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RESOLUTION NO. 2020-072

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF FONTANA, CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH # 2018011008) FOR THE I-15 LOGISTICS PROJECT; ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM.

WHEREAS, the I-15 Logistics Project ("Project") proposes to develop and operate an approximately 1,175,788-square foot logistics facility on approximately 76 acres ("Logistics Site"), the realignment of a segment of Lytle Creek Road, and the annexation of 152 acres, inclusive of the 76-acre Logistics Site; and

WHEREAS, the Project is located in unincorporated San Bernardino County just northwest of Interstate 15, south of Sierra Avenue, east of Lytle Creek Road, and in the northern portion of the City's Sphere of Influence ("SOI"), at the base of the lower slopes of the San Gabriel Mountains, with the San Bernardino National Forest to the northwest; and

WHEREAS, the Project requires approvals of a General Plan Amendment to change Land Use Designations on approximately 76 acres of the Project Area to change the Land Use from Residential Estate (R-E) to Light Industrial (I-L) in order to accommodate the Logistics Site, and a General Plan Amendment to change the General Plan Circulation Element designation for Lytle Creek Road from a four-lane Secondary Highway to a two-lane Collector; and

WHEREAS, the Project requires approval of a Zone change on approximately 76 acres of the Project Area to change the pre-zoning from Residential Estate (R-E) to Light Industrial (M-1); and

WHEREAS, the Project requires approval of an annexation to annex a total of 21 parcels and portions of road ROW encompassing approximately 152 acres into the City of Fontana; and

WHEREAS, the Project requires a request to San Bernardino County LAFCO for a SOI amendment (expansion) to include APN 0239-041-15 and portions of APNs 0239-091-13 and -14, and the westerly ROW of Lytle Creek Road into the City's existing SOI; and

WHEREAS, the Project requires approval of the plan, site improvements, and building elevations (architecture) for the approximately 1,175,788-square-foot logistics facility building; and

WHEREAS, the Project requires approval of the Project Development Agreement; and

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WHEREAS, the Project requires approval of Tentative Tract Map No. 19712; and

WHEREAS, pursuant to Public Resources Code section 21067 of the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) ("CEQA"), section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), and the City's Local CEQA Guidelines, the City is the lead agency for the proposed Project; and

WHEREAS, pursuant to CEQA and the State CEQA Guidelines the City determined that an Environmental Impact Report ("EIR") should be prepared in order to analyze all potential adverse environmental impacts of the proposed Project; and

WHEREAS, the City issued a Notice of Preparation ("NOP") of a Draft EIR for the proposed Project on or about January 4, 2018 and circulated the NOP for a 30-day public review period ending on February 7, 2018; and

WHEREAS, in the NOP, the City solicited comments from various public agencies, other entities, and members of the public; and

WHEREAS, on January 31, 2018, the City held a public scoping session meeting to further solicit comments on the scope of the EIR; and

WHEREAS, on or about August 13, 2019, the City initiated a 45-day public review and comment period of the Draft EIR for the proposed Project and released the Draft EIR for public review and comment; and

WHEREAS, pursuant to State CEQA Guidelines section 15086, the City consulted with and requested comments from all responsible and trustee agencies, other regulatory agencies, and others during the 45-day public review and comment period; and

WHEREAS, during the public comment period, copies of the Draft EIR were available for review and inspection at the following two locations: (1) City of Fontana, Community Development Department – Planning Division, located at 8353 Sierra Avenue, Fontana, CA 92335, and (2) Fontana Lewis Library and Technology Center, located at 8437 Sierra Avenue, Fontana, CA 92335.

WHEREAS, the City received a total of ten (10) letters or email comments on the Draft EIR during the 45-day public review and comment period. Of these comment letters, six (6) were received from state, regional, or local agencies; three (3) were from organizations; and one (1) from the general public; and

WHEREAS, on September 17, 2019 the City Planning Commission held a hearing on the Draft EIR and proposed Project and verbal comments were made by various individuals; and

WHEREAS, the City has prepared a Final EIR, consisting of the comments received during the 45-day public review and comment period on the Draft EIR, written responses to those comments, revisions to the Draft EIR, and an errata making minor, non-substantive changes to the Final EIR. For the purposes of this Resolution, the "EIR"

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shall refer to the Draft EIR, as revised by the Final EIR, together with the other sections of the Final EIR; and

WHEREAS, the EIR analyzed four alternatives to the Project, including the SB 330 Compliance Alternative ("Project Alternative"), examining the environmental impacts of each alternative as well as the ability of the alternatives to meet Project objectives; and

WHEREAS, the Project Alternative involves amendments to the General Plan and Zoning Code to increase the density on a 12.-5 acre site in the City, which will increase the net residential density in the City by 22 units; and

WHEREAS, in contrast to the Project, the Project Alternative is legally feasible as SB 330 precludes the City from approving a project that would result in the loss of planned housing capacity at the Project site without concurrently changing the zoning designations of other properties to offset the loss of planned housing capacity ; and

WHEREAS, on June 23, 2020, the City Council held a public hearing on the Project, at which all persons wishing to testify were heard; and

WHEREAS, the environmental impacts of the Project Alternative identified in the EIR that result in no impact or constitute a less than significant impact and do not require mitigation are described in **Section 3** hereof; and

WHEREAS, the environmental impacts of the Project Alternative identified in the EIR as potentially significant but which the City finds can be mitigated to a level of less than significant through the incorporation of feasible Mitigation Measures identified in the EIR and set forth herein, are described in **Section 4** hereof; and

WHEREAS, the environmental impacts of the Project Alternative identified in the EIR as potentially significant but which the City finds cannot be mitigated to a level of less than significant, despite the imposition of feasible Mitigation Measures identified in the EIR and set forth herein, are described in **Section 5** hereof; and

WHEREAS, the cumulative impacts of the Project Alternative identified in the EIR and set forth herein, are described in **Section 6** hereof; and

WHEREAS, the significant and irreversible environmental changes that would result from the proposed Project Alternative, but which would be largely mitigated, and which are identified in the EIR and set forth herein, are described in **Section 7** hereof; and

WHEREAS, the existence of any growth-inducing impacts resulting from the proposed Project Alternative identified in the EIR and set forth herein, are described in **Section 8** hereof; and

WHEREAS, alternatives to the proposed Project that might eliminate or reduce significant environmental impacts are described in **Section 9** hereof; and

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WHEREAS, the City Council has determined that the benefits of the Project Alternative outweigh its potential significant environmental impact, and the basis for that determination is set forth in the Statement of Overriding Considerations included in **Section 10** hereof; and

WHEREAS, the Mitigation Monitoring and Reporting Program setting forth the mitigation measures to which the City shall bind itself in connection with the Project Alternative, is adopted in **Section 11** below, and is attached hereto **as Exhibit "A"**; and

WHEREAS, prior to taking action, the City Council has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including the EIR, and all oral and written evidence presented to it during all meetings and hearings; and

WHEREAS, the EIR reflects the independent judgment of the City Council and is deemed adequate for purposes of making decisions on the merits of the Project; and

WHEREAS, the City has not received any comments or additional information that constituted substantial new information requiring recirculation under Public Resources Code section 21092.1 and State CEQA Guidelines section 15088.5; and

WHEREAS, all the requirements of CEQA, the State CEQA Guidelines, and the City's Local CEQA Guidelines have been satisfied by the City in the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the proposed Project Alternative have been adequately evaluated; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

THE CITY COUNCIL OF THE CITY OF FONTANA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1: Recitals

The recitals above are true and correct and are incorporated into this Resolution by reference as findings of fact.

Section 2: Summary of Findings

At a session assembled on June 23rd, the City Council determined that, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at meetings and hearings, and the submission of testimony from the public, organizations and regulatory agencies, the following environmental impacts associated with the Project Alternative are: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified Mitigation Measures; or (3) significant and cannot be

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fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified Mitigation Measures.

Section 3: Findings Regarding Less Than Significant Impacts Not Requiring Mitigation

Consistent with Public Resources Code section 21002.1 and section 15128 of the State CEQA Guidelines, the EIR focused its analysis on potentially significant impacts, and limited discussion of other impacts for which it can be seen with certainty there is no potential for significant adverse environmental impacts. State CEQA Guidelines section 15091 does not require specific findings to address environmental effects that an EIR identifies as "no impact" or a "less than significant" impact. Nevertheless, the City Council hereby finds that the Project Alternative would have either no impact or a less than significant impact to the following resource areas:

A. AESTHETICS

1. Scenic Vista

Threshold: Would the proposed Project have a substantial adverse effect on a scenic vista?

Finding: Less than significant impact. (Draft EIR, p. 4.1-8.)

Explanation: No specific scenic views or vistas are identified in the City of Fontana by the Fontana General Plan. However, the Fontana General Plan Conservation, Open Space, Parks, And Trails Element notes that panoramic view corridors towards the mountains and views of the City from the mountains dominate the City's visual landscape character. Although the Fontana General Plan does not identify specific scenic view corridors within the City, development of the Logistics Site would change views across the Logistics Site from mostly open space with limited development and improvements (e.g., powerlines) and a backdrop of the San Gabriel Mountains to a warehouse facility that would intermittently and partially block views of the foothills of the San Gabriel mountains from I-15. The following two public areas are further considered in this analysis for the purposes of impacts to scenic views/vistas: Lytle Creek Road and I-15.

Lytle Creek Road: Motorists traveling along Lytle Creek Road experience partial views of San Gabriel Mountains and San Bernardino National Forest. However, the Fontana General Plan does not designate specific scenic routes within the City. Further, there are no readily available bicycle or pedestrian facilities along Lytle Creek Road, suggesting that there is little scenic value as a public view corridor for this section of Lytle Creek Road. Lytle Creek Road, within the vicinity of the site, is not considered a scenic route in this regard. It should also be noted that Lytle Creek Road traverses the base of the mountains and, given its route, the mountains are often obstructed given the roadway's proximity to the mountains and relative height/topography of adjacent areas. Also, vertical electrical infrastructure, including power lines and towers, are visible from multiple points along Lytle Creek Road and obstruct views of the mountains or other open

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space. Finally, the Proposed Project Alternative would construct a warehouse facility on the opposite side of Lytle Creek Road from the San Gabriel Mountains. Thus, less than significant impacts would occur in this regard.

I-15: Motorists traveling along I-15 also experience partial views of the San Gabriel Mountains and San Bernardino National Forest. Freeway motorists are generally considered to be engaged in the surrounding visual environment, depending on speed of travel and traffic conditions. Drivers traveling in congested traffic conditions would likely perceive detailed views of the Project features for longer durations of time while drivers traveling at normal freeway speeds would have a narrow focus and specific viewshed, and thus would be less visually aware of the proposed changes.

The proposed Logistics Facility and the buildout of the SB 330 Compliance Alternative Site would partially block views of the foothills of the San Gabriel Mountains. However, distant views of the San Gabriel Mountains would largely remain. As with Lytle Creek Road, vertical electrical infrastructure, including power lines and towers, are visible in the foreground, on the Logistics Site, and on the mountains. These features lessen the quality of the views of the San Gabriel Mountains from I-15 across the Logistics Site. Further, I-15 is not identified as a scenic route by the City of Fontana General Plan nor the Caltrans' State Scenic Highway Mapping System; refer to Findings A-2 Scenic Resources With a State Scenic Highway below.

Based on the foregoing and the reasons discussed in the EIR, the Project Alternative would have less than significant impacts. No mitigation is required. (Draft EIR, pp. 4.1-7 through 4.1-8; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-30 through 8.0-31.)

2. Scenic Resources With a State Scenic Highway

Threshold: Would the Project potentially substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Finding: No impact. (Draft EIR, p. 4.1-8.)

Explanation: There are no officially designated state or county scenic highways in the vicinity of the Project Area. The closest officially designated state scenic highway in San Bernardino County is a 16 mile portion of SR 38. SR 38 is approximately 40 miles east of the project site (Caltrans 2017). Due to the distance of this segment of SR 38 and intervening topography, structures, and vegetation, the Project site is not located in the viewshed of this state scenic highway. The Project Alternative would have no impact in this regard. (Draft EIR, p. 4.1-8; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-30 through 8.0-31.)

3. Visual Character

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Threshold: Would the project substantially degrade the existing visual character or quality of public view of the site and its surroundings?

Finding: Less than significant impact. (Draft EIR, p. 4.1-10.)

Explanation:

Short-Term Construction Impacts

Although a Logistics Facility and the buildout of the SB 330 Compliance Alternative Site would replace open space, construction activities are a common occurrence in the developing Inland Empire region of Southern California and are not considered to substantially degrade the area's visual character or quality. Consistent with standard industry practices, construction equipment, vehicles, and materials would be staged within a designated area (or areas) on site. Although equipment staging activities could potentially be viewed from adjacent properties and roadways, views of staged construction equipment, vehicles, and materials would be temporary and would cease upon completion of project construction. Therefore, the Project Alternative's short-term construction impacts associated with the existing visual character and quality would be less than significant. (Draft EIR, p. 4.1-8.)

Long-Term Operational Impacts

The development area, which includes the 76-acre area on which the Logistics Facility and related amenities would be constructed, currently includes eight single-family residences, associated parking areas, and landscaping. The development area is bounded by Lytle Creek Road to the northwest, Caltrans right-of-way to the southeast associated with I-15, and private, mostly vacant lands to the northeast and south.

The Proposed Project Alternative would alter the Logistics Site's existing visual character by demolishing the existing on-site residences and constructing a warehouse logistics building with associated office spaces and surface parking areas. In addition, the Project Alternative proposes to improve and realign Lytle Creek Road from the westernmost boundary of the Project Area to its intersection with Sierra Avenue. Furthermore, the SB 330 Compliance Alternative Site would facilitate more intensive development than existing conditions or existing zoning (i.e. development of up to 5.1 to 12 du/acre versus 5 du/acre). As a result, the Project Alternative would alter the land use and increase the site's development density, and additional hardscapes would be visible as a result of realignment of Lytle Creek Road and the buildout of the SB 330 Compliance Alternative Site, which in turn could result in a change of visual character. However, development of the proposed project would be consistent with existing and planned development on surrounding properties.

The Logistics Site is situated near the easternmost portion of the San Gabriel Mountains and adjacent to I 15. The proposed warehouse building (not including parking and other amenities) would extend approximately 1,820 feet fronting Lytle Creek Road and I-15 and would be approximately 640 feet wide. The approximately 50-foot-high

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warehouse building would be set back approximately 320 feet from the Lytle Creek Road property line and approximately 160 feet from the I-15 property line, which would lessen massing from I-15. An 8-foot-high wrought iron fence would surround the property in all directions. In areas fronting I-15, fencing block wall could be up to 14 feet high to screen parked trucks. Property fencing would be set back approximately 20 feet from the property line. Trees would be planted between the property line and the proposed wrought iron fence to shield the fence. Ornamental landscaping would be provided all around the property. Additionally, an on-site detention flood control and infiltration basin would be installed on the southernmost portion of the property.

The proposed concrete tilt-up warehouse building would use light colors such as white, gray, and blue and would incorporate anodized aluminum framing with a metal canopy. Refer to Exhibit 3.0 11, Elevations (found at Draft EIR, p. 3.0-49.)

The City of Fontana's Zoning and Development Code (Chapter 30 of the Code of Ordinances) includes design standards related to building size, height, floor area ratio, and setbacks, as well as landscaping, signage, and other visual considerations. These design standards help adjacent land uses to be visually consistent with one another and their surroundings and reduce the potential for aesthetic conflicts. The design specifications of all development proposals submitted to the City are reviewed for compliance with applicable provisions set forth in the Zoning and Development Code. As part of the City's development review process, the proposed project's architectural plans will be reviewed by City staff, the Development Advisory Board, and the Planning Commission to determine whether project design conforms to the Zoning and Development Code and promotes the visual character and quality of the surrounding area.

Therefore, based on compliance with the proposed General Plan land use designations and the City's Development Code requirements related to design and compatibility, the Project Alternative's impacts associated with visual character and quality as experienced from public views of the project site would be less than significant. No mitigation is required. (Draft EIR, pp. 4.1-8 through 4.1-10; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-30 through 8.0-31.)

4. Light or Glare

Threshold: Would the Project potentially create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Finding: Less than significant impact. (Draft EIR, p. 4.1-11.)

Explanation:

Short-Term Construction Impacts

The Proposed Project Alternative would be required to comply with the City's Noise Ordinance (Chapter 18, Article II, Noise, of the Code of the City of Fontana), which

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prohibits construction during the evening and nighttime hours. Project construction would be limited to the daytime hours, and nighttime lighting would be limited to temporary security lighting during construction.

Although there may be some material on construction equipment that may produce limited and minimal amounts of glare, such as side mirrors or unpainted metal surfaces, any potential glare would be short-term in duration because of the movement of either the equipment or angle of the sun. Impacts would be temporary and less than significant.

Long-Term Operational Impacts

In its undeveloped condition, the existing on-site residences generate minimal light or glare. However, in the immediate vicinity of the Project Area, nighttime illumination is currently generated by the surrounding residential developments to the south and the associated vehicle traffic on adjacent roadways and particularly from vehicles on I 15, as well as nearby commercial uses.

The Project Alternative would require nighttime lighting for safety and security. Consistent with the City's Zoning and Development Code (Section 30-184), all lighting used on site is required to be directed and/or shielded to prevent the light from adversely affecting adjacent properties, and no structures or features that create adverse glare effects are permitted. All exterior lighting used on the site would be shielded/hooded to prevent light trespass onto nearby properties, including the adjacent residential developments to the south and the Caltrans right-of-way associated with I-15. The warehouse building would also include substantial setbacks that would limit light exposure. The approximately 50-foot-high warehouse building would be set back approximately 320 feet from the Lytle Creek Road property line and approximately 160 feet from the I-15 property line.

In addition, the Project Alternative would use a variety of nonreflective building materials and would not introduce substantial or excessive sources of glare on the project site. Further, no light- or glare-sensitive receptors are located in the immediate Project Area; as such, it is unlikely that any such receptors would be subject to light or glare impacts from the project. The SB 330 Compliance Alternative Site would increase the potential for additional sources of light or glare because it would facilitate more intense development than existing conditions. However, because the SB 330 Compliance Alternative Site would allow additional residential development within a residential area, new development would be generally compatible with the surrounding area and impacts to light and glare would remain less than significant. Therefore, the Project Alternative's long-term impacts associated with light and glare would be less than significant. No mitigation is required. (Draft EIR, pp. 4.1-10 through 4.1-11; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-31.)

B. AGRICULTURE AND FORESTRY RESOURCES

1. Conversion of Prime, Unique or Statewide Important Farmland

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Threshold: Would the Project result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural land use?

Finding: No impact. (Draft EIR, p. 5.0-1.)

Explanation: The Project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as mapped on the Important Farmland Finder maintained by the California Department of Conservation (2017). Further, no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance exists within the site vicinity. Thus, implementation of the Project Alternative has no impact. (Draft EIR, p. 5.0-1.)

2. Agricultural Zoning

Threshold: Would the Project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Finding: No impact. (Draft EIR, p. 5.0-1.)

Explanation: Refer to Section 3, B-1, Conversion of Prime, Unique or Statewide Important Farmland, above. The Proposed Project site has no significant agricultural resources. Williamson Act contracts do not exist for any of the parcels on the site (DOC 2016). No impact is anticipated to occur because the existing zoning assumes the property will be developed for potential residential or industrial uses and does not require that any land be set aside for agricultural purposes. The site is not located in a zone designated to protect vital agricultural uses like those properties in the County's Agricultural Preserve Overlay. No impacts under the Project Alternative would occur. (Draft EIR, p. 5.0-1.)

3. Forest Land Zoning and Loss of Forest Land

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

Finding: No impact. (Draft EIR, p. 5.0-1.)

Explanation: The Proposed Project site contains a limited number of trees and does not include forestland or timberland (Google Earth 2017). Additionally, the site is not zoned as forestland. The Project Alternative would not conflict with existing zoning for, or cause rezoning of, forestland, timberland, or timberland zoned Timberland Production. No impact would occur. (Draft EIR, p. 5.0-1.)

4. Loss of Forest Land

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Threshold: Would the Project result in the loss of forest land or conversion of forest land to non-forest use?

Finding: No impact. (Draft EIR, p. 5.0-2.)

Explanation: Refer to Section 3, B-3, Forest Land Zoning and Loss of Forest Land, above. No impact would occur. (Draft EIR, p. 5.0-2.)

5. Conversion of Farmland to Non-Agricultural Uses

Threshold: 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?

Finding: No impact. (Draft EIR, p. 5.0-2)

Explanation: The Proposed Project site has no agricultural or forest resources and is not designated as Farmland, as mapped on the Important Farmland Finder maintained by the California Department of Conservation (2017). Therefore, the Proposed Project Alternative would not convert Farmland to nonagricultural uses or forestland to non-forest use. No impact would occur. (Draft EIR, p. 5.0-2.)

C. AIR QUALITY

1. Expose Sensitive Receptors

Threshold: Would the Project expose sensitive receptors to substantial pollutant concentrations?

Finding: Less than significant impact. (Draft EIR, pp. 4.2-20 through 4.2-24.)

Explanation: Sensitive receptors are defined as facilities or land uses that include members of the population who are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and day-care centers. CARB has identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, athletes, and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis. Table 4.2-7, Sensitive Receptors, (found at Draft EIR, p. 4.2-19) lists the distances and locations of sensitive receptors in the project vicinity. The distances depicted in the table are based on the distance from the Logistic Site to the sensitive receptor. Exhibit 4.2-1, Sensitive Receptors (found at Draft EIR, p. 4.2-2) shows the locations of the receptors in relation the Project Site.

Construction-Related Localized Air Quality Impacts

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Localized significance thresholds (LSTs) were developed in response to the SCAQMD Governing Board's Environmental Justice Enhancement Initiative. The SCAQMD prepared the Final Localized Significance Threshold Methodology (dated June 2003 [revised 2009]) for guidance. The LST methodology assists lead agencies in analyzing localized air quality impacts. CalEEMod calculates construction emissions based on the number of equipment hours and the maximum daily soil disturbance activity possible for each piece of equipment. Table 4.2 8, Equipment-Specific Grading Rates, (found at Draft EIR, p. 4.2-20) shows the maximum daily disturbed acreage for comparison to LSTs.

For this Project Alternative, the appropriate source receptor area (SRA) for the LSTs is the Central San Bernardino Valley area (SRA 34) since this area includes the Project Site. LSTs apply to CO, NO2, PM10, and PM2.5. Based on applicant assumptions and default information provided by CalEEMod, the Project Alternative is anticipated to disturb up to 330 acres during the Logistics Facility/Lytle Creek Road Realignment grading phase and up to 1.5 acres during the SB 330 Compliance Alternative grading phase. The Logistics Facility/Lytle Creek Road Realignment grading phase would take approximately 44 days in total to complete and the SB 330 Compliance Alternative grading phase would take approximately four days in total to complete. As such, the Logistics Facility/Lytle Creek Road Realignment grading phase would actively disturb an average of approximately 7.5 acres per day (330 acres divided by 44 days) and the SB 330 Compliance Alternative grading phase would actively disturb an average of approximately 0.4 acres per day (1.5 acres divided by 4 days). Therefore, the LST thresholds for five acres (Logistics Facility/Lytle Creek Road Realignment) and one acre (the SB 330 Compliance Alternative) was utilized for the construction LST analysis.

The SCAQMD's methodology clearly states that "off-site mobile emissions from the project should not be included in the emissions compared to LSTs." Therefore, for purposes of the construction LST analysis, only emissions included in the CalEEMod "on-site" emissions outputs were considered. LSTs are provided for distances to sensitive receptors of 25, 50, 100, 200, and 500 meters. The nearest existing sensitive receptor to the development boundaries is approximately 150 feet (46 meters) from the Logistics Facility/Lytle Creek Road Realignment site and approximately 40 feet (12 meters) from the SB 330 Compliance Alternative site boundary of construction activities. Therefore, the LST for receptors at a distance of 25 meters (Logistics Facility/Lytle Creek Road Realignment) and 25 meters (SB 330 Compliance Alternative) were used in this analysis.

Table 4, *Localized Significance of Emissions for Construction*, (found at Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, p. 14) presents the estimates of localized emissions during construction activity. As shown in the table, the maximum air pollutant emissions resulting from project construction would not exceed the applicable LST. Therefore, this impact is less than significant. (Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 13-14.)

Operation-Related Localized Air Quality Impacts

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According to the SCAQMD methodology, LSTs apply to the operational phase of a proposed project if the project includes stationary sources or attracts mobile sources that may spend long periods queuing and idling at the site (e.g., warehouse or transfer facilities). Since the Project Alternative involves the development of a warehouse, the operational phase LST protocol was applied. LSTs for receptors located at 50 meters for SRA 34 were used in this analysis.

The LST analysis only includes on-site sources; however, the CalEEMod model outputs do not separate on- and off-site emissions for mobile sources. For a worst-case scenario assessment, the emissions shown in Table 5, *Localized Significance of Operational Emissions*, (found at Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, p. 15) include all on-site project-related stationary (area) sources and 5 percent of the project-related mobile sources. Considering that the weighted trip length used in CalEEMod for the Project Alternative is 40 miles, 5 percent of this total would represent an on-site travel distance for each car and truck of 2 miles or 10,560 feet; thus, the 5 percent assumption is conservative and would tend to overstate the actual impact. Modeling based on these assumptions demonstrates that even within broad encompassing parameters, project operational-source emissions would not exceed applicable LSTs. Therefore, operational LST impacts would be less than significant in this regard. (Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 14-15.)

Carbon Monoxide Hot Spots

Carbon monoxide emissions are a function of vehicle idling time, meteorological conditions, and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels (adversely affecting residents, schoolchildren, hospital patients, the elderly, etc.).

The SCAQMD requires a quantified assessment of CO hot spots when a project increases the volume-to-capacity ratio (also called the intersection capacity utilization) by 0.02 (2 percent) for any intersection with an existing level of service (LOS) D or worse. Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersections.

The Basin is designated as an attainment area for the federal CO standards and an attainment area for state CO standards. There has been a decline in overall carbon monoxide emissions in the United States even though vehicle miles traveled on urban and rural roads have increased. On-road mobile source CO emissions declined 24 percent between 1989 and 1998, despite a 23 percent rise in motor vehicle miles traveled over the same 10 years. California trends have been consistent with national trends; CO emissions declined 20 percent in California from 1985 through 1997 while vehicle miles traveled increased 18 percent in the 1990s. Three major control programs have contributed to the reduced per vehicle CO emissions: exhaust standards, cleaner burning fuels, and motor vehicle inspection and maintenance programs.

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A detailed CO analysis was conducted in the Federal Attainment Plan for Carbon Monoxide (CO Plan) for the SCAQMD's 2003 Air Quality Management Plan. The locations selected for microscale modeling in the CO Plan are worst-case intersections in the Basin and would likely experience the highest CO concentrations. Thus, carbon monoxide analysis in the CO Plan is utilized in a comparison to the Proposed Project Alternative, since it represents a worst-case scenario with heavy traffic volumes in the Basin. Of the locations analyzed by SCAQMD for the 2003 Air Quality Management Plan, the intersection of Wilshire Boulevard/Veteran Avenue in the City of Los Angeles experienced the highest CO concentration (4.6 parts per million [ppm]), which is well below the 35-ppm 1-hour CO federal standard. The Wilshire Boulevard/Veteran Avenue intersection is one of the most congested intersections in Southern California, with an average daily traffic volume of approximately 100,000 vehicles per day. Based on information in the Traffic Impact Analysis, the intersection of Sierra Avenue and Lytle Creek Road was identified as having the greatest amount of traffic. Based off the Traffic Impact Analysis, the Sierra Avenue and Lytle Creek Road intersection would experience a total volume of 7,920 vehicle trips per day during the horizon year 2040, which is well below the 100,000 vehicles per day observed at Wilshire Boulevard/Veteran Avenue. Therefore, it can be inferred that CO hot spots would not occur at the intersection of Sierra Avenue or Lytle Creek Road, nor other intersections near the Proposed Project Alternative. Therefore, impacts would be less than significant in this regard. (Draft EIR, p. 4.2-22.)

Carcinogenic Risk

Vehicle DPM emissions were estimated using emission factors for PM10 generated with the 2017 version of EMFAC developed by the California Air Resources Board. EMFAC 2017 is a mathematical model that was developed to calculate emission rates from motor vehicles that operate on highways, freeways, and local roads in California and is commonly used by CARB to project changes in future emissions from on-road mobile sources. The most recent version of this model, EMFAC 2017, incorporates regional motor vehicle data, information and estimates regarding the distribution of vehicle miles traveled (VMT) by speed, and number of starts per day.

