014, effective June 30, 2014.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on the Project Site
Gymnogyps californianus	California condor	FE, SE, FP	Aerial, Cliff, Grassland/herbaceous, Savanna, Shrubland/chaparral, Woodland - Conifer, Woodland - Hardwood, Woodland - Mixed	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Empidonax traillii extimus	Southwestern Willow Flycatcher	FE	Riparian woodlands in Southern California.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Polioptila californica californica	coastal California gnatcatcher	FT, SSC	Obligate, permanent resident of coastal sage scrub below 2500 ft in Southern California.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Vireo bellii pusillus	least Bell's vireo	FE, SE	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Agelaius tricolor	tricolored blackbird	FT, SSC	Highly colonial species, most numerous in Central Valley & vicinity. Largely endemic to California.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Catostomus santaanae	Santa Ana sucker	FT	Endemic to Los Angeles Basin south coastal streams. Habitat generalists, but prefer sand-rubble-boulder bottoms, cool, clear water, and algae.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Dipodomys stephensi	Stephens' kangaroo rat	FE, ST	Primarily annual & perennial grasslands, but also occurs in coastal scrub & sagebrush with sparse canopy cover.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on the Project Site
Dipodomys merriami parvus	San Bernardino kangaroo rat	FE, SSC	Alluvial scrub vegetation on sandy loam substrates characteristic of alluvial fans and flood plains.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Rhaphiomidas terminatus abdominalis	Delhi Sands flower-loving fly	FE	Found only in areas of the Delhi Sands formation in southwestern San Bernardino & northwestern Riverside counties.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Sensitive Wildlife: **These animals have no official status under the ESA and/or the CESA. However, they are designated as sensitive or locally important by federal agencies, state agencies, and/or local conservation agencies and organizations.**				
Accipiter cooperii	Cooper's hawk	WL, Season of Concern: nesting	The Cooper's hawk is a robust, medium sized, agile woodland accipiter. They hunt in broken woodland and habitat edges. The Cooper's hawk seems much more tolerant of human activities near the nest and is seen more often nesting in urban/residential areas. In winter and during migration, they may be observed briefly at any location throughout the state in a wide variety of habitats.	Low Potential to occur. The project site may be used for foraging of passerine birds by this species.
Aimophila ruficeps	Rufous-crowned sparrow	SSC	Common resident of sparse, mixed chaparral and coastal scrub habitats. Frequents relatively steep, often rocky hillsides with grass and forb patches.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Aspidoscelis tigris stejnegeri	Coastal (=San Diegan Tiger Whiptail)	SSC	Variety of ecosystems, primarily hot and dry open areas with sparse foliage- chaparral, woodland and riparian areas.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Aspidoscelis hyperythra	Orange-throated whiptail	SSC	Inhabits low-elevation coastal scrub, chamise-redshank chaparral, mixed chaparral and valley-foothill hardwood habitats.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on the Project Site
Athene cunicularia	Burrowing owl	SSC	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Buteo swainsoni	Swainson's hawk	SSC	Roosts in large trees. Nests in open riparian habitat, in scattered trees or small groves in sparsely vegetated flatlands.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Coleonyx variegatus abbotti	San Diego Banded Gecko	SSC	Prefers rocky areas in coastal sage and chaparral.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Crotalus ruber	Red diamond-backed rattlesnake	SSC	Inhabits arid scrub, coastal chaparral, oak and pine woodlands, rocky grassland, cultivated areas. On the desert slopes of the mountains, it ranges into rocky desert flats.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Dendroica petechia	Yellow warbler	SSC	Inhabits riparian vegetation in close proximity to water along streams and in wet meadows.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Gila orcutti	Arroyo chub	SSC	The arroyo chub is adapted to surviving in the warm fluctuating streams of the Los Angeles Plain. They prefer slow moving or backwater sections of warm to cool streams with substrates of sand or mud	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Lasiurus xanthinus	western yellow bat	SSC	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on the Project Site
Lepus californicus bennettii	San Diego black-tailed jackrabbit	SSC	Intermediate canopy stages of shrub habitats & open shrub / herbaceous & tree / herbaceous edges.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Nyctinomops femorosaccus	Pocketed free-tailed bat	SSC	Associated primarily with creosote bush and chaparral habitats. It is found primarily in association with prominent rock features -- very large boulder jumbles or rocky canyons.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Perognathus longimembris brevinasus	Los Angeles pocket mouse	SSC	Lower elevation grasslands and coastal sage communities in and around the Los Angeles Basin.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Spea Hammondii	Western Spadefoot	SSC	Prefers open areas with sandy or gravelly soils, in a variety of habitats including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Rainpools which do not contain bullfrogs, fish, or crayfish are necessary for breeding.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Taxidea taxus	American badger	SSC	Suitable habitat for badgers is characterized by herbaceous, shrub, and open stages of most habitats with dry, friable soils.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Eumops perotis californicus	Western mastiff bat	SSC	Primarily roost in crevices in vertical cliffs, usually granite or consolidated sandstone, and in broken terrain with exposed rock faces; they may also be found occasionally in high buildings, trees and tunnels.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Cicindela tranquebarica viridissima	Greenest tiger beetle	S1	Riparian habitats and sand dunes along streams.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on the Project Site
Chaetodipus fallax fallax	northwestern San Diego pocket mouse	SSC	Coastal scrub, chaparral, grasslands, sagebrush, etc. in western San Diego County.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Neotoma lepida intermedia	San Diego desert woodrat	SSC	Coastal scrub of Southern California from San Diego County to San Luis Obispo County.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Anniella stebbinsi	southern California legless lizard	SSC	Generally south of the Transverse Range, extending to northwestern Baja California. Occurs in sandy or loose loamy soils under sparse vegetation. Disjunct populations in the Tehachapi and Piute Mountains in Kern County.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Phrynosoma blainvillii	coast horned lizard	SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Rhinichthys osculus ssp.	Santa Ana speckled dace	SSC	Santa Ana speckled dace are found mainly in perennial streams fed by cool springs that maintain summer water temperatures below 20°C	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Arizona elegans occidentalis	California glossy snake	SSC	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.
Bombus crotchii	Crotch bumble bee	G3G4 S1S2	Coastal California east to the Sierra-Cascade crest and south into Mexico.	No Potential to occur: The project site is located outside the plant species' known distribution, elevation range, and/or the BSA lacks suitable habitats and/or soils to support the plant species.

Scientific Name	Common Name	Status*	General Habitat	Potential for Occurrence on the Project Site

***Notes**

Federal Endangered Species Act (ESA) Listing Codes:

The ESA is administered by the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NMFS are mainly marine wildlife such as whales and anadromous fish such as salmon. For the purposes of the ESA, Congress defined species to include subspecies, varieties, and, for vertebrates, distinct population segments. The official federal listing of Endangered and Threatened plants is published in 50 CFR §17.12.

- **FE = federally listed as endangered:** any species of plant or animal that is in danger of extinction throughout all or a significant portion of their range.

California Department of Fish and Wildlife (CDFW) Designations:

For some wildlife species, the CNDDB is only concerned with specific portions of the life history, such as roosts, rookeries, or nesting colonies. For many species of birds, the primary emphasis is on the breeding population in California. For some species which do not breed in California but winter here, emphasis is on wintering range. The species of special concern (SSC) designation thus may include a comment regarding the specific protection provided such as nesting or wintering

- **SSC = species of special concern:** a species of special concern is a species, subspecies, or distinct population of an animal (fish, amphibian, reptile, bird and mammal) native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria: is extirpated from the state or, in the case of birds, in its primary seasonal or breeding role; is listed as federally-, but not state-, threatened or endangered; meets the state definition of threatened or endangered, but has not formally been listed; is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for state threatened or endangered status; has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for state threatened or endangered status.

- **ST = state listed threatened**

Global Conservation Status Definitions:

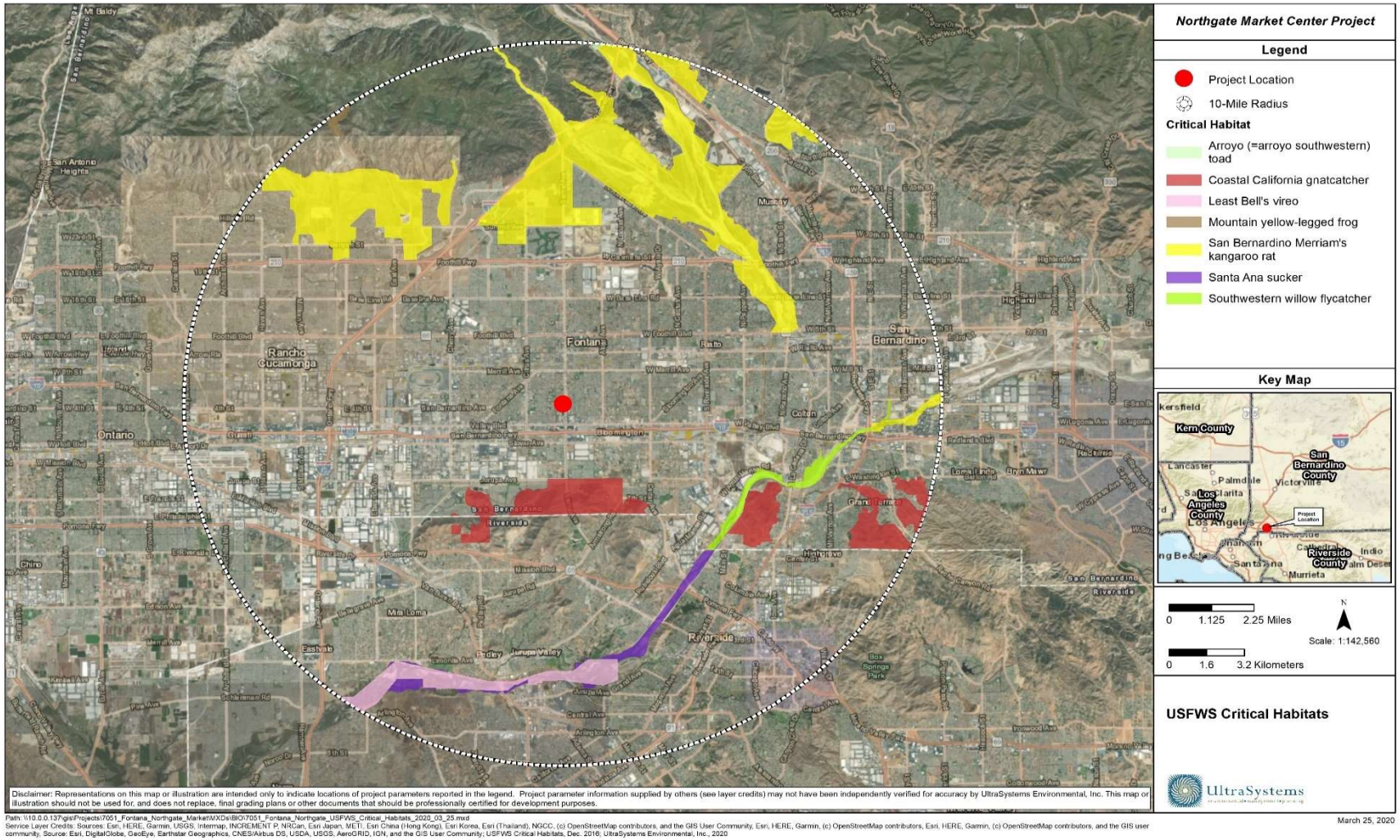
- **G3 = Vulnerable**: At moderate risk of extinction due to a restricted range, relatively few populations (often 80 or fewer), recent and widespread declines, or other factors.
- **G4 = Apparently Secure**: Uncommon but not rare; some cause for long-term concern due to declines or other factors.

State Conservation Status Definitions:

- **S1 = Critically Imperiled:** Critically imperiled in the state because of extreme rarity (often 5 or fewer populations) or because of factor(s) such as very steep declines making it especially vulnerable to extirpation from the state.

- **S2 = Imperiled:** Imperiled in the state because of rarity due to very restricted range, very few populations (often 20 or fewer), steep declines, or other factors making it very vulnerable to extirpation from the state.

Figure 4.4-3
USFWS CRITICAL HABITATS



If construction occurs during the nesting season, indirect impacts on migratory birds could occur from increased noise, vibration, and dust during construction. This could adversely affect the breeding behavior of some birds, and lead to the loss (take) of eggs and chicks, or nest abandonment. Without the following mitigation measures, the project would have a potentially significant impact.

Mitigation Measures

MM BIO-1: Pre-Construction Breeding Bird Survey

If construction is anticipated to commence during the nesting season (between January 1 and August 31 of any given year, or as determined by a local CDFW office), a qualified avian biologist shall conduct a preconstruction nesting bird survey no earlier than one week prior to construction.

If an active bird nest is located during the pre-construction survey and potentially will be affected, a no-activity buffer zone shall be delineated on maps and marked in the field by fencing, stakes, flagging, or other means, up to 500 feet for raptors, or 100 feet for non-raptors. Materials used to demarcate the nests will be removed as soon as work is complete or the fledglings have left the nest. The qualified avian biologist will determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species.

Buffer zones will not be disturbed until the qualified avian biologist determines that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be affected by project activities. Periodic monitoring by the qualified avian biologist will be performed to determine when nesting is complete. After the nesting cycle is complete, project activities may begin within the buffer zone.

MM BIO-2: Biological Monitor

If special-status wildlife species or nesting bird species are observed and determined present within the project site during the pre-construction breeding bird surveys, then a biological monitor shall be onsite to monitor throughout activities that result in tree or vegetation removal to minimize the likelihood of inadvertent impacts on nesting birds and other wildlife species. Monitoring shall also be conducted periodically during construction activities to ensure no new nests occur during any vegetation removal or building demolition activities between January 1 and August 31. The biological monitor shall ensure that all biological mitigation measures, best management practices, avoidance, and protection measures and mitigation measures described in the relevant project permits and reports are in place and are adhered to.

The biological monitor shall have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly affected. The monitor shall notify the appropriate resource agency and consult if needed. If necessary, the biological monitor shall relocate the individual outside of the work area where it will not be harmed. Work can continue at the location if the applicant and the consulted resource agency determine that the activity will not result in effects on the species.

Level of Significance After Mitigation

With implementation of mitigation measures **BIO-1** and **BIO-2** above, the project would result in less than significant impacts on nesting bird species.

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

No Impact

The project site is situated on relatively level ground, and consists of upland areas only; no ephemeral, intermittent, or perennial streams or rivers were observed during the biological survey. The project site and surrounding areas are highly urbanized and do not support riparian habitat or other sensitive natural communities. Therefore, the project would not result in impacts on any riparian habitat, or sensitive natural communities identified in local, regional state, or federal plans, policies, or regulations. No impact would occur and no mitigation is proposed.

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

No Impact

As previously discussed, the project site is situated on relatively level ground in a developed suburban area. Wetlands, including marshes, vernal pools, or other waters of the U.S. or State, were not observed during the biological survey. The project would not directly remove, fill, or interrupt the hydrology of state or federal protected wetlands. No impact would occur and no mitigation is proposed.

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

No Impact

The project site and surrounding areas do not support resident or migratory fish species or wildlife nursery sites. The proposed project area is densely developed. The nearest natural area, as well as resident or migratory wildlife corridor, is the Jurupa Mountains, approximately 2.2 miles to the south of the proposed project site. Taking into account the factors of distance and development, the project would not interfere with or impede: (1) the movement of any resident or migratory fish or wildlife species; (2) established resident or migratory wildlife corridors; or (3) the use of wildlife nursery sites. No impact would occur and no mitigation is proposed.

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

No Impact

Development of the proposed project would include removal of existing trees on the site for new building construction. The City has retained a certified arborist to perform a tree inventory within the project boundary to determine the existing species of trees present, determine location, health, diameter at breast height, canopy dripline area, approximate height, and applicable protections in accordance with the Fontana Municipal Code Chapter 28 Article III., *Preservation of Heritage, Significant, and Specimen Trees*, which establishes regulations for the protection and preservation of heritage trees, significant trees, and specimen trees on public and private property. The Arborist Study prepared for the project is provided in **Appendix H**.

Any development involving tree removal is subject to the provisions of Chapter 28 Article III. In particular, Code Section 28-64, *Permit Required for Removal of Heritage, Significant and Specimen Trees*, specifies that no person shall remove or cause the removal of any heritage, significant, or specimen tree unless a Tree Removal Permit is first obtained.

The Fontana City Ordinance No. 1126 § 1, 8-16-94, Sections 28-63, classifies a "Heritage Tree" as meeting one or more of the following criteria:

1. Is of historical value because of its association with a place, building, natural feature or event of local, regional or national historical significance as identified by city council resolution; or
2. Is representative of a significant period of the city's growth or development (windrow tree, European Olive tree); or
3. Is a protected or endangered species as specified by federal or state statute; or
4. Is deemed historically or culturally significant by the city manager or his or her designee because of size, condition, location or aesthetic qualities.

"Significant tree" means any tree that is one of the following species: Southern California black walnut (*Juglans californica*), coast live oak (*Quercus agrifolia*), Deodora cedar (*Cedrus deodara*), California sycamore (*Platanus racemosa*), or London plane (*Platanus acerifolia*).

Furthermore, the Fontana City Ordinance No. 1126 § 1, 8-16-94, Section 28-63, provides the following clarification of what represents a windrow tree:

- *Windrow* means a series of trees (minimum of four), usually a variety of eucalyptus, planted in a closely spaced line no more than ten feet apart to provide a windbreak for the protection of property and/or agricultural crops.

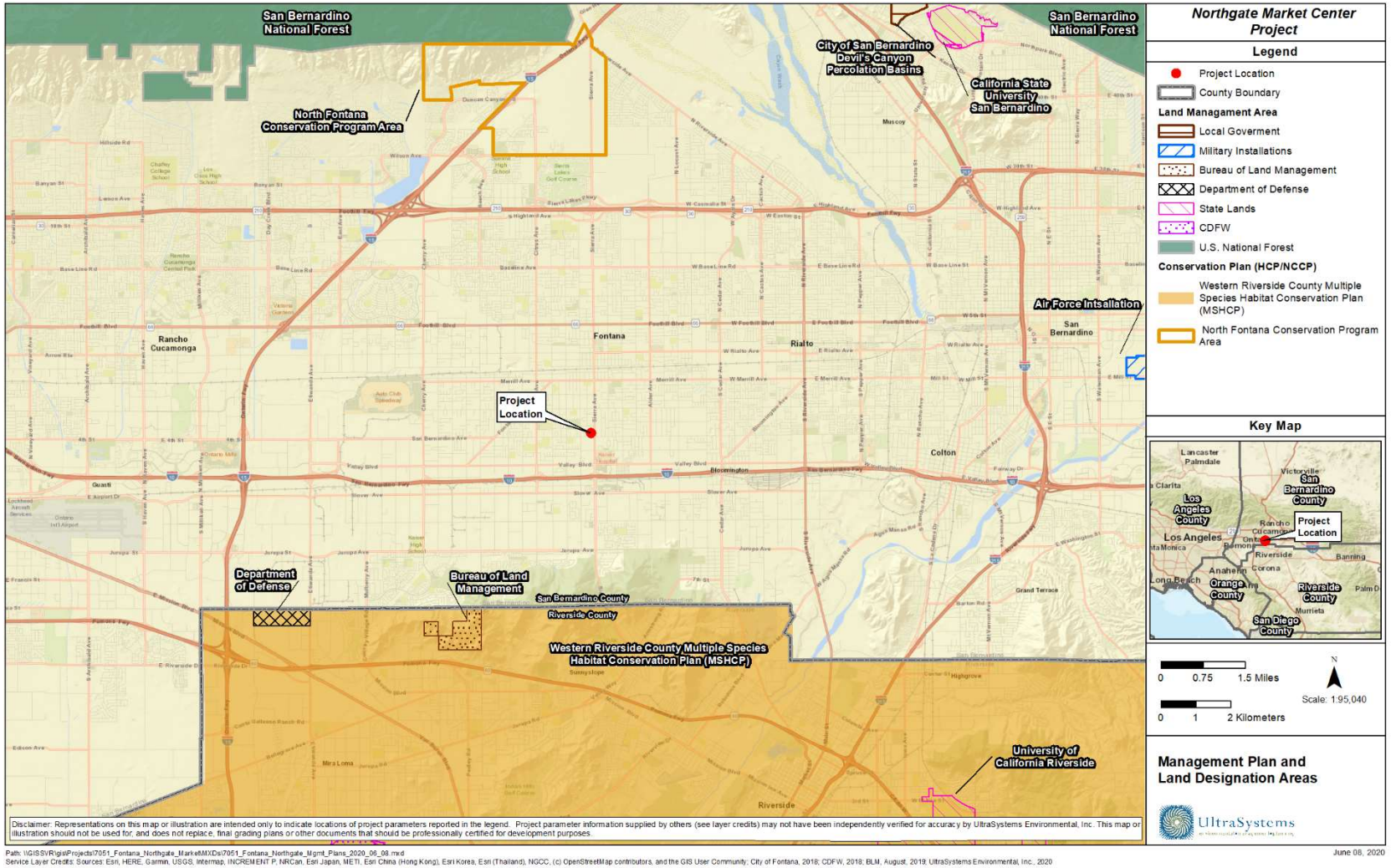
According to the Arborist Study (refer to **Appendix H**) prepared for the project site, 49 trees are currently located on the project site. Details regarding species and common name, size and rating (i.e. excellent, very good, good, poor or very poor condition) for all existing trees located on the project site is included in the Arborist Study. No Heritage, Specimen, or Windrow Significant or Protected trees are located on the project site (refer to **Appendix H**, page 13). Therefore, the proposed project would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. No impact would occur and no mitigation is proposed.

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

No Impact

The proposed project would not conflict with the provisions of, nor is it located within, any HCP, NCCP, or other approved HCP area. For this reason, the proposed project would not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or state HCP and therefore, no impacts on any habitat conservation plan, natural communities conservation plan, or other approved local, regional, or state habitat conservation plan would occur as a result of this project. Therefore, no impacts would occur and no mitigation is proposed.

Figure 4.4-4
MANAGEMENT LAND AREAS



4.5 Cultural Resources

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

4.5.1 Methods

A cultural resources analysis was conducted for the Northgate Market Center project site. This included a California Historic Resources Inventory System (CHRIS) records and literature search at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton for cultural resources in the project boundary and a 0.5-mile radius, on April 8, 2020. Additionally, a request was made to the Native American Heritage Commission (NAHC) to conduct a search of its Sacred Lands File (SLF) for potential traditional cultural properties as well as to provide a list of local Native American tribes and tribal representatives to contact. Finally, a pedestrian survey of the project boundary was completed on May 20, 2020. The SCCIC records search was conducted prior to conducting the pedestrian survey. The NAHC request was made on April 1, 2020, and a reply was received on April 2, 2020; letters were sent to the listed tribes on April 3, 2019 (see **Attachment C** in **Appendix E**).

4.5.2 Existing Conditions

Based on the cultural resources records search, it was determined that no historic cultural resources or prehistoric archeological sites have been previously recorded within the project site boundary. Within the 0.5-mile buffer zone, there were two previously recorded historic-era cultural resources but no prehistoric archaeological sites have been recorded. No historic or prehistoric resources were observed during the field survey.

4.5.3 Impacts Assessment

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

Less than Significant Impact with Mitigation Incorporated

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

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

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

The cultural resources records search conducted at the SCCIC determined that two historic-era resources have been recorded within a 0.5-mile radius of the area of potential effect (APE) of the project boundary (**Table 1.3-1** in **Appendix E**), but neither of them were recorded within the APE. Both of the sites are historic-era residential sites, one of which has been demolished.

According to the SCCIC records, there have been five previous cultural resource studies within portions of the 0.5-mile buffer around the project site. The SCCIC was only able to provide one of the survey reports, SB-06787. This project area is located 650 feet to the west of the project site along Juniper Avenue. It is unknown if the remaining four cultural studies cover the project boundary as the SCCIC was not able to provide them at this time due to their being available only in hard copy and that the SCCIC staff are currently working remotely due to Coronavirus isolation restrictions (see **Appendix E**).

As a result of the field survey, no historic buildings were identified within the project site. No other cultural resources were observed during the survey.

The result of the pedestrian survey was negative for historic resources on the project site. Based on the results of the records search and the onsite field survey, it is unlikely that significant cultural resources would be adversely affected by construction of the project. However, grading activities associated with development of the project could cause new subsurface disturbance and may result in the unanticipated discovery of unique historic archeological resources.

The City requires all development projects, in the City, to comply with the City's standard conditions of approval regarding historic and archaeological resources. The City's standard conditions of approval regarding historic and archaeological resources are provided below.

City of Fontana Standard Conditions of Approval for Historic and Archaeological Resources

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

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

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

The proposed project would be required to comply with the City's standard conditions of approval described above. Compliance with the City's standard conditions of approval regarding historic and archaeological resources would ensure that project impacts on historic resources would be less than significant.

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

Less than Significant Impact with Mitigation Incorporated

An archaeological resource is defined in § 15064.5(c) of the CEQA Guidelines as a site, area or place determined to be historically significant as defined in § 15064(a) of the CEQA Guidelines, or as a unique archaeological resource defined in § 21083.2 of the Public Resources Code as an artifact, object, or site that contains information needed to answer important scientific research questions of public interest or that has a special and particular quality such as being the oldest or best example of its type, or that is directly associated with a scientifically recognized important prehistoric or historic event or person. The surface elevation of the project site relative to adjacent roads suggests that the ground on the project site may have been minimally disturbed by grading and trenching for several feet to accommodate leveling, simple foundations and utility lines without use of fill, with the native surface soil remaining below that level. It is unlikely that undisturbed unique archeological resources exist on the project site as determined by the cultural resources investigation conducted by UltraSystems, which included a CHRIS records search of the project site and 0.5-mile radius, a search of the SLF by the NAHC, and pedestrian field survey.

The cultural resources records search conducted at the SCCIC determined that there are no known prehistoric cultural resource sites or isolates recorded within a 0.5-mile radius of the project boundary (**Table 4.2-1** in **Appendix E**). The records search revealed that two historic resources have been recorded within 0.5-mile of the project site, but none of them are located within the project boundary.

A NAHC SLF search was conducted on and within a 0.5-mile radius around the project site. The NAHC provided a response letter dated April 2, 2019, which stated that there are no recorded traditional cultural properties within this area.

The NAHC also provided UltraSystems with a list of local Native American tribes and specific tribal representatives to contact regarding this project. Subsequently, fifteen representatives of the eleven Native American tribes were contacted with a letter requesting a reply if they have knowledge of cultural resources in the area that they could provide, and asking if they had any questions or concerns regarding the project. The contacted tribes include:

- Agua Caliente
- Gabrieleño Band of Mission Indians – Kizh Nation
- Gabrieleno/Tongva San Gabriel Band of Mission Indians
- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino/Tongva Nation
- Gabrielino-Tongva Tribe
- Morongo Band of Mission Indians
- Quechan Tribe of the Fort Yuma Reservation
- San Fernando band of Mission Indians
- San Manuel Band of Mission Indians
- Serrano Nation of Mission Indians

Letters were sent to fifteen representatives of eleven Native American tribes. Four responses were received from four different tribes. These emails are presented in **Section 4.2**, **Appendix E** of this IS. Brandy Salas, the Administrative Specialist for the Gabrieleño Band of Mission Indians-Kizh Nation responded by email on May 13, 2020, stating that they would like to consult on the project and requested the contact information for the lead agency. Archaeological Technician Megan B. Doukakis replied by email on May 14, 2020 with the lead agency's contact information. Patricia Garcia-Plotkin,

Director of the Agua Caliente Band of Cahuilla Indians' Cultural Resources Department, replied on April 6, 2020 stating that the Band would defer any comments to tribes closer to the project site. Jessica Mauck, Director of Cultural Resources of the San Manuel Band of Mission Indians emailed on May 1, 2020 indicating that they typically do not have great concerns with this portion of Serrano ancestral territory, and as the project area is disturbed (and currently covered with asphalt), it is highly unlikely that the tribe will consult on this project with the Lead Agency. Jill McCormick, Historic Preservation Officer of the Quechan Tribe of the Fort Yuma Reservation, replied on April 3, 2020 indicating that UltraSystems should call her. A telephone call was made to Ms. McCormick on May 20, 2020; Ms. McCormick indicated that she had emailed a response and that she would resend that email now. An email was received the same day indicating that Ms. McCormick was corresponding with the City of Fontana and that they did not wish to comment on the project (refer to **Appendix E** of this IS).

Telephone calls were conducted by Ms. Doukakis on May 20, 2020, to complete the outreach process following the 30-day period when replies could be made. These calls were to the tribal contacts who had not already responded. Five telephone calls were placed with no answer and messages were left describing the project and requesting a response. These were to Charles Alvarez, Councilmember of the Gabrielino-Tongva Tribe; Donna Yocum, Chairperson of the San Fernando Band of Mission Indians; Mark Cochrane, Co-Chairperson of the Serrano Nation of Mission Indians; Wayne Walker, Co-Chairperson of the Serrano Nation of Mission Indians; and Sandonne Goad, Chairperson of the Gabrielino/Tongva Nation. Messages were unable to be left for two tribal contacts. The available phone numbers for both Cultural Resources Manager Denisa Torres and Chairperson Robert Martin of the Morongo Band of Mission Indians were disconnected.

Chairperson Anthony Morales of the Gabrieleno/Tongva San Gabriel Band of Mission Indians responded over telephone on May 20, 2020 stating that there might be a satellite of the San Gabriel Mission (an *estancia*) in the area. He also indicated that there would have been travel routes along the I-10 Freeway. The Chairperson requested archaeological and Native American monitoring. Chairperson Morales recommended his tribal group for monitoring services. Chairperson Robert Dorame, of the Gabrielino Tongva Indians of California Tribal Council, indicated by telephone on May 20, 2020 that UltraSystems should call him after conducting the survey to provide the pedestrian survey results. Following up on this request, a call was made on May 22, 2020 to Chairperson Dorame, but there was no answer and the mailbox was full so no message could be left. Chairperson Dorame returned UltraSystems' call the same day. UltraSystems provided the survey results and he proceeded to ask about any close water ways. Chairperson Dorame concluded that in the event that cultural artifacts, burial goods and patrimonial material are unearthed during construction, the Gabrielino Tongva Indians of California Tribal Council should be notified. If human remains are unearthed the tribe would also like to be notified despite the Most Likely Descendent (MLD) that the NAHC may assign (See **Attachment C** in **Appendix E**).

The result of the pedestrian survey was negative for both prehistoric and historic sites and isolates on the project site. Based on the results of the records search and the onsite field survey, it is unlikely that cultural resources or tribal resources would be adversely affected by construction of the project. However, grading activities associated with development of the project could cause new subsurface disturbance and may result in the unanticipated discovery of unique historic and/or prehistoric archeological resources.

The City requires all development projects, in the City, to comply with the City's standard conditions of approval regarding historic and archaeological resources provided above in **Section 4.5.3 a).**

Compliance with the City's standard conditions of approval regarding historic and archaeological resources would ensure that project impacts on archaeological resources would be less than significant.

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

Less than Significant with Mitigation Incorporated

The project would be built on a heavily disturbed site. No human remains have been previously identified or recorded onsite. It is unlikely that undisturbed unique archaeological resources exist on the project site. In the unlikely event of an unanticipated discovery, implementation of mitigation measure **CUL-1** and adherence to applicable codes and regulations would ensure that impacts related to the accidental discovery of human remains would be less than significant.

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

Mitigation Measure

MM CUL-1: If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the San Bernardino County Coroner shall be notified (§ 5097.98 of the Public Resources Code). The Coroner shall determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they shall contact the NAHC. The NAHC shall be responsible for designating the MLD. The MLD (either an individual or sometimes a committee) shall be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD shall make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).

Level of Significance After Mitigation

With implementation of mitigation measure **CUL-1** above, potential impacts related to human remains would be less than significant.

4.6 Energy

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

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

Less than Significant Impact

Existing Conditions

Electricity

Electricity is supplied to the project site by Southern California Edison Company (SCE), which provides electricity to the City of Fontana (Stantec, et al., 2018a, p. 10.9). SCE provides electricity to the project site from existing electrical service lines.

Natural Gas

Natural gas is supplied to the project site by Southern California Gas Company (SoCal Gas), which provides natural gas to the City of Fontana (City of Fontana Utilities, 2020).

Impact Analysis

CEQA Guidelines § 15126.2(d)) states that "uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement that provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified." Therefore, the purpose of this analysis is to identify significant irreversible environmental effects of project implementation that cannot be avoided.

Construction

The following forms of energy are anticipated to be expended during project construction:

- Diesel fuel for off-road equipment (gallons).
- Electricity to deliver water for use in dust control (kilowatt-hours [kWh]).
- Motor vehicle fuel for worker commuting, materials delivery and waste disposal (gallons).

Electricity

During project construction, energy would be consumed in the form of electricity associated with the conveyance and treatment of water used for dust control and, on a limited basis, powering lights, electronic equipment, or other construction activities necessitating electrical power.

Due to the fact that electricity usage associated with lighting and construction equipment that utilizes electricity is not easily quantifiable or readily available, the estimated electricity usage during project construction is speculative.

Lighting used during project construction would comply with California Code of Regulations (CCR) Title 24 standards/requirements (such as wattage limitations). This compliance would ensure that electricity use during project construction would not result in the wasteful, inefficient, or unnecessary use of energy. Lighting would be used in compliance with applicable City of Fontana Municipal Code requirements to create enough light for safety.

Natural Gas

Construction activities, including the construction of new buildings and facilities, typically do not involve the consumption of natural gas. Therefore, the proposed project is not anticipated to have a demand for natural gas during project construction.

Transportation Energy

Project construction would consume energy in the form of petroleum-based fuels associated with the use of offroad construction vehicles and equipment on the project site, construction workers' travel to and from the project site, and delivery and haul truck trips hauling solid waste from and delivering building materials to the project site.

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

Operation

Energy would be consumed during project operations related to space and water heating, water conveyance, solid waste disposal, and vehicle trips of employees and customers. Project operation energy usage, which was estimated by the California Emissions Estimator Model (CalEEMod) as part of the greenhouse gas emissions analysis (refer to **Section 4.3**, *Air Quality*) is shown in **Table 4.6-1.**

Table 4.6-1
ESTIMATED PROJECT OPERATIONAL ENERGY USE

Energy Type	Units	Annual	Daily
Onroad Motor Vehicle Travel	Vehicle Miles Traveled	2,773,166	7,598
Natural Gas Use	1,000 BTU	126,356	346
Electricity Use	Kilowatt-hours	718,862	1,969

Source: CalEEMod estimates.

The proposed project would adhere to applicable federal, state, and local requirements for energy efficiency, including CCR Title 24 standards. The proposed project would not result in the inefficient, wasteful, or unnecessary consumption of building energy. Additionally, there would not be any inefficient, wasteful, or unnecessary energy usage in comparison to similar development projects of this nature regarding construction-related fuel consumption. Therefore, the implementation of the proposed project would result in less than significant impacts on energy resources.

Further, the roadway network in the vicinity of the project site is served by Omnitrans, the public transit agency serving the San Bernardino Valley. Omnitrans has 10 bus routes in the city (Stantec, et al., 2018a, p. 10.9). Employees and visitors would be able to access the project site via the public transit system, thereby reducing transportation-related fuel demand.

Continued use of energy resources is consistent with the anticipated growth within the city and the general vicinity and would not result in energy consumption requiring a significant increase in energy production for the energy provider. Therefore, the impact on energy demand associated with the project would be less than significant.

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

Less Than Significant Impact

Title 24

The proposed project would be in compliance with the California Green Building Standards (CAL Green) Code (California Code of Regulations, Title 24, Part 11), which includes mandatory measures for nonresidential site development, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality.

City of Fontana General Plan

Chapter 12, *Sustainability and Resilience*, of the City of Fontana General Plan focuses on sustainability and resilience on resource efficiency and planning for climate change. It includes policies for new development promoting energy-efficient development in Fontana, meeting state energy efficiency goals for new construction, promoting green building through guidelines, awards and nonfinancial incentives, and continuing to promote and implement best practices to conserve water (Stantec, 2018b, pp. 10.9, 12.5).

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

4.7 Geology and Soils

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

The analysis in this section is based in part upon the Geotechnical Engineering Investigation prepared by Salem Engineering Group, Inc., dated January 17, 2020 (Refer to **Appendix C**). The Geotechnical Engineering Investigation presents information based on possible geological hazards

on the project site and creates recommendations to ensure that construction and operation of the proposed project would create less than significant impacts.

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

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

Less than Significant Impact.

The Alquist-Priolo Zones Special Studies Act defines active faults as those that have experienced surface displacement or movement during the last 11,650 years (i.e., during the Holocene Period). The project site is located in the seismically active region of Southern California. The Geotechnical Engineering Investigation details that the project site is not within an Alquist-Priolo Earthquake Fault (refer to **Figure 4.7-1** below). The closest faults to the project site are associated with the San Jacinto fault system located approximately 6.3 miles from the site (Salem Engineering Group, Inc., 2020, p. 3). Therefore, due to the distance of the project site from the nearest fault, the potential for surface rupture of a known earthquake fault is considered to be less than significant.

ii) Strong seismic ground shaking?

Less than Significant Impact

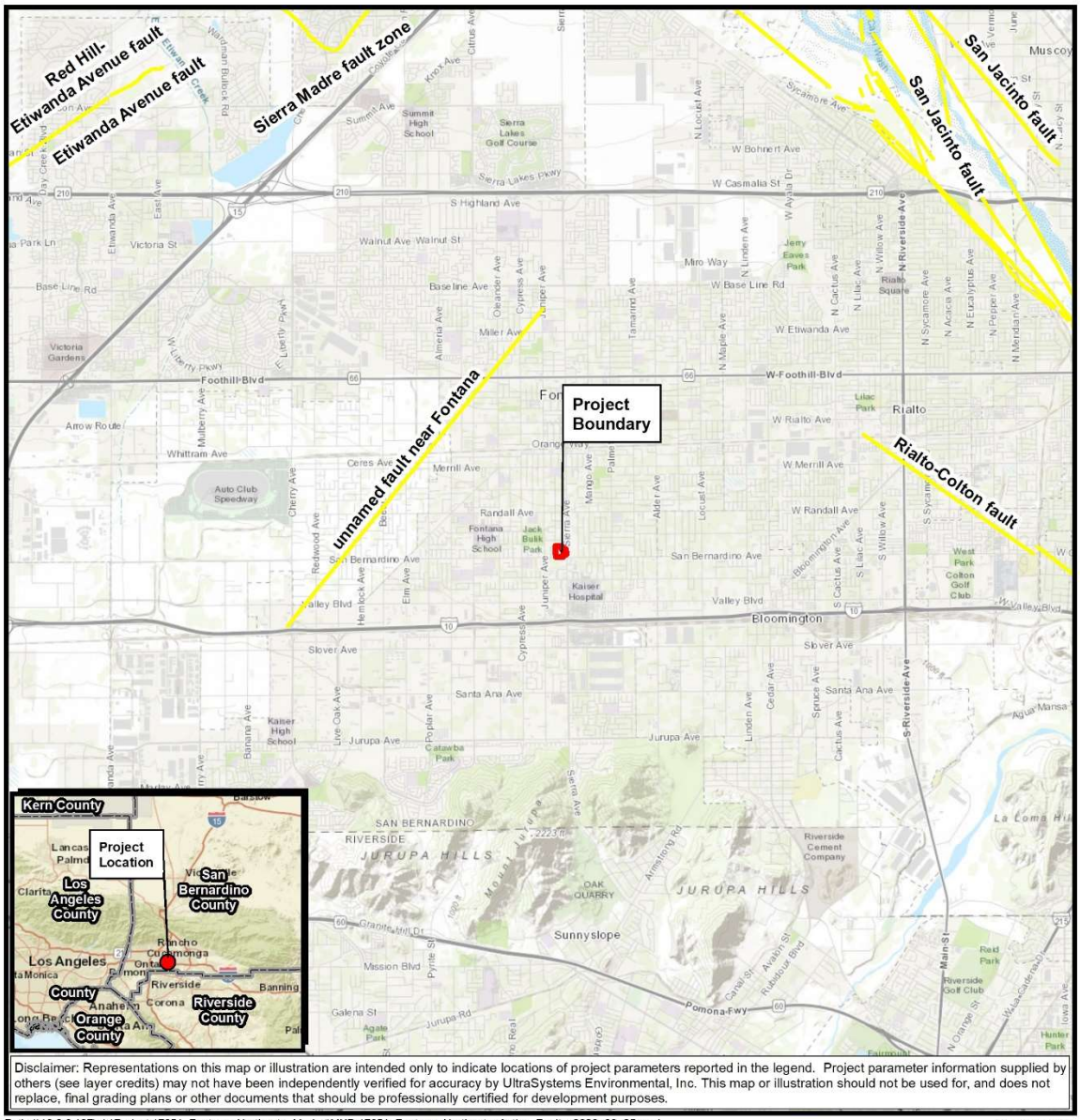
The project site is located in the northern portion of the Inland Valley, within the Peninsular Ranges Geomorphic Province of California. The Inland Valley is situated between the San Bernardino Mountains to the northeast, the San Gabriel Mountains to the north, the Chino Hills to the southwest, and to the southeast by the hilly uplands that separate it from the San Jacinto Basin. These mountains ranges are part of the Transverse Ranges Geomorphic Province of California (Salem Engineering Group, Inc., 2020, p. 3).

The closest faults to the project site are associated with the San Jacinto fault system located approximately 6.3 miles from the site and are capable of producing a magnitude 7.9 earthquake (Salem Engineering Group, Inc., 2020, p. 3). Ground shaking originating from earthquakes along other active faults in the region is expected to induce lower horizontal accelerations due to smaller anticipated earthquakes and/or greater distances to other faults.

Other known active faults within 10 miles of the project site are the Cucamonga Fault, approximately 6.5 miles away from the project site, and the San Andreas Fault, approximately 10.5 miles from the project site; these faults are capable of generating probable earthquake magnitudes of 6.7 and 8.2, respectively (Salem Engineering Group, Inc., 2020, p. 4).

Given the proximity of the site to the numerous active and potentially active faults, the site would likely be subject to earthquake ground motions in the future. The possibility of moderate-to-high ground acceleration or shaking in the city may be considered similar to that of the Southern California region as a whole. A maximum magnitude earthquake on any major fault could result in significant structural damage or collapse, buckling of walls, damage to foundations and potentially even human casualties, as a result of strong seismic ground shaking.

Figure 4.7-1
REGIONALLY ACTIVE FAULTS



The project would be constructed in accordance with standard engineering practices, and design criteria prescribed by the current California Building Code (CBC; Title 24 CCR) would reduce the significance of potential impacts of seismic and geologic hazards. The CBC also contains detailed design requirements, structural design and soils and foundations considerations, among other specifications. The CBC regulates the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions, to ensure that public safety risks are minimized due to any potential seismic shaking event, and impacts would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact

General types of ground failures that might occur as a consequence of severe ground shaking typically include landslides, ground subsidence, ground lurching and shallow ground rupture. The probability of occurrence of each type of ground failure depends on the severity of the earthquake, distance from the faults, topography, subsoils and groundwater conditions, in addition to other factors. Liquefaction typically occurs when saturated or partially saturated soils behave like a liquid, as a result of losses in strength and stiffness in response to an applied stress caused by earthquake shaking or other sudden change in stress conditions.

The soils encountered onsite within a depth of 36.5 feet consist predominately of loose to very dense silty sand, sand, gravelly sand and sandy gravel. The historically highest groundwater level is estimated to be at a depth of more than 50 feet below ground surface according to the regional groundwater data. The liquefication potential of the site is considered to be low due to the dense soil and absence of shallow groundwater conditions (Salem Engineering Group, Inc., 2020, p. 5). Additionally, the proposed project would comply with applicable federal, state, and local regulations, including current California Building Standards Code (Title 24, CCR) and implement the recommendations listed in the Geotechnical Engineering Investigation, which would minimize the potential risks associated with liquefaction. Therefore, impacts would be less than significant and no mitigation is required.

iv) Landslides?

No Impact

Landslides occur when the stability of the slope changes from a stable to an unstable condition. A change in the stability of a slope can be caused by a number of factors, acting together or alone. Natural causes of landslides include groundwater (pore water) pressure acting to destabilize the slope, loss of vegetative structure, erosion of the toe of a slope by rivers or ocean waves, weakening of a slope through saturation by snow melt or heavy rains, earthquakes adding loads to barely stable slopes, earthquake-caused liquefaction destabilizing slopes, and volcanic eruptions. There are no known landslides at the site, nor is the project site in the path of any known or potential landslides (Salem Engineering Group, Inc., 2020, p. 5). Therefore, the project would have no impact in this regard.

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

Less Than Significant Impact

Construction

Construction of the project would require grading and excavation, including temporary excavations for demolition, earthwork, footings, and utility trenches during construction of the project, which could potentially result in soil erosion and loss of topsoil. Surface drainage and stormwater runoff during construction could also potentially result in soil erosion and loss of topsoil.