Based on the program outputs, the highest expected annual average DPM emission concentrations resulting from operation of the project (634 daily heavy truck trips) would be 0.045 µg/m3. This level of concentration would be experienced at the southern docks on the Warehouse Area. The highest expected annual average diesel PM10 emission concentrations at a sensitive receptor, sensitive receptor #3 (which is located approximately 150 feet from the Warehouse Area boundary), would be 0.0033 µg/m3; refer to the *I-15 Logistics Center Alternative- Health Risk Assessment Technical Memo* (HRA Memo), prepared by Michael Baker International, dated March 25, 2020. The calculations conservatively assume no cleaner technology with lower emissions in future years. Cancer risk calculations are based on 70-, 30-, and 9-year maximally exposed individual resident (MEIR) exposure periods, and a 25-year worker exposure period. As shown in Table 4.2-11 (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-24), Maximum Operational Cancer Risk, the highest calculated carcinogenic risk because of the project is 3.22 per million for a 70-year MEIR exposure, 2.83 per million

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for a 30-year MEIR exposure, 2.01 per million for a 9-year MEIR exposure, and 2.76 per million for the 25-year worker exposure scenario. As shown, the Project Alternative's impacts related to cancer risk and DPM concentrations from heavy trucks would be less than significant at the nearest residences. (Final EIR, Attachment 1 – Revised Draft EIR, pp. 4.2-23 through 4.2-24.)

Noncarcinogenic Hazards

The significance thresholds for TAC exposure also require an evaluation of non-cancer risk stated in terms of a hazard index. Non-cancer chronic impacts are calculated by dividing the annual average concentration by the reference exposure level (REL) for that substance. The REL is defined as the concentration at which no adverse non-cancer health effects are anticipated. The potential for acute non-cancer hazards is evaluated by comparing the maximum short-term exposure level to an acute REL. RELs are designed to protect sensitive individuals in the population. The calculation of acute non-cancer impacts is similar to the procedure for chronic non-cancer impacts.

An acute or chronic hazard index of 1.0 is considered individually significant. The hazard index is calculated by dividing the acute or chronic exposure by the reference exposure level. The highest maximum chronic and acute hazard index associated with the emissions from the project at sensitive receptors would be 0.0089 and 0.0073, respectively; refer to the HRA Memo in Appendix B of the EIR. Therefore, noncarcinogenic hazards are calculated to be within acceptable limits, and a less than significant impact would occur. No mitigation is required. (Final EIR, Attachment 1 – Revised Draft EIR, p. 4.2-24.)

2. Objectionable Odors

Threshold: Would the Project potentially create objectionable odors affecting a substantial number of people?

Finding: Less than significant impact. (Draft EIR, p. 4.2-25.)

Explanation: Typically, odors are regarded as an annoyance rather than a health hazard. However, manifestations of a person's reaction to foul odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache).

With respect to odors, the human nose is the sole sensing device. The ability to detect odors varies considerably among the population and overall is quite subjective. Some individuals have the ability to smell minute quantities of specific substances; others may not have the same sensitivity but may have sensitivities to odors of other substances. In addition, people may have different reactions to the same odor; in fact, an odor that is offensive to one person (e.g., from a fast-food restaurant) may be perfectly acceptable to another. It is also important to note that an unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. This is because of the phenomenon known as odor fatigue, in which a person can become desensitized to almost any odor

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and recognition only occurs with an alteration in the intensity.

Quality and intensity are two properties present in any odor. The quality of an odor indicates the nature of the smell experience. For instance, if a person describes an odor as flowery or sweet, then the person is describing the quality of the odor. Intensity refers to the strength of the odor. For example, a person may use the word "strong" to describe the intensity of an odor. Odor intensity depends on the odorant concentration in the air. When an odorous sample is progressively diluted, the odorant concentration decreases. As this occurs, the odor intensity weakens and eventually becomes so low that the detection or recognition of the odor is quite difficult. At some point during dilution, the concentration of the odorant reaches a detection threshold. An odorant concentration below the detection threshold means that the concentration in the air is not detectable by the average human.

According to the SCAQMD (1993) CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project Alternative does not include any uses identified by the SCAQMD as being associated with odors. Moreover, while the Logistics Facility would generate diesel truck trips, those vehicles would be located a substantial distance from nearby receptors and trucks would be required to comply with mandatory operational emissions reduction standards, such as reducing idling, that would further minimize emissions and possible odors.

Construction activities associated with the Project Alternative may generate detectable odors from heavy-duty equipment exhaust. Construction-related odors would be short-term in nature and cease upon project completion. In addition, the Project Alternative would be required to comply with the California Code of Regulations, Title 13, Sections 2449(d)(3) and 2485, which minimizes the idling time to no more than five minutes. Compliance with these existing regulations would further reduce the detectable odors from heavy-duty equipment exhaust. The Project Alternative would also be required to comply with the SCAQMD Regulation XI, Rule 1113—Architectural Coating, which would minimize odor impacts from ROG emissions during architectural coating. Additionally, construction-related odors dissipate rapidly as the nature of construction necessitates the need to move equipment around the construction site throughout a work day. Any impacts to existing adjacent land uses would be short-term and are less than significant. No mitigation is required. (Draft EIR, pp. 4.2-24 through 4.2-25; Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 250, 2020, p. 15.)

D. BIOLOGICAL RESOURCES

1. Wildlife Movement Corridors and Nursery Sites

Threshold: Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

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Finding: Less than significant impact. (Draft EIR, p. 4.3-31.)

Explanation: According to the Land Use Plan from the San Bernardino County General Plan Open Space Element, the Project Area is not located within a designated wildlife corridor or linkage. While the open and natural habitats within and surrounding the Project Area to the north and southwest allow wildlife to move through the area in search of food, shelter, or nesting habitat from the San Gabriel Mountains, the Project Area is constrained by I-15 to the southeast and Sierra Avenue to the east. The high levels of existing disturbance in the Project Area and the disturbances associated with Sierra Avenue, I-15, and surrounding urban development adjacent to the Logistics Site and SB 330 Compliance Alternative Site limit wildlife use in the area. As such, impacts in this regard would be less than significant. No mitigation is required. (Draft EIR, p. 4.3-31; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-31.)

E. ENERGY

1. Wasteful or Inefficient Consumption of Energy

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

Finding: Less than significant impact. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.5-7 through 4.5-9.)

Explanation: In accordance with State CEQA Guidelines, the effects of a project are evaluated to determine whether they would result in a significant adverse impact on the environment. An EIR is required to focus on these effects and offer mitigation measures to reduce or avoid any significant impacts that are identified. This impact analysis focuses on the three sources of energy that are relevant to the Proposed Project Alternative: electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for project construction.

The analysis of electricity/natural gas usage is based on California Emissions Estimator Model (CalEEMod) greenhouse gas emissions modeling, which quantifies energy use for occupancy. The results of the CalEEMod modeling are included in Appendix B of the Draft EIR. Modeling was based primarily on the default settings in the computer program for San Bernardino County. The amount of operational fuel use was estimated using the California Air Resources Board's EMFAC2017 computer program, which provides projections for typical daily fuel usage in San Bernardino County. The amount of construction-related fuel use was estimated using ratios provided in the Climate Registry (2015) General Reporting Protocol for the Voluntary Reporting Program, Version 2.1. The results of EMFAC2017 modeling and construction fuel estimates are included in the *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, included in Appendix B of the EIR.

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Energy consumption associated with the Proposed Project Alternative is summarized in Table 2, Project and Countywide Energy Consumption (found at Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, p. 4). As shown in Table 2, the Logistic Facility's electricity usage would constitute an approximate 0.0148 percent increase over San Bernardino County's typical annual electricity and an approximate 0.0033 percent increase over San Bernardino County's typical annual natural gas consumption. The Logistic Facility's construction and operational vehicle fuel consumption would increase San Bernardino County's consumption by 0.0804 percent and 0.1220 percent, respectively.

Further, the SB 330 Compliance Alternative site electricity usage would constitute an approximate 0.0010 percent increase over San Bernardino County's typical annual electricity and an approximate 0.0008 percent increase over San Bernardino County's typical annual natural gas consumption. The Project Alternative's construction and operational vehicle fuel consumption would increase San Bernardino County's consumption by 0.0072 percent and 0.0054 percent, respectively.

Construction Energy

During construction, the Proposed Project Alternative would consume energy in two general forms: (1) the fuel energy consumed by construction vehicles and equipment; and (2) bound energy in construction materials, such as asphalt, steel, concrete, pipes, and manufactured or processed materials such as lumber and glass.

Fossil fuels used for construction vehicles and other energy-consuming equipment would be used during site clearing, grading, and construction. Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. Some incidental energy conservation would occur during construction through implementation of the mitigation measures listed in the Draft EIR, Section 4.2, Air Quality, which include a requirement that equipment not in use for more than five minutes be turned off (refer to **Mitigation Measure AQ-4**). Project construction equipment would also be required to comply with the latest EPA and CARB engine emissions standards. These emissions standards require highly efficient combustion systems that maximize fuel efficiency and reduce unnecessary fuel consumption. Additionally, construction building materials could include recycled materials and products originating from nearby sources in order to reduce costs of transportation.

As indicated in Table 2 (found at Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, p. 4), the Logistic Facility's fuel from construction would be 207,197 gallons, which would increase fuel use in the County by 0.0804 percent. The SB330 Compliance Alternative site construction fuel usage would be 18,059 gallons, which would increase fuel use in the County by 0.0072 percent. As such, the Logistics Facility and SB 330 Compliance Alternative site construction would have a nominal effect on the local and regional energy supplies. In addition, the Project Alternative will utilize a tilt-up construction method (i.e., constructing concrete panels on-site, using ready-mix concrete

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from local sources reducing the projects energy usage) for the Logistics Facility to maximize construction energy efficiency. Further, the Logistics Facility and SB 330 Compliance Alternative site construction equipment would be required to comply with the latest regulations for engine emissions standards set forth by EPA, CARB, and/or the South Coast Air Quality Management District (SCAQMD). It should be noted that construction fuel use is temporary and would cease upon completion of construction. There are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or State. Therefore, it is expected that construction fuel consumption associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. A less than significant impact would occur in this regard. (Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, pp. 4-5.)

Operational Energy

Transportation Energy Demand

Pursuant to the Federal Energy Policy and Conservation Act of 1975, the National Highway Traffic and Safety Administration (NTSA) is responsible for establishing additional vehicle standards and for revising existing standards. Compliance with Federal fuel economy standards is not determined for each individual vehicle model. Rather, compliance is determined based on each manufacturer's average fuel economy for the portion of their vehicles produced for sale in the United States. Table 2 (found at Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, p. 4) provides an estimate of the daily fuel consumed by vehicles traveling to and from the Logistics Site. As indicated in Table 2, the Logistics Facility operations are estimated to consume approximately 1,053,825 gallons of fuel per year, which would increase San Bernardino County's automotive fuel consumption by 0.1220 percent. The SB 330 Compliance Alternative site would consume approximately 45,408 gallons of fuel per year, which would increase San Bernardino County's automotive fuel consumption by 0.0054 percent. The Project Alternative would not result in any unusual characteristics that would result in excessive operational fuel consumption associated with vehicular travel. Furthermore, the Project Alternative would be required to comply with the California Code of Regulations, Title 13, Sections 2485, which minimizes the idling time of diesel fueled trucks either by requiring equipment to be shut off when not in use or limiting idling time to no more than five minutes. Fuel consumption associated with project-related vehicle trips would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. As such, a less than significant impact would occur in this regard. (Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, pp. 4-5.)

The Project Alternative also includes design features that would reduce transportation energy consumption:

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- Car/vanpool parking
- Bike lockers
- Charging stations for electric vehicles available for employees and guests

These design features would reduce fuel consumption. The Proposed Project Alternative would also comply with the Energy Independence and Security Act of 2007, federal vehicle standards, and California's Low Carbon Fuel Standard, which regulate fuel efficiencies for vehicles, including trucks. Fuel consumption associated with vehicle trips generated by the Proposed Project Alternative would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.5-9 through 4.5-10.)

Building Energy Demand

The Proposed Project Alternative would consume energy for interior and exterior lighting, heating/ventilation and air conditioning (HVAC), refrigeration, electronics systems, appliances, and security systems, among other things. The Logistics Facility would be required to comply with the current nonresidential Title 24 standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage. The SB330 Compliance Alternative Site would be required to comply with the current residential Title 24 Standards, which includes mandated photovoltaic solar panels and other lighting upgrades and would use 53 percent less energy than the previous Title 24 standards. Furthermore, the electricity provider in San Bernardino County, Southern California Edison (SCE), is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 50 percent of total procurement by 2030. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat. The increase in reliance on such energy resources further ensures that projects would not result in the waste of the finite energy resources.

The Proposed Project Alternative will incorporate the following design features to reduce operational energy demands:

- Enhanced insulation for walls and roof
- Enhanced window insulation (0.32 U-factor, 0.25 SHGC)
- Duct leakage testing and verification
- Daylighted rooms

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- Energy-efficient lights
- Energy Star commercial appliances
- North/south building alignment to optimize conditions for natural heating, cooling, and lighting

As depicted in Table 4.5-4 (found at Final EIR, Attachment 1—Revised Draft EIR, p. 4.5-8), the project-related building energy would represent a 0.0148 percent increase in electricity consumption over the current Countywide usage. The SB 330 Compliance Alternative Site operational energy consumption would represent an approximate 0.0010 percent increase in electricity consumption over the current Countywide usage. The Project Alternative would also incorporate design features that would improve building energy efficiency. For example, the Project Alternative would enhance window efficiency, apply interior space efficiencies, provide a solar ready roof, include water efficient landscaping (under Assembly Bill (AB) 325, all developer-installed landscaping must be accompanied by a landscape package that documents how water use efficiency would be achieved through design), install water efficient fixtures, and recycle construction and operational waste. The Proposed Project Alternative would adhere to all federal, state, and local requirements for energy efficiency, including the Title 24 standards, and would include several energy efficient design features. The Proposed Project Alternative would not result in the inefficient, wasteful, or unnecessary consumption of building energy. Additionally, the Proposed Project Alternative would not result in a substantial increase in demand or transmission service, resulting in the need for new or expanded sources of energy supply or new or expanded energy delivery systems or infrastructure. It should also be noted that the entire building would not be air conditioned, which substantially reduces energy usage.

As shown in Table 4.5-4 (found at Final EIR, Attachment 1—Revised Draft EIR, p. 4.5-8), the increase in electricity, natural gas, and automotive fuel consumption over existing conditions is minimal (less than one percent). For the reasons described above, the Proposed Project Alternative would not place a substantial demand on regional energy supply or require significant additional capacity, or significantly increase peak and base period electricity demand, or cause wasteful, inefficient, and unnecessary consumption of energy during project construction, operation, and/or maintenance, or preempt future energy development or future energy conservation. Therefore, a less than significant impact would occur. No mitigation is required. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.5-10 through 4.5-11; Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, pp. 7-8.)

2. Energy Efficiency Plans

Threshold: Would the Project conflict with or obstruct a state of local plan for renewable energy or energy efficiency?

Finding: Less than significant impact. (Draft EIR, p. 4.5-12.)

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Explanation: The Project Alternative would exceed the Title 24 and CALGreen efficiency standards, which would ensure the Project Alternative incorporates energy efficient windows, insulation, lighting, ventilation systems, water efficient fixtures, as well as green building standards. In addition, the Project Alternative would comply with Goals 5 and 6 of the Sustainability and Resilience Element, as listed in Table 4.5-5, Project Sustainability and Resilience Strategies Element Consistency Analysis (found at Draft EIR, p. 4.5-12). These goals include promoting the usage of renewable energy, the reduction of greenhouse gas emissions, implementation of green building and energy-efficient development. Adherence to the Title 24 energy and CALGreen requirements will ensure conformance with the State's goal of promoting energy, water, and lighting efficiency, and the City's goal to purse sustainability and resilience. The Proposed Project Alternative would also comply with the Energy Independence and Security Act of 2007, federal vehicle standards, and California's Low Carbon Fuel Standard, as discussed in Section 4.7, which regulate fuel efficiencies for vehicles, including trucks. Fuel consumption associated with vehicle trips generated by the Proposed Project Alternative would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Therefore, the Proposed Project Alternative would result in less than significant impacts associated with renewable energy or energy efficiency plans. No mitigation is required. (Draft EIR, pp. 4.5-11 through 4.5-12; Appendix B, *I-15 Logistics Center Alternative – Energy Analysis Technical Memorandum*, prepared by Michael Baker International, dated March 25, 2020, p. 8.)

F. GEOLOGY AND SOILS

1. Seismic-Related Ground Failure

Threshold: Would the Project have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

Finding: Less than significant impact. (Draft EIR, p. 4.6-18.)

Explanation: Liquefaction is a process in which strong ground shaking causes saturated soils to lose their strength and behave as fluid. Ground failure associated with liquefaction can result in severe damage to structures. The geologic conditions for increased susceptibility to liquefaction are shallow groundwater (less than 50 feet in depth), the presence of unconsolidated sandy alluvium (typically Holocene in age), and strong ground shaking. All three of these conditions must be present for liquefaction to occur.

Two of the three conditions are present at the Logistics Site. These include unconsolidated sandy alluvium and the potential for strong ground shaking. The current depth to groundwater at the Logistics Site is anticipated to be greater than 50 feet bgs and the subsurface materials have a large percentage of gravel and cobble. Hydroconsolidation (soil collapse) occurs when loose, dry, sandy soils become saturated and settle. Based upon the soils encountered by the geologists during the project

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Geotechnical Investigation, soils with a significant hydroconsolidation potential are not present at the site.

A small portion of the larger Project Area is identified on the San Bernardino County Geologic Hazard Maps as an area with low susceptibility to liquefaction. This area is located near the Lytle Creek wash, which is located a substantial distance from the proposed logistics facility. The Project Alternative would realign Lytle Creek Road through the identified liquefaction area, but the realignment would be constructed consistent with applicable standards, regulations, and building practices to minimize any potential for liquefaction. The Project Alternative also proposes to realign an existing roadway (Lytle Creek Road) to serve the logistics facility. The likelihood of liquefaction or ground failure is low in this area of the Project Area, and no significant impacts would result.

As stated in the Geotechnical Investigation, the soil conditions for the Logistics Site are not considered to be susceptible to liquefaction or hydroconsolidation. The Logistics Site is not located in an area identified by the City of Fontana or County of San Bernardino as having a potential for liquefaction. Future development occurring as part of the SB 330 Compliance Alternative Site would require preparation of site-specific geotechnical studies to identify and minimize risks related to geology and soils. Potential development of the SB 330 Compliance Alternative Site would be constructed pursuant to the most current CBC seismic building design and construction standards, as determined by the City as part of the grading plan and building permit review process (Mitigation Measure GEO-1). Therefore, impacts related to seismic-relate ground failure and liquefaction are considered less than significant and no mitigation measures are required. (Draft EIR, pp. 4.6-17 through 4.6-18; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-33.)

2. Geologic Units or Unstable Soils

Threshold: 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 ?

Finding: Less than significant impact. (Draft EIR, p. 4.6-20.)

Explanation: Based on the *Geotechnical Investigation*, the existing soil conditions and topography on the Logistics Site are not susceptible to liquefaction, collapse, subsidence, lateral spreading, or landslides. The site is relatively flat and not located in an area where landslides or lateral spreading would typically occur. Compliance with requirements for building setbacks from the fault zones would ensure that no structures are constructed on unstable geological units. The Logistics Site is not located on soil that is unstable or could become unstable as a result of Project implementation.

As discussed above, small portions of the larger Project Area are identified as susceptible to either landslides or liquefaction; however, the potential for such geologic events is recognized as low. Moreover, the Project Alternative does not propose to locate any habitable structures within either of these areas. The future development of the SB

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330 Compliance Alternative Site and the realignment of Lytle Creek Road would occur consistent with applicable laws, regulations, and standards, including those engineering standards applied by the City of Fontana. The City would ensure compliance with such standards.

Impacts from these conditions are considered less than significant and no mitigation measures are required. Impacts would be less than significant. (Draft EIR, p. 4.6-20.)

3. Expansive Soils

Threshold: Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?

Finding: Less than significant impact. (Draft EIR, p. 4.6-21.)

Explanation: The *Geotechnical Investigation* prepared for the Proposed Project Alternative indicates that soils Project Area, as well as the Logistics Site specifically, are generally granular and are considered to be non-critically expansive. Specialized construction procedures to specifically resist expansive soil forces are not anticipated to be required for the construction of the Project Area. No known or anticipated impacts pertaining to expansive soils would occur as a result of Project implementation. Future development occurring as part of the SB 330 Compliance Alternative Site would require preparation of site-specific geotechnical studies to identify and minimize risks related to geology and soils. Potential development of the SB 330 Compliance Alternative Site would be constructed pursuant to the most current CBC seismic building design and construction standards, as determined by the City as part of the grading plan and building permit review process (**Mitigation Measure GEO-1**). Impacts would be less than significant. No mitigation is required. (Draft EIR, pp. 4.6-20 through 4.6-21; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-33.)

4. Septic Tanks

Threshold: 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?

Finding: No impact. (Draft EIR, p. 5.0-2.)

Explanation: The Proposed Project Alternative would not require the installation of a septic tank or alternative wastewater disposal system. The Project Alternative would be connected to the existing City sewer via one or more service lines. No impact would occur. (Draft EIR, p. 5.0-2.)

G. HAZARDS AND HAZARDOUS MATERIALS

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1. Hazardous Substance Handling

Threshold: Would the Project potentially create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Finding: Less than significant impacts. (Draft EIR, p. 4.8-11.)

Explanation:

Short-Term Impacts

Development of the Logistics Site would result in development of industrial logistics uses and associated facilities. The SB 330 Compliance Alternative Site would allow for the development of additional units on a site currently zoned for residential uses. During construction, hazardous and potentially hazardous materials would be routinely transported, and used at the site. These materials would include gasoline, diesel fuel, lubricants, and other petroleum-based products used to operate and maintain construction equipment and vehicles. These types of materials are not acutely hazardous, and all storage, handling, use, and disposal of these materials are regulated by City of Fontana during routine inspections during construction activities. This handling of hazardous materials would be a temporary activity coinciding with the short-term construction period. Any handling of hazardous materials would be limited in both quantity and concentration. Hazardous materials associated with operation and maintenance of construction equipment and vehicles may be stored on the site, although only the amounts needed are expected to be kept on-site; excessive amounts are not expected to be stored.

Removal and disposal of hazardous materials from the Logistics Site and SB 330 Compliance Alternative Site would be conducted by a permitted and licensed service provider. Any handling, transporting, use, or disposal would comply with all applicable federal, state, and local agencies and regulations, including the EPA, the Resource Conservation and Recovery Act, Caltrans, and the Fontana Fire Protection District (FFPD), which is part of the SBCFD (the CUPA for San Bernardino County). Therefore, short-term construction impacts associated with hazardous materials would be less than significant.

Long-Term Impacts

Hazardous materials are not typically associated with residential uses and thus impacts concerning the routine transport, use, or disposal of hazardous materials during operations of the SB 330 Compliance Alternative Site would be less than significant. During operation of the Logistics Site, hazardous materials may be transported and used on- site. However, logistics uses associated with the Proposed Project Alternative typically do not generate, store, or dispose of large quantities of hazardous materials. In addition, such land uses generally do not involve dangerous or volatile operational activity that may expose people to large quantities of hazardous materials. Because of the nature of the Proposed Project Alternative, hazardous materials used on the Logistics Site may

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vary but are likely to be limited to fertilizers, herbicides, pesticides, lubricants, solvents, cleaning agents, and similar materials used for daily operation and maintenance activities. Although the Proposed Project Alternative would utilize common types of hazardous materials, normal routine use of these products pursuant to existing regulations would not result in a significant hazard to residents or workers in the vicinity of the project.

The SBCFD Hazardous Materials Division regulates and enforces the provisions of the Uniform Fire Code relating to hazardous materials, including the use and storage of hazardous materials that are ignitable, reactive, corrosive, or toxic. Businesses using such materials are subject to permitting and inspection. In addition, a permit from the FFPD, which is part of the SBCFD, is required for aboveground storage tanks, for propane tanks having more than a 125-gallon capacity, and for the installation or removal of USTs. The County currently requires any new business that intends to handle hazardous materials to inventory their hazardous materials and requires them to allow SBCFD to review their hazardous materials processes and procedures, prior to the execution of various required business permits. Such businesses also are required to comply with California's Hazardous Materials Release Response Plans and Inventory Law, which requires immediate reporting to the SBCFD and the state Office of Emergency Services regarding any release or threatened release of a hazardous material, regardless of the amount handled by the business, and to prepare a Hazardous Materials Business Emergency Plan that would provide a written set of procedures and information created to help minimize the effects and extent of a potential release of a hazardous material. Businesses that use or store hazardous materials in excess of exempt amounts as defined by the Uniform Fire Code are also subject to County review and approval of additional permits.

Compliance with these provisions ensures that new projects would not pose a risk to either the environment or the public. Therefore, long-term operational impacts associated with hazardous materials would be less than significant. No mitigation is required. (Draft EIR, pp. 4.8-10 through 4.8-11; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.)

2. Hazards Near Schools

Threshold: 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?

Finding: No impact. (Draft EIR, p. 5.0-2.)

Explanation: There are no existing or proposed schools within one-quarter mile of the Proposed Project site. The nearest school to the Project site is Kordyak Elementary School, located approximately 0.66-mile to the southeast at 4580 Mango Avenue. Therefore, the closest school is outside of a 0.25-mile radius around the Project site. No impact would occur. (Draft EIR, p. 5.0-2; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.)

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3. Waste Sites

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

Finding: No impact. (Draft EIR, p. 5.0-2.)

Explanation: The Proposed Project site is not on a list of hazardous materials sites compiled by the Department of Toxic Substances Control (DTSC) or the State Water Resources Control Board (SWRCB) pursuant to Government Code Section 65962.5, based on the regulatory records search conducted as part of the Phase I ESA. Therefore, development of the site would not create a significant hazard to the public or the environment in this regard. No impact would occur. (Draft EIR, p. 5.0-2; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.)

4. Public Airports

Threshold: 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?

Finding: No impact. (Draft EIR, p. 5.0-3.)

Explanation: Airport-related hazards are generally associated with aircraft accidents, particularly during takeoffs and landings. Other airport operation hazards include incompatible land uses, power transmission lines, wildlife hazards (e.g., bird strikes), and tall structures that penetrate the imaginary surfaces surrounding an airport.

There are no public use airports within 2 miles of the Proposed Project site. The nearest public use airport to the Project site is Ontario International Airport, approximately 12 miles to the southwest. According to the Ontario International Airport Land Use Compatibility Plan, the Project site is situated well outside of the Airport Influence Area and all Safety Zones for Ontario International Airport (Ontario 2011). In addition, the Project Alternative does not include an air travel component (e.g., runway or helipad). Accordingly, the Project Alternative would not have the potential to affect air traffic patterns, including an increase in traffic levels or a change in flight path location that results in a substantial safety risk or excessive noise and would not result in a safety hazard for people residing or working in the Project area. No impact would occur. (Draft EIR, p. 5.0-3; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.)

5. Emergency Response

Threshold: Would the Project potentially impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

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Finding: Less than significant impact. (Draft EIR, p. 4.8-14.)

Explanation: The Project Area and surrounding area have access to several fully improved roadways, including I-15, which provide full emergency access to the site. Construction activities, which may temporarily restrict vehicular traffic, would be required to comply with the construction TMP to facilitate the passage of persons and vehicles through/around any required road closures (refer to **Mitigation Measure TR-1**). Additionally, the Proposed Project Alternative design would be submitted to and approved by the Fontana Police Department and San Bernardino County Fire Department prior the issuance of building permits. The conceptual project design would provide two main access points from opposite ends of Lytle Creek Road to the Logistics Site, which would comply with fire and emergency access standards. As a result, development of the site would have a less than significant impact related to emergency response or evacuation activities.

The Project Alternative's proposed realignment and reclassification of Lytle Creek Road would also not interfere with any emergency response or evacuation plan. Urban Crossroad's prior 2015 assessment of the reclassification concluded that no capacity issues would result. Moreover, Lytle Creek Road is not significantly utilized by existing traffic, as it is located away from significant development. With the Project Alternative, it will continue to function appropriately to serve all traffic.

The City and its sphere of influence, including the Logistics Site, are currently covered under the City's Local Hazard Mitigation Plan (LHMP) and Emergency Operations Plan (EOP). The LHMP identifies mitigation actions to reduce impacts associated with hazards and hazardous materials, and the EOP is updated regularly to ensure a high state of readiness when such emergencies occur in the community. Additionally, to ensure compliance with zoning, building, and fire codes, the Project proponent is required to submit appropriate plans for plan review prior to the issuance of a building permit. Adherence to these requirements would ensure that development of the site would not have a significant impact on emergency response and evacuation plans. Because hazardous materials are not typically associated with residential uses, implementation of the SB 330 Compliance Alternative Site would not impair implementation of an adopted emergency response plan or emergency evacuation plan (refer to **Mitigation Measure TR-1**). Therefore, impacts would be less than significant. No mitigation is required. (Draft EIR, pp. 4.8-13 through 4.8-14; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-33 through 8.0-34.))

H. HYDROLOGY AND WATER QUALITY

1. Water Quality Standards and Requirements

Threshold: Would the Project have the potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Finding: Less than significant impact. (Draft EIR, p. 4.9-18.)