The proposed project would be required to adhere to a Stormwater Pollution Prevention Program (SWPPP). As part of the SWPPP, the proposed project would implement construction best management practices (BMPs) to avoid or minimize soil erosion through both wind and water during construction activities. Project- and site-specific wind and water erosion prevention BMPs (e.g., application of water to control dust, covering soil stockpiles, restriction of ground-disturbing activities during Santa Ana Winds [SAWs]) would be mandated by the required SWPPP and incorporated into project designs, which must be reviewed and approved by building officials prior to issuance of permits. With implementation of wind and water erosion-control BMPs, potential project-related impacts resulting from soil erosion or the loss of topsoil would be less than significant and no mitigation is required.

Operation

The proposed project would result in a similar amount of groundwater recharge compared to existing conditions because the existing conditions and the proposed project would be fully developed with limited ornamental landscaping. Runoff from impervious areas would sheet flow to inlets and flow into the proposed infiltration BMPs (Blue Peak Engineering, 2020, p. 4-8). Therefore, there would be less than significant impacts during operation and no mitigation is required.

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

Less than Significant Impact

The potential impact of landslides, lateral spreading, subsidence, liquefaction and collapse is discussed below.

Landslide

There are no known landslides at the project site, nor is the site in the path of known or potential landslides (Salem Engineering Group, Inc., 2020, p. 5). Therefore, there would be no impacts in this regard.

Lateral Spreading

Lateral spreading is a phenomenon in which soils move laterally during seismic shaking and is often associated with liquification. The amount of movement depends on the soil strength, duration and intensity of seismic shaking, topography, and free face geometry. Due to the relatively flat site

topography, the likelihood of lateral spreading would be low (Salem Engineering Group, Inc., 2020, p. 5). Therefore, impacts in regard to lateral spreading would be less than significant.

Subsidence

Soil shrinkage and/or bulking as a result of remedial grading depends on several factors including the depth of over-excavation, the grading method and equipment utilized, and average relative compaction. The Geotechnical Engineering Investigation details that there may be the possibility of soil movement and includes recommendations in regard to over-excavation and recompaction (refer to **Appendix C**). Implementation of recommendations provided in the Geotechnical study prepared for the project would ensure less than significant impacts in regard to subsidence (Salem Engineering Group, Inc., 2020, p. 13) and no further mitigation would be required.

Liquefaction

The site was evaluated for liquefaction potential. The liquefaction potential of the site is considered to be low due to the dense soil and absence of shallow groundwater conditions. Therefore, no mitigation measures are warranted (Salem Engineering Group, Inc., 2020, p. 5). Therefore, impacts would be less than significant and no mitigation would be required.

Collapse

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

Soil testing results showed that the soil at the project site has different depths of fill and natural soil. In general, the soils within the depth of exploration consisted of up to four feet of fill underlain by alluvium deposits of medium dense to very dense silty sand, sand and gravelly sand. The fill consisted of loose to medium silty sand, and sandy gravel (Salem Engineering Group, Inc., 2020, p. 6). The primary geotechnical constraint identified in the Geotechnical Engineering Investigation prepared for the project site, is the presence of potentially compressible (collapsible) soils at the site. Recommendations to mitigate the effects of these soils are provided in the Geotechnical report (Salem Engineering Group, Inc., 2020, p. 9). The proposed project would comply with applicable federal, state, and local regulations, including current California Building Standards Code (Title 24, CCR) and implement the recommendations listed in the Geotechnical Engineering Investigation, which would minimize the potential risks associated with soil collapse. Therefore, impacts would be less than significant and no mitigation would be required.

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

Less than Significant Impact

Expansive soils shrink and swell with changes in soil moisture. Soil moisture may change from landscape irrigation, rainfall, and utility leakage. Repeated changes in soil volume due to water

content fluctuations may compromise structure foundations. Expansive soils are commonly very fine-grained with high to very high percentages of clay. Design provisions such as adequate reinforcements, deeper foundations or other measures may help alleviate the effects of soil expansion but may not completely eliminate the problem.

The Geotechnical Engineering Investigation concluded that the project site may have the potential for structural damage due to expansive soils (Salem Engineering Group, Inc., 2020, p. 18). However, the proposed project would comply with applicable federal, state, and local regulations, including current California Building Standards Code (Title 24, CCR) and implement the recommendations listed in the Geotechnical Engineering Investigation, which would minimize the potential risks associated with expansive soils. Therefore, impacts would be less than significant and no mitigation would be required.

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 proposed project would not include septic tanks or alternative waste water disposal systems. Therefore, no impacts associated with septic tanks or alternative waste water disposal systems would occur.

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

Less than Significant Impact with Mitigation Incorporated

The project site boundary is located in a single geological deposit of the Young Alluvial Fan Deposits, unit 5 (Qyf5). This deposit consists of unconsolidated to slightly consolidated sand and pebble-boulder gravel and dates to the Holocene (11,650 years before present [ybp] to present) (Morton and Miller, 2003).

The soil at the project site is described as "young alluvial fan deposits from Lytle Creek" that dates from the Holocene and late Pleistocene periods. Although no paleontological sites have been documented within the project area, Pleistocene vertebrate fossils have been found in this alluvium in the vicinity. Therefore, excavations that extend into the Pleistocene Alluvium have a potential to encounter fossil vertebrate remains that date to this time period. Project implementation could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Grading and trenching activities associated with development of the project would cause new subsurface disturbance and could result in the unanticipated discovery of unique paleontological resources. In the event of an unexpected discovery, implementation of mitigation measure **GEO-1** would ensure paleontological resources or unique geologic features are not significantly affected.

Mitigation Measure

MM GEO-1 If paleontological resources are uncovered during project construction, the contractor shall halt construction activities in the immediate area and notify the City of Fontana. The on-call paleontologist shall be notified and afforded the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, the monitor

shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that are found during construction on the project site.

Level of Significance After Mitigation

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

4.8 Greenhouse Gas Emissions

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

4.18.2 GHG Constituents

4.18.2.1 Introduction

Constituent gases that trap heat in the Earth's atmosphere are called greenhouse gases, analogous to the way a greenhouse retains heat. GHGs play a critical role in the Earth's radiation budget by trapping infrared radiation emitted from the Earth's surface, which would otherwise escape into space. Without the natural heat-trapping effect of GHG, the Earth's surface would be about 34°F cooler. This natural phenomenon, known as the "Greenhouse Effect," is responsible for maintaining a habitable climate. However, anthropogenic emissions of these GHGs, more than natural ambient concentrations, are responsible for the enhancement of the greenhouse effect, and have led to a trend of unnatural warming of the Earth's natural climate known as global warming or climate change (CalEPA, 2006).

4.18.2.2 Greenhouse Gases

GHGs are defined under the California Global Warming Solutions Act of 2006 (AB 32) as carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulfur hexafluoride (SF_6).[14] Associated with each GHG species is a "global warming potential" (GWP), which is a value used to compare the abilities of different GHGs to trap heat in the atmosphere. GWPs are based on the heat-absorbing ability of each gas relative to that of CO_2, as well as the decay rate of each gas (the amount removed from the atmosphere over a given number of years). The GWPs of CH_4 and N_2O are 25 and 298, respectively (GMI, 2019). "Carbon dioxide equivalent" (CO_2e) emissions, calculated by weighting each GHG compound's emissions by its GWP and then summing the products.

Carbon dioxide (CO_2) is a clear, colorless, and odorless gas consisting of molecules made up of two oxygen atoms and one carbon atom. Fossil fuel combustion is the main human-related source of CO_2 emissions; electricity generation and transportation are first and second in the amount of CO_2 emissions, respectively. Carbon dioxide is the basis of GWP, and thus has a GWP of 1.

14 http://www.leginfo.ca.gov/pub/05-06/bill/asm/ab_0001-0050/ab_32_bill_20060927_chaptered.pdf.

Methane (CH_4) is a clear, colorless gas, and is the main component of natural gas. Anthropogenic sources of CH_4 are fossil fuel production, biomass burning, waste management, and mobile and stationary combustion of fossil fuel. Wetlands are responsible for most of the natural CH_4 emissions (USEPA, 2019). As mentioned above, within a 100-year period CH_4 is 25 times more effective in trapping heat than is CO_2.

Nitrous oxide (N_2O) is a colorless, clear gas, with a slightly sweet odor. N_2O has both natural and human-related sources and is removed from the atmosphere mainly by photolysis or breakdown by sunlight, in the stratosphere. The main human-related sources of N_2O in the United States are agricultural soil management (synthetic nitrogen fertilization), mobile and stationary combustion of fossil fuel, adipic acid production, and nitric acid production. Nitrous oxide is also produced from a wide range of biological sources in soil and water (USEPA, 2019). According to the Intergovernmental Panel on Climate Change (IPCC), within a 100-year span, N_2O is 298 times more effective in trapping heat than is CO_2 (IPCC, 2007).

4.18.3 Thresholds of Significance

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

The City of Fontana does not have an adopted threshold of significance for GHG emissions, but for CEQA purposes, it has discretion to select an appropriate significance criterion, based on substantial evidence. To provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents, the SCAQMD Board adopted an Interim CEQA GHG Significance Threshold for Stationary Sources, Rules, and Plans (SCAQMD, 2008a). The SCAQMD estimated that a threshold of 3,000 metric tons (MT) of CO_2e per year for all non-industrial projects would help subject 90% of all GHG emissions to CEQA analysis (SCAQMD, 2010). The City has selected this value as a significance criterion which has been supported by substantial evidence.

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

Methodology

GHG emissions would come from both construction and operation of the proposed project. Construction of the project would result in temporary emissions of GHGs from fuel combustion by onsite construction equipment and by onroad vehicle traffic (i.e., worker commute and delivery truck trips). Operational direct GHG emissions would come from onroad mobile sources and onsite area sources, such as landscaping. Indirect GHG emissions would come from energy use, water supply,

wastewater, and solid waste.[15] A detailed summary of the assumptions and the model data used to estimate the project's potential GHG emissions is provided in **Appendix G**.

Short-term GHG emissions are those construction emissions that do not recur over the life of the project. The major construction phases included in this analysis are grading, building construction, paving, and architectural coating. Emissions are from offroad construction equipment and onroad travel, such as worker commuting; vendor deliveries; and truck hauling of soil, building materials and construction and demolition waste.

Other GHG emissions would occur continually after buildout. GHGs are emitted from buildings because of activities for which electricity and natural gas are typically used as energy sources. Combustion of carbon-based fuel emits CO_2 and other GHGs directly into the atmosphere; these emissions are considered direct emissions. The project's primary direct source of annual GHG emissions will be onroad mobile sources. GHGs are also emitted during the generation of electricity from fossil fuels; when produced offsite, these emissions are indirectly associated with the project. Indirect GHG emissions also result from the production of electricity used to convey, treat, and distribute water and wastewater. A final indirect GHG emission source is decomposition of organic waste that is generated by the project and transported to landfills.

Temporary construction and long-term operational GHG emissions from the project's onsite and offsite project activities were calculated using the California Emissions Estimator Model (CalEEMod), Version 2016.3.2 (CAPCOA, 2017). CalEEMod is a planning tool for estimating emissions related to land use projects. Operational emissions consider area emissions, such as space heating, from energy use associated with land uses, and from the vehicle trips associated with the land uses. To assess the overall lifetime project GHG emissions, the SCAQMD developed an Interim Guidance (SCAQMD, 2008a, p. 3-10) that recommends that construction emissions should be amortized over the life of the project, defined in the guidance as 30 years. Annualized GHG emissions are then added to the operational emissions and the sum is compared to the applicable interim GHG significance threshold.

Table 4.8-1 gives a detailed breakdown of the results of the GHG emissions analysis for both direct and indirect related sources.

Table 4.8-1
UNMITIGATED ANNUAL GHG EMISSIONS, 2019 AND BEYOND
(Emissions in metric tons, or MT)

Category	CO_2e (MT/year)
Direct – (Amortized Construction)	4.02
Direct – Mobile (Operational)	1,691.65
Direct – Purchased Natural Gas	6.78
Direct – Area Source	<0.01
Indirect – Purchased Electricity (Power)	229.86
Indirect – Purchased Electricity (Water)	32.47
Direct – Fugitive – Solid Waste	30.06
TOTAL	**1,995**

15 Indirect emission sources are those for which the project is responsible, but which are not located at the project site.

Construction

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

The project proposes construction of an approximately 42,850-square-foot market, as well as three drive-through restaurant pads. Each construction phase involves the use of a different mix of construction equipment and therefore has its own distinct GHG emissions characteristics. A generalized construction schedule was supplied by the applicant. CalEEMod defaults were used otherwise. Construction emissions occur both onsite and offsite. Onsite air pollutant emissions consist principally of exhaust emissions from offroad heavy-duty construction equipment. Offsite emissions result from workers commuting to and from the job site, as well as from vendors and visitors to the site.

CalEEMod estimated construction GHG emissions to be 120.7 MT of CO_2e. The 30-year amortized value is 4.02 MT per year.

Operation

Total unmitigated operational CO_2e emissions from the project would be 1,990.8 MT per year. Mobile sources account for about 85% of these emissions. With the addition of the amortized construction emissions, the total project GHG emissions would be 1,995 MT per year. These emissions would be below the significance threshold of 3,000 MT of CO_2e per year. Therefore, GHG emissions would be **less than significant**.

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 City of Fontana does not have an adopted climate action plan. An approach to identifying potential conflict with GHG reduction plans, policies, or regulations is to examine General Plan provisions that prescribe or enable GHG emissions control. The EIR for the General Plan Update (City of Fontana, 2018, Table 5.6-7) lists policies in the General Plan Update that reduce GHG emissions and help to quantify emissions reductions. However, the policies prescribe actions to be taken by the City, and not measures to be implemented by a project proponent. Nevertheless, the proposed project would not conflict with any of the GHG emission reduction policies. Furthermore, the EIR determined that implementation of the updated general plan will result in significantly lower GHG emissions from Fontana than would continuation of the 2003 General Plan (City of Fontana, 2018, Table 5.6-6). As was demonstrated in **Section 4.11**, the proposed project would, with approval of a requested zoning

code amendment, have no impacts in relation to consistency with local land use plans, policies, or regulations. Therefore, the project would not hinder the GHG emission reductions of the General Plan Update.

Finally, as noted in **Section 3.2.1**, buildings would be designed to comply with the provisions of the California Green Building Code, Title 24, Part 11 of the California Code of Regulations. As noted in **Section 3.3.4**, the proposed project would comply with the requirements of Fontana Municipal Code §§ 30-260, 30-265, and 30-266 with wall-mounted light-emitting diode (LED) lighting fixtures. Additionally, as noted in **Section 3.2.5**, new landscaping would include drought-resistant species including trees, tall shrubs, low shrubs and groundcovers and energy-efficient features, including insulated and glazed windows with low-E coating. These project features would assist the City in meeting its GHG emission reduction targets.

4.9 Hazards and Hazardous Materials

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

The analysis in this section is based in part upon the Phase I Environmental Site Assessment (Phase I ESA) prepared by Terrax Environmental Engineering and Consulting, dated July 19, 2019 and the Phase II Limited Report prepared by Hillman Consulting, dated May 23, 2017 (Refer to **Appendix D**). The Phase I ESA presents information based on a site reconnaissance of the project area, historical

developments of the project site, and a comprehensive database search to determine if the project site contains Recognized Environmental Conditions (RECs).[16]

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

Less than Significant Impact

Construction

The proposed project includes the construction of a commercial shopping center that would include several businesses such as a market, restaurants, and other commercial businesses. Construction activities would be temporary and could involve transport, storage, and use of chemical agents, solvents, paints, and other hazardous materials commonly associated with construction activities. Chemical transport, storage, and use would comply with Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Occupational Safety and Health Administration (OSHA); California hazardous waste control law; California Division of Safety and Health (DOSH); SCAQMD; and the City of Fontana Fire Protection District requirements. Compliance with applicable laws and regulations would ensure that impacts associated with routine transport, use, or disposal of hazardous materials during project construction would be less than significant.

Operation

The proposed project is subject to compliance with applicable federal, state, and local laws (including Title 49 of the CFR) and regulations pertaining to the transport, use, disposal, handling, and storage of hazardous waste. Future tenants of the proposed project would be required to comply with existing regulations, standards, and guidelines established by the US Environmental Protection Agency, State of California, County of San Bernardino, and City of Fontana related to storage, use, and disposal of hazardous materials, which would reduce the potential risk of hazardous materials exposure to a less than significant level.

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

Construction

The proposed project has several RECs associated with previous uses on site and adjacent properties. Therefore, the proposed project would implement mitigation measure **HAZ-1** to ensure that there

16 The term Recognized Environmental Conditions is defined in Section 1.1.1 of the American Society of Testing and Materials (ASTM) Standard Practice as the presence or likely presence of any hazardous substances or petroleum products in, at or on a property due to any release to the environment; under conditions indicative of a release to the environment; under conditions that pose a material threat of a future release to the environment (ASTM, 2020). Accessed online at https://www.partneresi.com/resources/glossary/recognized-environmental-condition-rec, accessed on June 8, 2020.

would be less than significant impacts in regards to possible existing hazardous materials during the project construction phase.

Additionally, the proposed project during construction may release hazardous materials into the environment during construction. Chemical transport, storage, and use would comply with Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Occupational Safety and Health Administration (OSHA); California hazardous waste control law; California Division of Safety and Health (DOSH); SCAQMD; and the City of Fontana Fire Protection District requirements. Compliance with applicable laws and regulations would ensure that impacts associated with accidental release of hazardous materials during project construction would be less than significant.

Operation

As detailed in the Phase I ESA prepared for the project site (refer to **Appendix D**), there were several RECs observed during the site survey. The project site was previously used for a car dealership and was permitted as a Special Handler, which allowed the project site to store 1,320 to 10,000 gallons of petroleum during 2011 and 2012. This permit is now inactive. In addition, this facility was reported as a small quality generator of hydrocarbons solvents, other inorganic solid waste, oil/separation sludge, and aqueous solution with total organic residues. This facility was formerly permitted for the use of an aboveground storage tank (AST). Although the project site was never reported in an EDR Radius Map Report for the release of gasoline, diesel, waste oil, other oil, and/or chlorinated solvents, the project site is considered a Recognized Environmental Condition (REC) based on the duration of facility automotive operations (at least 27 years) (Terrax Environmental Engineering and Consulting, 2019, p. iii).

Additionally, a Shell gasoline station, located just southwest of the project site is considered a REC due to the station's history as a hazardous waste site in the EDR Radius Map Report with Geocheck. As an underground storage tank (UST) site, this facility was reported as having at least four historic USTs including: one 8,000 gallon, one 6,000 gallon, two 4,000 gallons, and one 500-gallon UST (Terrax Environmental Engineering and Consulting, 2019, p. iii).

Further, Winston Tire Fontana, located adjacent to the project site at 9550 Sierra Avenue generated aqueous solution between 2000 and 2002 with total organic residues less than 10 percent and tetrachloroethylene wastes onsite. No unauthorized releases and/or related investigations are reported for this facility in the regulatory database; however, based on the proximity of this facility to the project site, and that this facility is upgradient from the project site, this is considered a REC (Terrax Environmental Engineering and Consulting, 2019, p. iii).

A Limited Phase II Subsurface Investigation was conducted for the site in the May 2017, before the most recent Phase 1 ESA was prepared in 2019. The Limited Phase II Subsurface Investigation found 14 subsurface hydraulic lifts and a wastewater clarifier in the former service area. These underground utilities were also identified as potential sources of subsurface contamination. However, the results of Limited Phase II Subsurface Investigation at the project site indicated no detectable levels of petroleum hydrocarbons in the soil and no detectable levels of VOC in soil gas indicating no significant vapor intrusion risk (refer to **Appendix D**). It should be noted that the Limited Phase II Subsurface Investigation was conducted pursuant to a preliminary site assessment, three years prior to the most recent Phase 1 ESA conducted for the project site.

The 2019 Phase I ESA recommends that a subsequent Phase II ESA be performed at the project site to confirm or deny the presence of hazardous wastes at the project site as a result of historic and adjacent property operations (Terrax Environmental Engineering and Consulting, 2019, p. V). Therefore, the proposed project would implement mitigation measure **HAZ-1** to ensure that a subsequent Phase II Investigation be conducted for the project site.

Mitigation Measure

MM HAZ-1 The project applicant shall have a Phase II Environmental Site Assessment (ESA) conducted prior to issuance of demolition or construction permits to confirm or deny the presence of hazardous wastes at the project site as a result of historic and adjacent property operations. The Phase II ESA would consist of soil and soil vapor sampling; testing of soil and soil vapor samples for contaminants to be determined during the Phase II ESA; and a human health hazard assessment based on the results of the testing. If the human health hazard assessment concludes that hazardous materials affecting the project site are present in concentrations above regulatory action levels for commercial land use, then the ESA would recommend hazardous materials remediation. Types of remediation include extraction and disposal in a landfill for disposal of contaminated soil; in-situ treatment using bioremediation, thermal treatment, or chemical treatment; soil vapor extraction; and capping. Additionally, the project applicant shall follow all recommendations of the Phase II ESA to ensure that there would be less than significant impacts in regard to hazardous materials on and near the project site.

Level of Significance After Mitigation

With implementation of mitigation measure **HAZ-1**, the proposed project would have less than significant impacts regarding hazards and hazardous materials.

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

No Impact

The closest school to the project site is Cypress Elementary School, located at 9751 Cypress Avenue, approximately 0.6 mile southwest of the project site (Google Earth Pro, 2020). No schools are located within 0.25 mile of the project site. Therefore, no impacts to schools would occur and mitigation is 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 § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact

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

- Hazardous waste and substances sites from the DTSC EnviroStor database.

- Leaking Underground Storage Tank (LUST) sites by county and fiscal year in the State Water Resources Control Board (SWRCB) GeoTracker database.
- Solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside waste management units.
- SWRCB Cease and Desist Orders (CDOs) and Cleanup and Abatement Orders (CAOs).
- Hazardous waste facilities subject to corrective action pursuant to § 25187.5 of the Health and Safety Code, identified by DTSC.

These lists are collectively referred to as the "Cortese List". The project site was not identified as a Cortese site and the address was not in any of the databases searched (EPA, 2020) (refer to **Figure 4.9-1**). Therefore, the proposed project would have no impact in this regard.

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

No Impact

The Riverside County/Flabob Airport is located approximately 6.25 miles southeast of the project site. According to the Flabob Airport Land Use Compatibility Plan (Plan), Airport Land Use Compatibility Plan Policy Document (Riverside County ALUC, 2004, Map FL-1), the project site is not located within the Airport Influence Area (AIA) of the Flabob Airport. Additionally, the project site is outside of the Flabob Airport's Airspace Plan and Noise Compatibility Contours.