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Explanation:

Short-Term Construction Impacts

Temporary construction-related impacts associated with the development of the Logistics Site, associated infrastructure, realignment/improvement of Lytle Creek Road, and future development of the SB 330 Compliance Alternative Site are anticipated to involve construction of new structures, excavation and grading activities to construct building pads, and paving of roadways and on-site parking and truck terminals. Other construction activities may include building walls and fencing, adding signage and lighting, and installing landscaping, on-site utilities, and infrastructure improvements such as water and dry (i.e., electrical) utilities.

Typical construction activities would require the use of gasoline- and diesel-powered heavy equipment, such as backhoes, water pumps, bulldozers, and air compressors. Chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances would also likely be used during construction. An accidental release of any of these substances could degrade surface water runoff quality and contribute additional sources of pollution to the existing drainage system. Therefore, small quantities of pollutants have the potential to enter the storm drainage system during Project construction and degrade water quality. In general, construction-related impacts to water quality could occur in the following periods of activity:

- During demolition of existing features, when risk of pollutant exposure is present;
- During the earthwork and construction phase, when the potential for erosion, siltation, and sedimentation would be the greatest;
- Following construction, before the establishment of ground cover, when the erosion potential may remain relatively high; and

Because the Proposed Project Alternative would disturb more than one acre of soil, construction activities would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities requirements (and all subsequent revisions and amendments). To demonstrate compliance with NPDES requirements, a Notice of Intent (NOI) must be prepared and submitted to the SWRCB, providing notification and intent to comply with the General Construction Permit. The General Construction Permit also requires that non-stormwater discharges from construction sites be eliminated or reduced to the maximum extent practicable, a SWPPP that governs construction activities for the Project Alternative be developed, and routine inspections be performed of all stormwater pollution prevention measures and control practices being used at the site, including inspections before and after storm events. Permittees must verify compliance with permit requirements by monitoring their effluent, maintaining records, and filing periodic reports.

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Possible construction site BMPs for runoff control, sediment control, erosion control, and housekeeping that may be included in the SWPPP and used during the construction phases of the proposed Project Alternative may include, but are not limited to:

General Construction Site Best Management Practices

Runoff Control	Sediment Control	Erosion Control	Good Housekeeping
Minimize clearing Preserve natural vegetation Stabilize drainage ways Install check dams Install diversion dikes	Install perimeter controls (e.g., silt fences) Install sediment trapping devices (e.g., straw wattles, hay bales, gravel bags) Inlet protection (e.g., check dams) Install fiber rolls	Stabilize exposed soils (e.g., hydroseed, soil binders) Protect steep slopes(e.g., geotextiles, compost blankets) Cover stockpiles with blankets Complete construction in phases	Create waste collection area Put lids on containers Clean up spills immediately

Source: N*ational Menu of Best Management Practices (BMPs) for Stormwater,* National Pollutant Discharge Elimination System, Environmental Protection Agency. >https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater#constr<, Website accessed October 20, 2016.

The SWPPP would include a site map showing the construction site perimeter, existing and proposed buildings, lots, roadways, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns. The SWPPP would identify the best management practices that would be used to protect stormwater runoff and the placement of those BMPs. The SWPPP would also identify a visual monitoring program, a chemical monitoring program for "nonvisible" pollutants to be implemented if there is a failure of BMPs. Upon completion of construction, a Notice of Termination would be submitted to the SWRCB to indicate that construction has been completed.

To further reduce construction-related impacts to water quality, the Proposed Project Alternative would also be subject to compliance with San Bernardino County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations. San Bernardino County Code Title 3 Division 5, Chapter 1, is intended to protect the health and safety of, and promote the welfare of, the inhabitants of the County by controlling non-stormwater discharges to the stormwater conveyance system, and by reducing pollutants in stormwater discharges, including those pollutants taken up by stormwater as it flows over urban areas, to the maximum extent practicable in order to achieve applicable receiving water quality objectives. This Chapter also protects and enhances the quality

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of receiving waters in a manner pursuant to and consistent with applicable federal, state, and local laws, regulations, and permits.

The implementation of NPDES permits, including the General Construction permit, ensures the federal and State standards for water quality are met. Enforcement of required NPDES permit requirements will prevent sedimentation and soil erosion through implementation of an SWPPP and periodic inspections by RWQCB staff. Compliance with NPDES requirements as well as Title 3, Division 5, Chapter 1 of the San Bernardino County Code would reduce short-term construction-related impacts to water quality to a less than significant level.

Long-Term Operational Impacts

Generally, operational impacts to water quality could occur after Project completion, when impacts related to sedimentation would decrease markedly but those associated with Project operation, mainly urban runoff, would potentially increase, primarily due to increases in the amount of impervious surface on the Project site. According to the WQMP, approximately 80 percent of the Logistics Site would be paved at Project completion. The decrease in permeable surface on the site would be considered a water quality impact, as permeable surfaces allow rain and urban runoff to infiltrate into the ground. Runoff infiltration reduces the amount of flow capable of washing off additional pollutants and filters runoff water to remove potential pollutants.

According to the Project Alternative's WQMP, runoff from the Project Area drains to Lytle Creek for eventual discharge in the Santa Ana River. However, the Proposed Project Alternative would not represent a point-source generator of water pollutants. Therefore, no quantifiable water quality standards apply to the Project Alternative, as it would not discharge any discernible, confined, and discreet conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged.

Consistent with regional and local requirements, a Project-specific WQMP was prepared and identifies structural and non-structural BMPs to be implemented in conjunction with the Project Alternative. The WQMP complies with the requirements of the San Bernardino County Code standards and the NPDES Area-wide Stormwater Program (Order No. R8-2010-0036) requiring the preparation of a WQMP. Structural measures identified in the WQMP include the following: provide storm drain system stenciling and signage; design and construct trash/waste storage areas to reduce pollution introduction; use 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; protect slopes and channels and provide energy dissipation; and cover dock areas. Non-structural measures identified in the WQMP include the following: education of property owners, tenants, and occupants on stormwater BMPs; activity restrictions; landscape management BMPs; BMP maintenance; compliance with local water quality ordinances; preparation of a spill contingency plan; conformance with the uniform fire code; implementation of a litter/debris

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control program; employee training; housekeeping of loading docks; catch basin inspection program; and vacuum sweeping of private streets and parking lots.

The Project Alternative's realignment and improvement of Lytle Creek Road would occur consistent with applicable local and state standards, including NPDES requirements and City of Fontana roadway engineering and design requirements. These standards include design of roadway gutters to handle anticipated runoff and appropriate conveyance systems.

The Project Alternative has been designed to reduce development impacts on water quality, protect downstream hydraulic conditions, and reduce Project-related stormwater pollutants. Project compliance with regulatory requirements would ensure operational activities result in less than significant impacts to water quality and do not significantly impact the beneficial uses of receiving waters. Impacts would be less than significant and no mitigation is required. (Draft EIR, pp. 4.9-15 through 4.9-18; Final EIR, Attachment 1—Draft EIR, p. 8.0-34.)

2. Groundwater Supplies and Recharge

Threshold: Would the Project have the potential to substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?

Finding: Less than significant impact. (Draft EIR, p. 4.9-20.)

Explanation:

Short-Term Construction Impacts

Temporary construction-related activities associated with the Project Alternative are not anticipated to have a significant impact on groundwater supplies because construction would be short-term and does not consist of water-intensive activities that could, ultimately, draw-down supplies of groundwater. Refer to the discussion below concerning potential operational impacts to groundwater supplies.

Long-Term Operational Impacts

Water for the Logistics Site would be provided by West Valley Water District (West Valley), which has indicated that it has sufficient water supplies to serve the Logistics Site. According to West Valley's 2015 Regional Urban Water Management Plan, available water supplies are expected to exceed demands under all hydrologic conditions through 2040. Groundwater accounts for approximately 65 percent of West Valley's total water supply. Therefore, a portion of the Logistic Site's operational water supplies would indirectly include groundwater supplies.

The Project site is underlain by the Chino Basin, which is fully adjudicated and managed by the Chino Basin Watermaster. According to the Chino Basin Watermaster

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Optimum Basin Management Program (2015), stormwater capture and infiltration occurs at 15 recharge basins in the Chino Basin. The Project Alternative would not interfere with groundwater recharge activities associated with these facilities such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table, as the Project Area is not located in one of the Chino Basin's 15 groundwater recharge areas.

A WQMP was prepared for the Project Alternative to identify the major proposed site design and Low Impact Development (LID) best management practices and other anticipated water quality features that impact site planning. The WQMP specifically identifies all BMPs incorporated into the final site design and establishes targets for post-development hydrology based on performance criteria specified in the MS4 Permit. These targets include runoff volume for water quality control (referred to as LID design capture volume) and runoff volume, time of concentration, and peak runoff for protection of any downstream water body segments with hydrologic conditions of concern. According to the WQMP, although the majority (approximately 80 percent) of the Project site would be paved, approximately 20 percent of its footprint would be reserved for minor groundwater recharge opportunities via percolation. The Project proposes to construct a three-acre on-site detention flood control/infiltration basin on the southeast portion of the site. Stormwater would be collected from impervious areas and directed to the infiltration basin for both stormwater filtration and recharge opportunities. Thus, the reduction in permeable surfaces which would occur as a result of Project implementation would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

In addition, the Project Alternative's proposed realignment of Lytle Creek Road is not anticipated to result in substantial additional impermeable surfaces, as its realignment would only affect the existing segment of Lytle Creek Road extending beyond westernmost boundary of the Project Area to its intersection with Sierra Avenue. Lytle Creek Road is currently a 22-foot-wide asphalt two-lane undivided roadway oriented in a north–south direction, with a total public roadway ROW of 60 feet. Upon Project completion, Lytle Creek Road would have an ultimate ROW of 68 feet. Nonetheless, the proposed realignment and improvement of Lytle Creek Road and buildout of the SB 330 Compliance Alternative Site would be implemented in conformance with City of Fontana roadway engineering and design requirements. These standards include design of roadway gutters to handle anticipated runoff and appropriate conveyance systems. Impacts are considered to be less than significant in this regard. No mitigation is required. (Draft EIR, pp. 4.9-18 through 4.9-20; Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-34.)

3. (a) Erosion or Siltation

Threshold: Would the Project have the potential to result in a substantial erosion or siltation on- or off-site?

Finding: Less than significant impact. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-20.)

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Explanation:

Short-Term Construction Impacts

Temporary construction-related activities associated with the Proposed Project Alternative are not anticipated to have a significant impact on existing drainage patterns since construction would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction Activity. The permit requires non-stormwater discharges from construction sites to be eliminated or reduced to the maximum extent practicable, preparation of a SWPPP, and routine inspections of all stormwater pollution prevention measures and control practices used at the site, including inspections before and after storm events. Compliance with NPDES General Permit requirements as well as San Bernardino County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations would prevent substantial erosion or siltation both on- and off-site during construction. Therefore, construction would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial increased erosion or siltation on- or off-site. Impacts would be less than significant.

Long-Term Operational Impacts

Project implementation would involve an increase in the amount of impervious surface on the Logistics Site, which could affect existing surface runoff rates or volumes. However, to preserve existing drainage patterns to the maximum extent feasible, a three-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the site. Stormwater would be collected from impervious areas and directed to the infiltration basin for filtration. As discussed in the Draft EIR, Appendix G, *Water Quality Management Plan*, the infiltration basin is capable of retaining 110 percent of the Design Capture Volume flow emanating from the Logistics Site. As such, Project operation would ensure that no potential adverse effects on downstream water bodies would occur with regard to erosion or siltation. Further, the BMPs identified in the Project's WQMP would reduce potentially significant impacts related to stormwater runoff to downstream water bodies or percolation into the soil. Therefore, operational activities would not result in substantial on- or off-site erosion and siltation. Impacts would be less than significant and no mitigation is required. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-19 through 4.9-20.)

3. (b) Flooding

Threshold: Would the Project have the potential to substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Finding: Less than significant impact. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-21.)

Explanation:

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Short-Term Construction Impacts

Temporary construction-related activities associated with the Proposed Project Alternative are not anticipated to have a significant impact on existing drainage patterns since construction would be required to obtain coverage under the NPDES General Permit for Stormwater Discharges Associated with Construction Activity. The permit requires non-stormwater discharges from construction sites to be eliminated or reduced to the maximum extent practicable, preparation of a SWPPP, and routine inspections of all stormwater pollution prevention measures and control practices used at the site, including inspections before and after storm events. Compliance with NPDES General Permit requirements as well as San Bernardino County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations would prevent substantial erosion or siltation both on- and off-site during construction. Therefore, construction would not substantially alter the existing drainage pattern of the site or area in a manner which would result in flooding on- or off-site. Impacts would be less than significant.

Long-Term Operational Impacts

Refer to the discussion for Section 3, J—22, Known and Locally Important Resources. To preserve the Logistic Site drainage patterns, the Project Alternative would install a three-acre on-site detention flood control/infiltration basin on the southeast portion of the site. Stormwater would be collected from impervious areas and directed to the infiltration basin for both stormwater filtration and recharge opportunities. As discussed in the Draft EIR, Appendix G, *Water Quality Management Plan*, the infiltration basin is capable of retaining 110 percent of the Design Capture Volume flow emanating from the Logistics Site. As a result, the Project Alternative would not substantially alter the site's existing drainage pattern. The alteration of a stream or river is not required or proposed as part of the Project Alternative. Therefore, Project implementation would not substantially alter the site's existing drainage pattern, including through the alteration of the course of a stream or river, nor would it substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Impacts would be less than significant. No mitigation is required. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-20 through 4.9-21.)

3. (c) Capacity of Stormwater Systems

Threshold: Would the Project have the potential to 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?

Finding: Less than significant impact. (Draft EIR, p. 4.9-21.)

Explanation:

Short-Term Construction Impacts

Refer to the discussion for Section 3, H—1, Water Quality Standards and

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Requirements, and H—2, Groundwater Supplies and Recharge. The Project Alternative's potential construction-related impacts to stormwater drainage systems would be regulated by federal, state, and local requirements intended to reduce or avoid adverse impacts. Construction activities would be subject to San Bernardino County Code Title 3, Division 5, Chapter 1, Pollutant Discharge Elimination System Regulations, to ensure protection of water quality and downstream drainage facilities. All construction activities would be required to demonstrate conformance with the BMPs identified in each Project's SWPPP. The SWPPP establishes a plan whereby the operator evaluates potential pollutant sources at the site and selects and implements BMPs designed specifically to prevent or control the discharge of the identified pollutants into storm water runoff. The SWPPP must include flow control measures that would lessen flow rates during storm events occurring during the construction phase of the Project. Conformance with applicable regulations and implementation of BMPs would protect existing or planned stormwater drainage systems from polluted runoff. Impacts would be less than significant.

Long-Term Operational Impacts

Potential operational impacts to stormwater drainage systems would be regulated by federal, state, and local requirements intended to reduce or avoid adverse impacts. In addition, as discussed in Section 4.15, of the Draft EIR, the Proposed Project Alternative would construct storm drain improvements that would include the installation of underground collection pipes, and a three-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the Logistics Site. As discussed in Appendix G, *Water Quality Management Plan*, the infiltration basin is capable of retaining 110 percent of the Design Capture Volume flow emanating from the Logistics Site. The Project Alternative's drainage features would be implemented in compliance with the provisions of the City's Master Drainage Plan and would not conflict with that plan.

In addition, the Project Alternative's proposed realignment of Lytle Creek Road is not anticipated to result in substantial additional impermeable surfaces, as its realignment would only affect the existing segment of Lytle Creek Road extending beyond westernmost boundary of the Project Area to its intersection with Sierra Avenue. As discussed in Section 3, J—2, Lytle Creek Road would have an ultimate ROW of 68 feet upon Project completion, increased from its ROW of 60 feet. The proposed realignment and improvement of Lytle Creek Road would be implemented in conformance with City of Fontana roadway engineering and design requirements, including design of roadway gutters to handle anticipated runoff and appropriate conveyance systems. Therefore, Project operations as designed would not create or contribute runoff water that 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 required. (Draft EIR, pp. 4.9-22 through 4.9-23.)

3. (d) Impede or Redirect Flood Flows

Threshold: Would the Project have the potential to impede or redirect flood flows?

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Finding: Less than significant impact. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.9-23.)

Explanation: Refer to the discussion for Section 3, H—3b, Flooding. No short-term construction or long-term operational flood impacts are anticipated with implementation of the Project Alternative. Impacts would be less than significant. No mitigation is required. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.9-22 through 4.9-23.)

4. Flood Hazard

Threshold: In flood hazard, tsunami, or seiche zones, would the Project risk release of pollutants due to project inundation?

Finding: No impact. (Draft EIR, p. 5.0-3.)

Explanation:

Flood Hazards

Federal Emergency Management Agency (FEMA) (2008) Flood Insurance Rate Map No. 06071C7915H identifies the Logistics Facility and Lytle Creek Road realignment site as being in Flood Hazard Zone X, which is defined as an area of minimal flood hazard outside of both a 1 percent Annual Chance Flood Hazard Zone (100-year floodplain) and a 0.2 percent Annual Chance Flood Hazard Zone (500-year floodplain). The northeastern portion of the SB 330 Compliance Alternative Site is located within a special flood hazard area subject to inundation by the one percent annual chance flood, and would potentially involve flood hazard impacts. (Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-34.) However, these impacts would remain less than significant. The Logistics Facility and Lytle Creek Road realignment site is not located in a flood hazard area; thus, Project implementation would not risk release of pollutants due to Project inundation.

Tsunami

A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. The Project Alternative is located over 48 miles inland from the Pacific Ocean and is located at a sufficient distance so as not to be subject to tsunami impacts. No impacts would occur in this regard.

Seiche

A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. The Project site is not in the vicinity of a reservoir, harbor, lake, or storage tank capable of creating a seiche. No impacts would occur in this regard. (Draft EIR, p. 5.0-3.)

5. Water Quality Control Plan or Groundwater Management Plan

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eight residential dwelling units and does not currently include active agricultural uses. Surrounding parcels are primarily vacant or open space. Therefore, no established community exists within the site vicinity.

Physical developments associated with the Proposed Project Alternative would involve constructing an approximately 1,175,788-square foot logistics facility on the Logistics Site, realigning a segment of Lytle Creek Road, and rezoning an approximately 12.-5 acre site comprised of 28 contiguous parcels; refer to Exhibit 3.0-10, Conceptual Site Plan, (found at Draft EIR, p. 3.0-47) and Exhibit 3.0-13, Proposed Road Realignment (found at Draft EIR, p. 3.0-53). Project development would require demolishing the three residential units within the development footprint of the Logistics Site. However, all property owners are voluntarily selling their properties.

Given the primarily undeveloped and vacant nature of the site vicinity, the Project Area is not used as a connection between two established communities. Connectivity in the surrounding area is facilitated via local roadways, including Duncan Canyon Road, Lytle Creek Road, and Sierra Avenue. A segment of Lytle Creek Road would be realigned and improved with two 12-foot travel lanes and five-foot sidewalks on each side. Implementation of the SB 330 Compliance Alternative Site would offset the Project Alternative's lost dwelling unit potential of 65 units and thus would demonstrate compliance with SB 330 requirements. In addition, the SB 330 Compliance Alternative Site would not involve substantial land use and planning impacts compared to what is currently allowed under the site's existing zoning (i.e., single-family residential to medium-density residential). Overall, the physical improvements associated with the Project Alternative would not divide established communities or impede movement through the surrounding area. Therefore, impacts in this regard would be less than significant. No mitigation is required. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.10-7 through 4.10-8; p. 8.0-34.)

J. MINERAL RESOURCES

1. Loss of Locally Designated Mineral Resource Recovery Site

Threshold: Would the proposed 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?

Finding: No impact. (Draft EIR, p. 5.0-4.)

Explanation: The Proposed Project site is not located in a Mineral Resources (MR) overlay zone and is not a known source of any mineral resources (DOC 1984; Fontana 2003). No impact would occur. (Draft EIR, p. 5.0-4.)

2. Known and Locally Important Resources

Threshold: 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 ?

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Finding: No impact. (Draft EIR, p. 5.0-4.)

Explanation: The Proposed Project site is not identified as a locally important mineral resource recovery site on any applicable land use plans (Fontana 2018). Therefore, development of the Proposed Project Alternative would not result in the loss of any locally important mineral resource site. No impact would occur. (Draft EIR, p. 5.0-4.)

K. NOISE

1. Exceed Standards

Threshold: Would the Project potentially generate a substantial temporary or permanent increase in 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?

Finding: Less than significant impact. (Draft EIR, p. 4.11-26.)

Explanation:

Project Construction

Construction activities for the Logistics Facility and Lytle Creek Road realignment would occur in a single phase and would include demolition, site preparation, grading, paving, building construction, and the application of architectural coatings. Groundborne noise and other types of construction-related noise impacts would typically occur during excavation activities of the grading phase. This phase of construction has the potential to create the highest levels of noise. Typical noise levels generated by construction equipment are shown in Table 4.11-10, Maximum Noise Levels Generated by Construction Equipment (found at Draft EIR, p. 4.11-19). It should be noted that the noise levels identified in Table 4.11-10 (found at Draft EIR, p. 4.11-19) are maximum sound levels (Lmax), which are the highest individual sound occurring at an individual time period. Operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be due to random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts).

Using the FHWA's Roadway Construction Noise Model and construction information, the estimated noise levels from construction were calculated for a number of modeling points as shown in Exhibit 4.11-2 (found at Draft EIR, p. 4.11-9). These points were selected based on outdoor living areas such as residential patios and outdoor recreation areas. Table 4.11-11, Logistics Facility Construction Noise Model Results Summary, (found at Draft EIR, p. 4.11-20) shows estimated noise levels for construction activities at a range of sites if all equipment were operated at the same time. Construction activities would occur throughout the Project site and would not be concentrated at a point closest to receptor, therefor distances were measured from the center of the construction

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area. The FHWA model inputs and outputs for all of the receptor sites are provided in Appendix H of the Draft EIR.

As shown in Table 4.11-11 (found at Draft EIR, p. 4.11-20), the highest noise levels are expected to occur during grading activities. Noise levels during grading would range from 61.5 dBA at the nearest residential property to 45.2 dBA at the most distant residential property, which is below the highest measured ambient noise level in the Project vicinity (refer to Table 4.11-4, Noise Measurements, found at Draft EIR, p. 4.11-11). It is noted that construction traffic (e.g., vehicle trips from vendors, workers, and hauling activities) would result in short-term, intermittent periods increased noise levels in the Project vicinity. However, due to the temporary and sporadic nature of construction traffic, the noise levels shown in Table 4.11-11 (found at Draft EIR, p. 4.11-20) are considered worst-case due to the duration and frequent use of use heavy construction equipment at the Project site. Further, the City's Noise Ordinance does not have specific construction noise limits. In addition, all construction activities would comply with Fontana's Municipal Code which limits construction to between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays, except in cases of emergency. Therefore, noise impact from short-term construction activities would be less than significant following compliance with the City's allowable construction hours. (Draft EIR, pp. 4.11-19 through 4.11-20.)

The nearest sensitive receptors to the SB 330 Compliance Alternative Site are residential uses located approximately 40 feet to the north and west of the Project site. At this distance, construction noise levels could range between approximately 79 dBA and 92 dBA; refer to Table 2 (found at Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 4). Although sensitive receptors may be exposed to increased noise levels during project construction, the construction activities will comply with Fontana's Municipal Code which limits construction to between the hours of 7:00 a.m. and 6:00 p.m. on weekdays and between the hours of 8:00 a.m. and 6:00 p.m. on Saturdays. In addition, construction equipment would be used throughout the Project site and would not be concentrated at the point closest to the sensitive receptors. Therefore, construction noise impacts from the SB 330 Compliance Alternative Site would be less than significant. (Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 4-5.)

Project Operations

Off-Site Mobile Noise

The Logistics site and Lytle Creek Road realignment would generate traffic along Lytle Creek Road. Traffic noise modeling was conducted for the Proposed Project Alternative using the traffic volumes from the Project's traffic impact analysis report and the FHWA's RD-77-108 traffic noise model. The noise model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The noise modeling input and output files

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are included in Appendix H of the Draft EIR.

Future development generated by the Proposed Project Alternative would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. Based on the Traffic Impact Study, the Logistics site and Lytle Creek Road realignment would result in approximately 2,046 new daily trips. The SB 330 Compliance Alternative Site would result in approximately 915 daily trips. The opening year "Future Without Project" and "Future With Project" scenarios are compared in Table 4.11-12 for 2018 (Opening Year) (found at Draft EIR, p. 4.11-22). The traffic noise levels in 2040 for "Future Without Project" and "Future With Project" scenarios are compared in Table 4.11-13 for 2040 (Horizon Year) (found at Draft EIR, p. 4.11-23). As depicted in Table 4.11-12 (found at Draft EIR, p. 4.11-22), under the "Future Without Project" scenario, noise levels would range from approximately 63.0 to 66.2 dBA CNEL, with the highest noise levels (66.2 dBA CNEL) occurring on portion of Lytle Creek Road between Duncan Canyon Road and the annexation boundary. Under both scenarios, "Future With Project" and "Future Without Project" traffic noise levels would fall within the "Conditionally Acceptable" land use compatibility range for residential properties (see Table 4.11-6 on page 4.11-13 of the Draft EIR). The nearest residential properties are located 100 feet from the roadway center line which would fall within the 65 CNEL noise contour.

The "Future With Project" scenario noise levels would range from approximately 64.8 to 66.4 dBA CNEL. The highest noise levels would occur on the re-aligned Lytle Creek Road between Duncan Canyon Road and the existing Lytle Creek Road; noise levels at this location would increase by 0.2 dBA CNEL as a result of the Proposed Project Alternative. The greatest change in noise levels would occur on Lytle Creek Road between the public access road and Sierra Avenue, where noise would increase by 1.8 dBA CNEL, from 63.0 dBA CNEL to 64.8 dBA CNEL, which is not considered a perceptible increase (i.e., a 3 dB or higher increase is considered "perceptible"). Therefore, the Project Alternative would not increase traffic noise by a perceptible amount (3.0 dBA or more), and operational traffic volumes would not significantly contribute to existing traffic noise in the area. Project-related future traffic noise would be less than significant.

The nearest sensitive receptor to the Lytle Creek Road realignment would be the residential property located at noise modeling location #2, approximately 350 feet from the roadway realignment centerline. This sensitive receptor is located within the "Public Access Road to Sierra Avenue" roadway segment identified in Table 4.11-12 and Table 4.11-13. Noise levels at modeling location #2 under Opening Year With Project and Horizon Year With Project conditions would fall within the 55-60 dBA CNEL noise contour and would be below the City's exterior noise threshold of 65 dBA. These With Project noise levels would not be significantly greater than the existing noise levels at noise measurement location #1 (55.1 dBA, refer to Table 4.11-4 found on page 4.11-11 of the Draft EIR) which is located near receptor #2. In addition, noise levels at this receptor would also be within the 55-60 dBA CNEL noise contour under Opening Year Without Project and Horizon Year 2040 Without Project conditions. (Draft EIR, p. 4.11-21.)

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Future development generated by the Proposed Project Alternative would result in additional traffic on adjacent roadways, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. According to the Highway Traffic Noise Analysis and Abatement Policy and Guidance, a doubling of traffic volumes would result in a 3 dB increase in traffic noise levels, which is barely detectable by the human ear. The SB 330 Compliance Alternative Site would create an additional 87 units, which would result in approximately 915 daily trips.

Table 3, Existing and Project Traffic Volumes (found at Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5) depicts existing and project generated peak hour intersection turning movement volumes in the SB 330 Compliance Alternative Site vicinity. As shown in Table 3, the project generated peak hour traffic volumes would not double existing peak hour traffic volumes at the Merrill Avenue/Catawba Avenue and Merrill Avenue/Citrus Avenue intersections. Therefore, any increase in traffic noise along local roadways would be imperceptible and impacts would be less than significant. (Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5.)

On-Site Operations Noise

Trucks, passenger vehicles, parking lot activities, and ancillary equipment such as forklifts and HVAC equipment would create noise during on-site operations of the Logistics Site. The operations would be typical of warehouse/distribution center use. The nearest residence in the vicinity of the Logistics Site are located approximately 1,500 feet from the center of the logistics center and approximately 500 feet from the nearest side of the building, to the east. Refrigerated trucks (which have an additional auxiliary cooling system which could result in higher individual truck noise levels) are not anticipated as part of this Project Alternative.

The only audible mechanical noise from the SB 330 Compliance Alternative Site would result from the use of mechanical equipment (i.e., from heating, ventilation and air conditioning [HVAC] units). Typically, HVAC noise is 50 dBA at 50 feet from the source. The location of the HVAC units is unknown at the time of this analysis. To provide a conservative analysis, the closest distance of 40 feet from the project boundary line to the residential uses to the north and west will be utilized. At this distance, HVAC noise levels would be approximately 52 dBA. Therefore, the City's exterior noise standard (65 dBA) would not be exceeded as a result of HVAC units at the off-site component of the Project Alternative. Impacts would be less than significant in this regard. Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 5-6.)

Project Mechanical Equipment

On average, HVAC equipment generates noise levels between 50 and 60 dBA at 50 feet from the source (Noise Navigator, 2015). This level of stationary source noise is

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acceptable per the noise standards influencing the Project Alternative. Furthermore, project HVAC units would be included on the roof of the structure, likely located toward the center of the structure, making the nearest homes to the HVAC units greater than 50 feet away. On-site HVAC units and associated equipment attached to project structures would be acoustically engineered with appropriate procurement specifications, sound enclosures, and parapet walls to minimize noise—all in accordance with the City of Fontana noise emissions requirements—to ensure that such equipment does not exceed allowable noise limits. Thus, through compliance with pertinent local noise regulations, noise levels from project mechanical equipment would be less than significant. (Draft EIR, p. 4.11-24.)

Slow-Moving Trucks

The Proposed Project Alternative would include deliveries from slow-moving heavy-duty diesel trucks. Typically, slow movements from these trucks can generate a maximum noise level of approximately 79 dBA at a distance of 50 feet. These are levels generated by a truck that is operated by a typically experienced driver with typically applied accelerations. Higher noise levels may be generated by the excessive application of power. Lower levels may be achieved, but would not be considered representative of a nominal truck operation. Primary truck access would occur along Lytle Creek road/the new Public Access Road near the northern boundary of the Logistics Site. The nearest sensitive receptor (i.e., a residence) would be located approximately 330 feet west of the realigned Lytle Creek Road where slow-moving trucks would access the Logistics Site. At this distance, noise levels from slow-moving trucks would be approximately 58.5 dBA, which is below the County's maximum allowable noise limit for residential uses of 65 dBA for adjacent mobile noise sources and the City's 65 dBA residential exterior noise maximum. In addition, interior noise levels from slow-moving trucks at the nearest residence would be approximately 38.5 dBA, which is below the County's allowable interior standard of 45 dBA. As such, noise levels from slow-moving trucks would be less than significant. (Draft EIR, pp. 4.11-24 through 4.11-25.)

Loading Bay Operations

On-site truck operations would be considered a stationary noise source subject to the City's noise regulation limitations. The Project Alternative anticipates 24-hour operation, most operations would be conducted during daytime business hours (here assumed to be 7:00 a.m. to 6:00 p.m.) however some degree of operation will take place on site between 6:00 p.m. and 7:00 a.m.

Noise measurements at a variety of similar projects (e.g., Home Depot loading bays, Consolidated Volume Transport truck scales, Macy's truck transfer yard) have demonstrated that the noise produced by idling/maneuvering semi-trucks is typically on the order of 70 to 73 dBA at a distance of 50 feet (Wilder, 2000).

For purposes of this impact assessment, the Proposed Project Alternative is projected to accept up to 317 trucks per day based on the Traffic Study and would experience a peak of 69 truck trips during the peak hour of traffic. By state law, diesel

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trucks are prohibited from idling for more than five minutes at any one location. Additionally, it is assumed for this assessment that the maneuvering operation for any given truck would take no more than three to five minutes. Thus, the combination of maneuvering and parking and idling near or in the Project's loading bays would take a maximum of 10 minutes per truck trip.

For the purposes of this analysis, distances to receptors were measured from the nearest loading bay dock door (located on either the north side or the south side of the building, depending which is closer). Based on the site plans, the nearest noise-sensitive receptor (single-family residence #5) is approximately 550 feet from the nearest loading bay. This residence would experience approximately 21 dB of sound reduction due to distance attenuation (considering an attenuation rate of 6 dB per doubling distance) Therefore, the noise levels experienced at the nearest sensitive receptors from on-site loading bay activities would be approximately 52 dBA (i.e., 73 dBA – 21 dBA = 52 dBA). As described on page 4.11-14 of the Draft EIR, Table 4.11-7, the San Bernardino County Municipal Code states that the standard for stationary noise sources is 55 dBA between 7:00 a.m. and 10:00 p.m. The City's standard is 65 dBA for residential exteriors. Therefore, the noise generated by loading bay activities would be less than significant. (Draft EIR, pp. 4.11-25 through 4.11-26.)

Parking Lot Noise

The Project Alternative would include surface lot vehicle parking stalls near the perimeter of the Project site. Noise associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. However, the instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys may be an annoyance to adjacent noise-sensitive receptors. Estimates of the maximum noise levels associated with some parking lot activities are presented in Table 4.11-14, Typical Noise Levels Generated by Parking Lots (found at Draft EIR, p. 4.11-26).

As shown in Table 4.11-14 (found at Draft EIR, p. 4.11-26), parking lot activities can result in noise levels up to 61 dBA at a distance of 50 feet. The nearest sensitive receptor (a residence) is located approximately 290 feet from the proposed surface parking area(s). At this distance, maximum parking lot noise levels would be approximately 45.7 dBA, which is well below the City's and County's exterior noise standards. Therefore, parking lot noise associated with the Project Alternative is not expected to exceed the City's or County's noise standards and would not introduce a new noise source compared to existing conditions. Impacts would be less than significant in this regard. No mitigation is required. (Draft EIR, p. 4.11-26.)

2. Groundborne Vibration

Threshold: Would the Project generate excessive groundborne vibration or groundborne noise levels?

Finding: Less than significant impact. (Draft EIR, p. 4.12-31.)

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Explanation:

Construction

Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings in the vicinity of a construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). This impact discussion utilizes Caltrans's recommended standard of 0.2 in/sec PPV with respect to the prevention of structural damage for normal buildings and human annoyance. Table 4.11-15 (found at Draft EIR, p. 4.11-27) displays vibration levels for typical construction equipment.

The nearest structure is approximately 150 feet from the logistic center site construction limits and 120 feet from the centerline of the new road alignment. However, it is acknowledged that construction activities would occur throughout the Project site and would not be concentrated at the point closest to the nearest structure. Based on the vibration levels presented in Table 4.11-15 (found at Draft EIR, p. 4.11-27), ground vibration generated by heavy-duty equipment would not be anticipated to exceed approximately 0.089 in/sec peak particle velocity at 25 feet. In addition, the nearest structure to the SB 330 Compliance Alternative Site would be the residential uses located approximately 40 feet north and west of the project boundary line. As indicated in Table 4 (found at Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 7), based on the Federal Transit Administration data, vibration velocities from typical heavy construction equipment operation that would be used during project construction range from 0.001 to 0.104 inch-per-second peak particle velocity at 40 feet from the source of the activity. Therefore, the use of virtually any type of construction equipment would most likely not result in a groundborne vibration velocity level above 0.2 in/sec and predicted vibration levels at the nearest off-site structures would not exceed recommended criteria. Additionally, this would be a temporary impact and would cease completely when construction ends. Once operational, the Project Alternative would not be a source of groundborne vibration. Impacts would be less than significant. No mitigation is required. (Draft EIR, p. 4.11-27; Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 6-7.)

Operation

Operation of the Project Alternative would not generate substantial levels of vibration due to the lack of vibration-generating sources and therefore is not analyzed. (Draft EIR, pp. 4.11-27 through 4.11-28; Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 7.)

3. Airport Noise

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Threshold: 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 potentially expose people residing or working in the project area to excessive noise levels?

Finding: Less than significant impact. (Draft EIR, p. 4.11-28.)

Explanation: The nearest major commercial airport is the Ontario International Airport. The Logistics Site is located approximately 12 miles northeast of the airport and is not within the Airport Influence Area or Noise Impact Zones. The nearest airport to the SB 330 Compliance Alternative Site is the Municipal Rialto Airport, located approximately 3.7 miles to the northeast of the site. In addition, the Project Area is not located within the vicinity of a private airstrip. This Project Alternative would not expose people residing or working in the Project Area to excessive noise levels associated with aircraft. Project impacts would be less than significant. No mitigation is required. (Draft EIR, p. 4.11-28; Appendix H, *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020, p. 8.)

L. POPULATION AND HOUSING

1. Population Growth

Threshold: Would the Project induce substantial 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)?

Finding: No impact. (Draft EIR, p. 5.0-4.)

Explanation: The Proposed Project Alternative would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the Project area. The temporary workforce would be needed to construct the warehouse/logistics building and associated improvements.

According to correspondence with the Project Applicant, development of the Logistics Center would result in a conservative employment generation of up to 1,000 employees. According to the SCAG (2016) Demographics & Growth Forecast (an appendix to the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy), the number of jobs in Fontana is anticipated to grow from 47,000 in 2012 to 70,800 in 2040. The Project-related increase of up to 1,000 employees would be minimal in comparison to the increase anticipated in the SCAG growth forecast. As such, it is anticipated that the Proposed Project Alternative would provide jobs to local city residents, helping to fill the employment need. The unemployment rate in the City of Fontana is 3.4 percent, and it is anticipated that the majority of employees working at the facility would be from Fontana, or the surrounding communities. Therefore, no impacts would occur.

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It should also be noted that the ratio of jobs to housing units in the City is used by regional planning groups to try to balance regional traffic home to work trips to minimize freeway congestion, air pollutant emissions, and greenhouse gas emissions. Thus, the jobs-housing ratio is relevant to the impact's discussion of an EIR under CEQA. The jobs-to-housing ratio identifies the number of jobs available in a given region compared to the number of housing units in the same region. The standard used for comparison is the jobs-to housing ratio of the SCAG region, which is currently 1.25 jobs for every household. This standard is used because most residents of the region are employed somewhere in the SCAG region. A City or sub-region with a jobs-to-housing ratio lower than the overall standard of 1.25 jobs for every household would be considered a "jobs poor" area, indicating that many of the residents must commute to places of employment outside the sub-area. Table 5.0-1 (found at Draft EIR, p. 5.0-5) shows the current and potential jobs/housing ratios for the City, County, and SCAG.

These jobs/housing ratios indicate that the City of Fontana is currently considered to be "housing rich" or "job poor" because its jobs-to-housing ratio is below the San Bernardino County and Southern California regional job/housing ratios as defined by SCAG. A low jobs/housing ratio at the local level means longer distances that City residents must drive to and from work. The projected jobs/housing ratio for the City will improve relative to its current value but will still be well below both the County and SCAG values for the year 2040. It Is anticipated that employees of the Project Alternative would come from within the City or the surrounding region. Because the City and County are jobs poor, the Project Alternative is anticipated to benefit the City and County's jobs-housing ratio. (Draft EIR, pp. 5.04 through 5.0-5.)

2. Displace Housing and People

Threshold: Would the Project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Finding: No impact. (Draft EIR, p. 5.0-5.)

Explanation: The Proposed Project Alternative would involve the demolition of a limited number of existing residences that are currently onsite. All property owners on the site are voluntarily selling their property and would be compensated for their property. It is expected that residents would have the ability to relocate based on the availability of existing housing stock in the area. According to the California Department of Finance (2017), there are 53,998 housing units in the city with a vacancy rate of 3.1%, which are anticipated to more than accommodate residents of the limited number of existing residences on the site. Further, as noted in Table 4.0-1, Cumulative Projects, (found at Draft EIR, p. 4.0-4) there are a number of residential developments underway within the City that are planned in the immediate vicinity of the Project Alternative. These developments, in addition to the existing housing stock, would provide more than adequate housing to replace any of the houses displaced by the Proposed Project Alternative. As a result, the construction of replacement housing would not be necessary and no impact would occur. (Draft EIR, p. 5.0-5.)

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M. PUBLIC SERVICES AND RECREATION

1. Fire Protection Services

Threshold: Would the Project have the potential to 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 fire protection?

Finding: Less than significant impact. (Draft EIR, p. 4.12-9.)

Explanation:

Short-Term Construction Impacts

Construction activities associated with the Logistics Site would create a temporarily increased demand for fire protections services to the construction site. All construction activities would be subject to compliance with all applicable state and local regulations in place to reduce risk of construction-related fire, such as installation of temporary construction fencing to restrict site access and maintenance of a clean construction site. As a result, Project construction would proceed consistent with accepted standards and applicable regulations, and would not result in the need for additional fire protection facilities and would not adversely impact and FFPD performance standards. Also, the nearest fire station is located approximately 1.3 miles from the Logistics Site, with another station within 4.7 miles. Therefore, Project construction would not result in the construction of additional fire protection facilities that could cause a significant environmental impact. A less than significant impact would occur in this regard.

Long-Term Operational Impacts

The Proposed Project Alternative would cause an increased demand for fire protection services. However, this increase would not require the construction of new FFPD facilities. The Proposed Project Alternative would be designed in compliance with San Bernardino County Code Title 6, Division 3, Chapter 1, California Building Code, which adopts by reference the 2016 California Building Standards Code. Part 9 of the California Building Standards Code includes the California Fire Code. To offset the increased demand for fire protection services, the City would condition the Proposed Project Alternative to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. The new buildings will be tilt-up concrete with fire alarm systems installed, which would tend to reduce the risk to persons or property from substantial fires. Also, fire prevention systems included at the facility could include, but not be limited to, provisions for smoke alarms; sprinklers; building and emergency access; adequate emergency notification; and hydrant sizing, pressure, and siting. It should also be noted that the structures currently existing on the Logistics Site are susceptible to fires and constructed of less resistant materials, and the

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open grass and trees are also susceptible to fires. The proposed improvements to Lytle Creek Road also would improve fire department access to the area.

It is the City's policy to review development proposals to ensure that fire services, such as fire equipment, infrastructure, and response times, are adequate for all sections of the City (Noise and Safety Element Goal 7 Policy 2). As concluded in the Draft EIR, Section 7.0, Growth-Inducing Impacts, the Project Alternative would not involve the construction of new houses and would not induce substantial population growth to the area. Thus, Project implementation is not anticipated to result in physical impacts associated with the need for, or provision of, new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection. In addition, the Project Alternative would be required to comply with the provisions of the City's Development Impact Fee program, which requires a fee payment to assist the City in providing fire protection services. Such fees would be used to fund capital costs associated with land acquisition, construction, purchasing equipment, and providing for additional staff. Development of the Proposed Project Alternative would also increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this Project Alternative, including fire protection services. Therefore, this impact would be less than significant. No mitigation is required. (Draft EIR, pp. 4.12-8 through 4.12-9.)

2. Police Protection Services

Threshold: Would the Project have the potential to 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 police protection ?

Finding: Less than significant impact. (Draft EIR, p. 4.12-11.)

Explanation:

Short-Term Construction Impacts

Construction would create a temporary increased demand for police protection services to the construction site as Project construction would generate a limited population increase on the Logistics Site as a result of the Project Alternative's temporary construction workforce. However, all construction activities would be subject to compliance with Title 6, Division 3, Chapter 1, of the San Bernardino County Code, which adopts by reference the California Building Standards Code. Chapter 33, Safeguards During Construction, of the California Building Standards Code includes emergency access requirements which would minimize site safety hazards and potential construction-related impacts to police services. As a result, construction of the Proposed Project Alternative would not result in the need for additional police protection facilities

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and would not adversely impact FPD performance standards. Therefore, construction would not trigger the construction of new facilities that could result in a significant impact. A less than significant impact would occur in this regard.

Long-Term Operational Impacts

Project operations would result in an increased demand for police protection services. However, this increase would not require the construction of any new FPD facilities or expansion of existing facilities. The Proposed Logistics Site would be designed in compliance with Title 6, Division 3, Chapter 1, of the San Bernardino County Code, which adopts by reference the California Building Standards Code. The California Building Standards Code includes emergency access requirements which would minimize site safety hazards and potential operational impacts to police services. The proposed warehouses will incrementally increase the demand for police services on the site and in the surrounding area by introducing new land uses. However, the warehouses are expected to operate 24/7 which will help reduce the overall potential for crime on the site (i.e., installation of alarm systems, full time security and monitoring, etc.) especially with onsite activities at night. The project will also make right-of-way improvements such as new street lighting that will deter crime.

It is the City's policy to promote and enhance use of anti-crime design strategies and programs (Public and Community Services Element Goal 1 Policy 4). As concluded in the Draft EIR, Section 7.0, the Project Alternative would not involve the construction of new houses and would not induce substantial population growth to the area. Thus, Project implementation is not anticipated to result in physical impacts associated with the need for, or provision of, new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. In addition, the Project Alternative would be required to comply with the provisions of the City's Development Impact Fee program, which requires a fee payment to assist the City in providing police protection services. Development of the Proposed Project Alternative would increase property tax revenues to provide a source of funding that is sufficient to offset any increases in the anticipated demands for public services generated by this Project Alternative, including police protection services. The Proposed Project Alternative would be designed per applicable standards required by the FPD for new development. Additionally, the project proponent would be required to pay required fees to offset law enforcement impacts that may result from the development and occupation of the proposed industrial uses. Therefore, this impact would be less than significant. No mitigation is required. (Draft EIR, pp. 4.12-10 through 4.12-11.)

3. School Services

Threshold: Would the Project have the potential to 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 schools?

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Finding: Less than significant impact. (Draft EIR, p. 4.12-11.)

Explanation:

Short-Term Construction Impacts

The Proposed Logistics Site does not propose the construction of any new or physically altered school facilities. The Project Alternative has been sited such that its construction would not disrupt school services during construction. Project construction activities would not generate additional students and impacts to school services would be less than significant.

Long-Term Operational Impacts

The Logistics Site is in the Fontana Unified School District. Based on FUSD generation rates, Project implementation could generate approximately 580 students in the FUSD associated with the potential for employees and their families to move to the area. As described above, the Proposed Project Alternative would be required to contribute fees to the FUSD in accordance with SB 50. The FUSD currently requires school mitigation impact fees of $0.61 per square foot for commercial/industrial development (FUSD 2018). The Project applicant would be required to pay the district's current impact fees for industrial use in effect at the time of building permit application. The FUSD uses these fees to pay for facility expansion and upgrades needed to serve new students. Payment of fees in compliance with Government Code Section 65996 fully mitigates all impacts to school facilities. Therefore, this impact would be less than significant. No mitigation is required. (Draft EIR, pp. 4.12-10 through 4.12-11.)

4. Parks

Threshold: Would the Project have the potential to 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 parks?

Finding: Less than significant impact. (Draft EIR, p. 4.12-13.)

Explanation:

Short-Term Construction Impacts

The Project Alternative does not propose the construction of any new or physically altered recreational facilities. Due to its temporary nature, Project construction activities would not generate an increase in the County's population and impacts concerning parks and recreational facilities would be less than significant.

Long-Term Operational Impacts

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The proposed Logistics Site would have the potential to generate limited population growth with the potential to impact local and regional parks or recreational facilities as a result of new employees relocating to the Project area. Many factors influence personal housing location decisions (i.e., family income levels and the cost and availability of suitable housing in the local area). Further, many Project employees could already live in and around the City. According to the General Plan, businesses in the City employ 6,214 workers that live in Fontana and 40,358 workers that live outside the City. Thus, it would be highly speculative to estimate the number of future employees who would relocate to the City and would create impacts on recreational facilities. Regardless, the Project Alternative would be subject to the Quimby Act, which requires development projects to set aside land, donate conservation easements, or pay in-lieu fees for park improvements. Pursuant to the Quimby Act, the Project applicant would pay its fair share of in-lieu fees based on the type and size of development. These impact fees are required of most residential, commercial, and industrial development projects in the city. Impacts to parks and recreational facilities associated with development of the Proposed Project would be less than significant. No mitigation is required. (Draft EIR, pp. 4.12-12 through 4.12-13.)

5. Other Public Facilities

Threshold: Would the Project have the potential to 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 other public facilities?

Finding: Less than significant impact. (Draft EIR, p. 4.12-13.)

Explanation:

Short-Term Construction Impacts

The Project Alternative does not propose the construction of any new or physically altered public facilities (such as public health services and library services). Due to its temporary nature, Project construction activities would not generate an increase in the County's population and impacts concerning other public facilities would be less than significant.

Long-Term Operational Impacts

Although the Proposed Project Alternative would have the potential to generate limited population growth with the potential to impact other public services (i.e. public health services or library services) as a result of new employees relocating to the Project Area, due to the number of persons anticipated to occupy the Logistics Site and the nature of uses proposed, no significant increase in demand for new or physically altered public facilities are expected. The Project applicant would be required to pay its fair share of development impact fees to help offset incremental impacts to other public facilities by

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helping fund capital improvements and expenditures. The Project Alternative would be required to adhere to standards and provisions set forth by the City in the event that the proposed project would affect other governmental services. Because adherence to these standards and provisions is required of all development projects, less than significant impacts related to this issue are anticipated to occur with the development of the Project Area. Therefore, impacts to other public facilities associated with development of the Proposed Project Alternative would be less than significant. No mitigation is required. (Draft EIR, p. 4.12-13.)

N. RECREATION

1. Existing Facilities

Threshold: 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?

Finding: No impact. (Draft EIR, p. 5.0-6.)

Explanation: The Project Alternative would develop a Logistics Center, and such, its implementation would not induce area population growth or increase demand for or use of existing local or regional park facilities. In addition, while the future development of the SB 330 Compliance Alternative Site may result in greater impacts to recreation, impacts will remain less than significant because the Project Alternative would be required to adhere to the standards and provisions set forth by the City and be required to pay its fair share of development impact fees. For these reasons, Project implementation would not impact park and recreational facilities. (Draft EIR, p. 5.0-6.)

2. New Recreational Facilities

Threshold: Would the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Finding: No impact. (Draft EIR, p. 5.0-6.)

Explanation: The Proposed Project Alternative does not include recreational facilities or require the expansion of recreational facilities which might have an adverse physical effect on the environment, because the type of project being proposed would not result in an increased demand for recreational facilities. In addition, while the future development of the SB 330 Compliance Alternative Site may result in greater impacts to recreation, impacts will remain less than significant because the Project Alternative would be required to adhere to the standards and provisions set forth by the City and be required to pay its fair share of development impact fees. No impact would occur. (Draft EIR, p. 5.0-6.)

O. TRANSPORTATION

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1. Conflict With Applicable Alternative Transportation Plans

Threshold: Would the Project conflict with a program, plan, ordinance, or policy addressing the circulation system related to transit, bicycle, or pedestrian facilities ?

Finding: Less than significant impact. (Draft EIR, p. 4.13-25.)

Explanation: The Project Alternative would be required to adhere to applicable City standards that support or facilitate alternative modes of transportation. The City recently adopted the *Fontana Active Transportation Plan* (Fontana ATP) which proposes new bikeways and pedestrian walkways and goals to create a Bicycle Master Plan, Pedestrian Master Plan, and Trail Master Plan. According to the Fontana ATP Figure 5.1, *Existing, Planned, and Recommended Bikeway Network*, there are no planned or proposed bikeways in the Project vicinity. Additionally, Fontana ATP Figure 5.2, *Pedestrian Priority Areas*, does not identify the Project Area as a pedestrian priority area. As such, the Project Alternative would not interfere with the development of future pedestrian or bicycle facilities or hinder with the improvement of existing facilities.

Public transportation in Fontana is provided by Omnitrans. Omnitrans has an extensive network of bus routes throughout the City and surrounding region. The nearest bus stop is located at the corner of Summit Avenue and Lytle Creek Road, approximately 2.8 miles south of the Logistics Site and is served by Omnitrans Route 82. Omnitrans Route 82 connects Fontana and Rancho Cucamonga and stops at the Fontana Metrolink Station approximately 5.5 miles south of the Project Area. The Project Alternative would not alter any bus stop locations or frequency of Omnitrans' bus services.

As such, the Project Alternative would not conflict with adopted plans, programs, or policies related to alternative transportation. Impacts related to alternative transportation would be less than significant. No mitigation is required. (Draft EIR, p. 4.13-25.)

2. Hazardous Design Features

Threshold: Would the Project substantially increase hazards due to geometric design features or incompatible uses?

Finding: Less than significant impact. (Draft EIR, p. 4.13-28.)

Explanation: At Project completion, the Logistics Site would be accessed from two entrances, one driveway for passenger vehicles on Lytle Creek Road from the west and another driveway for passenger vehicles and trucks on Public Access Road from the east. The proposed Public Access Road would provide access to the Logistics Site from the realigned Lytle Creek Road. (refer to Exhibit 3.0-14, Proposed Circulation and Improvements, found on page Draft EIR, p. 3.0-55).

The realignment of Lytle Creek Road would not involve any unusual conditions or hazardous geometric design features, such as sharp curves, dangerous intersections, or incompatible uses. Lytle Creek Road would be realigned at Sierra Avenue to have a 90-

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degree (right angle) access off of Sierra Avenue and eliminate the existing less efficient angle of access. Additionally, no agricultural use currently exists in the Project Area nor is it proposed as part of the Project Alternative. Therefore, no incompatible uses used for agricultural purposes (e.g., tractors and farm equipment) would result in hazardous traffic conditions. Impacts in this regard are considered to be less than significant. No mitigation is required. (Draft EIR, p. 4.13-28.)

3. Emergency Access

Threshold: Would the Project result in inadequate emergency access?

Finding: Less than significant impact. (Draft EIR, p. 4.13-29.)

Explanation: The Project Area and surrounding area have access to several fully improved roadways, including I-15, which provide full emergency access to the Project Area. Construction activities, which may temporarily restrict vehicular traffic, would be required to comply with the construction TMP to facilitate the passage of persons and vehicles through/around any required road closures (refer to **Mitigation Measure TR-1**). Additionally, the Proposed Project Alternative design would be submitted to and approved by the Fontana Police Department and San Bernardino County Fire Department prior the issuance of building permits. The conceptual Project design would provide two main access points from opposite ends of Lytle Creek Road to the Logistics Site, which would comply with fire and emergency access standards. Adherence to applicable existing local and State requirements related to emergency access would reduce impacts associated with this issue to a less than significant level. As such, potential impacts are less than significant and no mitigation is required. (Draft EIR, p. 4.13-28.)

P. UTILITIES AND SERVICE SYSTEMS

1. New Water, Wastewater, Electric Power, Natural Gas, or Telecommunications Facilities

Threshold: 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 ?

Finding: Less than significant impact. (Draft EIR, p. 4.15-11.)

Explanation:

Water Facilities

The Proposed Project Alternative will require water for consumptive and sanitary purposes to support employees at the facility and for irrigation of landscaped areas. According to the WSA, it is anticipated that the new water demand created by the Project Alternative would not exceed the City's anticipated water supply. As such, the Project Alternative would not require or result in the construction or expansion of water facilities.

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Refer to Section 3, S—4, Sufficient Landfill Capacity, for a discussion regarding water supply associated with the Project Alternative.

The Project Alternative is not located near any existing recycled water facilities; however, in the future, it may be possible to serve the Project Alternative with recycled water. West Valley policy recognizes recycled water as a preferred source of water supply for all non-potable water demands, including, without limitation, irrigation of recreation areas, green-belts, open space, common areas, commercial landscaping and supply for aesthetic impoundment or other water features. The majority of landscaped areas on the Logistics Site have been designed to use recycled water to the greatest extent possible. As such, the Project Alternative's impacts regarding the construction or expansion of existing water facilities would be less than significant.

Wastewater Facilities

Project implementation is anticipated to generate an additional 67,475 gallons per day or 0.067 mgd of wastewater based on wastewater generation rates previously approved by IEUA (2,500 gallons per day per acre for industrial uses). However, the Proposed Project Alternative's design features include site-specific sewer improvements through the installation of a privately maintained lift station, which would tie into the existing sewer system along Sierra Avenue to the manhole near Segovia Lane.

The IEUA treats domestic wastewater for the City. The City operates wastewater conveyance facilities within the City boundaries. Treatment of wastewater generated in Fontana is handled at the IEUA's Regional Plant No. 1 in Ontario. The plant currently processes approximately 32 mgd of raw sewage. Its ultimate treatment capacity is 40 million gallons per day, leaving a surplus capacity of approximately 8 mgd.

The San Bernardino Trunk Sewer Project was completed in April 2009. That Project included the construction of approximately 19,600 linear feet of sanitary sewer main from Cypress Avenue to Mulberry Avenue, which ties into a regional pump station and force main that is operated by the IEUA. This system diverts existing sewer flows from Regional Plant No. 1 to Regional Plant No. 4, which has increased opportunities for recycled water, as well as opportunities for future annexations from the county area by providing additional capacity. Table 4.15-1 (found at Draft EIR, p. 4.15-10) shows the current flow, current treatment capacity, and ultimate treatment capacity for Regional Plant No. 1 and 4. Future implementation of conservation strategies and the increased use of reclaimed water are expected to decrease the need for treatment capacity and serve as a beneficial reuse of water resources.

Based on the City's General Plan Update 2015-2035 EIR (City of Fontana 2018b), while the population and amount of commercial and industrial development is anticipated to increase through 2035, the various water conservation goals and policies, and presence or absence of drought conditions will have a direct effect on the volume of wastewater. In 2009, following significant growth in the city, the wastewater treatment facilities upon which the City relies are still operating below capacity. In addition, wastewater streams can be somewhat manipulated amongst Regional Plant No. 1 and

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Regional Plant No. 4 to a certain extent as demand may require. Water conservation efforts are also achieving a 10 percent reduction in wastewater generation, a level which is expected to increase to 20 percent by 2020. Given the amount of excess capacity in the existing treatment facilities serving the City, the Proposed Project Alternative would not trigger the need for new or expanded regional wastewater treatment facilities and/or exceed IEUA capacity. In addition, the Project Applicant would be required to pay standard IEUA sewer connection fees, which are used to fund wastewater treatment and regional wastewater conveyance improvements associated with new development. As such, impacts in this regard would be less than significant.