The project proposes construction of a new multi-tenant commercial center and proximity to Flabob Airport would not result in a safety hazard for people working or residing in the project area. Therefore, the project would have no impact in this regard.

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

Less than Significant Impact

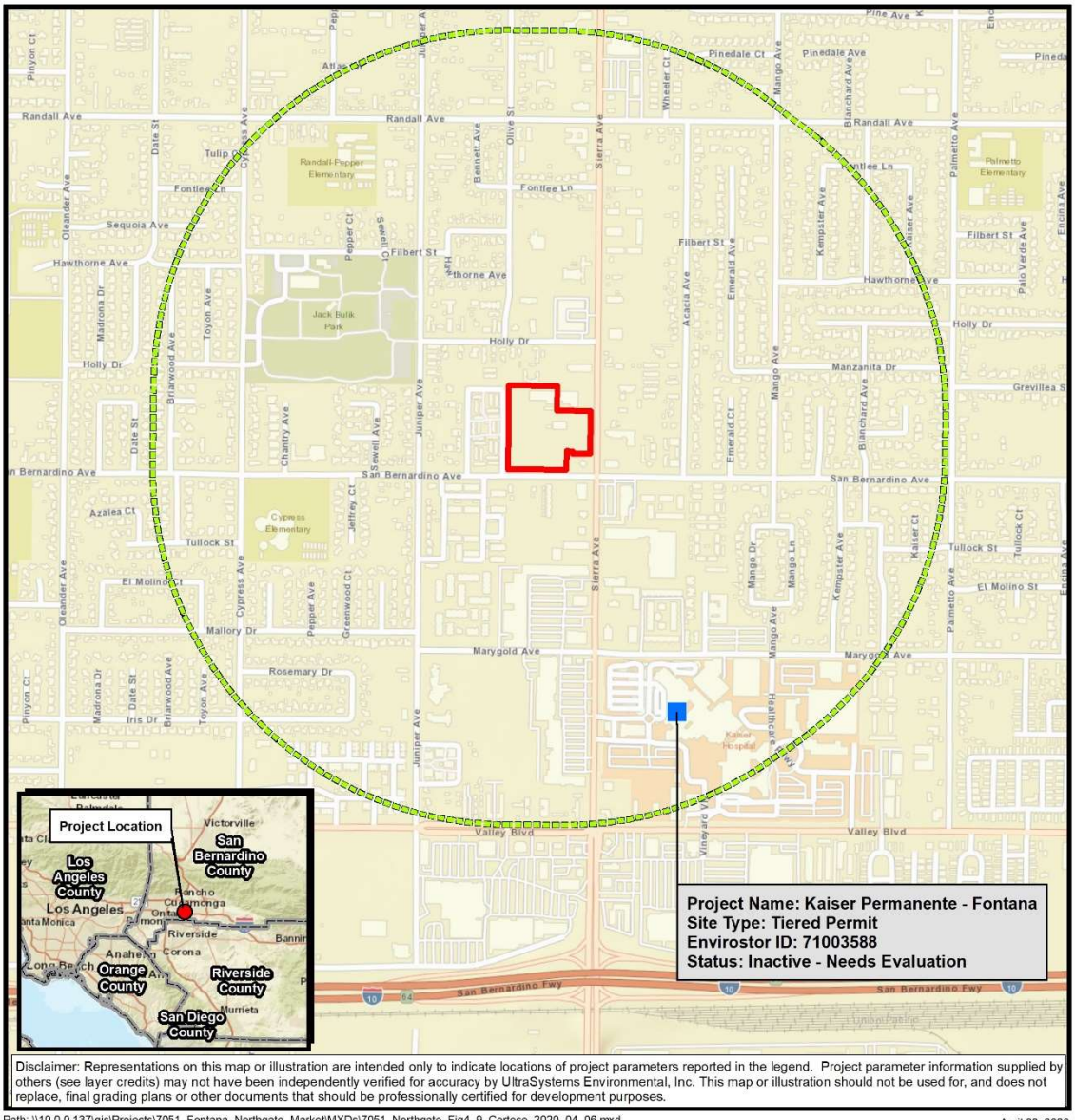
Construction

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

Additionally, as discussed in **Section 4.17**, *Transportation and Traffic*, the City requires preparation and implementation of a Traffic Management Plan (TMP) for all projects that require construction in the public right-of-way (ROW). The TMP must be reviewed and approved by the City's Traffic

Engineer prior to the start of construction activity in the public ROW. The typical TMP requires such things as the installation of K-rail between the construction area and open traffic lanes, the use of flagmen and directional signage to direct traffic where only one travel lane is available or when equipment movement creates temporary hazards, and the installation of steel plates to cover trenches under construction. Emergency access must be maintained. With implementation of the TMP, impacts in regard to emergency access during construction would be less than significant.

Figure 4.9-1
CORTESE ACT SITES NEAR THE PROJECT SITE



Operation

City of Fontana Local Hazard Mitigation Plan

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

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

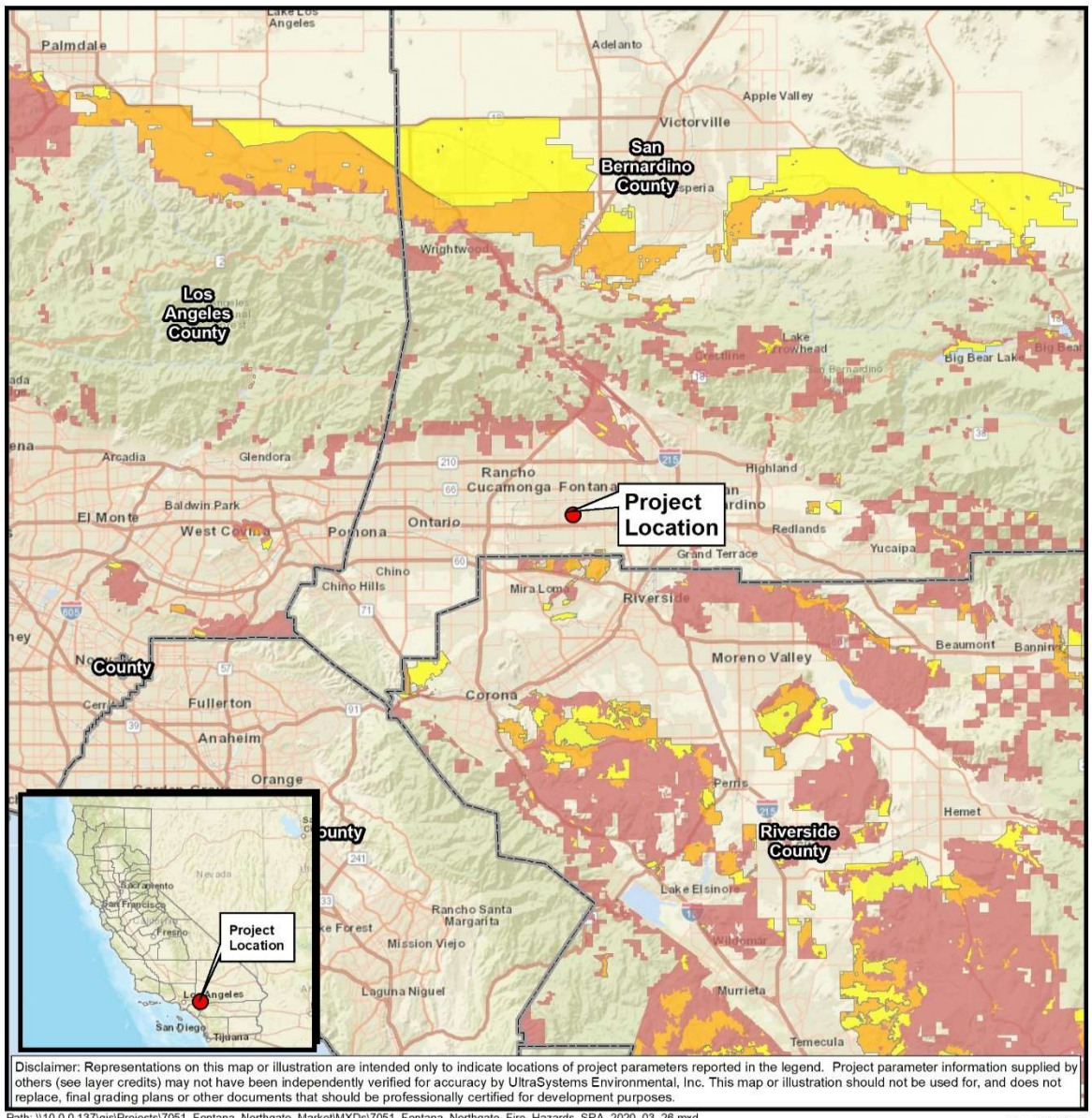
No Impact

The California Department of Forestry and Fire Protection (CAL FIRE) developed Fire Hazard Severity Zones (FHSZ) for State Responsibility Areas (SRA) and Very High FHSZ Local Responsibility Areas (LRA) (CAL FIRE, 2020) (CAL FIRE, 2008). As shown on **Figures 4.9-2** and **4.9-3**, the project site is not located within either an SRA FHSZ or a Very High FHSZ LRA for San Bernardino County.

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

The proposed project site is located in an urban and developed area within the City of Fontana. A mix of commercial/retail and residential land uses are located in the immediate project vicinity. The project site is not located adjacent to wildlands that may increase the risk of wildland fires. Additionally, the project would be developed in compliance with all applicable fire codes. The project would not result in impacts due to exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Therefore, the project would have no impact in this regard.

Figure 4.9-2
FIRE HAZARD SEVERITY ZONE– STATE RESPONSIBILITY AREA



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

Path: \\10.0.0.137\gis\Projects\7051_Fontana_Northgate_Market\MXDs\7051_Fontana_Northgate_Fire_Hazards_SRA_2020_03_26.mxd
Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community; CAL FIRE, 2007; UltraSystems Environmental, Inc., 2020

March 26, 2020

Scale: 1:633,600

N

0 5 10 Miles

0 5 10 Kilometers

Legend

- Project Location
- County Boundary

Fire Hazard Severity Zones in SRA (CAL FIRE Adopted November 2007):

- Moderate
- High
- Very High

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Fire Hazard Severity Zone
State Responsibility Area (SRA)

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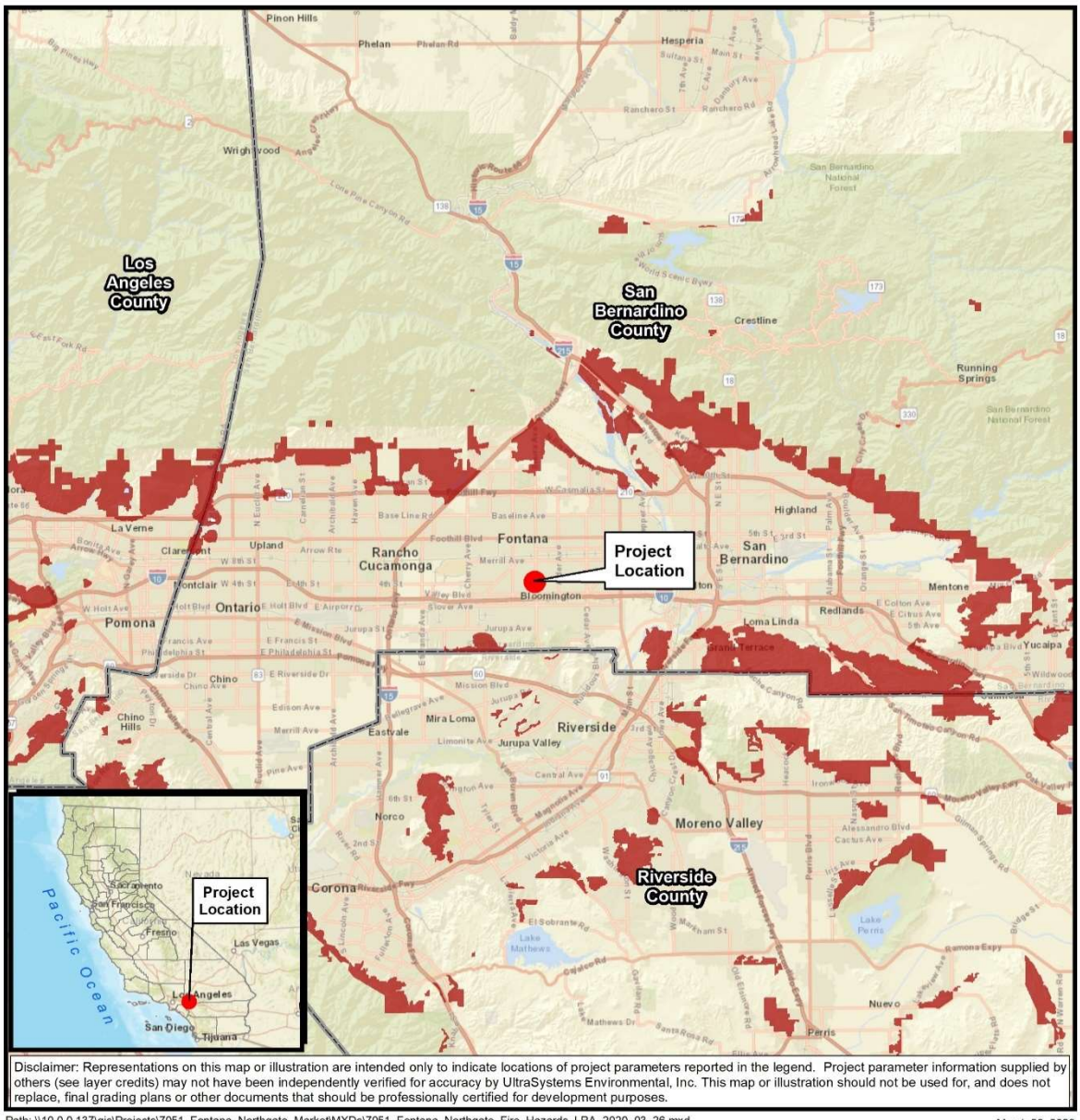
Figure 4.9-3
FIRE HAZARD SEVERITY ZONE – LOCAL RESPONSIBILITY AREA



4.10 Hydrology and Water Quality

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

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

Less than Significant Impact

Under existing conditions, most of the existing site sheet flows from the northeast to the southwest corner of the site and discharges out in a parkway drain onto San Bernardino Avenue, and then discharges into the San Sevaine Channel (Blue Peak Engineering Inc., 2020, p. 1). San Sevaine Channel discharges into the Santa Ana River (Reach 3), which is a water of the U.S. (WOUS).

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

Construction Pollutant Controls

The project site is larger than one acre. Therefore, the proposed project would be required by the California State Water Resources Control Board (SWRCB) to obtain coverage under a General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ, as authorized by § 402 CWA, NPDES for projects which will disturb one or more acres of soil during construction). The Construction General Permit requires potential dischargers of pollutants into waters of the United States to prepare a site-specific SWPPP, which establishes enforceable limits on discharges, requires effluent monitoring, designates reporting requirements, and requires construction BMPs to reduce or eliminate point and non-point source discharges of pollutants.

The project would be required to obtain an NPDES permit, prepare a SWPPP, and implement construction stormwater BMPs prior to commencement of construction activities; additionally, BMPs must be maintained, inspected before and after each precipitation event, and repaired or replaced as necessary. As the project would be required by the SWRCB to comply with applicable conditions of Construction General Permit Order 2009-0009-DWQ, potential violations of water quality standards or waste discharge requirements during project construction would be less than significant.

Operational Pollutant Controls

The San Bernardino County NPDES Permit (NPDES No. CAS618036) and Waste Discharge Requirements Area-Wide Urban Storm Water Runoff Management Program regulates, through Order No. R8-2010-0036, the discharge of pollutants into WOUS through stormwater and urban runoff conveyance systems, including flood control facilities. These conveyance systems are commonly referred to as municipal separate storm sewer systems (MS4s), or storm drains. In this context, the NPDES Permit is also referred to as an MS4 Permit.

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

As new development and redevelopment occurs, it can significantly increase pollutant loads in stormwater and urban runoff, because increased population density results in proportionately higher levels of vehicle emissions, vehicle maintenance wastes, municipal sewage wastes, household hazardous wastes, fertilizers, pet waste, trash, and other anthropogenic pollutants (RWQCB, 2010, p. 29). The San Bernardino County MS4 Permit requires new development and significant redevelopment projects to incorporate post-construction low-impact development BMPs into project design to comply with the local Standard Urban Stormwater Mitigation Plan (SUSMP) or Water Quality Management Plan (WQMP) to reduce or eliminate the quantity, and improve the quality of, stormwater being discharged from the project site.

A preliminary grading and WQMP has been prepared for the proposed project site and is included herein as **Appendix B** (Blue Peak Engineering Inc., 2020). The MS4 permit and the associated WQMP require the implementation of Low Impact Development (LID) features to ensure that most stormwater runoff is treated and retained onsite. The LID features for the proposed project are composed of structural and non-structural BMPs.

The project WQMP includes structural BMPs, such as underground infiltration with Maxwell Torrent Drywells and Contech 72" CMP retention; providing storm drain system stenciling and signage; design and construction of trash and waste storage areas to reduce pollution introduction; use of efficient irrigation systems and landscape design, water conservation, smart controllers, and source control; finish grade of landscaped areas at a minimum of 1-2 inches below top of curb, sidewalk, or pavement; and covered dock areas (Blue Peak Engineering Inc., 2020, p. 4-4).

The WQMP also includes non-structural source control BMPs, including but not restricted to, education of property owners and employees on stormwater BMPs, activity restrictions, landscape management BMPs, BMP maintenance, spill contingency plan, litter and debris control program, employee training, catch basin inspection program, vacuum sweeping of private streets and parking lots, and compliance with other applicable NPDES permits (Blue Peak Engineering Inc., 2020, pp. 4-2 and 4-3).

With implementation of construction and operational BMPs, potential impacts to water quality would be less than significant and no mitigation is proposed.

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

Less Than Significant Impact

The proposed project would be within the service area of the Fontana Water Company (FWC). The water sources of FWC include local groundwater basins (the Chino Subbasin, above which the proposed project would be situated, is the primary groundwater source for FWC), local surface water from Lytle Creek, and untreated imported surface water from the State Water Project (West Yost Associates, 2016, p. 6-1). In their Final 2015 Urban Water Management Plan (West Yost Associates, 2016), FWC projects that, taking into account residential, retail, and commercial development, they will be able to meet the water supply needs within their service area through at least 2040 (including normal, single dry, and multiple dry years) without jeopardizing their available groundwater supply (West Yost Associates, 2016, p. 4.3).

The proposed project would result in a similar amount of groundwater recharge compared to existing conditions because both under existing conditions and the proposed project, the project site would be fully developed with limited ornamental landscaping. Additionally, the proposed project would implement LID BMP measures listed above (refer to Section 4.10 a) , which would maximize the volume of stormwater runoff that would be captured and allowed to infiltrate in the soil and add to groundwater recharge (Blue Peak Engineering Inc., 2020, p. 4-8).

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

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

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

Less Than Significant Impact

Construction

The proposed project site is located in an urban/developed area and has previously been developed. No steams or rivers run on or through the project site.

Site preparation and grading at the project site would comply with the City of Fontana grading code requirements. Furthermore, because construction of the proposed project would disturb more than one acre of ground, it would be required to obtain coverage under the Construction General Permit. Dischargers whose projects disturb one or more acres of soil are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility (SWRCB, 2019).

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

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

Operation

The proposed project would ultimately match the existing drainage pattern, such that the northeast runoff discharges to the southwest and into the parkway drainage along San Bernardino Avenue. However, as part of the WQMP, underground infiltration systems as well as drywells would be implemented at the south and southwest corner of the project site. Proposed inlets are placed throughout the project site to collect the sheet flow from the development and discharge directly into the underground infiltration system and drywells (Blue Peak Engineering Inc., 2020, p. 1). The LID BMPs would ensure that erosion or siltation on or offsite would have less than significant impacts. Therefore, impacts regarding erosion or siltation during project operation would be less than significant.

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

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

Less than Significant Impact

The proposed project would incorporate operational LID BMPs in compliance with City of Fontana SUSMP permit requirements. The proposed project would be drained by v-gutters tributary to the onsite trench drain inlet at the southwest portion of the project site, at the driveway entrance on San Bernardino Avenue, which would then be received by the Maxwell Torrent Drywells and the Layfield Stormtank Underground Infiltration system (Blue Peak Engineering Inc., 2020, p. 3-6).

The MS4 permit and the project WQMP would require the implementation of water quality features to ensure that runoff is treated prior to discharge into native soils (infiltration), storm drains or other regional conveyance facilities, as described above. Therefore, with adherence to existing state water quality requirements, including MS4 requirements, the proposed project would not cause a substantial increase in the rate or amount of surface runoff in a manner which would: (1) result in flooding on or offsite; (2) would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or provide substantial additional sources of polluted runoff; or (3) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Impacts would be less than significant, and no mitigation is proposed.

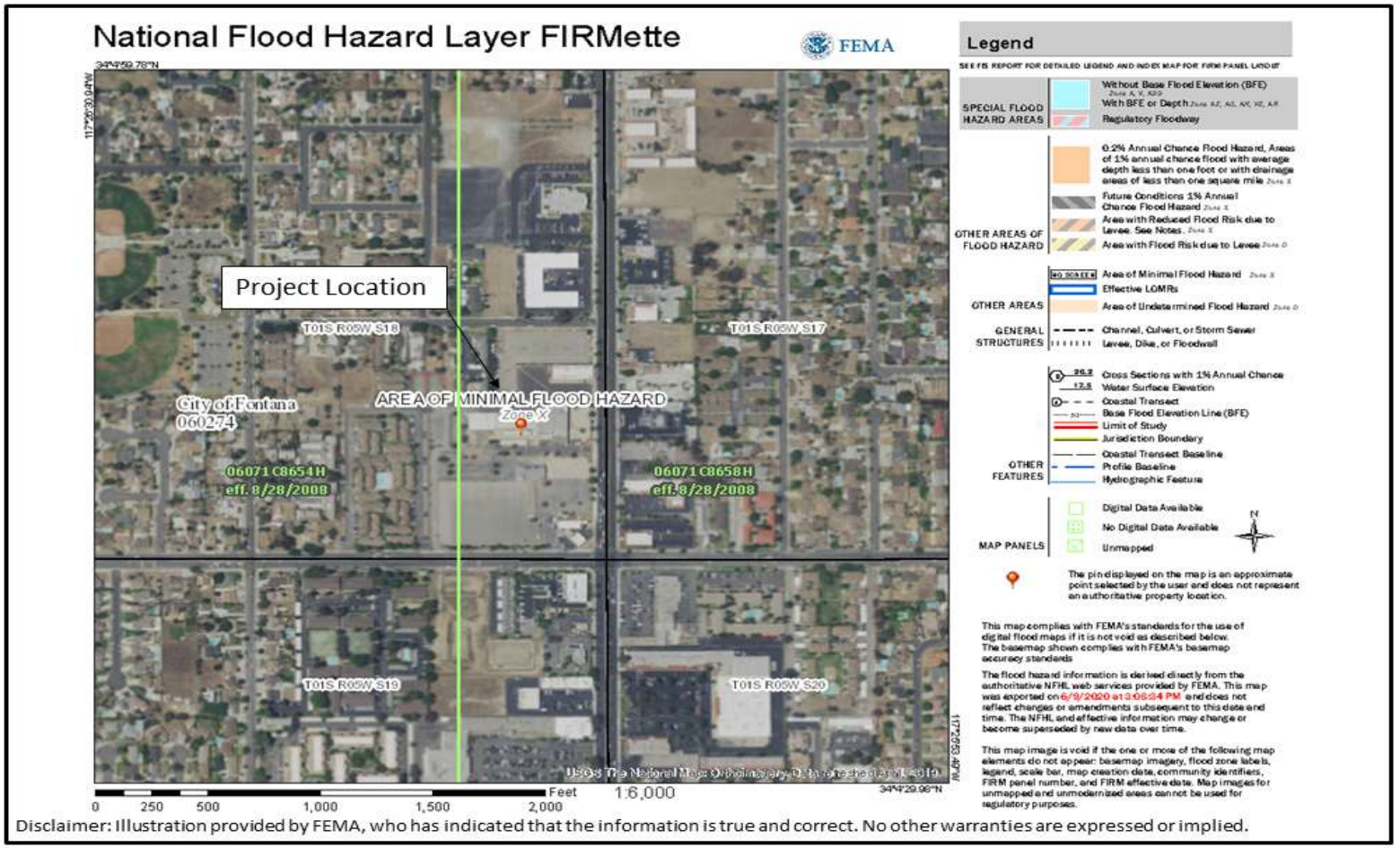
(iv) Impede or redirect flood flows?

No Impact

The proposed project would be located in a densely developed area and the nearest waterway is the Santa Ana River, approximately 5.25 miles southeast (Google Earth Pro, 2020). FEMA mapped the project site as Zone X, *Areas determined to be outside the 0.2% chance (500-year) annual flood* (refer to **Figure 4.10-1**) (FEMA, 2008; [FIRM numbers 06071C8654H and 06071C8658H]).

Since the project site is above the 100- and 500-year floodplains, it is not anticipated that floodwaters would reach the project site, or that the proposed project would impede or redirect flood flows. Additionally, per the County of San Bernardino (2010) General Plan Hazard Overlays map, the project site is located outside of a dam inundation area. Therefore, no impacts associated with flooding would occur, and no mitigation is proposed.

Figure 4.10-1
FEMA FIRM MAP PANEL



Sources: FEMA, June 9, 2020.

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FEMA FIRM Map

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

No Impact

As described in **Section 4.10-10 iv)**, the proposed project site is above the 100-year and the 500-year flood hazard zones and it is not anticipated that the site would become inundated due to flood.

A tsunami is a sea wave (or series of waves) of local or distant origin that results from large-scale seafloor displacements associated with large earthquakes, major submarine slides, or exploding volcanic islands (California Seismic Safety Commission, 2020). Tsunami Inundation Zones are not mapped for San Bernardino County (CGS, 2020). The closest mapped zones are in Orange County. A review of the Orange County, California Tsunami Inundation Maps (CGS, 2020) revealed that the tsunami inundation zone nearest to the proposed project site would be at Laguna Main Beach at the southern end of Laguna Canyon in Orange County, approximately 42 miles southwest of the project site. Therefore, it is not anticipated that the proposed project would become inundated due to a tsunami.

A seiche is an oscillating wave caused by wind, tidal forces, earthquakes, landslides, and other phenomena in a closed or partially closed water body such as a river, lake, reservoir, pond, and other large inland water body. A review of aerial imagery (Google Earth, 2020) revealed no water bodies large enough to support a seiche within a five-mile radius of the proposed project site. Therefore, it is not anticipated that the proposed project would be inundated by a seiche.

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

Due to the project's inland location, relatively flat topography, and lack of adjacent bodies of water, the project site would have no impact regarding flood hazards, tsunamis, seiche zones, or risk for release of pollutants due to project inundation.

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

No Impact

As detailed in the WQMP prepared for the project, stormwater would be retained onsite through LID infiltration BMPs (Blue Peak Engineering Inc., 2020, p. 4-1). The project would be designed in compliance with applicable City of Fontana regulations regarding stormwater runoff, as well as the San Bernardino County MS4 permit (Order No. R8-2010-0036, NPDES No. CAS618036) to which the City of Fontana is a signatory, and the LID capture and infiltration facilities would ensure that the water quality objectives of the Santa Ana Regional Water Quality Control Board's (RWQCB) Water Quality Control Plan (Basin Plan; RWQCB, 1995) are met. The proposed project is not anticipated to conflict with or obstruct implementation of a water quality control plan.

The proposed project would not directly use groundwater but would buy water from the FWC, as discussed in **Section 4.10 b).** In the Final 2015 Urban Water Management Plan (West Yost

Associates, 2016, p. 4-1), the FWC projects that, taking into account residential, retail, and commercial development, they will be able to meet the water supply needs within their service area through at least 2040 (including normal, single dry, and multiple dry years) without jeopardizing the available groundwater supply (West Yost Associates, 2016, p. 7-7). Therefore, it is not anticipated that the proposed project would conflict with or obstruct implementation of a sustainable groundwater management plan.

No project-related impacts related to conflict with or implementation of a water quality control plan or sustainable groundwater plan are anticipated, and mitigation is not proposed.

4.11 Land Use and Planning

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

a) Would the project physically divide an established community?

No Impact

The project site is largely vacant, with only the remnants of earlier development (a parking lot with light standards) still remaining. The project site is located in an urban and developed area within the City of Fontana and is located along a major street, Sierra Avenue, which is primarily surrounded by commercial land uses. A mix of residential types is located in the project vicinity including single-family homes, apartments and condominiums.

The proposed project would introduce a shopping center with a market, drive-through restaurants and other (yet to be determined) commercial businesses, which would be similar in nature to the nearby commercial shopping centers located to the east, south and southeast of the project site. No streets or sidewalks would be permanently closed as a result of the project. The project would utilize existing roadways, resulting in no change in roadway patterns. No separation of uses or disruption of access between land use types would occur as a result of the project. The project site was previously occupied by a car dealership, which has since been demolished. The project is proposing a new commercial (i.e., non-residential) land use in its place. Therefore, the project would not physically divide an established community and no impact would occur.

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

As shown in **Figure 4.11-1**, the City's General Plan land use designation for the project site is WMXU-1 (City of Fontana, 2019). As shown in **Figure 4.11-2,** the City's zoning designation for the project site is Sierra Gateway Form Based Code (FBC) (City of Fontana, 2019). The Sierra Gateway FBC is intended to encourage pedestrian-oriented development and land uses that include a mix of medium- to high-density residential, trail, and services, office, entertainment, education and open space (City of Fontana Municipal Code, 2020). The proposed project would create a commercial development with a market, restaurants and offices, which would adhere to the Sierra Gateway FBC zoning designation. However, the proposed project requires a Zoning Code Amendment to modify

the Form Based Code standards, to allow a greater front setback and a reduction in the minimum 50 percent lot frontage requirement, approval of Tentative Parcel Map No. 20-003 for subdividing the property into three parcels, and approval of one Conditional Use Permit for the Northgate Market's ABC License and three Minor Use Permits (one for each of the three drive-through pads). With approval of the Zoning Code Amendment, Tentative Parcel Map, Conditional Use Permit, and Minor Use Permits, the project would have less than significant impacts regarding conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect**.**

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

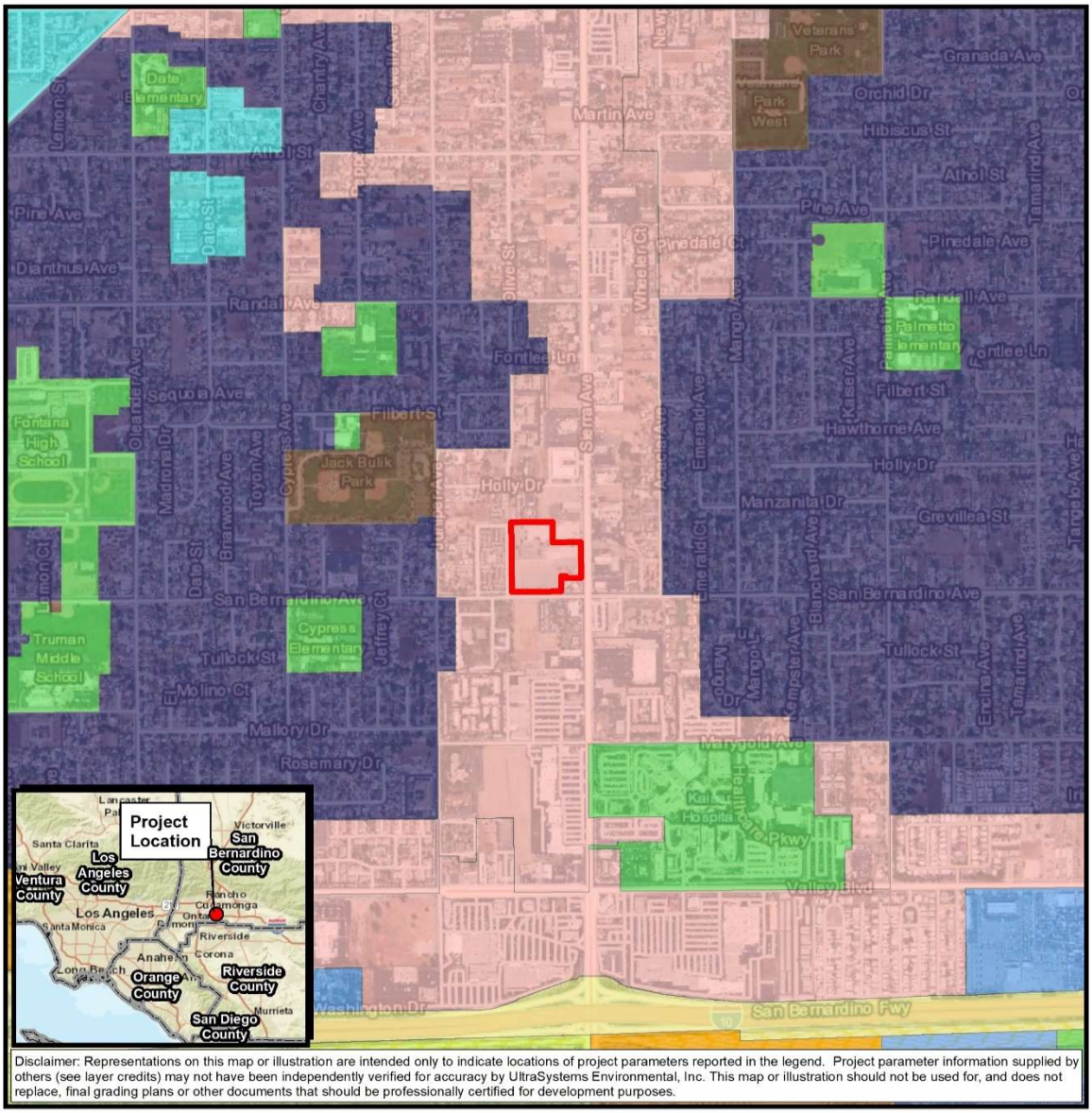
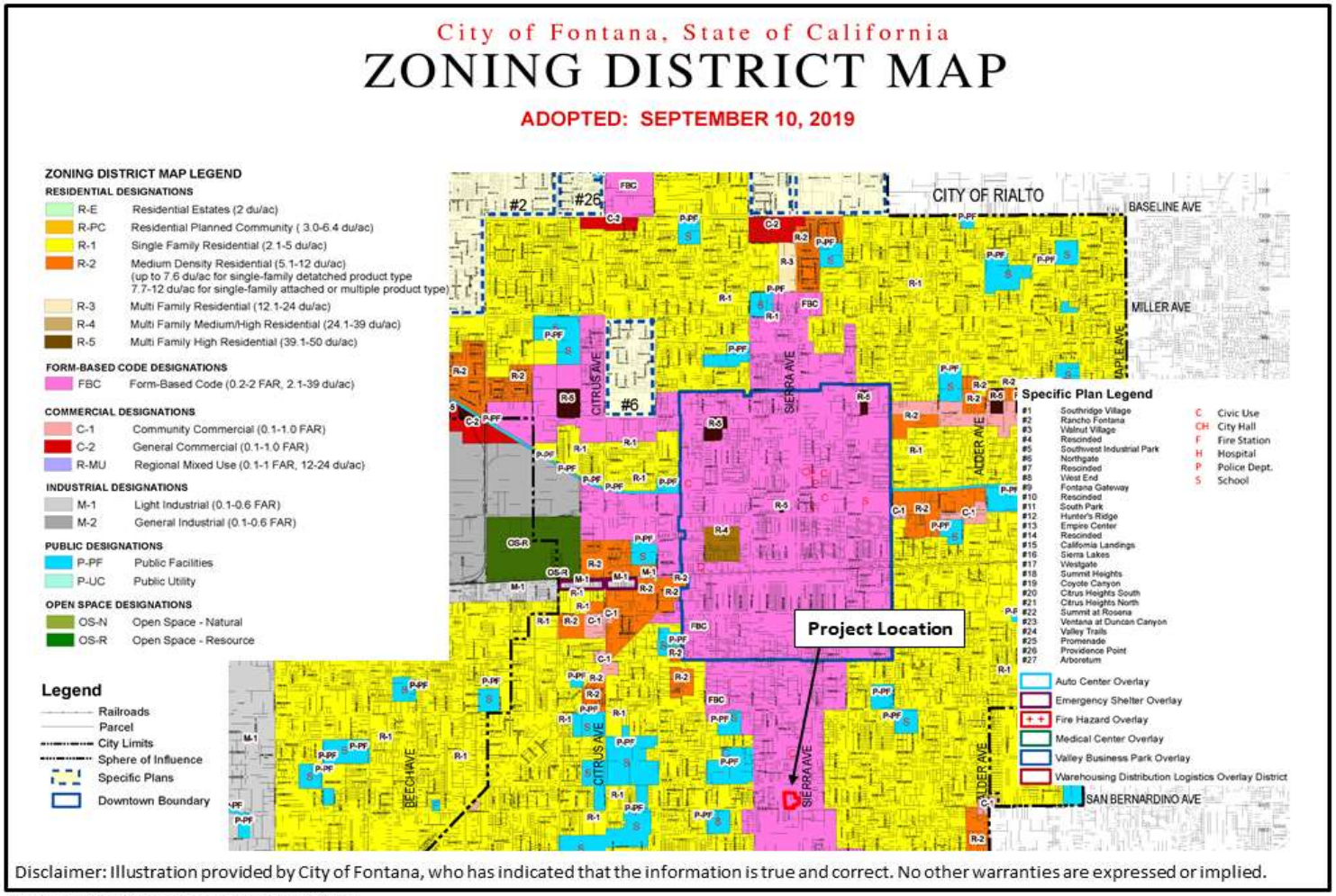


Figure 4.11-2
PROPOSED PROJECT SITE CURRENT ZONING DESIGNATIONS



Sources: City of Fontana, September 10, 2019

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Zoning Map

4.12 Mineral Resources

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

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

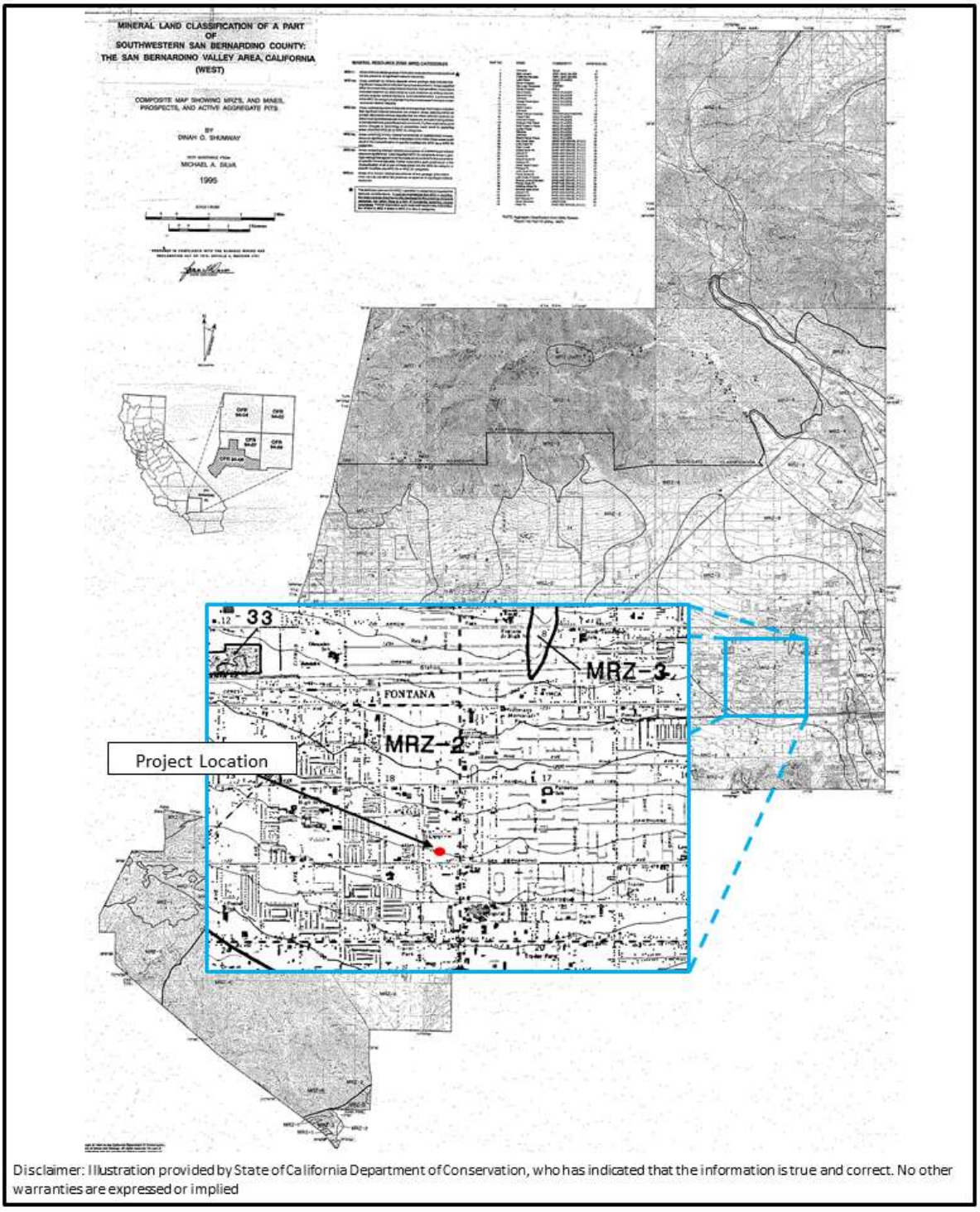
b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Less Than Significant Impact

As illustrated in **Figure 4.12-1**, *Mineral Resources,* the project site is located within Mineral Resource Zone (MRZ)-2, which is an area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood for their presence exists (DOC, 2019a). However, according to the Land Use, Zoning, and Urban Design section of the City of Fontana General Plan, the city does not include mining in any of its zoning categories (Stantec, 2018a). Also, it is unlikely that anyone would propose to establish new surface mining operations within the city since it is not allowed within the city. According to 'Well Finder' generated by the California Department of Conservation Division of Oil, Gas, & Geothermal Resources (see **Figure 4.12-2,** *Oil and Gas Wells and Fields)*, the project site is not located near (within one mile of) any oil or gas wells (DOC, 2020b).

Although this project is located within MRZ-2, where significant amounts of deposits are present, the project would not interfere with the availability of these resources since they have not been accessed due to the City of Fontana's General Plan that does not allow active mining within the city limits. Therefore, the project site is not an important local mineral resource recovery site and the project would have less than significant impact on the availability of known mineral- and oil-based resources of value to the region or state residents and on any locally important mineral resource recovery sites.