Stormwater Drainage Facilities

The Project Alternative would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP), as required by the NPDES Construction General Permit, that will include BMPs that will ensure stormwater during construction does not exceed applicable standards or create adverse water quality impacts. Once operational, the Proposed Project Alternative would introduce impervious cover to a currently undeveloped area and would alter long-term drainage and groundwater infiltration patterns in the immediate Project vicinity. The Project Alternative would construct storm drain improvements that would include the installation of underground collection pipes, and a 3-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the site. As noted in the Project Alternative's WQMP, the on-site improvements would capture the Design Capture Volume of runoff anticipated at the Logistics Site. Thus, the Project Alternative's features would implement BMPs sufficient to capture stormwater volumes to ensure not significant impact to stormwater facilities would result. The Project Alternative's drainage features would be implemented in compliance with the provisions of the City's Master Drainage Plan and would not conflict with that plan. Therefore, it is not anticipated that the Project Alternative would require, or result in, the construction of stormwater drainage facilities or the expansion of existing facilities. A less than significant impact would occur.

Electric Power Facilities

The Project Alternative would connect to existing electric power facilities owned and operated by Southern California Edison. As discussed in Section 4.5, Energy, of the Draft EIR, an analysis of the Project Alternative's electricity usage was conducted. The Project Alternative's annual electricity consumption is estimated to be 2,945,123 kilowatt-hours.

According to the City's General Plan Public Facilities, Services and Infrastructure Element, electricity service is provided to newly developed areas, as part of a service contract, and generating capacity for the area is sufficient to accommodate future growth. Therefore, the construction or relocation of electric power facilities associated with the Project Alternative would not cause significant environmental effects. A less than significant impact would occur.

Natural Gas Facilities

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The Project Alternative would not require the use natural gas and therefore will not be connected to existing natural gas lines owned and operated by the Southern California Gas Company. No impact would occur.

Telecommunications Facilities

Telecommunication facilities would be provided to the project site by Frontier Communications. Frontier Communications will connect the Project Site to existing telecommunication facilities, which are located in the vicinity of the project site. Less than significant impacts would occur. (Draft EIR, pp. 4.15-9 through 4.15-11.)

2. Adequate Water Supply

Threshold: Would the Project have the potential to have insufficient water supplies available to serve the Project from existing entitlements and resources or require new or expanded entitlements ?

Finding: Less than significant impact. (Draft EIR, p. 4.15-14.)

Explanation: The Logistics Site to be developed is approximately 76 acres and comprises light industrial, warehouse, and office uses. The WSA prepared for the Project Alternative estimated the Proposed Project Alternative's water demands using the developed acreage attributed to each use type (including landscape irrigation for light industrial and parking area requirements). The total developed area was prorated based on the building square footage for each use type. Water demands were then estimated for the Project Alternative using land use-based water demand factors from West Valley's 2012 Water Master Plan. The land use demand factors are applied to gross estimated acreage for each land use. Applying the 2012 Water Master Plan water usage rate of 2,000 gallons per day per acre for the light industrial building, parking, and landscape irrigation areas, and 3,500 gallons per day per acre for office building and parking areas, result in a total demand of 147 AF per year. The Project Alternative is expected to be completed in a single phase, and the water demands are expected to be in place by 2020. The existing residential uses in the development area are not currently served by West Valley, although they are within its service area; therefore, redevelopment of the site does not impact the estimated demands for the area.

West Valley's RUWMP assumed that the district's total industrial demands would increase from 709 AFY in 2015 to 2,231 AFY in 2040, a total increase of 1,522 AFY (West Valley Water District 2015). The Proposed Project Alternative's additional demands of 147 AFY are less than the assumed increase in industrial demands in the RUWMP; therefore, the demands of the Project Alternative were included in the plan. The RUWMP assessed the projected water demand and supply in the service area and concluded that West Valley has, and will have, an adequate water supply to meet all demands within its service area to 2040. Further, West Valley anticipated an increase in industrial demand from 709 AFY in 2015 to 2,231 AFY in 2040 within the service area.

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In addition, according to the WSA prepared for the Proposed Project Alternative, West Valley has estimated that demands could increase 10 percent during a single dry year. During a multiple dry year period, it is expected that conservation messaging and restrictions would lead to consumption dropping back down to normal year levels in the second dry year, and falling a further 10 percent in the third dry year. Tables 4.15-2, 4.15-3, and 4.15-4 (found at Draft EIR, p. 4.15-13) summarize the anticipated supplies and demands for West Valley. West Valley has verified that it has the water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand associated with the Proposed Project Alternative, in addition to existing and planned future uses.

It is anticipated that the new water demand created by the Project Alternative would not exceed the City's anticipated water supply. West Valley provides retail water service to Fontana and portions of unincorporated San Bernardino County. West Valley's existing service area and its sphere of influence (SOI) area do not fully cover the Logistics Site. Therefore, an expansion of West Valley's SOI is proposed to fully cover the Logistics Site. Annexation of the Logistics Site into West Valley's service area is proposed so that the district can provide water service to this future area of the city. The San Bernardino Valley Municipal Water District (SBVMWD) is a wholesale water provider and State Water Contractor, and it provides water to the City and West Valley. The SBVMWD's existing service area does not fully include the Logistics Site. Therefore, annexation of the site into the SBVMWD's service area is proposed; refer to Exhibit 3.0-9, San Bernardino Valley Municipal Water District Existing and Proposed Service Area. As such, the SBVMWD would be able to provide wholesale water service for this future area of the city.

Based on the above, it is anticipated that existing and future water entitlements from groundwater, surface water, and imported water sources, plus recycling and conservation, will be sufficient to meet the Project Alternative's demand at buildout, in addition to forecast demand for West Valley's entire service area. Thus, impacts related to the need for new or expanded water supplies and entitlements would be less than significant. No mitigation is required. (Draft EIR, pp. 4.15-11 through 4.15-14.)

3. Adequate Wastewater Treatment Capacity

Threshold: Would the Project have the potential to result in a determination by the wastewater treatment provider which serves, or may serve, the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Finding: Less than significant impact. (Draft EIR, p. 4.15-154.)

Explanation: Refer to the discussion for Section 3, P—1, New Water, Wastewater, Electric Power, Natural Gas, or Telecommunications Facilities. The wastewater treatment facilities upon which the City relies are still operating below capacity and are expected to continue to operate below capacity through the City's planning horizon because applicable water conservation measures will likely serve to reduce the per capita

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demand over historical levels due to diversion (graywater, recycled water), and reductions in water use from conservation efforts. Water conservation efforts are achieving a 10 percent reduction in wastewater generation, a level which is expected to increase to 20 percent by 2020. The amount of excess capacity (the difference between the current treatment capacity and the ultimate treatment capacity) in the existing treatment facilities serving Fontana, as identified in Table 4.15-1 (found at Draft EIR, p. 4.15-10), is 8 MGD for Regional Plant No. 1 and 7 MGD for Regional Plant No. 4. Therefore, that the Project Alternative would not trigger the need for new or expanded regional wastewater treatment facilities and/or exceed IEUA capacity. In addition, the Project Applicant would be required to pay standard IEUA sewer connection fees, which are used to fund wastewater treatment and regional wastewater conveyance improvements associated with new development. As such, impacts in this regard would be less than significant. No mitigation is required. (Draft EIR, pp. 4.15-14 through 4.15-15.)

4. Sufficient Landfill Capacity

Threshold: Would the Project have the potential to 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?

Finding: Less than significant impact. (Draft EIR, p. 4.15-16.)

Explanation:

Construction Impacts: The City of Fontana is mandated by the State of California to implement programs to reduce the amount of waste sent to landfills by 65 percent by the year 2017 and beyond. In order to comply with this State mandate, the City operates a number of programs to reduce, recycle and properly divert solid waste from landfills. One such program requires all general contractors, subcontractors, or homeowners to provide a Construction Waste Management Plan (CWMP), which outlines how recoverable material will be diverted from the landfill. Completion of a CWMP is a means of documenting project compliance with the CalGreen Code, Sections 4.408 and 5.408. Applicants must complete this form and submit it with each building permit application to the City of Fontana Building & Safety Division. Per the City's Sole Franchise Hauler Agreement, all hauling resulting from construction or demolition activities may only be contracted through Burrtec Waste Industries per Fontana Municipal Code, Chapter 24-31(B). The Proposed Project Alternative would be required to prepare a CWMP prior to permit issuance, and to complete a final CWMP at the conclusion of Project construction for submittal to the Building & Safety Division prior to final inspection.

Operational Impacts: Using California Department of Resources Recycling and Recovery (CalRecycle) waste generation rates, the Proposed Project Alternative is estimated to generate approximately 7,054 pounds (3.5 tons) of waste daily (1,287 tons of solid waste annually). This estimate was derived using ratios obtained from CalRecycle's estimated solid waste generation rates for industrial uses, which projects the generation of approximately 0.006 pounds of solid waste per square foot each day (CalRecycle 2017). The Proposed Project Alternative's contribution of 1,287 tons of solid

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waste annually equates to approximately 0.00045 percent of the Mid-Valley Sanitary Landfill's total annual capacity. As such, the Project Alternative's annual solid waste contribution is minimal and would not substantially alter existing or future solid waste generation patterns and disposal services, considering the permitted daily capacity at the Mid-Valley Sanitary Landfill. As discussed above, the landfill has a capacity of 7,500 tons of solid waste per day and, as of September 2009, had 67,520,000 cubic yards of capacity available.

As demonstrated above, with compliance with City requirements relative to solid waste, the Project Alternative would not generate solid waste in excess of state or local standards or of the capacity of local infrastructure during construction or operation. Impacts would be less than significant. No mitigation is required. (Draft EIR, pp. 4.15-15 through 4.15-16.)

5. Solid Waste Regulations

Threshold: Would the Project have the potential to be in noncompliance with federal, state, and local statutes and regulations related to solid waste ?

Finding: Less than significant impact. (Draft EIR, p. 4.15-16.)

Explanation: Refer to Section 3, P—4, Sufficient Landfill Capacity, above. Project development would comply with all federal, state, and local statutes and regulations related to solid waste. The Project Alternative does not propose any activities that would conflict with the applicable programmatic requirements. Therefore, impacts would be less than significant. No mitigation is required. (Draft EIR, p. 4.15-16.)

Q. WILDFIRE HAZARDS

1. Wildfire Risks and Pollutant Concentrations

Threshold: Due to slope, prevailing winds, and other factors, would the Project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire?

Finding: Less than significant impact. (Draft EIR, p. 4.16-11.)

Explanation: As discussed in Section T—1, Emergency Response Plans or Evacuation Plans, the Project Alternative would develop concrete tilt-up logistics facility on the Logistics Site that would provide setbacks in the form of parking areas, site paving, and landscaped areas; refer to **Exhibit 3.0-10** (found at Draft EIR, p. 3.0-47). The Logistic Center's concrete construction and setbacks would improve the Proposed Project Alternative's fire resistance and create defensible space. Conformance with the California Building Code and California Fire Code as well as the procedural review of the Proposed Project Alternative by the City of Fontana and FFPD would ensure the Proposed Project Alternative does not exacerbate wildfire risks due to slope, prevailing winds, or other factors that would expose occupants to pollutants from a wildfire or the

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uncontrolled spread of wildfire. There, surrounding area is either undeveloped or developed with commercial/residential uses, none of which are expected to release hazardous pollutants during a wildfire. Additionally, the City's hazard plans would be implemented in the circumstance of a fire, which would ensure that impacts to the area, including the Project Area and workers, would be less than significant. Further, pursuant to Municipal Code Chapter 28, Article I, the City has the authority to declare by resolution as a public nuisance and abate all weeds growing upon streets, sidewalks, or private property in the City. Impacts would be less than significant in this regard. No mitigation is required. (Draft EIR, pp. 4.16-10 through 4.16-11.)

2. Wildfire Infrastructure

Threshold: 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?

Finding: Less than significant impact. (Draft EIR, p. 4.16-11.)

Explanation: The Proposed Project Alternative would develop a Logistics Center and associated infrastructure (i.e., internal roadways). As part of Project implementation, Project-related infrastructure would be required to meet minimum California Building Code and California Fire Code standards for fire safety. A key component of the Proposed Project Alternative is to improve area circulation via the realignment of Lytle Creek Road. The City would condition the Proposed Project Alternative to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. These features would be subject to review by the FFPD to ensure that emergency vehicles may respond quickly to potential occurrences of wildfire. The Project Alternative would also not trigger the need for new infrastructure to respond to a potential wildfire hazard, so no new impacts to the environment would occur from fire-related infrastructure. Conformance with the California Building Code and California Fire Code, as well as the procedural review of the Proposed Project Alternative by the City of Fontana and FFPD would ensure impacts are less than significant in this regard. No mitigation is required. (Draft EIR, p. 4.16-11.)

3. Post-Fire Risks

Threshold: 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 ?

Finding: Less than significant impact. (Draft EIR, p. 4.16-12.)

Explanation: Refer to the Draft EIR, Section 4.9, Hydrology and Water Quality, for a discussion concerning the Project Alternative's potential to result in increased flooding or landslides as a result of runoff or drainage changes. Development of the Logistics Site

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has the potential to result in a post-treatment increase in post-fire instability. The Project Area's existing on-site surface elevation ranges from approximately 1,850 to 2,030 feet above mean sea level and generally slopes to the southwest. In its current, undeveloped condition, the Logistics Site is relatively flat, with no areas of significant topographic relief. Should the Logistics Site in its current condition be subjected to wildfire, areas downslope of the site could be subjected to mudflow or debris flow as a result of post-fire stability. However, the Project Alternative would grade the existing, flat site to accommodate the logistics facility, parking areas, and other associated features. The graded area would be flat, and would not be likely to result in any mudflows or other slope instability after a wildfire. The Project Alternative would not, for instance, create any tiers or significant slopes, or require any topographic stabilization, that would be impacted by a future wildfire. Conversely, should areas north of the Logistics Site be subjected to wildfire, areas downslope (including the Logistics Site) could be subjected to mudflow or debris flow as a result of post-fire stability. However ,the Logistics Site would be located a substantial distance from adjacent slopes, and across parking lots, landscaping, and roadways. Additionally, the Logistics facility itself would be constructed of concrete and other strong materials.

As depicted on Exhibit 3.0-10 (found at Draft EIR, p. 3.0-47), the Logistics Site would convert native fuels to ignition-resistant managed and maintained landscapes and hardscapes. Further, the City would condition the Proposed Project Alternative to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes; refer to Response 4.8-3. These features would be subject to review by the FFPD to ensure that emergency vehicles may respond quickly to potential occurrences of wildfire. The Project Site is currently covered under the City's LHMP and Emergency Operations Plan, which include mitigation actions to reduce impacts associated with potential wildfires and describe steps to be taken before, during, and after a wildfire hazard emergency. Conformance with the California Building Code, California Fire Code, LHMP, and Emergency Operations Plan, as well as the procedural review of the Proposed Project Alternative by the City of Fontana and FFPD would ensure impacts are less than significant in this regard. No mitigation is required. (Draft EIR, p. 4.16-12.)

Section 4. Findings Regarding Environmental Impacts Mitigated to a Level of Less Than Significant.

The City Council hereby finds that feasible Mitigation Measures have been identified in the Draft EIR and this Resolution that will avoid or substantially lessen the following potentially significant environmental impacts to a less than significant level. The potentially significant impacts, and the Mitigation Measures that will reduce them to a less than significant level, are as follows:

A. AIR QUALITY

1. Violate Air Quality Standards - Construction

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

For construction operations, the applicable daily thresholds are:

- 75 pounds of ROG;
- 100 pounds of NOx;
- 550 pounds of CO;
- 150 pounds of PM10;
- 55 pounds of PM2.5; and
- 150 pounds of SO2.

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.2-15.)

Explanation:

Short-Term Construction

Construction associated with the Project Alternative would generate short-term emissions of criteria air pollutants. The criteria pollutants of primary concern in the project area include ozone-precursor pollutants (i.e., ROG and NOx) and PM10. Construction-generated emissions are short term and of temporary duration, lasting only as long as construction activities occur, but have the potential to represent a significant air quality impact.

Construction results in the temporary generation of emissions ensuing from site grading and excavation, road paving, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities as well as weather conditions and the appropriate application of water. Construction-related emissions are expected from site preparation, grading, building construction, paving, architectural coatings, and construction workers commuting. Grading of the project site would involve exporting 5,000 cubic yards of soil off-site. Architectural coatings (i.e., painting) would occur sporadically throughout the building phase, as needed.

The estimated maximum daily construction emissions are summarized in Table 4.2-5, Construction-Related Emissions (found at Final EIR, Attachment 1—Revised Draft EIR, p. 4.2-15). As previously stated, all construction projects in the South Coast Air Basin are subject to the SCAQMD rules and regulations in effect at the time of construction, including Rule 403 described above. The construction emissions summarized in Table 4.2-5 (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-15) account for the quantifiable PM-reducing requirements of SCAQMD Rule 403. Please refer to specific detailed modeling inputs/outputs, including construction equipment

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assumptions, in Appendix B of the Final EIR. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.2-14.)

Mitigation Measure AQ-1 would implement dust control techniques (i.e., daily watering), limitations on construction hours, and adherence to SCAQMD Rules 402 and 403 (which require watering of inactive and perimeter areas, track-out requirements, etc.) to reduce PM10 and PM2.5 concentrations. These are standard dust control measures required by the SCAQMD for all projects. Total PM10 and PM2.5 emissions would be below the SCAQMD threshold with implementation of **Mitigation Measure AQ-1**. Therefore, total construction related air emissions would be less than significant in this regard. (Draft EIR, pp. 4.2-13 through 4.2-15; Final EIR, p. 2.0-5; Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 250, 2020, pp. 8-.)

Construction Mitigation Measures

AQ-1 The construction contractor will use the following dust suppression measures from the SCAQMD CEQA Air Quality Handbook to reduce the project's emissions:

- Suspend all excavating and grading operations when wind speeds exceed 25 mph.
- Sweep all streets once per day if visible soil materials are carried to adjacent streets.
- Install "shaker plates" prior to construction activity where vehicles enter and exit unpaved roads, or wash trucks and equipment prior to their leaving the site.
- Water all active portions of the construction site every three hours during daily construction activities and when dust is observed migrating from the project site to prevent excessive amounts of dust.

B. BIOLOGICAL RESOURCES

1. Special-Status Plant and Wildlife Species

Threshold: Would the Project potentially have a substantial adverse effect, either directly or through habitat modifications, on a 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 (CDFW) or U.S. Fish and Wildlife Service (USFWS)?

Finding: Less than significant impact with mitigation incorporated. (Draft EIR, p. 4.3-28.)

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Explanation:

Special-Status Plant Species and Plant Communities

Special-status plant species were observed on-site during the October 2017 habitat assessment and August 2018 rare plant surveys. Specifically, one population of Southern California black walnut consisting of approximately 90 individuals and one population of Plummer's mariposa lily consisting of approximately 46 individuals were observed. The population of Southern California black walnut is associated with the rural residential properties located along the northwestern boundary of the Project Area. Additionally, Southern California black walnut individuals were observed within the mixed riparian scrub plant community, and approximately four individuals are in the northern portion of the Project Area. The population of Plummer's mariposa lily was observed in the central portion of the Project Area on granitic, rocky soils in a disturbed RAFSS plant community.

Project development would also result in the loss of RAFSS and RSS habitat, both of which are considered special- status plant communities. The Project Alternative would result in a permanent loss of 65.55 acres of disturbed RAFSS habitat and 1.63 acres of RSS habitat. However, the Project Area has been effectively cut off from the historic fluvial flow patterns and scouring regimes of Lytle Creek and flows exiting the San Gabriel Mountains due to the construction of I 15, Lytle Creek Road, Sierra Avenue, and developments in the surrounding area. These activities have disrupted the natural flood regime in the area, resulting in remnant, poor quality disturbed RAFSS and RSS habitat on-site that no longer function as RAFSS and RSS habitat and are also isolated from other higher quality RAFSS and RSS habitat, such as those further upstream and adjacent to Lytle Creek in the San Gabriel Mountains. Additionally, the remnant disturbed RAFSS habitat is sparsely vegetated with a variety of plant species indicative of intermediate RAFSS plant community (i.e., outside of the active floodplain) and an understory comprised of non-native grasses and herbaceous shrubs. Further, as stated above, SBKR, a species typically present in RAFSS habitat, was not found during trapping surveys. Therefore, given that the Project Area has been cut off from fluvial flow patterns and scouring regimes of Lytle Creek by urban development and typical species known to occur in RAFSS (i.e., SBKR) are not present, the Project is to have a less than significant impact on disturbed RAFSS or RSS habitat.

In addition, approximately 75 Southern California black walnut individuals and 46 Plummer's mariposa lily individuals would be permanently affected by Project development. The Southern California black walnut and Plummer's mariposa lily are not listed for protection under the federal or California ESA and are only designated by CNPS as a Rank 4.2 species (Plants of limited distribution – a Watch List; moderately threatened in California), conveying a low level of sensitivity. Nevertheless, **Mitigation Measure BIO-1** is included and would require a qualified biologist to flag all Southern California black walnut individuals on-site prior to construction and require construction work crew to avoid these flagged individuals as feasible. If avoidance is not feasible, the Project Alternative would be required to comply with the City's tree preservation ordinance, which sets out appropriate mitigation and compensation ratios for the removal of trees covered

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by the ordinance, including the Southern California black walnut. Additionally, implementation of **Mitigation Measure BIO-2** would require a pre-construction protocol plant survey be conducted to determine the presence of Plummer's mariposa lily during the appropriate blooming period. If Plummer's mariposa lily is found, a qualified biologist would be required to demarcate an avoidance zone around the plant species. If the individuals cannot be avoided, a seed collection and replanting plan shall be prepared and implemented. Implementation of **Mitigation Measures BIO-1** and **BIO-2** would reduce impacts to Southern California black walnut and Plummer's mariposa lily.

As detailed in Table 4.3-1, Potentially Occurring Special-Status Biological Resources, (found at Draft EIR, pp. 4.3-11 through 4.3-19) Parry's spineflower was determined to have moderate potential to occur on-site within the disturbed RAFSS and RSS habitats in the Project Area during the 2017 habitat assessment. However, this species was not observed within the Project Area during the 2018 blooming season, and thus, the species' potential to occur was reduced from moderate to low potential. All remaining special-status plant species identified in the CNDDB either have a low potential to occur or are presumed to be absent from the Project Area due to a lack of suitable habitat and the species' known distribution.

Special-Status Wildlife Species

Loggerhead shrike was observed during the 2017 habitat assessment. Based on the results of the field survey, it was also determined that the Project Area has a high potential to support Cooper's hawk and San Diego black-tailed jackrabbit, and a moderate potential to support California glossy snake, coastal whiptail, northern harrier, and coast horned lizard. These special-status wildlife species are not listed for protection under the federal or California ESA (only State Watch List [WL] or California Special Species of Concern [SSC]). Nevertheless, implementation of **Mitigation Measure BIO-3** would ensure a qualified biologist is present on-site during all ground-disturbing activities to verify that special-status wildlife species present or with high to moderate potential to occur on-site are not disturbed or harmed by construction activities. All remaining special-status wildlife species identified in the CNDDB either have a low potential to occur or are presumed to be absent from the Project Area due to a lack of suitable habitat and the species' known distribution.

As stated above, no SBKR were captured during focused trapping surveys conducted in May 2018. These results were expected, given the predominance of dense grassland habitat on-site, the long history of the Project Area being outside of any typical alluvial flooding, and the various disturbances that have occurred on-site over many years. The potential for any future occupation of the Project Area by SBKR is low. SBKR are not present on immediately adjacent lands to the west, north and east. Also, habitat conditions appear to be of low quality on the lands immediately to the south and to the southwest across Lytle Creek Road. As such, no impacts to SBKR is expected to result from construction of the Project Alternative. Impacts would be less than significant in this regard.

Additionally, no CAGN were detected during protocol breeding season surveys conducted on-site between March and May 2018. Brown-headed cowbirds, considered to be nest parasites for CAGNs, also were not observed during the surveys. As such, no

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impacts to this species are expected to result from the Project.

Nesting Birds

No active nests or birds displaying nesting behavior were observed during the field survey, nor were burrowing owl or their sign identified. However, as stated above, loggerhead shrike was present on-site during the field survey and the Project Area has potential to support Cooper's hawk (high potential) and northern harrier (moderate potential). Therefore, **Mitigation Measure BIO 4** requires a preconstruction clearance survey for nesting birds as well as for burrowing owl, in the event that ground disturbance and vegetation removal associated with the Project Alternative cannot occur outside of the nesting season. Implementation of **Mitigation Measure BIO-4** would reduce potential impacts associated with nesting birds and burrowing owl to a less than significant level.

Therefore, impacts would be less than significant with mitigation incorporated. (Draft EIR, pp. 4.3-24 through 4.3-28; Final EIR, pp. 2.0-21.)

Mitigation Measures

BIO-1 Prior to construction, a qualified biologist shall flag all Southern California black walnut (Juglans californica) individuals located within the Project footprint for avoidance. If avoidance of the Southern California black walnuts is not feasible, a tree removal permit may be required from the City in compliance with the City of Fontana Municipal Code Chapter 28, Article III.

BIO-2 Prior to approval of grading permits, a qualified biologist shall conduct a protocol-level floristic survey of the proposed development area for the Plummer's mariposa lily (Calochortus plummerae) within the appropriate blooming period. If Plummer's mariposa lily is found during the surveys within the proposed development area, a qualified biologist shall establish clearly demarcated avoidance zones around the plant species. If the plant populations cannot be avoided, the Project Applicant shall hire a qualified biologist to prepare a seed collection and replanting plan to reduce impacts to the identified special-status plant populations. The replanting plan must identify potential replanting area(s) sufficient to support the number of plants impacted by the proposed Project. The floristic survey report, seed collection, and replanting plan, and evidence of compliance with provisions of the replanting plan shall be reviewed and approved by the City of Fontana Planning Division prior to the commencement of ground disturbing activities.

BIO-3 A biological monitor shall be present on-site during all ground-disturbing activities to monitor construction activities and limits to ensure that special-status wildlife species with high to moderate potential to occur on-site (i.e., loggerhead shrike [Lanius ludovicianus], Cooper's hawk [Accipiter cooperii], northern harrier [Circus cyaneus], San Diego black-tailed jackrabbit [Lepus californicus bennettii], California glossy snake [Arizona elegans

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occidentalis], coastal whiptail [Asipidoscelis tigris stejnegeri], and coast horned lizard [Phrynosoma blainvillii]) and that are observed on-site are not adversely affected, at the discretion of the biological monitor, by construction activities. The biological monitor shall have the authority to halt construction activities should any special-status wildlife species be observed on-site until the species has left the active construction areas.

BIO-4 Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but it can vary slightly from year to year based on seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur.

If an active avian nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this buffer is expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur.

As part of the nesting bird clearance survey, a preconstruction burrowing owl clearance survey shall be conducted within 30 days of the start of ground-disturbing activities to ensure burrowing owl remain absent from the Project Area.

2. Riparian Habitat and Other Sensitive Natural Communities

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

Finding: Less than significant impact with mitigation incorporated. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.3-29.)

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Explanation: Five plant communities were observed within the boundaries of the Project Area during the habitat assessment: RSS, disturbed RAFSS, mixed riparian scrub, non-native grassland, and ornamental. Of the existing native vegetation communities on-site, Project development would impact two special-status plant communities: RSS and disturbed RAFSS. Additionally, as discussed in the *Caprock Warehouse Project 2018 Rare Plant Survey Report*, the southern and central portions of the Project Area are located within the boundaries of the NFCP. As permitted by the City, an applicant may dedicate a conservation easement of equivalent value to offset impacts to RAFSS or RSS habitats.

Implementation of **Mitigation Measure BIO-5** would ensure Project impacts related to the loss of Suitable Habitat, Restorable RAFSS Habitat, and Unsuitable Habitat, are mitigated. Impacts in this regard would be reduced to less than significant levels. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.3 28 through 4.3-29.)

Mitigation Measures

BIO-5 The Project Alternative shall mitigate impacts to Suitable Habitat, Restorable Riversidean Alluvial Fan Sage Scrub (RAFSS) Habitat, and Unsuitable Habitat through the following:

- Conservation Easement/Mitigation Bank Credits. The Project Applicant shall either dedicate to a certified third-party land trust a permanent conservation easement for like habitat or purchase mitigation credits in a California Department of Fish and Wildlife (CDFW)-approved mitigation bank at a ratio of a minimum of 1:1. Proof of mitigation shall be provided to the City of Fontana Planning Division prior to the commencement of any ground disturbance activities.
(Final EIR, p. 2.0-9.)

3. Federally Protected Wetlands

Threshold: Would the Project potentially 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?

Finding: Less than significant impact with mitigation incorporated. (Draft EIR, p. 4.3-31.)

Explanation: According to USFWS National Wetland Inventory maps, no wetland features have been documented within or adjacent to the Project Area. Additionally, no wetlands were identified during the field visit conducted for the habitat assessment.