Figure 4.12 1
MINERAL RESOURCES



Source: by State of California Department of Conservation, 1995

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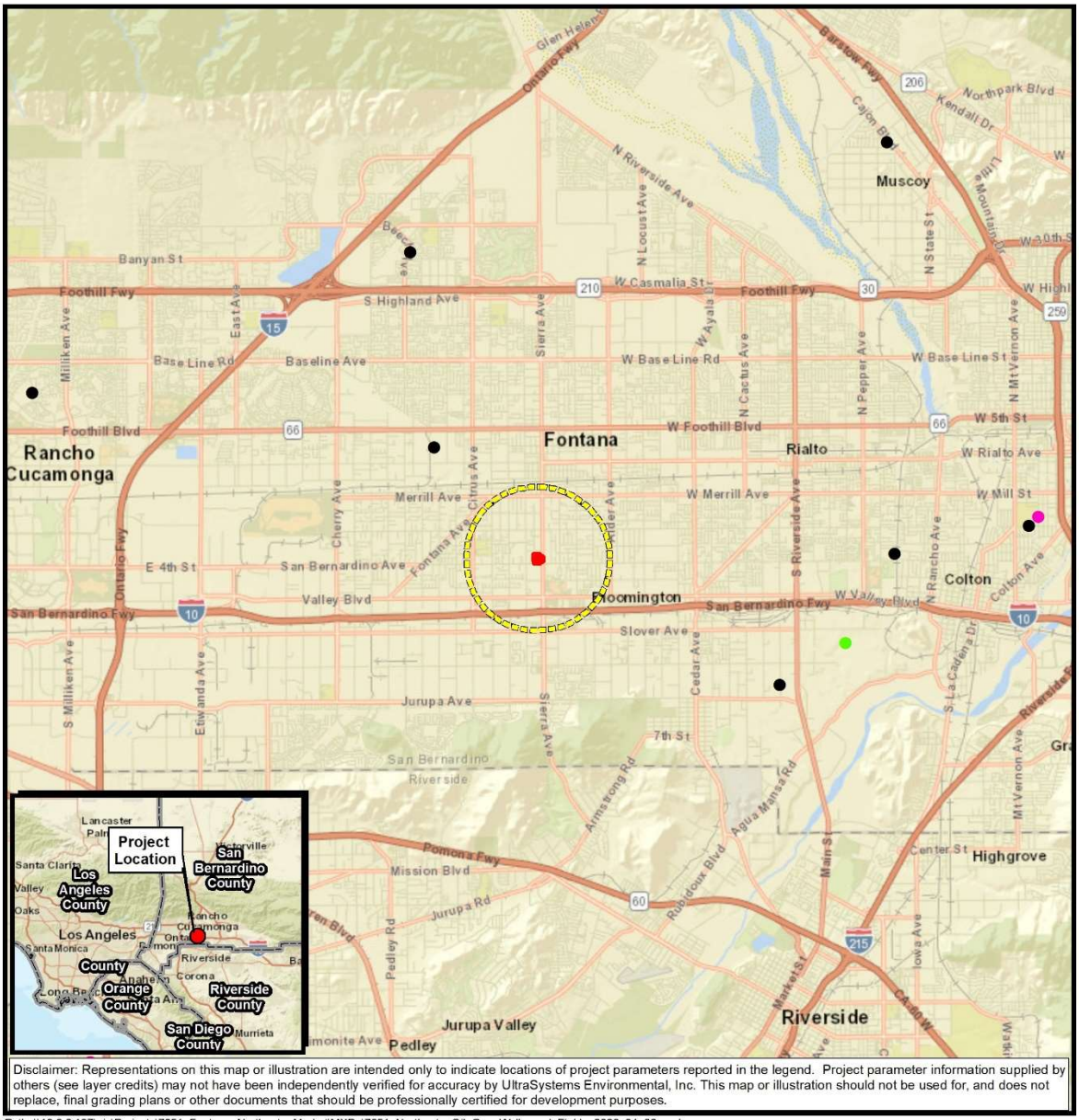
Mineral Land Classification

Figure 4.12-2
OIL AND GAS WELLS AND FIELDS



4.13 Noise

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

4.13.1 Characteristics of Sound

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

4.13.2 Noise Measurement Scales

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

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

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

4.13.3 Existing Noise

The 2015 Fontana General Plan Noise and Safety Element (Stantec, et al., 2018a, p. 11-9) defines "noise-sensitive" uses in areas of 24-hour-per-day of exposure as residential uses, hospitals, rest homes, long-term care facilities, and mental care facilities. Sensitive receivers[17] for shorter-term exposures are defined as schools, libraries, places of worship, and passive recreation uses.

Figure 4.13-1 shows sensitive receivers in the project area, which include residences to the north, northwest, west, southwest, and south. The single-family residences and apartment homes to the north are the closest to the project site, approximately 50 feet away; the apartments to the west are approximately 80 feet from the project site; and the apartment homes to the south are approximately 100 feet away from the project site.

As a large percentage of residents and employees in the project areas were staying at home because of the COVID-19 epidemic, traffic on local streets was significantly reduced. If ambient noise levels had been measured, they would not have been representative of "existing conditions." For that reason, no ambient noise survey was conducted. In order to obtain a reasonable approximation of existing conditions, the results of an ambient noise survey conducted in 2008 for the Fontana Kaiser Medical Center Hospital Replacement Project (Dudek, 2008) was reviewed. The Kaiser project area is about 1,650 feet south-southwest of the Northgate Market Center Project.

The ambient noise measurement point closest to the Northgate Market Center Project is on the east side of Sierra Avenue, about 2,070 feet south-southwest. Although this point is distant, Sierra Avenue is a major traffic noise source in the area, and conditions would not be expected to vary over a distance of several blocks. The 20-minute measurement was 67 dBA L_{eq} (Dudek, 2008, p. 17). That value was used to characterize baseline exposures in the area.

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

4.13.4 Regulatory Setting

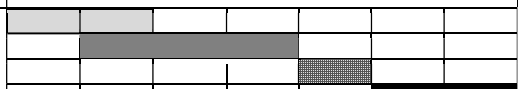
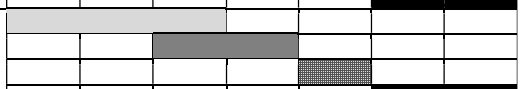
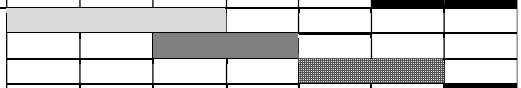
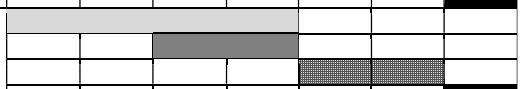
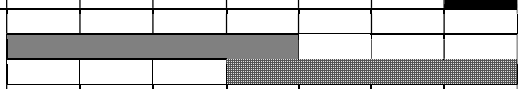
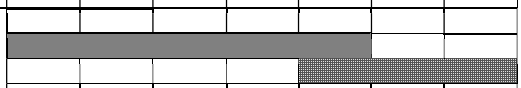
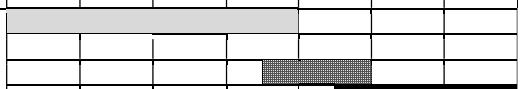
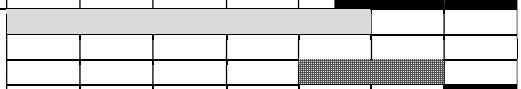
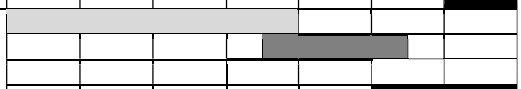
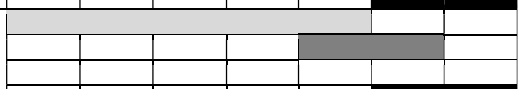
State of California

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

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

The OPR noise compatibility guidelines assign ranges of CNEL values to each of these categories. The ranges differ for different types of sensitive receivers, and are shown in **Table 4.13-1**.

Table 4.13-1
CALIFORNIA LAND USE COMPATIBILITY FOR COMMUNITY NOISE SOURCES

Land Use Category	Noise Exposure (dBA, CNEL)
	55 60 65 70 75 80
Residential – Low-Density Single-Family, Duplex, Mobile Homes	
Residential – Multiple Family	
Transient Lodging – Motels, Hotels	
Schools, Libraries, Churches, Hospitals, Nursing Homes	
Auditoriums, Concert Halls, Amphitheaters	
Sports Arena, Outdoor Spectator Sports	
Playgrounds, Neighborhood Parks	
Golf Courses, Riding Stables, Water Recreation, Cemeteries	
Office Buildings, Business Commercial and Professional	
Industrial, Manufacturing, Utilities, Agriculture	

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

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

City of Fontana General Plan Noise and Safety Element

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

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

Policies

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

Actions

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

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

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

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

Actions

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

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

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

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

Policy

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

Actions

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

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

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

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

City of Fontana Municipal Code

The City of Fontana's Municipal Code[18] contains several provisions potentially related to construction and operation of the proposed project. Prohibited noises enumerated in Chapter 18 (Nuisances), Article II. - Noise include:[19]

- *Construction or repairing of buildings or structures*. The erection (including excavating), demolition, alteration or repair of any building or structure other than between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 5:00 p.m. on Saturdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the building inspector, which permit may be granted for a period not to exceed three days or less while the emergency continues and which permit may be renewed for periods of three days or less while the emergency continues. If the building inspector should determine that the public health and safety will not be impaired by the erection, demolition, alteration or repair of any building or structure or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m., and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done on weekdays within the hours of 6:00 p.m. and 7:00 a.m., upon application being made at the time the permit for the work is awarded or during the progress of the work.[20]

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

- *Noise near schools, courts, place of worship or hospitals*. The creation of any loud, excessive, impulsive or intrusive noise on any street adjacent to any school, institution of learning, places of worship or court while the premises are in use, or adjacent to any hospital which unreasonably interferes with the workings of such institution or which disturbs or unduly annoys patients in the hospital; provided conspicuous signs are displayed in such streets indicating that the street is a school, hospital or court street.[21]

- *Blowers*. The operation of any noise-creating blower or power fan or any internal combustion engine other than from the hours of 7:00 a.m. and 6:00 p.m. on a weekday and the hours of 8:00 a.m. and 5:00 p.m. on a Saturday, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.[22]

- *Piledrivers, hammers, etc.* The operation between the hours of 6:00 p.m. and 7:00 a.m. of any piledriver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance, the use of which is attended by loud, excessive, impulsive or intrusive noise.[23]

4.13.5 Significance Thresholds

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

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

- Expose persons to or generate noise levels in excess of standards recommended in the City of Fontana General Plan Noise Element.

- Include construction activities in or within 500 feet of residential areas between 6:00 p.m. of one day and 7:00 a.m. of the next day, without a permit.

- Increase short-term noise exposures at sensitive receivers during construction by 5 dBA L_{eq} or more.

- Contribute, with other local construction projects, to a significant cumulative noise impact.

21 City of Fontana Municipal Code § 18-63(b)(8).
22 City of Fontana Municipal Code § 18-63(b)(11).
23 City of Fontana Municipal Code § 18-63(b)(10).

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

4.13.6 Impact Analysis

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 activities, especially with heavy equipment operation, would create noise effects on and adjacent to the construction site. Long-term noise impacts include project-generated onsite and offsite operational noise sources. Onsite (stationary) noise sources from the operation of the commercial shopping center would include the use of mechanical equipment such as air conditioners and landscaping and building maintenance activities. Offsite noise would be attributable to project-induced traffic, which would cause an incremental increase in noise levels within and near the project vicinity. Each is described below.

This section also evaluates potential groundborne vibration that would be generated from the construction or operation of the proposed project.

Short-Term Construction Noise

Noise impacts from construction activities are a function of the noise generated by the operation of construction equipment and onroad delivery and worker commuter vehicles, the location of equipment, and the timing and duration of the noise-generating activities. Using calculation methods published by the Federal Transit Administration (FTA, 2018), the distances used for the calculation were measured from each of the four closest residences in each cardinal direction to the approximate center of activity of each construction phase, since that would be the average location of construction equipment most of the time. For the purpose of this analysis, it was estimated that the construction of the proposed project would begin in August 2021 and end in May 2022.

The types and numbers of pieces of equipment anticipated in each phase of construction and development were estimated using the California Emissions Estimator Model (CalEEMod), Version 2016.3.2 (BREEZE Software, 2017b), and from information received from the project applicant. The CalEEMod equipment mix is based on a construction survey performed by the SCAQMD (BREEZE Software, 2017a). **Table 4.13-2** lists the equipment expected to be used. For each equipment type, the table shows an average noise emission level (in dB at 50 feet, unless otherwise specified) and a "usage factor," which is an estimated percentage of operating time that the equipment would be producing noise at the stated level.[24,25] Equipment use was matched to phases of the construction schedule.

24 Equipment noise emissions and usage factors are from Knauer, H. et al., 2006. *FHWA Highway Construction Noise Handbook*. U.S. Department of Transportation, Research and Innovative Technology, Administration, Cambridge, Massachusetts, FHWA-HEP-06-015 (August 2006), except where otherwise noted.

25 Scraper, crane, and cement and mortar mixer, and roller noise emissions data from County of Ventura, Construction Noise Threshold Criteria and Control Plan. Amended July 2010. This document was also source of usage factors fo

Table 4.13-2
CONSTRUCTION EQUIPMENT NOISE CHARACTERISTICS

Construction Phase	Equipment Type	No. of Pieces	Maximum Sound Level @ 50 feet (dBA)	Usage Factor
Site Preparation	Graders	1	85	0.41
	Rubber-Tired Dozers	1	79	0.40
	Tractors/Loaders/Backhoes	1	85	0.37
Grading	Crawler Tractors[a]	1	85	0.37
	Graders	1	85	0.41
	Rubber-Tired Dozers	1	79	0.40
Building Construction	Cranes	1	83	0.08
	Forklifts	1	67	0.30
	Generator Sets	1	73	0.50
	Tractors/Loaders/Backhoes	1	85	0.37
	Welders	3	74	0.45
Paving	Cement and Mortar Mixers	1	85	0.40
	Pavers	1	77	0.50
	Paving Equipment	1	85	0.5
	Rollers	1	75	0.10
	Tractors/Loaders/Backhoes	1	85	0.37
Trenching	Trenchers	1	83	0.30
	Tractors/Loaders/Backhoes	1	85	0.37
Architectural Coating	Air Compressors	1	81	0.48

[a]Noise characteristics data unavailable; assumed same as tractors/loaders/backhoes.

For the sensitive receivers on the north and west, existing buildings are on a line of sight between the construction noise sources and the associated sensitive receiver for between about half and all of each construction phase. According to Caltrans, in cases where the first row of buildings covers less than about 60% of the field of view, the first row attenuates the noise by about 3 dBA, with 1.5 dBA for each additional row (Caltrans, 2013, p. 2-35). Therefore, the exposures at the northern and western receptors were decreased by 3 dBA for each phase.

A 10-foot-high concrete wall runs along the site's northern boundary in front of the sensitive receiver on the north. In addition, a six- to ten-foot wall shields the residences on the west. The Fresnel number method (Foss, 1978) was used to estimate the walls' noise attenuation. The Fresnel number (N_o) is a dimensionless parameter calculated from the following formula:

$$N_O = \pm 2f\delta_o/c$$

where

f = Frequency of the sound radiated by the source (hertz).

δ_o = Path length difference determined from site geometry (feet).

C = Speed of sound (feet/second).

N_o is positive when the line of sight between the source and receiver is lower than the top of the barrier (as is the case here). It was assumed that f = 1,000 hertz (representative of heavy construction

equipment)[26] and that c = 1115.49 feet per second. Using a graph[27] of attenuation as a function of N_o, it was determined that the existing walls on the north would provide between 14 and 15.5 dB of attenuation, respectively. If one assumes conservatively that the wall on the west is only six feet high, there would be no attenuation, because the top of the wall would be below the source and/or receptor for all combinations of source and receiver.

Results of the construction noise calculations are presented in **Table 4.13-3**. The noisiest construction phase for sensitive receivers on the north and east would be building construction, which would result in a maximum hourly L_{eq} of 59.6 dBA L_{eq} east of the project site. For the sensitive receivers on the south and west, the noisiest phase would be paving, which would result in a maximum short-term exposure of 69.5 dBA L_{eq} on the west. The City of Fontana Municipal Code does not contain standards with which to compare these results.

Table 4.13-4 shows the estimated short-term increase in noise exposure at the four sensitive receivers. One of the significance criteria defined in **Section 4.13.5** is that the project would increase short-term noise exposures at sensitive receivers during construction by 5 dBA L_{eq} or more. The maximum increase in total noise level (which is at the west receiver) would be 4.4 dBA, which is lower than the criterion. Short-term construction noise impacts would therefore be less than significant.

Table 4.13-3
ESTIMATED CONSTRUCTION NOISE EXPOSURES AT NEAREST SENSITIVE RECEIVERS

Direction	Site Preparation	Grading	Building Construction	Paving	Trenching	Architectural Coating
N	52.8	52.8	**59.0**	54.9	50.8	54.3
E	58.4	58.4	**59.6**	59.0	56.4	51.9
S	66.2	66.2	67.4	**67.6**	64.3	62.7
W	64.1	64.1	63.8	**69.5**	62.2	59.1

Table 4.13-4
ESTIMATED MAXIMUM INCREASES IN NOISE EXPOSURE DUE TO CONSTRUCTION

Direction	Ambient[a] dBA L_{eq}	Construction dBA L_{eq}	New Total dBA L_{eq}	Increase dBA L_{eq}
N	67	59.4	67.6	0.6
E	67	59.6	67.7	0.7
S	67	67.6	70.3	3.3
W	67	69.5	71.4	**4.4**

[a]Result of one measurement point for the Fontana Kaiser Medical Center Hospital Replacement Project (Dudek, 2008, p. 17).

The Noise and Safety Element also recommends a limit of 65 dBA CNEL for residential exposures. The Kaiser noise study estimated a CNEL value of 70 dBA for the same measurement point whose L_{eq} was used to characterize ambient noise levels in the area (Dudek, 2008, p. 17). That value already exceeds the recommended 65-dBA value. Assuming that project construction activities begin at

26 Noise frequency spectra for typical bulldozers and front-end loaders are presented in Vardhan et al., 2005.
27 Propagation of Outdoor Sound - Partial Barriers. Available at https://www.engineeringtoolbox.com/outdoor-sound-partial-barriers-d_65.html. Verified June 13, 2019.

7:00 a.m. and end at 7:00 p.m., the maximum 24-hour weighted average exposure contribution from construction would be 66.5 dBA CNEL. The new total exposure would be 71.6 dBA CNEL, and the increase would be 1.6 dBA. Therefore, weighted average daily exposures to construction noise would be less than significant.

Operational Noise

Onsite

Onsite noise sources from the proposed shipping center would include operation of rooftop mechanical equipment such as air conditioners, parking lot activities, and truck deliveries. Noise levels from these sources are generally lower than from the traffic on streets bordering the project site. Furthermore, § 18-63 of the Fontana Development Code limits onsite noise impacts of the operation of any noise-creating blower or power fan or any internal combustion engine other than from the hours of 7:00 a.m. to 6:00 p.m. on a weekday and the hours of 8:00 a.m. to 5:00 p.m. on a Saturday, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.

The operational noise levels would be within both the City's daytime and nighttime residential noise standards of 70 dBA and 65 dBA, respectively. Therefore, operational noise would be less than significant.

Mobile Sources

The principal noise source in the project area is traffic on local roadways. The project may contribute to a permanent increase in ambient noise levels in the project vicinity due to project-generated vehicle traffic on nearby roadways and at major intersections.

The increases in average daily traffic on Sierra Avenue and San Bernardino Avenue due to the project were calculated from results of the Traffic Impact Analysis (LL&G, 2020, Figures 3-3 and 5-5). The maximum increase would be 14%, in the segment of Sierra Avenue between San Bernardino Avenue and Randall Avenue. Given the logarithmic nature of the decibel, traffic volume needs to be doubled in order for the noise level to increase by 3 dBA (ICF Jones & Stokes, 2009), the minimum level perceived by the average human ear. A doubling is equivalent to a 100% increase. Because the maximum increase in traffic in any road segment would be far below 100%, the increase in roadway noise experienced at sensitive receivers would not be perceptible to the human ear. Therefore, roadway noise associated with project operation would not expose a land use to noise levels that are considered incompatible with or in excess of adopted standards, and impacts would be less than significant.

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

Less than Significant Impact

Vibration is sound radiated through the ground. Vibration can result from a source (e.g., subway operations, vehicles, machinery equipment, etc.) that causes the adjacent ground to move, thereby creating vibration waves that propagate through the soil to the foundations of nearby buildings. This effect is referred to as groundborne vibration. The peak particle velocity (PPV) or the RMS velocity is

usually used to describe vibration levels. PPV is defined as the maximum instantaneous peak of the vibration level, while RMS is defined as the square root of the average of the squared amplitude of the level. PPV is typically used for evaluating potential building damage, while RMS velocity in decibels (VdB) is typically more suitable for evaluating human response.

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

Construction Vibration

Construction activities for the project have the potential to generate low levels of groundborne vibration. The operation of construction equipment generates vibrations that propagate though the ground and diminishes in intensity with distance from the source. Vibration impacts can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage of buildings at the highest levels. The construction activities associated with the project could have an adverse impact on both sensitive structures (i.e., building damage) and populations (i.e., annoyance).

The FTA has published standard vibration levels for construction equipment operations, at a distance of 25 feet, along with a method for calculating vibration at other distances. The construction-related vibration levels were calculated for the distances between each of the four sensitive receivers evaluated and the nearest construction activities to each one. Results are listed in **Table 4.13-7**.

Table 4.13-7
VIBRATION LEVELS OF TYPICAL CONSTRUCTION EQUIPMENT

Equipment	North Receiver (126 feet)		East Receiver (698 feet)		South Receiver (284 feet)		West Receiver (245 feet)	
	RMS (in/sec)	VdB	RMS (in/sec)	VdB	RMS (in/sec)	(VdB)	RMS (in/sec)	(VdB)
Loaded trucks	0.0067	65	0.0005	43	0.0020	54	0.0024	56
Small bulldozer	0.0003	37	0.00002	15	0.00008	26	0.0001	28

As shown in **Table 4.13-7**, the PPV of construction equipment at the nearest sensitive receiver (126 feet) is at most 0.0067 inch per second, which is less than the FTA damage threshold of 0.12 inch per second PPV for fragile historic buildings. The maximum vibration decibels are 65 VdB, which are below the FTA threshold for human annoyance of 80 VdB. Vibration impacts would therefore be less than significant. No mitigation is needed.

Operational Vibration

The project consists of retail stores and restaurants and would not involve the use of stationary equipment that would result in high vibration levels, which are more typical for large manufacturing and industrial projects. Groundborne vibrations at the project site and immediate vicinity currently result from heavy-duty vehicular travel (e.g. freight trucks) on the nearby local roadways, and the project would not result in a substantial increase of these heavy-duty vehicles on the public roadways. Therefore, vibration impacts associated with operation of the project would be less than significant.

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

No Impact

As further detailed in **Section 4.9**, the closest airport or private airstrip would be the Flabob Airport of Riverside County, a public use airport about 6.25 miles southeast of the project site. The project site would be outside of the Airport Influence Area (AIA) and would be outside of the Noise Compatibility Contours. Therefore, the project would not expose people residing or working in the project area to excessive noise levels and no impact would occur.

4.14 Population and Housing

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

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

Less than Significant Impact

The project proposes the development of 64,037 square feet of building area that would include a market store and three quick service drive-through pads. It does not propose construction of any residential uses, nor does it include extension of existing infrastructure. The project would create employment opportunities (both during the construction and operational phases). However, it is anticipated that employees from the local workforce would be hired during both the construction and operational phases of the project. The project is not of the scope or scale to induce people to move from out of the project area to work at the proposed project. Furthermore, the City of Fontana General Plan 2015-2035 Update, accounts for an additional 40,599 employees within the planning area with the focus for growth identified as the Downtown Core of the City and "Livable Corridors". These Livable Corridors are envisioned for Sierra Avenue from Baseline to I-10, Foothill Blvd through the entire City, and Valley Boulevard for several blocks east and west of Sierra Boulevard (Stantec, 2018b, p. 5.11-2). The proposed project site is located within the "Livable Corridors" identified for growth and increased economic activity in the City's General Plan. Therefore, less than significant impacts would occur regarding unplanned growth as a result of the project.

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 mostly vacant other than some remnants of a parking lot used in previous development. Therefore, the project would not displace housing or people and the project would not necessitate the construction of replacement housing elsewhere. No impact would occur.