According to the *Caprock Warehouse Project Delineation of State and Federal Jurisdictional Waters*, three unnamed, ephemeral drainage features (D-1, D-2, and D 3) were observed within the boundaries of the Project Area. These drainage features

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exhibited evidence of an ordinary high water mark (OHWM); however, it was determined that all three drainages do not exhibit a surface hydrologic connection to downstream waters of the United States. Therefore, the on-site drainages are considered intrastate isolated waters with no apparent interstate or foreign commerce connection. As a result, the three drainages are not considered jurisdictional under the USACE. The jurisdictional delineation should be confirmed by the USACE through approval of a Jurisdictional Determination that the on-site drainage features do not qualify as waters of the United States.

Although the drainage features are not considered jurisdictional under the Clean Water Act, they may be considered "stream courses" under California Fish and Game Code Section 1602 and may be considered "waters of the State" by the RWQCB. Based on the results of the jurisdictional delineation, approximately 0.12 acres (3,115 linear feet) of non-wetland waters of the State are located within the Project Area, and approximately 0.30 acres (3,115 linear feet) of CDFW jurisdiction is located within boundaries of the Project Area. If determined to be jurisdictional by the RWQCB and CDFW, the following regulatory approvals would be required prior to Project implementation: RWQCB Report of Waste Discharge and CDFW Section 1602 Streambed Alteration Agreement. Compliance with the required regulatory approvals as detailed in **Mitigation Measure BIO-6** would ensure Project impacts in this regard are less than significant. (Draft EIR, pp. 4.3-29 through 4.3-30.)

Mitigation Measures

BIO-6 Prior to issuance of any grading permits for permanent impacts in jurisdictional features, the Project Applicant shall provide to the City of Fontana Planning Division documentation from the USACE, RWQCB and CDFW of the lack of federal and state jurisdictional waters on the Project site, or documentation that a Federal Clean Water Act Section 404 permit, a Report of Waste Discharge certification from the Regional Water Quality Control Board (RWQCB); and/or a Streambed Alteration Agreement under Section 1602 of the California Fish and Game Code from the California Department of Fish and Wildlife (CDFW) have been obtained. The type, amount, and location of any required mitigation (including payment of fees or purchase of credits) shall be established by each regulatory agency during the review of any required permit.

4. Conflict With Local Policies or Ordinances

Threshold: Would the Project potentially conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Finding: Less than significant impact with mitigation incorporated. (Draft EIR, p. 4.3-32.)

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Explanation: Municipal Code Chapter 28, Article III establishes regulations for the protection and preservation of heritage trees, significant trees, and specimen trees within Fontana on both public and private property. Heritage trees are defined as trees which are (1) 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; (2) are representative of a significant period of the City's growth or development (windrow tree, European Olive tree); (3) are protected or endangered species as specified by federal or State statute; or (4) are deemed historically or culturally significant by the City manager or his or her designee because of size, condition, location or aesthetic qualities. Significant trees are any of the following species: Southern California black walnut, Coast live oak (Quercus agrifollia), Deodora cedar (Cedrus deodora), California sycamore (Plantanus racemosa), and London plane (Plantanus acerifoloia). Specimen trees are defined as mature trees (which are not heritage or significant trees) that are excellent examples of its species in structure and aesthetics and warrants preservation, relocation or replacement.

As stated above, one population of Southern California black walnut consisting of approximately 90 individuals were observed on-site. The population is associated with the rural residential properties located along the northwestern boundary of the Project Area. Additionally, Southern California black walnut individuals were observed within the mixed riparian scrub plant community, and approximately four individuals are in the northern portion of the Project Area. **Mitigation Measure BIO-1** may require the Project Applicant to obtain a tree removal permit in accordance with Municipal Code Chapter 28, Article III should Southern California black walnut trees on-site need to be removed as part of Project construction. As such, impacts in this regard are considered less than significant following compliance with the provisions of Municipal Code Chapter 28, Article III and **Mitigation Measure BIO-1.** (Draft EIR, pp. 4.3-31 through 4.3-32.)

5. Habitat Conservation Plans and Natural Community Conservation Plans

Threshold: Would the Project have the potential to conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Finding: Less than significant impact with mitigation incorporated. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.3-32.)

Explanation: The Project Area is not located within the boundary of an adopted Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP). However, the City's NFCP is a local conservation program that provides a coordinated conservation effort in response to development in north Fontana. Portions of the Project Area are within the NFCP area. Project impacts to Suitable Habitat, Restorable RAFSS Habitat, and Unsuitable Habitat would be mitigated with the dedication of a permanent conservation easement on habitat of similar quality or the purchase of mitigation credits in a CDFW-approved mitigation bank at a minimum ratio of 1:1; refer to **Mitigation Measure BIO-5**. Implementation of **Mitigation Measure BIO-5** would ensure the Project

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Alternative is consistent with the NFCP policies and thus, impacts would be less than significant. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.3-32.)

C. CULTURAL RESOURCES

1. Archaeological Resources

Threshold: Would the Project potentially cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines Section 15064.5 ?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.4-17.)

Explanation: The cultural resources study did not identify any archaeological resources on the Project Area during the field investigation, and none are known to be associated with the site. In addition, the Project Alternative proposes to improve and realign Lytle Creek Road from the westernmost boundary of the Project Area to its intersection with Sierra Avenue. Due to the existing paving located on the Lytle Creek Road, cultural resource staff are unable to survey potential resources located under the existing roadway.

Project construction activities would have the potential to disturb unknown archaeological resources on the site, if present. In the unlikely event that archaeological resources are encountered during project construction, **Mitigation Measures CR-2** and **CR-3** would address the accidental discovery of resources during Project development. **Mitigation Measure CR-2** would require archaeological and Native American monitoring for all ground-disturbing activities below 2 feet and **Mitigation Measure CR-3** would require preparation of a Treatment and Disposition Plan should an archaeological or tribal cultural resources be identified during ground-disturbing activities. Thus, with adherence to **Mitigation Measures CR-2** and **CR-3**, impacts would be less than significant. (Draft EIR, pp. 4.4-16 through 4.4-17.)

Mitigation Measures

CR-2 An archaeological monitor with at least 3 years of regional experience in archaeology and tribal monitors representing the consulting tribes (San Manuel Band of Mission Indians) shall be present for all ground-disturbing activities below 2 feet that occurs within the Proposed Project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.]).

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A Monitoring Plan shall be created prior to any and all ground-disturbing activity in consultation with the consulting tribes and agreed to by all parties. The Monitoring Plan shall include details regarding the monitoring process, as well as the Treatment and Disposition Plan described in **Mitigation Measure CR 3**. A sufficient number of archaeological and tribal monitors shall be present each workday to ensure that simultaneously occurring ground-disturbing activities receive thorough levels of monitoring coverage.

CR-3 A Treatment and Disposition Plan (TDP) shall be established, in good faith, prior to the commencement of any and all ground-disturbing activities for the project, including any archaeological testing. The TDP will provide details regarding the process for the in-field treatment of inadvertent discoveries and the disposition of inadvertently discovered non-funerary resources. Inadvertent discoveries of human remains and/or funerary object(s) determined to be Native American in origin are subject to California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98. As provided by statute, the most likely descendant (MLD), as determined by the Native American Heritage Commission (NAHC), shall provide a recommendation regarding the disposition of these findings to the landowner.

2. Human Remains

Threshold: Would the Project potentially disturb any human remains, including those interred outside of dedicated cemeteries ?

Finding: Less than significant impacts with mitigation. (Draft EIR, p. 4.4-18.)

Explanation: There are no existing or known cemeteries on or adjacent to the Project site. As a result, Project implementation is not anticipated to impact human remains associated with a cemetery. If any human remains or related resources are discovered, such resources would be treated in accordance with all applicable federal, state, and local regulations and guidelines for disclosure, recovery, relocation, and preservation, including California Health and Safety Code Section 7050.5, describes the requirements if any human remains are accidentally discovered during excavation of a site and states that no further disturbance shall occur until the county coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. Under these provisions, the coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD); refer to **Mitigation Measure CR-3**. With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours once access is granted. Therefore, with compliance with California Health and Safety Code Section 7050.5, as prescribed by **Mitigation Measure CR-3**, the Project Alternative's impacts associated with human

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remains would be less than significant. (Draft EIR, pp. 4.4-17 through 4.4-18.)

D. GEOLOGY AND SOILS

1. (a) Earthquake Fault Rupture

Threshold: Would the Project have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.6-16.)

Explanation: The Logistics Site lies within a seismically active region. Based on the fault rupture hazard investigation conducted for the Project Area, the western portion of the site lies within an Alquist-Priolo Earthquake Fault Zone designated by the State of California to include traces of suspected active faulting associated with the CFZ. As mandated by the Alquist-Priolo Act, the logistics facility would be setback from the active fault trace. Appendix E2, Geotechnical Investigation, of the Draft EIR identifies the CFZ fault trace and the position of the logistics facility building relative to the trace. The Project Alternative would be constructed consistent with the required setback.

The age of latest activity for the CFZ estimated by soils studies conducted by McFadden et al. (1982) is believed to have occurred prior to the deposition of 200- to 700-year-old alluvium and after deposition of 1,000-year old alluvium. This range places the latest activity between 700 and 1,000 years. Therefore, the mid-Holocene alluvial-fan sediments exposed in the during the Fault Rupture Hazard Investigation for the Project should have revealed indications of faulting, if present, from the latest event on the CFZ.

The surface projection of the CFZ was estimated based on fault-related features exposed in trenches, soil age/stratigraphic relations and interpretation of a seismic velocity profile image. This surface projection is considered a most conservative interpretation of the available site geologic data and provides a suitable reference on which to base mitigation of fault rupture hazards in accordance with the Alquist-Priolo Earthquake Fault Zoning Act. Compliance with **Mitigation Measures GEO-1**, **GEO-2** and **GEO-3**, would reduce potential adverse effects on structures due to rupture of an existing earthquake fault to a less than significant level. (Draft EIR, pp. 4.6-8 through 4.6-16.)

Mitigation Measures

GEO-1 All Project structures shall be constructed pursuant to the most current CBC seismic building design and construction standards, as determined by the City as part of the grading plan and building permit review process.

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GEO-2 The Project shall comply with the established no-build setback zone depicted in the Geotechnical Investigation (CHJ Consultants, 2014), and all grading operations, including site clearing and stripping, shall be observed by an onsite representative of the Project's geotechnical engineer. All final plans shall be reviewed by the City of Fontana's Building and Safety Division to verify that the Geotechnical Investigation's no-build setback zone have been incorporated, as necessary.

GEO-3 The Project shall adhere to the construction recommendations provided in the Geotechnical Investigation (CHJ Consultants, 2014), as described below. The City Building and Safety Department shall verify compliance during the permitting process.

- Initial Site Preparation:

All areas to be graded shall be stripped of significant vegetation and other deleterious materials. These materials should be removed from the site for disposal.

- Minimum Mandatory Removal and Recompaction of Existing Soils:

All areas to be graded shall have at least the upper 24 inches of existing materials removed. The open excavation bottoms thus created shall be observed by the Project engineering geologist to verify and document that suitable, non-compressible native sediments are exposed prior to moisture conditioning, compaction and refilling with properly tested and documented compacted fill. Deeper removals may be necessary, depending on the conditions encountered, as well as proposed footing depths and pad elevations.

Cavities created by removal of subsurface obstructions, such as structures and tree root stocks, shall be thoroughly cleaned of loose soil, organic matter and other deleterious materials, and shaped to provide access for construction equipment and backfilled as recommended for site fill.

- Preparation of Fill Areas:

Prior to placing fill and after the subexcavation bottom has been observed and approved by the Project engineering geologist, the surfaces of all areas to receive fill shall be moisture conditioned to a depth of approximately 12 inches. The moisture conditioned soils shall be brought to near optimum moisture content and compacted to a relative

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compaction of at least 90 percent in accordance with ASTM D1557. It is anticipated that scarification of the underlying soils may result in dislodging oversized material, requiring additional handling. As such, a suitable alternative to the scarification of the underlying soils would be to moisture condition the soils, allowing sufficient time for the moisture to penetrate to a depth of 12 inches or more prior to compaction. Verification of the moisture penetration depth shall be required if this alternative method is utilized.

- Oversized Material:

It is anticipated that quantities of oversized material (boulders larger than 12 inches in greatest dimension) requiring special handling for disposal may be encountered during the grading operation. While site-specific recommendations may be developed during grading plan preparation or in the field during construction, the following general methods for disposing of oversized rock onsite are recommended:

- Rocks between approximately 12 and 24 inches in size may be placed in areas of fill at a depth greater than approximately 10 feet below finish grade with the approval of the building official.

- The oversized rock should be placed in windrows and adequately spaced to prevent nesting. Then, sandy matrix material should be flooded in between the rock to fill any void spaces. Continuous observation of the rock placement and flooding operation shall be conducted by the geotechnical engineer.

- If rock disposal areas are considered necessary, oversized rock can be disposed of within designated areas that should be indicated on the grading plans. Rock disposal areas shall be evaluated by the geotechnical engineer for suitability.

- Oversized rock can also be crushed and exported off site or used in landscaping. Use of the oversize rock and appropriate maximum size of the oversize rock shall be referred to the landscape architect.

- Preparation of Footing Areas:

All footings shall rest upon at least 24 inches of properly compacted fill material. In areas where the required thickness

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mixed during spreading to attain uniformity of the material and moisture in each layer, brought to near optimum moisture content, and compacted to a minimum relative compaction of 90 percent in accordance with ASTM D 1557.

Based upon the estimated relative compaction of the native soils encountered during the Geotechnical Investigation conducted for the Project Alternative, and the relative compaction anticipated for compacted fill soils, a compaction shrinkage of approximately 0 to 5 percent is estimated. Therefore, 1.00 cubic yards to 1.05 cubic yards of in- place soil material would be necessary to yield 1 cubic yard of properly compacted fill material. In addition, subsidence of approximately 0.1 foot is anticipated. These values are exclusive of losses due to stripping, tree removal or the removal of other subsurface obstructions, if encountered, and may vary due to differing conditions within the Project boundaries and the limitations of the Geotechnical Investigation. Shrinkage due to oversize material losses are estimated at 5 percent for material over 12 inches in diameter and less than 1 percent for material over 24 inches in diameter. These values are estimates only and final grades shall be adjusted, and/or contingency plans to import or export material shall be made to accommodate possible variations in actual quantities during site grading.

- Expansive Soils:

Since all soil materials encountered during the Geotechnical Investigation were granular and considered to be non-critically expansive, specialized construction procedures to specifically resist expansive soil forces are not anticipated at this time. Additional evaluation of soils for expansion potential shall be conducted by the Project geotechnical engineer during the grading operation.

- Foundation Design:

If the Project site is prepared as recommended, the proposed structures may be safely founded on conventional spread foundations, either individual spread footings and/or continuous wall footings with slabs-on-grade, bearing on a minimum of 24 inches of compacted fill. Footings shall be a minimum of 12 inches wide and be established at a minimum depth of 12 inches below lowest adjacent final subgrade level. For the minimum width and depth, footings may be designed for a maximum safe soil bearing pressure of 2,500 pounds per

square foot (psf) for dead plus live loads. This allowable bearing pressure may be increased by 400 psf for each additional foot of width and by 1,000 psf for each additional foot of depth, to a maximum safe soil bearing pressure of 5,000 psf for dead plus live loads. These bearing values may be increased by one-third for wind or seismic loading.

For footings thus designed and constructed, a maximum settlement of less than I inch is anticipated. Differential settlement between similarly loaded adjacent footings is expected to be approximately one-half the total settlement.

- Lateral Loading:

Resistance to lateral loads shall be provided by passive earth pressure and base friction. For footings bearing against compacted fill, passive earth pressure may be considered to be developed at a rate of 420 psf per foot of depth. Base friction may be computed at 0.39 times the normal load. Base friction and passive earth pressure may be combined without reduction.

For preliminary retaining wall or shoring design purposes, a lateral active earth pressure developed at a rate of 40 psf per foot of depth shall be utilized for unrestrained conditions. For restrained conditions, an at-rest earth pressure of 65 psf per foot of depth shall be utilized. The "at-rest" condition applies toward braced walls which are not free to tilt. The "active" condition applies toward unrestrained cantilevered walls where wall movement is anticipated. The structural designer shall use judgment in determining the wall fixity and may utilize values interpolated between the "at-rest" and "active" conditions where appropriate. These values are applicable only to level, properly drained backfill with no additional surcharge loadings and do not include a factor of safety other than conservative modeling of the soil strength parameters. If inclined backfills are proposed, the Project geotechnical engineer shall be contacted to develop appropriate active earth pressure parameters. If import material is to be utilized for backfill, the Project geotechnical engineer shall verify the backfill has equivalent or superior strength values.

These values shall be verified prior to Project construction when the backfill materials and conditions have been determined and are applicable only to properly drained backfills with no additional surcharge loadings. Toe bearing pressure for walls on soils not bearing against compacted fill,

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as recommended earlier under "Preparation of Footing Areas", shall not exceed CBC values.

Backfill behind retaining walls shall consist of a soil of sufficient granularity that the backfill will properly drain. The granular soil shall be classified per the USCS as SW, SP, SW-SM, SP-SM, GW or GP and shall meet the requirements of section 300-3.5.1 of the "Greenbook". Surface drainage shall be provided to prevent ponding of water behind walls. A drainage system shall be installed behind all retaining walls consisting of either of the following:

- 4-inch-diameter perforated PVC (Schedule 40) pipe or equivalent at the base of the stem encased in 2 cubic feet of granular drain material per lineal foot of pipe; or

- Synthetic drains such as Enkadrain, Miradrain, Hydraway 300 or equivalent.

Perforations in the PVC pipe shall be 3/8 inch in diameter. Granular drain material shall be wrapped with filter cloth to prevent clogging of the drains with fines. The wall shall be waterproofed to prevent nuisance seepage and include an approved drain.

Suitable quantities of onsite soil shall be available for retaining wall backfill after screening the material to remove cobbles and boulders greater than 4 inches in diameter. Foundation concrete shall be placed in neat excavations with vertical sides, or the concrete shall be formed and the excavations properly backfilled as recommended for site fill.

- Trench Excavation:

Native materials are classified as a Type "C" soil in accordance with the CAL/OSHA (2013) excavation standards. All trench excavation shall be performed in accordance with CAL/OSHA excavation standards. Temporary excavations in native material shall not be inclined steeper than 1-1/2 (h):1(v) for a maximum trench depth of 20 feet. For trench excavations deeper than 20 feet, the Project geotechnical engineer shall be consulted.

- Pipe Bedding and Backfills:

Pipe Bedding

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Pipe bedding material shall meet and be placed according to the "Greenbook" or other project specifications, and shall be uniform, free-draining granular material with a sand equivalent (SE) of at least 30. Sand equivalent testing of onsite material indicates an SE value of less than 30 for near-surface soils. Suitable material from deeper soils may be available after screening.

Backfill

Backfill shall be compacted following the recommendations in the "Compacted Fills" discussed above. Soils required to be compacted to at least 95 percent relative compaction, such as street subgrade and finish grade, shall be moisture treated to near optimum moisture content not exceeding 2 percent above optimum. To avoid pumping, backfill material shall be mixed and moisture treated outside of the excavation prior to lift placement in the trench. A lean sand/cement slurry shall be considered to fill any cavities, such as void areas created by caving or undermining of soils beneath existing improvements or pavement to remain, or any other areas that would be difficult to properly backfill, if encountered.

- Slabs-On-Grade:

To provide adequate support, concrete slabs-on-grade shall bear on a minimum of 24 inches of compacted soil and be a minimum of 4 inches in thickness. The soil shall be compacted to 90 percent relative compaction. The final pad surfaces shall be rolled to provide smooth, dense surfaces.

Slabs to receive moisture-sensitive coverings shall be provided with a moisture vapor retarder. It is recommended that a vapor retarder be designed and constructed according to the American Concrete Institute (ACI) 302.1R, "Guide for Concrete Floor and Slab Construction", which addresses moisture vapor retarder construction. At a minimum, the vapor retarder shall comply with ASTM El745 and have a nominal thickness of at least 10 mils. The vapor retarder shall be properly sealed per the manufacturer's recommendations and protected from punctures and other damage. One inch of sand under the vapor retarder may assist in reducing punctures.

Concrete building slabs subjected to heavy loads, such as materials storage and/or forklift traffic, shall be designed by a registered civil engineer competent in concrete design. A

modulus of vertical subgrade reaction of 250 pounds per cubic inch can be utilized in the design of slabs-on- grade for the proposed project.

- Preliminary Flexible Pavement Design:

The following recommended structural sections were calculated based on traffic indices (TIs) provided in the Caltrans "Highway Design Manual for Safety Roadside Rest Areas" (Caltrans, 2012). Based upon preliminary sampling and testing, the structural sections tabulated below will provide satisfactory HMA pavement. The R-value of the most representative material was used in the analysis. As per the Caltrans Highway Design Manual, Section 614.3, a design subgrade maximum R-value of 50 for the soil was utilized in performing the pavement section calculations.

Usage	TI	R-Value	Recommended Structural Section
Auto Parking Areas	5.0	50	0.25' HMA/0.35' Class 2 AB
Auto Road	5.5	50	0.25' HMA/0.35' Class 2 AB
Truck Parking Areas	6.0	50	0.30' HMA/0.35' Class 2 AB
Truck Lanes and Roads	8.0	50	0.40' HMA/0.45' Class 2 AB

Notes: AB = Aggregate Base

The above structural sections are predicated upon proper compaction of the utility trench backfills and the subgrade soils, with the upper 12 inches of subgrade soils and all aggregate base (AB) material brought to a minimum relative compaction of 95 percent in accordance with ASTM D1557 prior to paving. The AB shall meet Caltrans requirements for Class 2 base. The above pavement design recommendations are based upon the results of preliminary sampling and testing, and shall be verified by additional sampling and testing during construction when the actual subgrade soils are exposed.

- Preliminary Rigid Pavement Design:

Based upon an R-value of 65, a modulus of subgrade reaction of approximately 200 pounds per square inch per inch (k) was utilized. The following PCC pavement designs are recommended, and are based upon the American Concrete Institute (ACI) Guide for Design and Construction of Concrete Parking Lots (ACI 330R-08).

Design Area	Recommended Section
Car Parking and Access Lanes Average Daily Truck Traffic = 1 (Category A)	4.0" PCC/Compacted Soil
Truck Parking and Interior Lane Areas Average Daily Truck Traffic = 25 (Category B)	5.5" PCC/Compacted Soil
Truck Interior and Exterior Lanes Average Daily Truck Traffic = 300 (Category C)	6.5" PCC/Compacted Soil
Truck Interior and Exterior Lanes Average Daily Truck Traffic = 700 (Category D)	7.0" PCC/Compacted Soil

The above recommended concrete sections are based on a design life of 20 years, with integral curbs or thickened edges. In addition, the above structural sections are predicated upon proper compaction of the utility trench backfills and the subgrade soils, with the upper 12 inches of subgrade soils brought to a uniform relative compaction of 95 percent (ASTM D1557).

Slab edges that would be subject to vehicle loading shall be thickened at least 2 inches at the outside edge and tapered to 36 inches back from the edge. Typical details are given in the ACI "Guide for Design and Construction of Concrete Parking Lots" (ACI 330R-08). Alternatively, slab edges subject to vehicle loading shall be designed with dowels or other load transfer mechanism. Thickened edges or dowels are not necessary where new pavement will abut areas of curb and gutter, buildings, or other structures preventing through-vehicle traffic and associated traffic loads.

The concrete sections may be placed directly over a compacted subgrade prepared as described above. The concrete to be utilized for the concrete pavement shall have a minimum modulus of rupture of 550 pounds per square inch. Contraction joints shall be sawcut in the pavement at maximum spacing of 30 times the thickness of the slab, up to a maximum of 15 feet. Sawcutting in the pavement shall be performed within 12 hours of concrete placement (or preferably sooner) and sawcut depths shall be equal to approximately one-quarter of the slab thickness for conventional saws or 1 inch when early-entry saws are utilized on slabs 9 inches thick or less. The use of plastic strips for formation of jointing is not recommended. The use of expansion joints is not recommended, except where the

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pavement would adjoin structures. Construction joints shall be constructed such that adjacent sections butt directly against each other and are keyed into each other or the joints are properly doweled with smooth dowels. Distributed steel reinforcement (welded wire fabric) is not necessary, nor would any decrease in section thickness result from its inclusion.

These pavement design recommendations are based upon the results of preliminary sampling and testing, and shall be verified by additional sampling and testing during construction when the actual subgrade soils are exposed.

1. (b) Strong Seismic Groundshaking

Threshold: Would the Project have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.6-17.)

Explanation: According to the Faulting Study, the Project Site, like most of southern California, is subject to ground shaking hazards from earthquakes on regional fault systems capable of producing moderate to severe groundshaking. As discussed above, **Mitigation Measure GEO-1** and **GEO-2** would ensure all Project structures are constructed pursuant to CBC seismic design and building setback zones prescribed by the *Geotechnical Investigation*. **GEO-3** requires compliance with all recommendations of the *Geotechnical Investigation* prepared for the Project Area, which will ensure impacts from ground shaking are mitigated. Following conformance with the CBC seismic design requirements and construction standards as well as the building setback zones prescribed by the *Geotechnical Investigation*, the Project Alternative's impacts related to seismic ground shaking would be less than significant. (Draft EIR, p. 4.6-16.)

1. (c) Landslides

Threshold: Would the Project have the potential to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.6-18.)

Explanation: The potential for landslides to occur increases during or following heavy rainfall or seismic events resulting in ground shaking. While a small portion of the Project Area is identified on the County of San Bernardino's Geologic Hazards Maps as within a moderate to high landslide area, the Logistics Site is proposed to be located a substantial distance from the mapped area with landslide potential. Rock falls and

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rockslides may also occur, particularly along steep slopes. Road cut slopes along the western site boundary may be susceptible to seismically-induced rock falls, slumps or shallow surficial slides. However, the Logistics Site, the roadway re-alignment, and the SB 330 Compliance Alternative Site would be required to comply with site-specific construction recommendations and mitigation measures that would reduce impacts to a less than significant level. In addition, the relatively flat topography of the site reduces the potential for slope instability within the Logistics Site (CHJ Consultants 2014b). Therefore, the Proposed Project Alternative would not expose people or structures to potentially substantial adverse effects involving landslides and impacts would be less than significant. With the implementation of **Mitigation Measures GEO-1**, **GEO-2**, and **GEO-3**, impacts would be less than significant. (Draft EIR, p. 4.6-18.)

2. Soil Erosion or Loss of Topsoil

Threshold: Would the Project result in substantial soil erosion or the loss of topsoil?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.6-19.)

Explanation: Soil is naturally eroded by the action of wind or water. The potential for erosion is influenced by the climate, topography, soils, vegetation, as well as agricultural activities and land development patterns. According to the Geotechnical Investigation, the surface soils encountered within the site consist of silty sands and gravelly sands that are moderately susceptible to erosion by wind and water.

The Proposed Project Alternative would be required to provide drainage facilities and water would not be allowed to pond on the developed site and would be required to comply with the Water Quality Management Plan prepared for the Project (Appendix G of the Draft EIR), which includes Best Management Practices to comply with City of Fontana and NPDES stormwater regulations. Drainage features would not be allowed to flow over graded or natural slope areas that would cause erosion. Slopes would be graded according to current CBC and would be required to adhere to conditions under the National Pollutant Discharge Elimination System Permit issued by the Regional Water Quality Control Board. Parking areas and site paving would be concrete and asphalt and would represent approximately 77 percent of the site coverage of the Logistics Site. Water from the Logistics Site would be handled in accordance with the WQMP and Best Management Practices. The realignment of Lytle Creek Road would be consistent with City of Fontana engineering requirements and standards, including with respect to water diversion and transport to the stormwater system. The Proposed Project Alternative would be required to prepare and submit a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would include Best Management Practices to ensure that construction-related water quality impacts resulting from soil erosion would be reduced to a less than significant level. In addition, proper drainage design as provided in the Geotechnical Investigation and discussed in **Mitigation Measure GEO-4** would reduce potential impacts relative to erosion to a less than significant level. (Draft EIR, p. 4.6-19.)

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Mitigation Measures

GEO-4 The potential for erosion shall be mitigated by proper drainage design. Water shall not be allowed to flow over graded areas or natural areas so as to cause erosion. Graded areas shall be planted or otherwise protected from erosion by wind or water.

3. Paleontological Resources

Threshold: Would the Project potentially directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Finding: Less than significant impacts with mitigation measures. (Draft EIR, p. 4.6-22.)

Explanation: As described in the Draft EIR, Appendix D, *Cultural Resources Assessment*, BCR Consulting conducted a paleontological resources overview and consulted with the Natural History Museum on this matter. The records research and consultation concluded that based on the Project Area sediments which are composed of younger Quaternary Alluvium, these deposits typically do not contain significant vertebrate fossils, at least in the uppermost layers. Surface grading or shallow excavations in the younger Quaternary alluvial fan deposits exposed in most of the Project Area are unlikely to encounter significant vertebrate fossils. However, deeper excavations in the Project Area that extend down into older finer-grained Quaternary deposits may well encounter significant remains of fossil vertebrates. The closest vertebrate fossil localities from somewhat similar basin deposits are LACM 7811 and LACM 1207 in Jurupa Valley and Corona, respectively, which produced a fossil specimen of whipsnake, *Masticophis*, at a depth of 9 to 11 feet below the surface. Excavation associated with the Proposed Project may occur at similar depths.

Mitigation Measures GEO-5 and **GEO-6** are required to provide monitoring, sampling, and if needed, collection of fossils in appropriate deposits. Compliance with **Mitigation Measure GEO-5** and **GEO-6** would reduce potential adverse effects related to the destruction of a unique paleontological resource or site or unique geological feature to less than significant. (Draft EIR, pp. 4.6-20 through 4.6-21.)

Mitigation Measures

GEO-5 *Monitoring*. Any excavations in the finer-grained sedimentary deposits on the Project Area shall be monitored closely by a qualified paleontologist, defined as a paleontologist who meets the Secretary of the Interior's Professional Qualification Standards for paleontology, to quickly and professionally recover any fossil remains while not impeding development.

GEO-6 *Sampling*. Prior to any excavation in the finer-grained sedimentary deposits on the Project Area, sediment samples shall be collected by

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a qualified paleontologist, defined as a paleontologist who meets the Secretary of the Interior's Professional Qualification Standards for paleontology, from the finer-grained deposits on the Project Area and processed to determine their fossil potential. If subsurface fossils are discovered during earth-moving activities associated with the Proposed Project, a qualified paleontologist or qualified designee shall divert these activities temporarily around the fossil site until the remains have been recovered, a rock sample has then been collected to process to allow for the recovery of smaller fossil remains, if warranted, and construction has been allowed to proceed through the site by a qualified paleontologist or qualified designee. If a qualified paleontologist or qualified designee is not present when fossil remains are uncovered by earth-moving activities, these activities shall be stopped, and a qualified paleontologist or qualified designee shall be called to the site immediately to recover the remains. Any fossils collected shall be placed in an accredited scientific institution for the benefit of current and future generations.

E. GREENHOUSE GAS EMISSIONS

1. Greenhouse Gas Emissions

Threshold: Would the Project potentially generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Finding: Less than significant impact with mitigation incorporated. (Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 8.)

Explanation:

Greenhouse Gas Emissions

Project-related GHG emissions would include emissions from direct and indirect sources resulting from the construction and operation of the Logistic Facility, the realignment of Lytle Creek Road, and the SB 330 Compliance Alternative Site. The Proposed Project Alternative would result in direct and indirect emissions of CO2, N2O, and CH4 and would not result in other GHGs that would facilitate a meaningful analysis. Therefore, this analysis focuses on these three forms of GHG emissions. Direct Project-related GHG emissions include emissions from construction activities and mobile sources, while indirect sources include emissions from area sources, electricity consumption, water demand, and solid waste generation. Operational GHG estimations are based on energy emissions from natural gas usage and automobile emissions. Project GHG emissions were calculated using CalEEMod, which relies on trip generation data and specific land use information to calculate emissions. The most recent version of the CalEEMod, version 2016.3.2, was used to calculate direct and indirect project-

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related GHG emissions. Table 2, *Estimated Greenhouse Gas Emissions*, (found at Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5) presents the estimated CO_2, N_2O, and CH_4 emissions of the proposed project. CalEEMod outputs are contained within Attachment A, *Greenhouse Gas Emissions Data*.

Table 2, Estimated Greenhouse Gas Emissions, (found at Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5) presents the Logistic Facility's and SB 330 Compliance Alternative Site's estimated CO2, N2O, and CH4 emissions without implementation of the Project's sustainable design features (e.g., energy and water efficiency features) that would reduce operational GHG emissions. The CalEEMod outputs in Appendix B of the Draft EIR outline the assumptions used to calculate mobile source, area source, and construction GHG emissions. Operational GHG estimations are based on energy sources, area sources, and automobile emissions. CalEEMod relies on trip data in the traffic impact analysis and Project-specific land use data to calculate emissions. The total Logistics Facility-related emissions would result in 12,618.90 MTCO2eq per year. The SB 330 Compliance Alternative Site would generate 403.14 MTCO2eq/yr. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-13; Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5.)

Direct Proposed Project-Related Sources of Greenhouse Gases

Construction Emissions

Construction-related GHG emissions for the Logistics Facility and realignment of Lytle Creek Road would result in approximately 3,184.59 MTCO2eq over the course of construction, and the SB 330 Compliance Alternative Site would result in an additional 7.91 MTCO2eq, which represents an additional approximately 237.39 MTCO2eq from construction activities. (Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5.) Construction-related GHG emissions are typically summed and amortized over the lifetime of the Project Alternative (assumed to be 30 years), then added to the operational emissions (3,184.59 ÷ 30 = 106.15). The estimate for construction duration is primarily based on CalEEMod model defaults. For instance, the numbers and types of construction equipment are derived from CalEEMod model defaults. However, modeling parameters were refined in the case of construction phasing and duration. Construction would begin with the demolition and removal of three houses and debris located on the Logistics Site. Following this phase of construction, the entire Logistics Site would be mass graded, after which the actual building construction would commence. The building construction phase accounts for the simultaneous actions of carpentry, asphalt paving, and painting.

Mobile Source

CalEEMod relies on trip data in the Project traffic impact analysis and Project-

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specific land use data to calculate mobile source emissions. For instance, modeling parameters were refined to account for 2,046 average daily trips associated with the Logistics Facility, 18.7 percent of which are heavy-duty (4+ axle) truck trips, which is consistent with SCAQMD guidance. (Michael Baker International 2018b).

In accordance with SCAQMD's recommendation for warehouse and industrial projects, a 40-mile one-way trip length is assumed. Therefore, the Logistics Facility would directly result in approximately 10,648.33 MTCO2eq per year of mobile source–generated GHG emissions.

The SB 330 Compliance Alternative Site would generate an additional approximately 231 daily trips. The SB 330 Compliance Alternative Site would directly result in approximately 322.75 $MTCO_2eq$ of mobile source-generated GHG emissions. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-14.)

Indirect Project-Related Sources of Greenhouse Gases

Area Source

Area source emissions, which include GHGs from the combustion emissions associated with on-site natural gas use (e.g., natural gas–powered forklifts), landscape maintenance equipment, and emissions from consumer products, were calculated using CalEEMod and Project-specific land use data. As noted in Table 2 (found at Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5)), the Logistics Facility would result in 0.04 MTCO2eq per year and the SB 330 Compliance Alternative Site would result in 0.38 MTCO2eq per year of area source GHG emissions. (See also Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-14.)

Energy Consumption

Energy consumption emissions were calculated using CalEEMod and Project-specific land use data. Southern California Edison (SCE) would provide electricity to the Project site. California Green Building Code/Title 24 sets mandatory energy efficiency standards for new buildings and SB 107 requires 20% of electricity in CA to come from renewable sources. The Logistic Facility's proposed operations would indirectly result in 628.16 MTCO2eq per year and the SB 330 Compliance Alternative Site would indirectly result in 58.62 MTCO2eq per year due to energy consumption. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.7-14 through 4.7-15; Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5).

Solid Waste

Logistic Facility operations would result in 277.90 MTCO2eq per year related to solid waste. The SB 330 Compliance Alternative Site would result in 6.50 MTCO2eq per year related to solid waste. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-15; Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum*

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(GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5).

Water Demand

The Proposed Project Alternative's operations would result in a demand of approximately 271.88 million gallons of water per year (Logistics Facility) and 1.89 million gallons of water per year (SB 330 Compliance Alternative Site). Emissions from indirect energy impacts due to water supply would result in 958.32 $MTCO_2eq$ (Logistics Facility) and 6.99 $MTCO_2eq$ (SB 330 Compliance Alternative Site).

As shown in Table 2 (found at Appendix B, *I-15 Logistics Center Alternative – Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, p. 5), the Logistic Facility will result in approximately 1,970.57 MTCO2eq per year from construction, area, energy, waste, and water usage. In addition, it has the potential to generate an additional 10,648.33 MTCO2eq per year from mobile sources, assuming that all trips to and from the Logistic Facility are new trips that result from the project's development. As shown in Table 4.7-1 (found at Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-13), the Logistic Facility has the potential generate a total of approximately 12,618.9 MTCO2eq per year.

Table 2, Project Greenhouse Gas Emissions shows the improvements to indirect emissions as a result of the following Project design features:

- Enhanced insulation for walls and roof
- Enhanced window insulation (0.32 U-factor, 0.25 SHGC)
- Duct leakage testing and verification
- Daylighted rooms
- Energy-efficient lights
- Energy Star commercial appliances
- North/south building alignment to optimize conditions for natural heating, cooling, and lighting
- Water-efficient landscaping and irrigation systems
- Recycled water connection for irrigation
- Charging stations for electric vehicles available for employees and guests

There is no applicable adopted numerical threshold of significance for the residential GHG emissions associated with the SB 330 Compliance Alternative Site. However, in addition to determining the significance of the residential GHG emissions consistent with CEQA Guidelines Section 15064.4(b) (i.e., by evaluating whether the

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project complies with applicable plans, policies, regulations, and requirements adopted to implement a Statewide, regional, or local plan for the reduction or mitigation of GHG emissions), the City has selected the SCAQMD's staff proposal of 3,000 $MTCO_2eq$ per year for commercial/residential project emissions as a significance criterion for the project's residential GHG emissions. As shown in Table 2, the SB 330 Compliance Alternative Site has the potential to generate residential emissions of approximately 403.14 MTCO2eq/yr, which is less than SCAQMD's staff-proposed threshold for commercial/residential emissions. Impacts would be less than significant.

SCAQMD has adopted a numerical threshold of 10,000 $MTCO_2eq$ per year for industrial stationary source emissions. As shown in Table 2, the Logistics Facility has the potential generate a total of approximately 12,618.90 $MTCO_2eq$ per year, which exceeds the SCAQMD adopted threshold for industrial stationary source emissions. Therefore, **Mitigation Measures GHG-1** and **AQ-4** would be implemented to reduce operational mobile GHG emissions to the extent feasible. With implementation of **Mitigation Measures GHG-1** and **AQ-4**, the Logistics Facility's long-term operational emissions would be approximately 9,949 $MTCO_2e$ per year (including construction emissions). As such, the Logistics Facility's GHG emissions would be reduced below the 10,000 $MTCO_2eq$ per year threshold with implementation of **Mitigation Measures GHG-1** and **AQ-4**, and impacts would be less-than-significant with mitigation. (Final EIR, Attachment 1—Revised Draft EIR, pp. 4.7-15 through 4.7-16; Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 4-8.)

Mitigation Measures

GHG-1 Prior to issuance of a Certificate of Occupancy, the tenant shall submit an Operations Plan to the City of Fontana Community Development Director detailing the following GHG reduction measures/programs that shall be applied during Project operations:

- Ride-Sharing Programs. The tenant shall administer a ride-sharing program to reduce daily vehicle trips and vehicle miles traveled (VMT) and provide information to employees on ride share programs to reduce mobile GHG emissions. The tenant shall promote ride-sharing programs through a multi-faceted approach such as:
    - Designating a certain percentage of parking spaces for ride-sharing vehicles;
    - Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; and
    - Providing a web site or message board for coordinating rides.

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- Public Transit Incentive Program. The tenant shall provide subsidized/discounted daily or monthly public transit passes for employees to reduce daily vehicle trips and VMT. The tenant may also provide free transfers between all shuttles and transit to participants.

- Preferential Parking Permit Program. The tenant shall provide preferential parking in convenient locations (such as near public transportation or building front doors) in terms of free or reduced parking fees, priority parking, or reserved parking for commuters who carpool, vanpool, ride-share or use alternatively fueled vehicles. The Project shall provide wide parking spaces to accommodate vanpool vehicles.

2. Greenhouse Gas Reduction Plans

Threshold: Would the Project potentially conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Finding: Less than significant impact with mitigation incorporated. (Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 15-16.)

Explanation:

The City has a Climate Action Plan (CAP) that is in draft form. Since the City's CAP has not been approved, Impact Statement GHG- 2 assesses the project's consistency with the *California Air Resources Board 2017 Climate Change Scoping Plan* (2017 Scoping Plan).

Climate Change Scoping Plan

The goal to reduce GHG emissions to 1990 levels by 2020 (Executive Order S-3-05) was codified by the Legislature as the 2006 Global Warming Solutions Act (AB 32). In 2008, CARB approved a *Climate Change Scoping Plan* (Scoping Plan) as required by Assembly Bill (AB) 32.5 The Scoping Plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 implementation fee to fund the program. The 2017 Scoping Plan identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the *First Update to the Scoping Plan* (2013). Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these measures or similar actions to reduce GHG emissions will be adopted as required to achieve statewide GHG emissions targets.

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Table 3 (found at Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 8-9), provides an evaluation of applicable reduction actions/strategies by emissions source category to determine how the project would be consistent with or exceed reduction actions/strategies outlined in the 2017 Scoping Plan.

As seen in Table 3, the Project Alternative is consistent with all applicable 2017 Scoping Plan goals and generally furthers the State's goals relative to greenhouse gases. In addition, the Logistics Facility would include several sustainable design features that would help reduce GHG emissions. The Logistics Facility's long-term operational GHG emissions would be reduced below SCAQMD's threshold of 10,000 MTCO2eq with implementation of **Mitigation Measures GHG-1** and **AQ-4**, and thus, an impact would not occur in this regard. (Appendix B, *I-15 Logistics Center Alternative –Greenhouse Gas Technical Memorandum* (GHG Memo), prepared by Michael Baker International, dated March 25, 2020, pp. 8-13.)

F. HAZARDS AND HAZARDOUS MATERIALS

1. Hazardous Substance Release

Threshold: Would the Project potentially 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?

Finding: Less than significant with mitigation measures. (Draft EIR, p. 4.8-13.)

Explanation: The Logistics Site was historically used for agricultural purposes. There is the potential that pesticides, herbicides, and fertilizers were used on-site. According to the Phase I ESA conducted for the Proposed Project Alternative, it is likely that potential concentrations of these chemicals have degraded over time, as the Logistics Site has not been used for agricultural purposes for approximately 60 years. This condition is not considered to be a REC. The Phase I ESA included in its recommendations that, if redevelopment of the Logistics Site is planned for residential use, the Project proponent should contact the City of Fontana Community Development Department to determine whether sampling relating to the former agricultural use of the site is required. However, no residences are proposed for construction on the Logistics Site as a part of the Proposed Project Alternative. Any future residential development associated with those parcels would be subject to environmental review and all applicable local, state, and federal regulatory requirements in place for hazardous materials.

Asbestos-Containing Materials

Asbestos is the name given to a number of naturally occurring, fibrous silicate minerals mined for their useful properties such as thermal insulation, chemical and thermal stability, and high tensile strength. OSHA Regulation 29 CFR 1926.1101 requires certain construction materials to be presumed to contain asbestos for purposes of this regulation. All thermal system insulation, surfacing material, and asphalt/vinyl flooring

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that are present in a building constructed prior to 1981 and which have not been appropriately tested are "presumed asbestos-containing material" (PACM).

The existing buildings on the Logistics Site were constructed in 1925, 1945, 1957, 1963, and 1965. As such, due to the age of these structures, the potential exists for the presence of ACMs. While not identified as a REC in the Phase I ESA prepared for the Proposed Project Alternative, the presence of ACMs on the Logistics Site would constitute a potentially significant impact. **Mitigation Measure HAZ-1** would require testing of any materials suspected to contain ACMs and remediation of any such materials. With implementation of **Mitigation Measure HAZ-1**, significant impacts with respect to ACMs would be reduced to a less than significant level.

Lead-Based Paint

Lead is a highly toxic metal that affects virtually every system of the body. LBP is defined as any paint, varnish, stain, or other applied coating that has 1 mg/cm2 (or 5,000 ug/g or 0.5 percent by weight) or more of lead. Congress passed the Residential Lead-Based Paint Hazard Reduction Act of 1992, also known as Title X, to protect families from exposure to lead from paint, dust, and soil. Under Section 1017 of Title X, intact LBP on most walls and ceilings is not considered a hazard, although the condition of the paint should be monitored and maintained to ensure it does not become deteriorated. Further, Section 1018 of this law directed the US Department of Housing and Urban Development (HUD) and the EPA to require the disclosure of known information on LBP and LBP hazards before the sale or lease of most housing built before 1978.

Based on the age of the existing buildings on the Logistics Site (pre-1978), there is a potential that LBP is present. While not identified as a REC in the Phase I ESA prepared for the Proposed Project, the presence of LBPs on the site would constitute a potentially significant impact. **Mitigation Measure HAZ-2** would require testing of any materials suspect for LBPs and remediation of any such materials. With implementation of **Mitigation Measure HAZ-2**, significant impacts related to the potential presence of LBPs would be reduced to a less than significant level. (Draft EIR, pp. 4.8-11 through 4.8-13.)

Pursuant to General Plan EIR MM-HAZ-5, a Phase 1 ESA would be required for future development of the SB 330 Compliance Alternative Site needing a grading permit. This Phase I ESA would investigate the potential for site contamination and identify Specific Recognized Environmental Conditions (e.g., asbestos containing materials, lead-based paints, and polychlorinated biphenyls) that may require remedial activities prior to land acquisition or construction. With implementation of **Mitigation Measures HAZ-1** and **HAZ-2**, any potential significant impacts related to asbestos and lead-based paint would be less than significant.

Mitigation Measures

HAZ-1 Prior to any renovation or demolition or building permit approval, an Asbestos Hazard Emergency Response Act (AHERA) and California

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Division of Occupational Safety and Health (Cal/OSHA) certified building inspector shall conduct an asbestos survey to determine the presence or absence of asbestos containing-materials (ACMs). If the asbestos survey reveals ACMs, asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403 prior to any activities that would disturb ACMs or create an airborne asbestos hazard.

HAZ-2 If paint is to be chemically or physically separated from building materials during structure demolition, the paint shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified lead specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifics exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City Engineer.

2. Wildland Fires

Threshold: Would the Project expose people or structures to a significant risk of loss, injury or death involving wildland fires?

Finding: Less than significant impact with mitigation measures. (Draft EIR, pp. 4.8-13, 4.16-9 through 4.16-13.)

Explanation: Refer to Section 3-Q, Wildfire. (Draft EIR, p. 4.8-10.)

G. LAND USE AND PLANNING

1. Conflict with a Land Use Plan, Policy, or Regulation

Threshold: Would the Project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.10-17.)

Explanation: As detailed in Section 3.0, Project Description, of the Draft EIR, the Project Alternative will apply a Light Industrial (I-L) land use designation and Light

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Industrial (M-1) zoning designation to the Logistics Site . Refer to Exhibit 3.0-7a, Proposed Pre-Zoning Designations – Option 1 (found at Draft EIR, p. 3.0-35). Here, the only physical development proposed by the Project Alternative is for the construction of the logistics facility on the Logistics Site.

A consistency analysis of the Project Alternative is provided below.

General Plan Analysis

The Project Area is located within unincorporated San Bernardino County and the City's SOI. The Project Alternative is proposing to annex a total of 21 parcels and portions of roadway right-of-way (ROW) encompassing the 152-acre Project Area into the City's jurisdiction. The Project Alternative is also proposing a SOI amendment to incorporate a 2.14-acre area of the Project Area (Assessor's Parcel Number [APNs] 0239-014-15 and portions of APNs 0239-091-13 and -14, and westerly ROW of Lytle Creek Road) into the City's existing SOI to be annexed together as part of the 152-acre Project Area into the City of Fontana. The Project Alternative is also proposing to "upzone" an approximately 12.5-acre site comprised of 28 contiguous parcels. The County's General Plan Land Use Element states that its land use policies adopted for SOI areas, such as the Project Area, are designed to encourage annexations or incorporations, in accordance with California Government Code Section 65300, which places a dual mandate on both cities and counties relating to land use planning in SOI areas. The proposed SOI amendment and annexation would occur in coordination with the San Bernardino County LAFCO Policy and Procedure Manual, which contains policies and procedures related to LAFCO operations, application processing (Section IV), and environmental review (Section V). Upon approval of the SOI amendment and annexation, development of the Project Area would be under the purview of the City's General Plan and land use plan. However, Table 4.10-3, County General Plan Consistency Analysis, (found at Draft EIR, p. 4.10-9) analyzes the Project Alternative's consistency with applicable policies related to annexations and cities' sphere of influence areas from the County's General Plan.

Upon approval of the SOI amendment and annexation, development of the Project Area would be under the purview of the City's General Plan and land use plan. As such, Table 4.10-4, City of Fontana General Plan Consistency Analysis, (found at Draft EIR, pp. 4.10-9 through 4.10-14) analyzes the Project Alternative's consistency with applicable policies from the City's General Plan.

As detailed above, with the requested entitlements and development of the logistics facility on the Logistics Site, the Project Alternative would be consistent with the City's General Plan goals and policies.

Development Code Consistency Analysis

As stated, the City's existing pre-zoning for the Project Area is Residential Estate (R-E) and Public Utility Corridor (P-UC). Only the Logistics Site (pre-zoned Residential Estate [R-E]) is proposed for development as a logistics facility; no changes are proposed

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to the Public Utility Corridor (P-UC) zoned parcels. However, the Residential Estate (R-E) zoning is intended for single-family housing and would not permit the proposed industrial use. Therefore, with the requested entitlements, the Project Alternative would permit construction of the logistics facility.

Although not part of the Development Code, Municipal Code Chapter 28, Article III establishes the City's tree preservation ordinance. As detailed in the Draft EIR, Section 4.3, Biological Resources, the ordinance describes the preservation of heritage, significant, and specimen trees in the City and procedures to follow if any protected trees are proposed for removal. Implementation of **Mitigation Measure BIO-1** would ensure project impacts to on-site Southern California black walnut (*Juglans californica*) are reduced to less than significant levels.

In addition, to ensure consistency with the Development Code, the Project Alternative requires a Development Agreement between the City and the Project Applicant for the proposed logistics facility development; a Design Review to ensure the proposed site plan, improvements, and building elevations (architecture) of the logistics facility are consistent with Development Code standards; and a Tentative Parcel Map to consolidate all parcels that make up the 76-acre Logistics Site into one parcel. Upon City approval of the Zone Change, Development Agreement, Design Review, and Tentative Parcel Map the Project Alternative would be consistent with the Development Code and impacts in this regard would be less than significant.

SCAG RTP/SCS Consistency Analysis

As stated above, SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted 2016 RTP/SCS. SCAG refers to State CEQA Guidelines Section 15206 in determining whether a project meets the criteria to be deemed regionally significant. The Project Alternative would be considered regionally significant as it would meet the following criteria, requiring consistency review.

(1) A proposed local general plan, element, or amendment thereof for which an EIR was prepared.

The Project Alternative proposes General Plan Amendments to:

- Assign a General Plan land use designation of Residential Estate (R-E) to APN 0239-041-15 and to a portion of APN 0239-091-14;
- Change the General Plan land use designation of the Logistics Site from Residential Estate (R-E) to Light Industrial (I-L); and
- Change the General Plan Circulation Element designation for Lytle Creek Road from a four-lane Secondary Highway to a two-lane Collector.

Therefore, the requested entitlements of the Project Alternative is considered regionally significant and must demonstrate consistency with the 2016 RTP/SCS. Table

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4.10-5, SCAG Consistency Analysis, (found at Draft EIR, pp. 4.10-15 through 4.10-17) provides an analysis of the Project's consistency with the applicable 2016 RTP/SCS goals and adopted growth forecasts. As concluded, the Project Alternative is consistent with the 2016 RTP/SCS goals and impacts would be less than significant impact in this regard.

Overall, with the implementation of **Mitigation Measure BIO-1**, potential Project impacts, would be less than significant with regard to conflicts with applicable land use plans, policies, or regulations. (Draft EIR, pp. 4.10-8 through 4.10-17.)

H. TRANSPORTATION

1. (a) Conflict with Applicable Roadway Plans – Construction and Operations-Existing With Project Conditions

Threshold: Would the Project potentially conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities ?

Finding: Less than significant with mitigation measures. (Draft EIR, p. 4.13-24.)

Explanation:

Construction

Construction of the Proposed Project Alternative is anticipated to occur in one single phase over a duration of 12 months beginning in 2020. Localized truck traffic could result as construction materials are hauled to specific work zones for the Proposed Project Alternative. According to the air quality analysis conducted for the Project Alternative, demolition activities would require 15 worker trips and 22 hauling trips per day for 70 days; site preparation would require 18 worker trips per day for 40 days; grading would require 20 worker trips per day for 110 days; and building construction, paving, and architectural coating would require a total of 1,160 worker trips and 372 vendor trips over 280 days; refer to the Draft EIR, Appendix B, Air Quality Analysis. Overall, vehicular and truck traffic generated during construction would result in total volumes higher than existing conditions. A potentially significant but temporary impact to transportation and circulation would occur.

These temporary construction-related impacts would be reduced with implementation of a Construction Traffic Management Plan (TMP), to be established prior to issuance of any construction or demolition permits (**Mitigation Measure TR-1**). The TMP would be required to address the following, among others: traffic control of any street closure, detour, or other disruptions to traffic circulation; identification of construction vehicle haul routes; limitation of hauling activities to off-peak hours; and utilization of appropriate traffic control personnel to ensure construction vehicles operate safely along adjacent local roadways. Implementation of **Mitigation Measure TR-1** would ensure construction-related traffic impacts are reduced to less than significant levels.

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Operations

Project Trip Generation and Distribution

The Institute of Transportation Engineers (ITE) 10th Edition Trip Generation Manual trip generation rates were used to forecast the number of Project generated trips. Table 4.13-8, ITE Trip Generation Rates (found at Draft EIR, p. 4.13-12), summarizes the ITE trip generation rates used as well as the breakdown by vehicle type (passenger car, 2-axle trucks, 3-axle trucks, and 4+axle trucks) according to the South Coast Air Quality Management District (SCAQMD). The assumed 31 percent of truck trips and 69 percent of passenger car trips is based on the High-Cube Warehouse Vehicle Trip Generation Analysis, prepared by the ITE and dated October 2016.

Utilizing the ITE trip generation rates, Table 4.13-9, Proposed Project Trip Generation (Vehicles), shows the vehicular trips generated by the Proposed Project Alternative (found at Draft EIR, p. 4.13-12).

As shown, the Project Alternative would generate approximately 2,046 vehicle trips per day, with approximately 200 trips occurring during the AM peak hours and approximately 223 trips occurring during the PM peak hours.

To account for the truck trips generated by the Project Alternative, vehicular trips were converted to PCE trips. Table 4.13-10 (found at Draft EIR, p. 4.13-13) , Proposed Project Trip Generation (PCEs), shows the conversion of vehicle trips to PCEs after the following factors were applied to account for truck activity:

- 2-axle trucks = 2.0 PCE;
- 3-axle trucks = 2.5 PCE; and
- 4+ axle trucks = 3.0 PCE.

As show in Table 4.13-10 (found at Draft EIR, p. 4.13-13), the Project Alternative would generate approximately 3,122 daily PCE trips with 305 PCE trips occurring during the AM peak hours and 340 PCE trips occurring during the PM peak hours.

TIA Exhibit 7, *Project Inbound/Outbound Distribution- Passenger Cars*, shows the Project's forecast trip distribution of cars, and TIA Exhibit 8, *Project Inbound/Outbound Distribution – Trucks*, shows the Project Alternative's forecast trip distribution of trucks.

Existing With Project Conditions

Intersection LOS

The existing with Project conditions traffic volumes were derived by adding trips forecast to be generated by the Project Alternative to existing traffic volumes. The Project Alternative proposes to realign and construct a new Lytle Creek Road from the property's northern boundary to Sierra Avenue. The easternmost segment Lytle Creek Road would be realigned in conjunction with a new roadway referred to as the "Public Access Road"

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that would serve the Logistics Facility. The remaining western segment of Lytle Creek Road would be vacated but left in place for continued access to adjacent parcels. It should be noted the Project Alternative is proposing to construct a new traffic signal at Sierra Avenue / Lytle Creek Road (Intersection No. 6) with the proposed realignment. A traffic signal was determined to be warranted in the Lytle Creek Road Alignment Study (dated May 31, 2016) and therefore, a signal is proposed as part of the road realignment.

West of the Project Area, Lytle Creek Road currently connects to Duncan Canyon Road which is the southerly alignment. For Existing With Project conditions, Project-related traffic is assumed to use the existing Lytle Creek Road. Since Project traffic heading west on Lytle Creek Road distributes south towards the I-15/Duncan Canyon Road interchange, there is no Project traffic at the intersection of Coyote Canyon Road/Duncan Canyon Road and therefore is not studied under the Existing With Project condition.

Table 4.13-11 (found at Draft EIR, pp. 4.13-14 through 4.13-15), Existing With Project Conditions AM/PM Peak Hour Intersection LOS, summarizes the peak hour LOS for all study intersections.

As shown in Table 4.13-11 (found at Draft EIR, pp. 4.13-14 through 4.13-15), all study intersections are forecast to operate at an acceptable LOS during the peak hours with the addition of the Project-related traffic to existing traffic volumes with the exception of the following intersections:

- Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) – LOS F in AM peak hours; and
- Sierra Avenue / Riverside Avenue (Intersection No. 9) – LOS F in the AM and PM peak hours.