4.15 Public Services

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

a) Fire Protection?

Less than Significant Impact

Fire prevention, fire protection and emergency response services for the city of Fontana are provided by the Fontana Fire Protection District (FFPD) through a contract with the San Bernardino County Fire Department. The FFPD also investigates and mitigates hazardous materials and has firefighters with special expertise in wildfires (Stantec, 2018a, p. 8-6). The FFPD is staffed with 129 full-time personnel. The FFPD has a response time goal for all service calls to arrive on scene in six minutes or less (City of Fontana, 2019b, p. 351).

There are seven fire stations in the city, two of them within two miles of the project site. Fire Station 72 is located at 15380 San Bernardino Avenue, approximately 1.9 miles west of the project site (Google Earth Pro, 2020). This station serves the City of Fontana and unincorporated areas of San Bernardino County and is staffed with one Captain, one Engineer, two Firefighter Medics, and one Firefighter. The station is equipped with one medic engine and one squad vehicle (City of Fontana, 2020b).

Fire Station 77 is located at 17459 Slover Avenue, approximately 1.7 miles southeast of the project site (Google Earth Pro, 2020). This station serves the South Fontana area, including Kaiser Hospital, Interstate 10, and numerous commercial shopping centers. Station 77 is staffed with one Captain, one Engineer, two Firefighter Medics, and one Firefighter, and is equipped with one medic truck and one medic squad (City of Fontana, 2020b).

The project proposes the development of 64,037 square feet of building area that would include a market store and three quick service drive-through pads. Travel time to the project site from Station 72 is approximately six minutes and from Station 77 is approximately five minutes (Google Earth Pro, 2020). Therefore, the FFPD response time for the two closest fire stations to the project site would be within the FFPD's goal of having a six-minute response time.

As shown on **Figures 4.9-3** and **4.9-4,** provided in **Section 4.9** of this IS, the project site is not located within either an SRA FHSZ or a Very High FHSZ LRA for San Bernardino County. The project would be in compliance with applicable portions of the City of Fontana Municipal Code, Chapter 11: Fire Prevention. The project would also be consistent with the 2019 edition of the California Building Code (CBC), and the 2018 edition of the International Fire Code (IFC), as adopted and amended by the Fire District.

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

Development of the project site would be consistent with the land use goals and strategic policy map included in the City of Fontana's 2015-2035 General Plan and has therefore been planned for, from the standpoint of long-term infrastructure needs (Stantec, 2018a, Chapter 15). In addition, the Fontana Fire Protection District collects development mitigation fees for fire facilities which would be available to fund additional fire protection facilities as needed.

The project's demands on fire protection services would have a less than significant impact.

b) Police Protection?

Less than Significant Impact

The City of Fontana Police Department provides police and law enforcement services in the project area. The FPD has 188 sworn officers (Stantec, 2018b, p. 5.12-1). FPD is comprised of four separate divisions: Office of the Chief of Police; Administrative Services; Field Services; and Special Operations (City of Fontana, 2018a). The nearest police station to the project site is located at 17005 Upland Avenue, approximately two miles north of the project site (City of Fontana 2020c). The City of Fontana standard for police protection prescribes a ratio of 1.4 sworn police officers per 1,000 residents (Stantec, 2018b, p. 5.12-1). Given the estimated population of 213,739 in 2018 (City of Fontana, 2020d), the FPD has an approximate service to population ratio of one sworn officer per 1,137 residents (0.88 sworn officers per 1,000 residents).

Although the City of Fontana does not meet its police service ratio, the residential population is not expected to increase as a result of the proposed project. While the project would create employment opportunities (both during the construction and operational phases), it is anticipated that employees from the local workforce would be hired during both phases. The project is not of the scope or scale to induce people to move from out of the project area to work at the proposed project. Therefore, the ratio of sworn officers to residents is not expected to change.

Moreover, development of the project site is consistent with the overall growth anticipated by the General Plan at buildout and has therefore been planned for from the standpoint of long-term infrastructure needs (Stantec, 2018a, Chapter 15). The project would not result in a substantial increase in the population and housing in the surrounding area nor is it expected to significantly affect the existing service capacity of the FPD. Therefore, less than significant impacts would occur.

c) Schools?

No Impact

The project site is located within the Fontana Unified School District (FUSD). FUSD provides public education for over 40,000 students and includes 29 elementary schools, seven middle schools and five high schools (FUSD, 2019). FUSD schools serving the project site include Poplar Elementary School (grades K-5), Almeria Middle School (grades 6-8), and Fontana High School (grades 9-12). Poplar Elementary School is located 1.8 miles west of the project site at 9937 Poplar Avenue. Almeria Middle School is located 3.9 miles northwest of the project site at 7723 Almeria Avenue. Fontana High School is located 1.4 miles west of the project site at 9453 Citrus Avenue.

The project does not propose any new residential uses and therefore, no new residents of school age are anticipated as a result of the proposed project. Therefore, no impact would occur.

d) Parks?

Less than Significant Impact

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

Jack Bulik Skate Park, located at 16581 Filbert Avenue, is approximately 0.35 mile southwest of the project site. The park includes facilities such as picnic tables and a skate park (City of Fontana, 2020e). Veterans Park, at 17255 Merrill Avenue, is located approximately one mile northeast from the project site. The park includes facilities such as ball fields, barbecue area, and picnic shelters (City of Fontana, 2020f).

The project does not propose residential land uses or an increase in the resident population of the city. While it is possible that employees at the project site may visit nearby parks, the potential impact of these visits would be less than significant.

e) Other Public Facilities?

No Impact

Library services in the city are provided by the San Bernardino County Library System, which is comprised of 32 branch libraries. Within the City of Fontana, there are three libraries: the Fontana Lewis Library and Technology Center located at 8437 Sierra Avenue; the Summit Branch Library located at 15551 Summit Avenue; and the Kaiser High School Library located at 11155 Almond Avenue (San Bernardino County Public Library, 2020). The Fontana Lewis Library and Technology Center is located approximately 1.6 miles north of the project site. The project is not of the scope or scale to induce significant resident population growth in the city. Therefore, the project would have no impact on other public facilities.

4.16 Recreation

Would the project:	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			**X**	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				**X**

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

Less Than Significant Impact

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

The project proposes the development of 64,037 square feet of building area that would include a grocery market and three quick service drive-through pads. The residential population is not expected to increase as a result of the proposed project. While the project would create employment opportunities (both during the construction and operational phases), it is anticipated that employees from the local workforce would be hired during both phases. Moreover, the land uses immediately surrounding the project site are primarily residential and/or commercial.

The parks nearest to the project include Jack Bulik Skate Park, located approximately 0.35 mile northwest of the project site, and Veterans Park located approximately one mile northeast from the project site. While it is possible that employees at the project site may visit these parks, the potential impact of these visits would be less than significant.

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

No Impact

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

4.17 Transportation

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

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

Less than Significant Impact

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

City of Fontana Active Transportation Plan (ATP)

The 2017 Fontana ATP (Alta Planning and Design, 2017) is used to implement infrastructure improvements for better connectivity throughout Fontana, to surrounding cities, and the region by providing safe and comfortable walking and bicycling linkages (Stantec, 2018b, p. 5.13-14).

City of Fontana Development Impact Fee (DIF) Program

The City's DIF program was adopted pursuant to Government Code § 66000 et seq. Fontana's Development Services Department oversees the use of the DIF fees, which fund projects in the City's capital improvement program (Stantec, 2018b, p. 5.13-14).

San Bernardino Congestion Management Program (CMP)

The intent of the CMP is to provide the analytical basis for transportation decisions through the Statewide Transportation Improvement Program (STIP) process, a multi-year capital improvement program of transportation projects on and off the State Highway System. The San Bernardino County CMP, published by the San Bernardino County Transportation Authority (SBCTA), defines a network of state highways and arterials in the county and provides guidelines regarding level of service (LOS) standards, impact criteria, and a process for mitigation of impacts on CMP facilities (Stantec, 2018b, p. 5.13-14). With certain exceptions, the minimum acceptable LOS for CMP facilities is defined as

LOS "E." More specifically, the CMP states, "In no case shall the LOS standards established be below the LOS E or the current level, whichever is farthest from LOS A. When the LOS on a segment or at an intersection fails to attain the established LOS standard, a deficiency plan shall be adopted pursuant to Section 65089.4" (San Bernardino Associated Governments, 2016, p. 1-2). The San Bernardino County CMP was last updated in 2016 (San Bernardino County Transportation Authority, 2018).

Existing Conditions and Proposed Project

The project site fronts on San Bernardino Avenue and Sierra Avenue. Vehicles would access the facility via two driveways, one on Sierra Avenue and one on San Bernardino Avenue. Access for pedestrians from the public right-of-way to the buildings onsite would be via the sidewalk on the eastern portion of the project site, along Sierra Avenue, and the sidewalk on the southern portion of the project site, along San Bernardino Avenue. The project site's primary connections to the nearest regional transportation corridor, the I-10 Freeway, is via Sierra Avenue approximately 0.64 mile south of the project site (Google Earth Pro, 2020).

Public transit bus service is provided in the project area by Omnitrans. Three Omnitrans bus routes operate within the vicinity of the project site on Sierra Avenue and/or San Bernardino Avenue with connections to Colton, Redlands, Yucaipa, Ontario, Pomona, and Rancho Cucamonga (Linscott, Law, & Greenspan Engineers, 2020). The service to some of these areas is via the Fontana Metrolink Station located on Sierra Avenue approximately 1.1 miles north of the project site. The project site is within walking distance of several existing bus stops, which currently serve and would continue to serve the project site. The bus stops nearest to the project site are located on the northeast corner of the intersection of Sierra Avenue at San Bernardino Avenue, on the west side of Sierra Avenue, just south of Holly Drive, on the north side of San Bernardino Avenue, just west of Juniper Avenue, on the west side of Sierra Avenue, north of Marygold Avenue, and on the east side of Sierra Avenue, just north of Marygold Avenue (Linscott, Law, & Greenspan Engineers, 2020). No Class I, II or III bikeways are located along the roads adjacent to the project site (Stantec, 2018b, p. 5.13-2).

The proposed project would not conflict with the provisions of the City General Plan's Circulation Element, the City's ATP, and San Bernardino's CMP, or interfere with public transit or bicycle transportation, project impacts would be less than significant, and no mitigation would be required.

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

Less than Significant Impact

Section 15064.3, Determining the Significance of Transportation Impacts, of the CEQA Guidelines describes specific considerations for evaluating a project's transportation impacts. Section 15064.3(b) includes criteria for analyzing transportation impacts. For land use projects, "Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within a 0.5-mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact" (CEQA Guidelines § 15064.3).

On June 9, 2020, the City of Fontana adopted Vehicle Miles Traveled (VMT) Thresholds for determining transportation impacts pursuant to CEQA Guidelines. This adoption was required by

Senate Bill (SB) 743 and the recent changes to Section 15064.3 of the CEQA Guidelines. For the purpose of CEQA analysis of VMT and traffic impacts associated with projects proposed in the City of Fontana, the City also adopted Traffic Impact Analysis Guidelines for Vehicle Miles Traveled (VMT) and Level of Service Assessment (City of Fontana, June 2020).

The TIA report prepared for the project (Linscott, Law, & Greenspan Engineers, 2020, p. 42-43) included a Vehicle Miles Traveled (VMT) analysis consistent with the Technical Advisory on Evaluating Transportation Impacts in CEQA prepared by the State of California Governor's Office of Planning and Research (OPR) (December, 2018) as well as the City's Traffic Impact Analysis Guidelines for VMT Assessment. The City's Traffic Impact Analysis Guidelines for VMT Assessment consistent with the OPR Technical Advisory, provides project screening criteria and guidance for analysis of VMT assessments. The following VMT screening criteria was utilized for the proposed project.

- The project is located within a 0.5-mile of an existing major transit stop or an existing stop along a high-quality transit corridor.

- The project is local serving retail less than 50,000 square feet.

Transit Service

As stated previously, public transit bus service is provided in the project area by Omnitrans. Three Omnitrans bus routes (routes 19, 61, and 82) operate within the vicinity of the project site on Sierra Avenue and/or San Bernardino Avenue with connections to Colton, Redlands, Yucaipa, Ontario, Pomona, and Rancho Cucamonga. These routes provide service to some of these areas via the Fontana Metrolink Station located on Sierra Avenue, approximately 1.1 miles north of the project site. The bus stops nearest to the project site are located on the northeast corner of the intersection of Sierra Avenue at San Bernardino Avenue and on the west side of Sierra Avenue, just south of Holly Drive. These bus stops are located directly adjacent to the project frontage on Sierra Avenue and are well within 0.5 mile of the project site (Linscott, Law, & Greenspan Engineers, 2020, p. 42).

Some frequencies between the three bus routes between the two bus stop locations are less than every 15 minutes during the AM and PM peak periods and thus the project area qualifies as a high-quality transit corridor. Therefore, based on City's VMT Assessment guidelines, it was qualitatively concluded that the proposed project be screened out from further VMT analysis (Linscott, Law, & Greenspan Engineers, 2020, p. 42).

Local Serving Retail

The proposed project includes the construction of four buildings totaling 56,917 square feet. The four buildings consist of a 42,850-square-foot supermarket (Northgate Market), and three additional building pads as follows: Pad 1: a 6,690-square-foot multi-use building (inclusive of a 2,700-square-foot fast-food restaurant with drive-through window and a 3,990-square-foot commercial business), Pad 2: a 2,300-square-foot fast-food restaurant with drive-through window, and Pad 3: a 5,077-square-foot fast-food restaurant with drive-through window. Although the proposed project would provide slightly greater than 50,000 square feet, the individual land uses of the proposed project meet the OPR definition of local serving retail (Linscott, Law, & Greenspan Engineers, 2020, p. 42).

Additionally, the proposed project is consistent with both the definition and location of the City of Fontana General Plan designation of Neighborhood-Serving Retail. Therefore, based on the aforementioned reasons, the TIA report qualitatively concluded that the proposed project be screened out from further VMT analysis (Linscott, Law, & Greenspan Engineers, 2020, p. 42-43).

In conclusion, the proposed project is within 0.5 mile of a high-quality transit corridor and is considered Neighborhood-Serving Retail per the City of Fontana General Plan, and is generally consistent with OPR's definition of local serving retail (when considered individually), it is concluded that the project should be screened out from further VMT analysis and could be presumed to have a less than significant VMT impact per the OPR Technical Advisory (Linscott, Law, & Greenspan Engineers, 2020, p. 43).

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

Less than Significant Impact

Vehicles would access the facility via one driveway on Sierra Avenue and one driveway on San Bernardino Avenue. Access for pedestrians from the public right-of-way to the buildings onsite would be from the sidewalk on the eastern portion of the project site, along Sierra Avenue and the sidewalk on the southern border of the project site, along San Bernardino Avenue. All onsite access and sight-distance setbacks would be in accordance with City of Fontana and Caltrans design requirements. The project site is currently developed but vacant. It was previously used as a car dealership and has existing driveways along Sierra Avenue and San Bernardino Avenue. The proposed project would improve driveway access to the site and therefore, would not increase hazards due to a geometric design feature, such as the driveways.

As discussed in **Section 4.11**, the City's General Plan land use designation for the project site is WMXU-1 (City of Fontana, 2019). The City's zoning designation for the project site is Sierra Gateway FBC (City of Fontana, 2019). The proposed project would create a commercial development with a market, restaurants and offices, which would adhere to the Sierra Gateway FBC zoning designation. Therefore, the proposed project land use would be compatible with the designated land use and would not increase hazards due to incompatible land use.

In conclusion, the proposed project would not substantially alter or impact roads, intersections, sight lines, or land uses. The facility would not require farm equipment or other unusually slow vehicles that would present a traffic hazard. Therefore, the project would not increase hazards due to a geometric design feature or incompatible uses, and therefore, traffic hazard impacts would be less than significant.

d) Would the project result in inadequate emergency access?

Less than Significant Impact

Construction

During the construction phase, lanes and sidewalks may be temporarily closed off. To ensure that circulation and emergency access during construction is adequate, the City requires preparation and implementation of a Traffic Management Plan (TMP) for all projects that require construction in the

public right-of-way (ROW). The typical TMP requires such things as the installation of K-rail between the construction area and open traffic lanes, the use of flagmen and directional signage to direct traffic where only one travel lane is available or when equipment movement creates temporary hazards, and the installation of steel plates to cover trenches under construction. Emergency access must be maintained. Compliance with City requirements for traffic management during construction in the public ROW would ensure adequate emergency access. The TMP would be reviewed and approved by the City's Traffic Engineer prior to the start of construction activity in the public right-of-way. Therefore, the proposed project would not result in inadequate emergency access during construction and impacts would be less than significant.

Operation

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

4.18 Tribal Cultural Resources

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

4.18.4 Methods

Information from the Phase I Cultural Resources Inventory Report, dated June 5, 2020 (see **Appendix E**), prepared by UltraSystems for the Northgate Market Center Project describes the research for and analysis of potential cultural resources data conducted for the project. This research included a cultural resources record search at the SCCIC of the California Historical Resources Information System, a SLF record search by the NAHC, and a pedestrian survey assessment (refer to **Section 4.5**).

No prehistoric archaeological resources were observed during the field survey. Previous cultural resources surveys within the 0.5-mile radius resulted in no archaeological sites or isolates being recorded. During the cultural resources record search at the SCCIC, no prehistoric resources were present on the project site. The results of the pedestrian assessment indicate it is highly unlikely that

prehistoric properties would be adversely affected by construction of the project. The cultural resource study findings suggest that there is a low potential for finding prehistoric resources.

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

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

No Impact

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

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

Less than Significant Impact with Mitigation Incorporated

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

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

In compliance with AB 52, letters were sent by the City of Fontana's Planning Department (the lead agency) (City) to all applicable Native American Tribes. Brett Hamilton, Associate Planner with the City's Community Development Department, is the City lead for this process. The letters were sent April 7, 2020 by certified mail and emails were sent April 13, 2020 to the following tribes:

- Agua Caliente Band of Cahuilla Indians,
- Augustine Band of Cahuilla Mission Indians,
- Cabazon Band of Mission Indians,
- Cahuilla Band of Indians,
- Gabrieleño Band of Mission Indians – Kizh Nation,
- Gabrieleno/Tongva San Gabriel Band of Mission Indians,
- Gabrielino/Tongva Nation,
- Gabrielino Tongva Indians of California Tribal Council,
- Gabrielino-Tongva Tribe,
- Los Coyotes Band of Cahuilla Band of Indians,
- Morongo Band of Mission Indians,
- Quechan Tribe of the Fort Yuma Reservation,
- Ramona Band of Cahuilla Indians,
- San Fernando Band of Mission Indians,
- Santa Rosa Band of Cahuilla Indians,
- Serrano Nation of Mission Indians,
- Soboba Band of Luiseno Indians, and
- Torres-Martinez Desert Cahuilla Indians.

The City received a reply from the Gabrieleño Band of Mission Indians – Kizh Nation (Gabrieleño – Kizh Nation) on April 13, 2020, by email, asking about the project's potential for ground disturbance. Another email response was received by the city on April 14, 2020 from the Gabrieleño – Kizh Nation with an attached letter requesting consultation. On April 17, 2020, Gabrieleño – Kizh Nation Chairperson Salas emailed requesting the consultation take place on May 21, 2020. A consultation teleconference call between the City and the Gabrieleño – Kizh Nation was conducted on May 21, 2020. In the May 21, 2020 call, the Gabrieleño – Kizh Nation indicated that they are concerned with the Northgate project and wanted to know if the City knew of any historical information on prior soil disturbance. The City reported that the Northgate site was previously occupied by a car dealership. The Gabrieleño – Kizh Nation understood that the site is currently paved but indicated that they would like to know if native soil had been removed from the site and replaced with non-native infill or whether the soil had just been graded. The tribe also indicated the desire to be involved if native soil is still underneath the pavement. The City stated that as part of the project, all of the existing pavement would need to be removed. The site is not very level so there is likely to be a fair amount of grading at the site. No subsequent communications have been received from the tribe.

The City received a response on April 14, 2020 from Jill McCormick of the Quechan Tribe of the Fort Yuma Reservation indicating that they had no concerns with the project. A response was received on April 13, 2020 from the Santa Rosa Band of Mission Indians updating the tribal chairperson and tribal administrative assistant contacts; the tribe had no comment on the project. The Torres-Martinez Desert Cahuilla Indians responded via email on April 21, 2020 that they defer all comments to the Soboba Band of Luiseño Indians. There was no further follow up from the City because the Soboba Band was not on the NAHC contact list received by the City. A response was received from Jessica Mauck of the San Manuel Band of Mission Indians on May 12, 2020 indicating that the project area is in their traditional territory but they do not have concerns with the project. Ms. Mauck did suggest two mitigation measures that would be addressed through project compliance with the City's standard conditions of approval for historic and archaeological resources. The

remaining tribes did not reply to the city within the 30-day response period, nor have they done so to date.

No prehistoric archaeological resources were observed during the field survey. The results of the pedestrian assessment indicate it is highly unlikely that prehistoric properties will be adversely affected by construction of the project. During the cultural resources record search at the SCCIC, no prehistoric resources were found. The cultural resource study findings suggest that there is a low potential for finding resources.

The cultural resource study findings (see **Section 4.5**) suggest that there is a low potential for finding prehistoric resources. However, previous development on the project site was conducted prior to CEQA cultural resources review requirements.

The City requires all development projects, in the City, to comply with the City's standard conditions of approval regarding historic and archaeological resources, provided above in **Section 4.5.3 a)**. The proposed project would be required to comply with the City's standard conditions of approval regarding historic and archaeological resources. Compliance with the City's standard conditions of approval would ensure that project impacts on tribal cultural resources would be less than significant.

4.19 Utilities and Service Systems

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

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

Less than Significant Impact

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

Wastewater Treatment: The City's sanitary sewer system involves more than 250 miles of six-foot to 42-inch sewer lines and six sewage pump stations (Stantec, 2018b, p. 5.12-17). Regional domestic wastewater treatment services are provided under the Regional Sewer Service Contract with the Inland Empire Utilities Agency (IEUA). The City's wastewater is treated at the IEUA's Regional Plant (RP)-1. The plant has undergone several expansions to increase the wastewater treatment capacity

to its current 44 million gallons per day. The plant treats an average effluent wastewater flow of approximately 28 million gallons per day (IEUA, 2020).

As shown in **Table 4.19-1**, the proposed project is estimated to generate approximately 83 gallons per day of wastewater. The estimated amount of wastewater generated daily by the proposed project is a fraction of IEUA's RP-1 daily capacity. Therefore, there is sufficient capacity available at the RP-1 to meet the demands of the proposed project.

Table 4.19-1
ESTIMATED PROJECT WASTEWATER GENERATION

Land Use	Generation Rate Gallons Per Net Acre Per Day (GPAD)[1]	Net Acres	Total Estimated Wastewater Generation (GPD)
Commercial	10.76	7.7	82.85

Notes:
[1] City of Fontana, General Plan Update FEIR, Table 5.12-8 Wastewater Generation Factors, pp. 5.12-17.

The project proposes offsite sewer improvements to connect the sewer lines from the project site to the existing sewer network in San Bernardino Avenue. It proposes to construct a six-inch VCP sewer line along the western edge of the site, including two sewer manholes with a connection to San Bernardino Avenue, a proposed six-inch VCP sewer line southeast of the project with a second connection on San Bernardino Avenue, and a proposed six-inch VCP sewer lateral east with a new connection into Sierra Avenue. All sewer line sizes and connections are subject to review by the City. The project applicant will work with the City's Public Works Department for necessary approvals and ensure compliance with applicable requirements. No new treatment facilities or expanded entitlements will be required. Therefore, the project would have a less than significant impact regarding wastewater treatment.

Stormwater Drainage: Stormwater drainage would be handled through use of the MaxWell Plus drainage system and the Contech 72" CMP retention system, considered to be the industry standard for draining large paved surfaces and nuisance water. The system, which provides both volume retention by the 72" CMP system and treatment by deep infiltration by the Maxwell Plus Drainage system. The 72" CMP will store over a combined volume of 14,800 cf. As detailed in the Water Quality Management Plan for the proposed project, the recently developed Dunkin Donuts parcel just north of the project site installed a Layfield Stormtank Underground Infiltration system in 2019, which treats the required design capture volume (DCV). The proposed project would connect to the existing storm drain stub downstream of the existing Layfield Stormtank Underground Infiltration system, and would pipe the high-flow through the project site, which would ultimately discharge onto San Bernardino Avenue (Blue Peak Engineering, Inc., 2020, p. 1-1).

The proposed project would be designed in compliance with applicable City of Fontana regulations regarding stormwater runoff and the project would be reviewed by the City of Fontana Public Works Department to ensure that the development would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems. Refer to **Section 4.10** of this IS for additional information.

Electric Power: Electric power for the City of Fontana is provided by SCE (City of Fontana Utilities, 2020). The proposed project is located in a developed area, and infrastructure for providing electric power to the area is well established. SCE typically utilizes existing utility corridors to reduce environmental impacts, and has energy-efficiency programs to reduce energy usage and maintain reliable service throughout the year (Southern California Edison, 2019). The project would be constructed in accordance with applicable Title 24 regulations, and would not necessitate the construction or relocation of electric power facilities. Therefore, a less than significant impact would occur.

Natural Gas: SoCalGas is the primary distributor of retail and wholesale natural gas across Southern California, including the City of Fontana. SoCalGas provides services to residential, commercial, and industrial consumers, and also provides gas for electric generation customers. In its 2018 California Gas Report, SoCalGas analyzed an 18-year demand period, from 2018-2035, to determine its ability to meet projected demand (California Gas and Electric Utilities, 2018. p. 63).

SoCalGas expects total gas demand to decline 0.74 percent annually from 2018 to 2035 as a result of energy-efficiency standards and programs, renewable electricity goals, modest economic growth in its service region, and advanced metering infrastructure (California Gas and Electric Utilities, 2018, p. 66). Moreover, SoCalGas plans on implementing aggressive energy-efficiency programs that will result in natural gas savings across all sectors that will ensure longevity of its natural gas supplies and adequate generation rates (California Gas and Electric Utilities, 2018, p. 78). Therefore, anticipated natural gas supply is adequate to meet demand in the SoCalGas region, and the proposed project is not expected to impact this determination. Thus, no natural gas facilities would have to be constructed or relocated to accommodate the proposed project, and a less than significant impact would occur.

Telecommunications Facilities: Telecommunication services, including internet, phone, and television, for the city of Fontana are provided by AT&T (City of Fontana Utilities, 2020). The proposed project would be served by existing telecommunication facilities. Therefore, the project would not require or result in the relocation or construction of new or expanded telecommunications facilities. The project would have a less than significant impact in this regard.

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

Fontana Water Company manages water supply for much of the City of Fontana, including the project area. It provides water utility service to a population of about 223,000 persons. Besides the City of Fontana, the company also serves portions of Rialto and Rancho Cucamonga, as well as adjacent unincorporated areas of San Bernardino County. Fontana Water Company's service area covers approximately 52 square miles with 38 wells, 17 storage reservoirs, and 3.5 million feet of water distribution mains (Fontana Water Company, 2017, p. 3-1).

The primary sources of water supply for the Fontana Water Company service area are local groundwater, local surface water, and imported surface water. The sources of water provided to Fontana Water Company's customers, as of July 2015, were approximately 73 percent groundwater, five percent local surface water, and 22 percent water from the State Water Project. Groundwater is produced from the Chino Basin, Rialto Basin, Lytle Basin, and No Man's Land basin. Water to

replenish the Chino Basin is purchased from Metropolitan Water District of Southern California (MWD) by IEUA in cooperation with the Chino Basin Watermaster. Local surface water from Lytle Creek and imported surface water from the State Water Project is treated at Fontana Water Company's Sandhill Surface Water Treatment Plant (Fontana Water Company, 2017, 7-1).

The most recent Urban Water Management Plan (UWMP) prepared for Fontana Water Company, written in 2015 and amended in 2017, estimated the future demands and supplies for the company's service area. The quantity of supply available from different water supply sources can vary from year to year, depending on hydrologic conditions; however, Fontana Water Company supplies are adequate to meet current and projected population demands through 2040 (Fontana Water Company, 2017, Table 7-4. p. 7-5). The service area growth forecast was based on the regional growth forecast for Southern California Association of Governments (SCAG)'s 2012–2035 Regional Transportation Plan/Sustainable Communities Strategy.

The proposed project would result in the construction of a new commercial shopping center that would not induce population growth as a result of construction or operation. Fontana Water Company calculated its actual 2015 water use for the 2015 calendar year, which showed an urban per capita water use of 140 gallons per capita per day (GPCD) (Fontana Water Company, 2017). The projected water use for 2020 was calculated to be 156 GPCD based on the average overall GPCD from 2014 to 2015 (Fontana Water Company, 2017, p.4-3).

To determine the reliability of its water supplies, Fontana Water Company analyzed anticipated water supply and demand for normal, dry, and multiple dry years. These analyses totaled the amount of water expected from each of its supplies during various types of years, and compared them with anticipated demand, accounting for water conservation policies to be implemented in dry years. As shown in **Table 4.19-2** below, water supplies are adequate to meet projected demand in normal, dry, and multiple dry years.

Table 4.19-2
DETAIL OF WATER SUPPLY AND DEMAND[1]

	Normal Year[1]		Single Dry Year[1]		Multiple Dry Years[1,3] (3)	
	Supply	**Demand**	**Supply**	**Demand**	**Supply**	**Demand**
2020	40,140	40,140	29,998	29,998	29,998	29,998
2025	47,536	47,356	35,526	35,526	35,526	35,526
2030	50,773	50,773	37,945	37,945	37,945	37,945
2035	53,711	53,711	40,141	40,141	40,141	40,141
2040	56,562	56,562	42,272	42,272	42,272	42,272

Notes:
[1]Volumes are in acre-feet (AF).
[2]Volumes are for third of three consecutive dry years.
Source: Fontana Water Company, 2015 Urban Water Management Plan, pp. 7.5-7.7

Moreover, although the project would use water during project operation, increased water use from projects such as the proposed project have been accounted for in the latest UWMP prepared for Fontana Water Company. The UWMP found that with its current water supplies, planned future water supplies, and water conservation, Fontana Water Company will be able to reliably provide

water to its customers. Although a minor increase in the demand for water would occur as a result of the project, the increase would not be significant because adequate water supplies and facilities are available to serve the proposed project, and reasonably foreseeable future development during normal, dry and multiple dry years. Therefore, less than significant impacts would occur.

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

Less than Significant Impact

As described in Section 4.19 a) above, the estimated volume of wastewater generated by the proposed project would comprise only a small fraction of the IEUA's daily wastewater treatment capacity. Therefore, the estimated wastewater generated by the project would be within the existing capacity of the wastewater treatment provider and less than significant impacts would occur.

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

Less than Significant Impact

Solid waste disposal services for the City of Fontana are provided by Burrtec Waste Industries, a private company under franchise agreement with the City. Burrtec also operates the City's curbside recycling (including greenwaste recycling) program. Currently, the Mid-Valley Sanitary Landfill located adjacent to the City of Fontana, in Rialto, is the primary solid waste depository for the area (Stantec, 2018a, p. 10.8).

The current maximum permitted throughput of the Mid-Valley Landfill is 7,500 tons per day. As of 2019, the facility had 61,219,377 cubic yards of capacity remaining and an anticipated closure year of 2045 (CalRecycle, 2020).

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

The project's estimated solid waste generation in tons per day is estimated below in **Table 4.19-3**. The proposed project is estimated to generate 0.933 tons of solid waste per day. The current permitted solid waste disposal at the Mid-Valley Landfill is 7,500 tons per day. Therefore, the project's construction waste would represent a small fraction of the City's landfill capacity.

Table 4.19-3
ESTIMATED PROJECT-GENERATED SOLID WASTE

Project Component	Land Use	Solid Waste Generation Rate[1]	Approximate Square Footage	Estimated Waste (tons/day)
Northgate Gonzalez Market	Supermarket	3.12 pounds per 100 square feet per day	42,850	0.668
Shops	Shopping Center	2.5 pounds per 100 square feet per day	7,120	0.089
Pad 1	Shopping Center	2.5 pounds per 100 square feet per day	6,690	0.084
Pad 2	Shopping Center	2.5 pounds per 100 square feet per day	2,300	0.029
Pad 3	Shopping Center	2.5 pounds per 100 square feet per day	5,077	0.063

Notes:
[1] Cal Recycle, 2020. Estimated Solid Waste Generation Rates. Accessed online at: https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates, accessed on June 6, 2020. As a "worst case" analysis, the generation rate for shopping center was used for the square footage of the project that is not the proposed market because it has a higher solid waste generation rate (2.5 pounds per 100 square feet per day) than the category of Restaurant (with a generation rate of 0.005 pounds per square feet per day).

The project's estimated increase of 0.933 tons of waste per day represents a small fraction of the Mid-Valley Landfill's daily capacity (0.0001%). Since sufficient permitted landfill capacity exists to support operation of the proposed project, no adverse impact on either solid waste collection service or the landfill disposal system would occur. Therefore, project impacts on existing solid waste disposal facilities would be less than significant.

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

Less than Significant Impact

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

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

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

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

4.20 Wildfire

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

A wildfire is an uncontrolled fire that spreads through vegetative fuels, posing danger and threatening life and property. Wildfires can occur in undeveloped areas and spread to urban areas, where development can be heavily concentrated. The City is surrounded by foothills that have steep terrain and light, flashy fuels, and the predominate weather patterns feature high temperatures and low humidity, as well as seasonal high-speed Santa Ana winds. These factors together, with many homes that are built near or in the interface zone, have created a potential for significant damage due to wildfire. Historically, most of the wildfires in the City have occurred in northwest Fontana, with occasional fires in the Jurupa Hills. Northwest Fontana has high chaparral vegetation, steep slopes and is subject to hot Santa Ana winds blowing down the Cajon Pass. The Jurupa Hills have high grasses and steep slopes. The City has established a Fire Hazard Overlay District in sections of North Fontana and open space areas in South Fontana to reduce risk from wildfire.

The project site is not located in a Fire Hazard Severity Zone Local Responsibility Area. Review of the CAL FIRE Fire Resource and Assessment Program (FRAP) maps for state responsibility areas (SRAs) in San Bernardino County indicates that the project site is not located in an SRA (CAL FIRE, 2020). Moreover, the City of Fontana does not contain any areas classified as very high fire hazard severity zones (VHFHSZs) in state responsibility areas. A portion of land along the city's southern boundary, is classified as a VHFHSZ under a local responsibility area (LRA) (CAL FIRE, 2008). This region is separated from the project site by Interstate 10 and other developed areas of the city. Therefore, the project site is not located in a fire hazard severity zone, and is not located in a fire hazard severity zone for either an SRA or an LRA, as detailed in **Figure 4.9-2,** *Fire Hazard Severity Zone - State*

Responsibility Area and **Figure 4.9-3,** *Fire Hazard Severity Zone - Local Responsibility Area,* provided in **Section 4.9** of this Initial Study.

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

No Impact

As detailed above, the project site is not located in or near areas or lands classified as very high fire hazard severity zones. The city's Local Hazard Mitigation Plan (LHMP) anticipates that all interstates would serve as evacuation routes, and Interstate 10 is located 0.7 miles south of the site, accessible from an onramp on Sierra Avenue. The city has accommodated for continued growth and development in VHFHSZs and the proposed project would not affect efficacy of established fire-safety plans. Since the project is not located in an SRA or LRA and development near LRAs and VHFHSZs has been accounted for in the City's safety plans, the project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan (City of Fontana, 2018b). Thus, no impact would occur.

b) If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact

As detailed above, the project site is not located in or near areas or lands classified as VHFHSZs. No slopes are located on the project site which could exacerbate wildfire risks. The project is located in central Fontana and historically, northwestern Fontana has faced the majority of wildfires in the city due to slopes and Santa Ana winds blowing down from the Cajon Pass. These fires have been contained in that region, and are not anticipated to affect central and southern areas of the city, including the project site (Stantec, 2018b, pp. 5.7-10–5.7-11). Therefore, the project would not expose project occupants (i.e., those working at the project site during project operations) to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire and no impact would occur.

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

No Impact

As detailed above, the project site is not located in or near areas or lands classified as VHFHSZs. The project would not require the installation or maintenance of infrastructure that may exacerbate fire risk. As demonstrated in this document, neither construction nor operation of the project would, after implementation of mitigation, result in significant temporary or ongoing impacts to the environment. The project would be constructed in compliance with applicable building and fire codes. Therefore, the proposed project would have no impact in this regard.

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

Less Than Significant Impact

As detailed above, the project site is not located in or near areas or lands classified as VHFHSZs. The proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. The project site is relatively flat and is not located in an area with high slopes or unstable ground conditions. Moreover, the City of Fontana 2017 LHMP, states that there have been no historical occurrences of landslides in the city. The majority of the City of Fontana, including the project site, has relatively stable geology and soils with a very low risk of liquefaction (Stantec, 2018b, p. 5.5-10). Therefore, the proposed project would have a less than significant impact in this regard.

4.21 Mandatory Findings of Significance

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

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less than Significant Impact with Mitigation

Section 4.4 of this document addresses impacts on biological resources. The project site is located in an urbanized setting. The project site provides low habitat value for special-status plant and wildlife species. No special-status plants or wildlife[28] were observed within the project site. Thus, no direct or indirect impacts on special-status plants or wildlife species are anticipated. The project site supports ornamental vegetation that could potentially provide cover and nesting habitat for bird

28 Special status species include candidate and sensitive species.

species that have adapted to urban areas, and are protected under the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code. With the implementation of mitigation measures **BIO-1** and **BIO-2**, the project would have a less than significant impact on nesting bird species.

Section 4.5 of this document addresses potential impacts on Cultural Resources. The project would be built on a vacant parking lot that used to operate as a car dealership. Based on the cultural resources records search, it was determined that no historic cultural resources have been previously recorded within the project site boundary. The result of the pedestrian survey was negative for both prehistoric and historic sites and isolates on the project site. Based on the results of the records search, tribal consultation, and the onsite field survey, it is unlikely that cultural resources or tribal resources would be adversely affected by construction of the project. No human remains have been previously identified or recorded onsite. It is unlikely that undisturbed unique archaeological resources exist on the project site. However, grading activities associated with development of the project would cause new subsurface disturbance and could potentially result in the unanticipated discovery of archaeological resources. Compliance with City's standard conditions of approval regarding historic and archaeological resources and mitigation measure **CUL-3** are recommended to reduce potential impacts on archeological resources and human remains to a less than significant level.

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

Less than Significant Impact with Mitigation Incorporated

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

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

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

Because the project would not increase environmental impacts after mitigation measures are incorporated, the incremental contribution to cumulative impacts is anticipated to 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 Impact with Mitigation Incorporated

The Phase I ESA report prepared for the project states that there are several Recognized Environmental Concerns (RECs) identified for the project site being that the project site was a long-term car dealership that handled a large amount of petroleum products and other car dealership related hazardous materials. Additionally, the adjacent properties, a gasoline station and a tire shop, also held large amount of petroleum products that could have potentially leaked to the project site, which is also an REC. As detailed in **Section 4.9** (Hazards and Hazardous Materials), due to the project site's previous use and adjacent properties, there is a potential for contamination of the soils from petroleum products. With the implementation of mitigation measure **HAZ-1,** potential impacts associated with handling of subsurface soils during project construction would be less than significant.

As discussed in **Sections 4.3** through **4.8** of this document, after the implementation of mitigation measures, potential adverse environmental effects were found to be less than significant on human beings, either directly or indirectly. Therefore, less than significant impacts would occur.

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7.0 MITIGATION MONITORING AND REPORTING PROGRAM

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

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

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

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

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

Table 7.0-1
MITIGATION MONITORING AND REPORTING PROGRAM

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.1 Aesthetics				
Threshold 4.1c) Except as provided in Public Resources Code Section 21099, would the project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	**MM AES-1:** The project applicant shall ensure that construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site to the extent practical. Staging areas shall be screened from view from residential properties with solid wood fencing or green fence. Construction worker parking may be located offsite with approval of the City; however, on-street parking of construction worker vehicles on residential streets shall be prohibited. Vehicles shall be kept clean and free of mud and dust before leaving the project site. Surrounding streets shall be swept daily and maintained free of dirt and debris.	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. Prior to the start of construction activities and during project construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.4 Biological Resources				
Threshold 4.4a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	**MM BIO-1: Pre-Construction Breeding Bird Survey** If construction is anticipated to commence during the nesting season (between January 1 and August 31 of any given year, or as determined by a local CDFW office), a qualified avian biologist shall conduct a preconstruction nesting bird survey no earlier than one week prior to construction. If an active bird nest is located during the pre-construction survey and potentially will be affected, a no-activity buffer zone shall be delineated on maps and marked in the field by fencing, stakes, flagging, or other means up to 500 feet for raptors, or 100 feet for non-raptors. Materials used to demarcate the nests will be removed as soon as work is complete or the fledglings have left the nest. The qualified avian biologist will determine the appropriate size of the buffer zone based on the type of activities planned near the nest and bird species. Buffer zones will not be disturbed until the qualified avian biologist determines that the nest is inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area, or the young will no longer be affected by project activities. Periodic monitoring by the qualified avian biologist will be performed to determine when nesting is complete. After the nesting cycle is complete, project activities may begin within the buffer zone.	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. Prior to the start of construction activities and during project construction
	MM BIO-2: Biological Monitor If special-status wildlife species or nesting bird species are observed and determined present within the project site during the pre-construction breeding bird surveys, then a biological monitor shall be onsite to monitor throughout activities that result in tree or vegetation removal to minimize the likelihood of inadvertent impacts on nesting birds and other wildlife species. Monitoring shall also be conducted periodically during construction activities to ensure no new nests occur during any vegetation removal or building demolition activities between February 1 through August 31. The biological monitor shall ensure that all biological mitigation measures, best management practices, avoidance, and protection	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. Prior to the start of construction activities and during project construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
	measures and mitigation measures described in the relevant project permits and reports are in place and are adhered to. The biological monitor shall have the authority to temporarily halt all construction activities and all non-emergency actions if sensitive species and/or nesting birds are identified and would be directly affected. The monitor shall notify the appropriate resource agency and consult if needed. If necessary, the biological monitor shall relocate the individual outside of the work area where it will not be harmed. Work can continue at the location if the applicant and the consulted resource agency determine that the activity will not result in effects on the species.			
4.5 Cultural Resources				
Threshold 4.5c) Would the project disturb any human remains, including those interred outside of formal cemeteries?	**MM CUL-1**: If human remains are encountered during excavations associated with this project, all work shall stop within a 30-foot radius of the discovery and the San Bernardino County Coroner will be notified (§ 5097.98 of the Public Resources Code). The Coroner will determine whether the remains are recent human origin or older Native American ancestry. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, they will contact the NAHC. The NAHC will be responsible for designating the Most Likely Descendant (MLD). The MLD (either an individual or sometimes a committee) will be responsible for the ultimate disposition of the remains, as required by § 7050.5 of the California Health and Safety Code. The MLD will make recommendations within 24 hours of their notification by the NAHC. These recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials (§ 7050.5 of the Health and Safety Code).	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. Project Construction

TOPICAL AREA IMPACT	MITIGATION MEASURE	RESPONSIBLE/ MONITORING PARTY	MONITORING ACTION	1. ENFORCEMENT AGENCY 2. MONITORING AGENCY 3. MONITORING PHASE
4.7 Geology and Soils				
Threshold 4.7f) Project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	**MM GEO-1**: If paleontological resources are uncovered during project construction, the contractor shall halt construction activities in the immediate area and notify the City of Fontana. The on-call paleontologist shall be notified and afforded the necessary time and funds to recover, analyze, and curate the find(s). Subsequently, the monitor shall remain onsite for the duration of the ground disturbance to ensure the protection of any other resources that are found during construction in the project site.	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. Project Construction
4.9 Hazards and Hazardous Materials				
Threshold 4.9b) 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?	**MM HAZ-1:** The project applicant shall have a Phase II Environmental Site Assessment (ESA) conducted prior to issuance of demolition or construction permits to confirm or deny the presence of hazardous wastes at the project site as a result of historic and adjacent property operations. The Phase II ESA would consist of soil and soil vapor sampling; testing of soil and soil vapor samples for contaminants to be determined during the Phase II ESA; and a human health hazard assessment based on the results of the testing. If the human health hazard assessment concludes that hazardous materials affecting the project site are present in concentrations above regulatory action levels for commercial land use, then the ESA would recommend hazardous materials remediation. Types of remediation include extraction and disposal in a landfill for disposal of contaminated soil; in-situ treatment using bioremediation, thermal treatment, or chemical treatment; soil vapor extraction; and capping. Additionally, the project applicant shall follow all recommendations of the Phase II to ensure that there would be less than significant impacts in regard to hazardous materials on and near the project site.	Project Applicant	Field Verification	1. City of Fontana 2. City of Fontana 3. Prior to the issuance of grading permits and start of construction activities