Based on the City's significance criteria, the Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) would not meet the change in delay threshold of significance under LOS F (1.0 seconds), and thus, impacts to this intersection would be less than significant.

The Sierra Avenue/Riverside Avenue (Intersection No. 9) would exceed the change in delay threshold of significance and would result in a potentially significant impact. The City is planning to construct an additional northbound through lane on Sierra Avenue and install a new traffic signal. The proposed improvements at this location are fully funded, is included in the City's Capital Improvement Program, and would improve the operations of the intersection to an acceptable level of service. This improvement is in the project design phase and is anticipated to be completed in Spring 2020. Therefore, no additional mitigation is required to reduce impacts in this regard.

Roadway Segment LOS

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Table 4.13-12 (found at Draft EIR, p. 4.13-16), Existing With Project Conditions Roadway Segment LOS, presents the results of the Existing With Project conditions roadway segment level of service analysis. As shown, all of the roadway segments are forecast to operate at acceptable levels of service (C or better) based on daily capacity thresholds with the addition of Project-related traffic. Therefore, no significant impacts have been identified and no mitigation measures are required.

Overall, construction-related Project impacts would be reduced to less than significant levels with mitigation incorporated. (Draft EIR, pp. 4.13-11 through 4.13-12.) Under Existing With Project conditions, the Project Alternative's potentially significant impact to Riverside Avenue/Sierra Avenue (Intersection No. 9) would be reduced to less than significant levels with implementation of the City's plans to construct an additional northbound lane on Sierra Avenue and install a new traffic signal. (Draft EIR, p. 4.13-24.)

Mitigation Measures

TR-1 Prior to issuance of any grading and/or demolition permits, whichever occurs first, the Project applicant shall prepare a Construction Traffic Management Plan (TMP) to be submitted for review and approval by the City Engineer. The TMP shall be submitted for review and approval by the County of San Bernardino Traffic Division if any County maintained roads are proposed for construction traffic. The TMP shall, at a minimum, address the following:

- Traffic control for any street closure, detour, or other disruption to traffic circulation.
- Identify the routes that construction vehicles will utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.), to access the Project site, traffic controls and detours, and proposed construction phasing plan for the Project.
- Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets.
- Require the Project applicant to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt, as a result of its operations. The applicant shall clean adjacent streets, as directed by the City of Fontana Public Works Department, of any material which may have been spilled, tracked, or blown onto adjacent streets or areas.
- Hauling or transport of oversize loads shall be subject to the requirements of the City of Fontana Public Works Department and/or the County of San Bernardino.
- Use of local streets shall be prohibited.
- Haul trucks entering or exiting public streets shall at all times yield to public traffic.

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- If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer.
- All construction-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site.
- Should the Project utilize State facilities for hauling of construction materials, the Construction Management Plan shall be submitted to the California Department of Transportation (Caltrans) for review and comment.
- Should Project construction activities require temporary vehicle lane, bicycle lane, and/or sidewalk closures, the applicant shall coordinate with the City Engineer regarding timing and duration of proposed temporary lane and/or sidewalk closures to ensure the closures do not impact operations of adjacent uses or emergency access.

The TMP shall be monitored for effectiveness and be modified in conjunction with the City Engineer, and County of San Bernardino Traffic Division, as applicable, if needed to improve safety and/or efficiency. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.13-23.)

I. TRIBAL CULTURAL RESOURCES

1. Tribal Cultural Resources

Threshold: 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); or (ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in Public Resources Code section 5024.1?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.14-12.)

Explanation: Three historic-age structures that have been evaluated for historic significance would be demolished to allow for the development of the Logistics Facility. Only one property is eligible for listing in the California Register of Historic Places: the stone house at 4055 Lytle Creek Road. Refer to the Draft EIR, Section 4.4 for discussion of the stone house at 4055 Lytle Creek Road and other properties. The stone house was constructed in the 1920s and occupied by families who farmed the site. None of these

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resources, however, were identified by the Native American representatives contacted under SB 18 or AB 52 as a resource that is sacred or an object of cultural value to the Native American tribe. Therefore, no tribal cultural resources have been identified on the Project Area.

In compliance with AB 52 and SB 18, the City distributed letters notifying each tribe that requested to be on the City's list for the purposes of AB 52 and SB 18 of the opportunity to consult on the Project and assist the City in determining whether there were potential tribal cultural resources associated with the Project Area.

The San Manuel Band of Mission Indians and the Gabrieleno Indians both participated in a formal consultation with the City of Fontana regarding the Project. The San Manuel Band of Mission Indians raised concerns regarding the potential for tribal cultural resources to be present and directly impacted by Project development. As noted in the Draft EIR, Section 4.4, there are no known archeological resources on the Logistics Facility site; however, there is potential for the accidental discovery of archeological resources. **Mitigation Measure CR-2**, has been included, which states that if undocumented cultural resources are identified during earthmoving activities a qualified archeologist shall be contacted to assess the resource and divert construction activities if necessary.

As a result of the tribal consultation process, the City has agreed to implement **Mitigation Measures CR-2** and **CR-3**. **Mitigation Measure CR-2** would require archaeological monitoring for all ground-disturbing activities below 2 feet. **Mitigation Measure CR-3** would require preparation of a Treatment and Disposition Plan (TDP) which provides details regarding the process for the in-field treatment of inadvertent discoveries and the disposition of inadvertently discovered non-funerary resources. Following implementation of **Mitigation Measures CR-1** and **CR-2**, the Project Alternative's impacts to tribal cultural resources would be less than significant. (Draft EIR, pp. 4.14-11 through 4.14-12.)

J. WILDFIRE HAZARDS

1. Emergency Response Plans or Evacuation Plans

Threshold: Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan ?

Finding: Less than significant impact with mitigation measures. (Draft EIR, p. 4.16-10.)

Explanation: Government Code Section 51175-89 directs the CAL FIRE to identify areas of very high fire hazard severity in local responsibility areas. Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on data and models of potential fuels over a 30- to 50-year time horizon and their associated expected fire behavior and expected burn probabilities, which quantify the likelihood and nature of

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vegetation fire exposure (including firebrands) to buildings. Local responsibility area VHFHSZ maps were initially developed in the mid-1990s and are now being updated based on improved science, mapping techniques, and data.

The SB 330 Compliance Alternative Site is not designated as a VHFHSZ and therefore impacts would be less than significant. The Logistics Site has been designated as a VHFHSZ and the City and its sphere of influence, including the Logistics Site, are currently covered under the City's LHMP and Emergency Operations Plan. The Project Area and surrounding area have access to several fully improved roadways, including I-15, which provide full emergency access to the site. Construction activities, which may temporarily restrict vehicular traffic, would be required to comply with the construction traffic management plan (TMP) to facilitate the passage of persons and vehicles through/around any required road closures (refer to **Mitigation Measure TR-1**). In addition, all proposed construction activities would be subject to compliance with all applicable State and local regulations in place to reduce risk of construction-related fire, such as installation of temporary construction fencing to restrict site access and maintenance of a clean construction site. Implementation of **Mitigation Measure TR-1**, in conjunction with minimum construction standards for fire safety, would minimize impacts to construction-related impacts to adopted emergency response plans or emergency evacuation plans to less than significant.

In 2008, the California Building Standards Commission adopted California Building Code Chapter 7A requiring new buildings in Very High Fire Hazard Severity Zones to use ignition-resistant construction methods and materials. The code includes provisions to improve the ignition resistance of buildings, especially from firebrands. Therefore, development of the Proposed Project Alternative would be subject to compliance with the 2016 California Building Code (or the most current version) and the 2016 Edition of the California Fire Code (Part 9 of Title 24 of the California Code of Regulations). Fire Code Chapter 49 cites specific requirements for wildfire-urban interface areas that include, but are not limited to, creating and maintaining defensible space and managing hazardous vegetation and fuels. The Project Alternative would develop concrete tilt-up logistics facility on the Logistics Site that would provide setbacks in the form of parking areas, site paving, and landscaped areas; refer to Exhibit 3.0-10, Conceptual Site Plan (found at Draft EIR, p. 3.0-47). The Logistic Center's concrete construction and setbacks would improve the Proposed Project's fire resistance and create defensible space.

To further minimize operational impacts to emergency access, all on-site roadways would be designed in compliance with FFPD standards prior to issuance of building permits. The conceptual project design would provide two main access points from opposite ends of Lytle Creek Road to the Logistics Site, which would comply with fire and emergency access standards. Further, the LHMP identifies mitigation actions to reduce impacts associated with potential wildfires, and the EOP is updated regularly to ensure a high state of readiness when emergencies (including wildfires) occur in the community. According to the Draft EIR, Section 6.2, Mitigation 5 Year Progress Report of the LHMP, on-going mitigation actions include implementing fire resistive construction projects, a weed abatement/rubbish removal program, and other continuous improvements of fire

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services. As a result, Project operations would have a less than significant impact related to emergency response or evacuation activities. (Draft EIR, pp. 4.16-9 through 4.16-10.)

Section 5: Findings Regarding Environmental Impacts Not Fully Mitigated To A Level Of Less Than Significant

The City Council hereby finds that, despite the incorporation of Mitigation Measures outlined in the Draft EIR and in this Resolution, the following impacts from the proposed Project Alternative and related approvals cannot be fully mitigated to a less than significant level and a Statement of Overriding Considerations is therefore included herein:

A. AIR QUALITY

1. Conflict With Air Quality Plan

Threshold: Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.2-13.)

Explanation: The Project Area is located in the South Coast Air Basin, which is under the jurisdiction of the SCAQMD. The SCAQMD is required, pursuant to the federal Clean Air Act, to reduce emissions of criteria pollutants for which the Basin is in nonattainment. To reduce such emissions, the SCAQMD drafted the 2016 Air Quality Management Plan, which establishes a program of rules and regulations directed at reducing air pollutant emissions and achieving state and national air quality standards.

According to the SCAQMD (1993) CEQA Air Quality Handbook, in order to determine a project's consistency with the AQMP, two main criteria must be addressed.

Criterion 1

With respect to the first criterion, SCAQMD methodologies require that an air quality analysis for a project include forecasts of project emissions in relation to contributing to air quality violations and delay of attainment.

a) Would the project result in an increase in the frequency or severity of existing air quality violations? **NO**

Since the consistency criteria identified under the first criterion pertain to pollutant concentrations rather than to total regional emissions, an analysis of a project's pollutant emissions relative to localized pollutant concentrations is used as the basis for evaluating project consistency. As discussed in Impact 4.2 3, localized concentrations of NOX, CO, PM10, and PM2.5 would not exceed SCAQMD thresholds during project operations.

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Therefore, the Proposed Project Alternative would not result in an increase in the frequency or severity of existing air quality violations.

b) Would the project cause or contribute to new air quality violations? **YES**

As discussed in Impact 4.2-2, operations of the Proposed Project Alternative would result in NOX emissions that would exceed SCAQMD operational thresholds. Therefore, the Proposed Project Alternative would have the potential to cause or affect a violation of the ambient air quality standards.

c) Would the project delay timely attainment of air quality standards or the interim emissions reductions specified in the AQMP? **YES**

The Proposed Project Alternative would result in potentially significant impacts with regard to NOX emissions during project operations. As such, the Proposed Project Alternative could delay the timely attainment of the air quality standards or emissions reductions in the 2016 AQMP.

Criterion 2

With respect to the second criterion for determining consistency with SCAQMD and SCAG air quality policies, it is important to recognize that air quality planning in the Basin focuses on attainment of ambient air quality standards at the earliest feasible date. Projections for achieving air quality goals are based on assumptions regarding population, housing, and growth trends. Thus, the SCAQMD's second criterion for determining project consistency focuses on whether the proposed project exceeds the assumptions used in preparing the forecasts presented in the 2016 AQMP. Determining whether a project exceeds the assumptions reflected in the 2016 AQMP involves the evaluation of the three criteria outlined below. The following discussion analyzes each of these criteria.

a) Would the project be consistent with the population, housing, and employment growth projections utilized in the preparation of the AQMP? **NO**

For the 2016 AQMP, future emissions forecasts were based on demographic and economic growth projections provided by SCAG and in SCAG's 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The RTP/SCS also includes socioeconomic forecast projections of regional population growth. The San Bernardino County General Plan designates the majority of the project site as Single Residential (RS), with smaller portions designated Rural Living (RL), and Institutional (IN), and Special Development (SD).

The Project Area is currently located in San Bernardino County. With the Proposed Project Alternative, the Project Area would be annexed into the City of Fontana under existing City General Plan land use designations applicable to the Project Area. The areas not currently pre-designated by

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the City's General Plan will be designated as part of the Proposed Project Alternative during the annexation process. 2.14 acres of the Project Area is not currently pre-designated and pre-zoned by the City. With the Proposed Project Alternative, the Project Area designations will include Residential Estate (R-E), General Commercial (G-C), and Public Utility Corridor (P-UC) (as analyzed in the Fontana General Plan EIR). Additionally, the Proposed Project Alternative would change the land use designation of approximately 76 acres (the Logistics Site) to Light Industrial (I-L). Given that the land use for the Logistics Site is not consistent with the previous San Bernardino County land uses analyzed during preparation for the 2016 AQMP, the Proposed Project Alternative is not consistent with the types, intensity, and patterns of land use envisioned for the site. Therefore, the Project Alternative is not consistent with the population, housing, and employment forecasts adopted by SCAG and incorporated into the 2016 AQMP.

b) Would the project implement all feasible air quality mitigation measures? **YES**

Compliance with all feasible emissions reduction measures would be required as identified in Findings C-2. As such, the Proposed Project Alternative would meet this AQMP consistency criterion.

c) Would the project be consistent with the land use planning strategies set forth in the AQMP? **NO**

The Proposed Project Site is currently in unincorporated San Bernardino County but would be annexed into the City of Fontana consistent with the recently-adopted General Plan Update. The Proposed Project Alternative would change the land use designation of the approximately 76-acre Logistics Site to Light Industrial (I-L). A 2.14-acre portion of the Project Area that is not pre-designated or pre-zoned would be annexed into the City, designated as Residential Estate (R-E) and pre-zoned Residential Estate. As discussed in the Project Description, no further development of this area is anticipated due to development limits and site constraints. Thus, due to the land use changes associated with the Proposed Project Alternative, the Project Alternative is not consistent with the AQMP's planning assumptions and strategies considered for the project's location.

In conclusion, the determination of 2016 AQMP consistency is primarily concerned with the long-term influence of a project on air quality in the Basin. As discussed above, the Proposed Project Alternative would generate emissions that were not anticipated and could delay the timely attainment of the air quality standards in the 2016 AQMP, and the Proposed Project Alternative is not consistent with the land uses and emissions forecasts assumed in the 2016 Air Quality Management Plan. Therefore, even with **Mitigation Measures AQ-1** through **AQ-4**, impacts would be significant and unavoidable. (Draft EIR, pp. 4.2-11 through 4.2-13; Appendix B, *I-15 Logistics Center Alternative –Air Quality*

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Technical Memorandum (Air Quality Memo), prepared by Michael Baker International, dated March 250, 2020, pp 4-6.)

2. Violate Air Quality Standards – Long Term Operational Emissions

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

For project operation, the applicable daily thresholds are:

- 55 pounds of ROG;
- 55 pounds of NOx;
- 550 pounds of CO;
- 150 pounds of PM10;
- 55 pounds of PM2.5; and
- 150 pounds of SO2.

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.2-16.)

Explanation:

Long-Term Operational Emissions

Operational activities associated with the Proposed Project Alternative, particularly the Logistics Facility, will result in emissions of ROG, NOX, CO, sulfur oxides (SOX), PM10, and PM2.5. Operational emissions would be expected from the following primary sources: vehicles, combustion emissions associated with natural gas and electricity, fugitive dust related to vehicular travel, landscape maintenance equipment, emissions from consumer products, and architectural coatings.

The operational-related project emissions, along with a comparison of SCAQMD-recommended significance thresholds, are shown in Table 4.2-6, Unmitigated Long-Term Operational Emissions (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-16).

As shown in Table 4.2-6 (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-16), NOX emissions resulting from project operations would exceed the SCAQMD regional threshold of significance for NOX.

Operational Mitigation Measures

AQ-2 All Logistics Facility truck access gates and loading docks within the Logistics Facility shall have a sign posted that states:

- Truck drivers shall turn off engines when not in use.
- Truck drivers shall shut down the engine after 5 minutes of continuous idling operation once the vehicle is stopped, the

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transmission is set to "neutral" or "park," and the parking break is engaged.

- Telephone numbers of the building facilities manager and CARB to report violations.

AQ-3 The project applicant shall make all Logistics Facility tenants aware of funding opportunities, such as the Carl Moyer Memorial Air Quality Standards Attainment Program and other similar funding opportunities, by providing applicable literature on such funding opportunities as available from the California Air Resources Board.

AQ-4 The Logistics Facility shall include a minimum of ten on-site Level 2 electric vehicle charging stations available for use by employees and guests.

Although the operational mitigation measures identified above would serve to reduce operational emissions associated with the Proposed Project Alternative, the extent to which such measures would result in reductions is not quantifiable. No mitigation measures beyond **Mitigation Measures AQ-1** through **AQ-4** would reduce project-related impacts to levels that are less than significant. Long-term project operation would generate NOX emissions that exceed the applicable SCAQMD thresholds. Therefore, impacts resulting from the project's long-term operation would be considered significant and unavoidable. (Draft EIR, pp. 4.2-15 through 4.2-16; Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 250, 2020, pp. 9-10.)

Health Impacts

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* [Friant Ranch, L.P.] [2018] Cal.5th, Case No. S219783). As noted above and shown in Table 4.2-6 (found at Final EIR, Attachment 1 -- Revised Draft EIR, p. 4.2-16), the Project's operational emissions would exceed the SCAQMD's NOX significance thresholds, resulting in a significant and unavoidable long-term air quality impact.

NOX (often used interchangeably with nitrogen dioxide [NO2]) is a family of highly reactive gases that are a primary precursor to the formation of ground level ozone (O3). NO2 is a reddish-brown gas that can cause breathing difficulties, irritate and damage the lungs, and lower resistance to respiratory infections such as influenza at elevated levels. Continued or frequent exposure to NO2 concentrations that are typically much higher than those normally found in the ambient air may increase acute respiratory illnesses in children and increase the incidence of chronic bronchitis and lung irritation. Chronic exposure to NO2 may aggravate eyes and mucus membranes and cause pulmonary dysfunction. Short-term, high concentration of NO2 can aggravate respiratory diseases,

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particularly asthma, leading to respiratory symptoms (such as coughing, wheezing or difficulty breathing), hospital admissions and visits to emergency rooms.

With respect to regional emissions, according the SCAQMD's 2016 AQMP, ozone, NOX, and ROG have been decreasing in the Basin since 1975 and are projected to continue to decrease in the future. Although vehicle miles traveled in the Basin continue to increase, NOX levels are decreasing because of CARB-mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. The 2016 AQMP demonstrates how the SCAQMD's control strategy to meet the 8-hour ozone standard in 2023 would lead to sufficient NOX emission reductions to attain the 1-hour ozone standard by 2022. The SCAQMD's air quality modeling demonstrates that NOX reductions prove to be much more effective in reducing ozone levels. The 2016 AQMP also emphasizes that beginning in 2012, continued implementation of previously adopted regulations will lead to NOX emission reductions of 68 percent by 2023 and 80 percent by 2031. With the addition of 2016 AQMP proposed regulatory measures, a 30 percent reduction of NOX from stationary sources is expected in the 15-year period between 2008 and 2023. This is in addition to significant NOX reductions from stationary sources achieved in the decades prior to 2008.

The EIR identifies a significant and unavoidable impact with respect to NOx emissions, due largely to trucking operations. NOx is a "criteria" pollutant, a pollutant that is regulated by the US EPA pursuant to the federal Clean Air Act. The potential health impacts of criteria pollutants are analyzed on a regional level, not on a facility/project level. The SCAQMD and the San Joaquin Valley Unified Air Pollution Control District ("SJVAPD"), experts in the area of air quality, both recognize that a meaningful, accurate analysis of potential health impacts resulting from criteria pollutants is not currently possible and not likely to yield substantive information that promotes informed decision making. The SJVAPD, in its Amicus Curiae Brief for *Sierra Club v. County of Fresno*, explained that "it is not feasible to conduct a [health impact analysis] for criteria air pollutants because currently available computer modeling tools are not equipped for this task." The SJVAPD described a project-specific health impact analysis as "not practicable and not likely to yield valid information" because "currently available modeling tools are not well suited for this task." The SJVAPD further noted that "...the CEQA air quality analysis for criteria pollutants is not really a localized, project-level impact analysis but one of regional" cumulative impacts.

It should also be noted that NOx is a "precursor" pollutant, which makes analysis of potential health impacts even more difficult. NOx is a precursor to ozone, which is formed in the atmosphere from the chemical reaction of NOx and VOCs in the presence of sunlight. As explained by the SCAQMD in its Amicus Curiae Brief for *Sierra Club v. County of Fresno*, it takes time and the influence of meteorological conditions for these reactions to occur, so ozone may be formed at a distance downwind from the sources." Given this, "...it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels over an entire region." Therefore, SCAQMD opined that while it "may be feasible" for large, regional projects with very high emissions of NOx and VOCs to conduct an accurate health impact analysis, "SCAQMD staff does

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not currently know of a way to accurately quantify ozone-related health impacts caused by NOx or VOC emissions from relatively small projects."

Thus, the difficulties with preparing potential health impact analysis related to the project's NOx emissions are twofold. First, current modeling is not capable of correlating emissions of criteria pollutants to concentrations that can be reasonably linked to specific health impacts. Second, NOx is a precursor emissions and concentrations of NOx are impacted by regional atmospheric conditions. NOx emitted by the project may, depending upon interactions with the sun and other emissions, convert to ozone by complex chemical processes. Thus, there is a significant level of unpredictability associated with such conversion to ozone, as noted by the SCAQMD and the SJVAPD.

The EIR did analyze localized operational impacts associated with the project's NOx emissions, and concluded that such impacts would be less than significant. The SCAQMD's Localized Significance Thresholds ("LST") represent the maximum emissions from a project that are not expected to cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant for each source receptor are and distance to the nearest sensitive receptor. Therefore, the Project Alternative would not generate emissions on a localized scale that are expected to result in an exceedance of applicable standards, which are intended to be protective of the public health. The Project Alternative's significant and unavoidable NOx impact is related to the project's regional emissions, which are assessed against the SCAQMD's regional thresholds. As discussed above, given the regional nature of such emissions and numerous unpredictable factors, an analysis that correlates health with regional emissions is not possible. It should also be noted that the EIR does identify health concerns related to NOx emissions. Table 4.2-1 (found at Draft EIR, p. 4.2-2) includes a list of criteria pollutants and summarizes common sources and effects. Thus, the EIR's analysis is reasonable and intended to foster informed decision making. (Draft EIR, pp. 4.2-17 through 4.2-19; Appendix B, *I-15 Logistics Center Alternative –Air Quality Technical Memorandum* (Air Quality Memo), prepared by Michael Baker International, dated March 250, 2020, pp. 10-12.)

B. CULTURAL RESOURCES

1. Historical Resources

Threshold: Would the Project potentially cause a substantial adverse change in the significance of a historical resource pursuant to State CEQA Guidelines Section 15064.5?

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.4-16.)

Explanation: Three historic-age properties would be demolished in order to develop the proposed Logistics Facility. The historic-era buildings at 4053, 4055, and 4175 Lytle Creek Road were evaluated for historic significance. Two of the three properties (4053 and 4175 Lytle Creek Road) are not eligible for listing in the CRHR and

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as such are not considered significant resources under CEQA; refer to Table 4.4-1 (found at Draft EIR, p. 4.4-14). The stone house at 4055 Lytle Creek Road is eligible for listing under CRHR Criteria 1 and 3 and as such is considered a historical resource (i.e., significant) under CEQA. The State CEQA Guidelines state that "a Project that may cause a substantial adverse change in the significance of a historical resource may have a significant effect on the environment." Furthermore, substantial adverse change is defined by the State CEQA Guidelines as "demolition, destruction, relocation, or alteration of the resource of its surroundings such that the significance of an historical resource would be materially impaired." (State CEQA Guidelines Section 15064.5(b)(1).) A resource is materially impaired when a project demolishes or materially alters those physical characteristics of a historical resource that conveys its historic significance and that justify its status as a historic resource. (State CEQA Guidelines Section 15064.5(b)(2).) The demolition of the house at 4055 Lytle Creek Road would constitute a substantial adverse change in the significance of a historical resource in this regard.

Preservation in place is the preferred manner of mitigating impacts to historical resources under CEQA. In this case, preservation in place would preclude the Project Alternative as the resource is located within the grading elevation for the proposed warehouse site. In addition, the nature of house's construction (stacked stone) would not permit the relocation of the impacted resource without significant adverse impacts. A data collection mitigation program has been developed in which potential adverse effects of the proposed demolition would be reduced, and **Mitigation Measure CR 1** is required so that the resource will be documented prior to its demolition. Although significant impacts to the historical resource would be reduced with implementation of **Mitigation Measure CR 1**, documentation of the stone house at 4055 Lytle Creek Road would not fully mitigate impacts. Impacts would be significant and unavoidable in this regard.

In addition, the Project Alternative proposes to improve and realign Lytle Creek Road from the westernmost boundary of the Project Area to its intersection with Sierra Avenue. The footprint of the existing roadway that will be improved, as well as the proposed future alignment of Lytle Creek Road, do not contain known historical resources that could be adversely impacted as a result of Project development.

Mitigation Measure

CR-1 Data Collection. Prior to any Project-related impacts, Historic American Building Survey (HABS) style photographic documentation shall be prepared for the historic stone house at 4055 Lytle Creek Road. While the photographs will meet HABS standards, only local curation (and no federal curation or involvement) will be necessary. The photographic documentation shall be provided to the City (and any required local repositories) for curation.

In most cases, the use of drawings, photographs, and/or displays does not mitigate the physical impact on the environment caused by demolition or destruction of a historical resource (14 California Code of Regulations Section 15126.4[b]). However, CEQA requires that all feasible mitigation be undertaken even if it does not mitigate the impact

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below a level of significance. In this context, recordation serves a legitimate archival purpose. Although significant impacts to the historical resource would be reduced with implementation of **Mitigation Measure CR 1**, documentation does not fully mitigate impacts. Impacts would be significant and unavoidable. (Draft EIR, pp. 4.4-15 through 4.4-16.)

C. TRANSPORTATION

1. (b) Conflict with Applicable Roadway Plans – Operations - Opening Year (2020) With Project Conditions, Horizon Year (2040 With Project Conditions)

Threshold: Would the Project potentially conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities ?

Finding: Significant and unavoidable impact. (Draft EIR, p. 4.13-25.)

Explanation:

Operations

Opening Year (2020) With Project Conditions

Opening Year (2020) conditions assumes the following roadway improvements to the Project study area would be completed by 2020:

- Realignment of the southwest portion of Lytle Creek Road as an extension of the existing Coyote Canyon Road west of the Project Area (to be constructed by other parties) ;
- As part of the Lytle Creek Road realignment west of the Project Area, signalization of Coyote Canyon Road / Duncan Canyon Road is assumed based on the existing lane geometry;
- Removal of approximately 0.83 miles of existing Lytle Creek Road; and
- Extension of Duncan Canyon Road from Citrus Avenue to Sierra Avenue.

To derive Opening Year (2020) traffic volumes, an annual growth rate of two percent per year was applied to existing traffic volumes to account for general regional growth in the vicinity of the Project site. The growth rate was based on the adopted SCAG 2016 RTP growth forecasts for the City based on population, households, and employment.

Additionally, approved or pending projects within the City of Fontana, City of Rialto, and San Bernardino County that are anticipated to be completed prior to Project opening and forecast to contribute traffic to the study area were identified. Forecast traffic related to these future developments were added to the existing plus ambient growth traffic volumes. A total of 27 cumulative projects were considered and 18 cumulative projects

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were found to contribute traffic to the Project's study area. For large cumulative specific plan projects (greater than 10,000 ADT) the analysis conservatively assumes a phased construction of what could be reasonably constructed by Opening Year (2020) without oversaturating the housing and commercial markets within the region. The remaining development of these cumulative specific plan projects would be constructed after the Project Alternative's opening year and is included in the Horizon Year (2040) analysis. In addition, the Opening Year (2020) analysis conservatively assumes a two percent per year growth above existing volumes to account for regional and local growth on the roadways.

TIA Table 13, *Cumulative Projects Trip Generation*, presents the cumulative projects identified with the direction of City staff and the forecast trip generation estimated for each project, and TIA Exhibit 12, *Cumulative Project's Location Map*, identifies the relative location of each cumulative project to the Proposed Project site. The phasing assumptions for the larger cumulative specific plans are also summarized in TIA Table 13.

Intersection LOS

Table 4.13-13 (found at Draft EIR, p. 4.13-18), Opening Year (2020) With Project Conditions – AM/PM Peak Hour Intersection LOS, summarizes Opening Year (2020) traffic with and without Project conditions. It should be noted that the Proposed Project Alternative is responsible for constructing a new traffic signal at Sierra Avenue/Lytle Creek Road (Intersection No. 6) with the proposed realignment. A traffic signal was determined to be warranted in the *Lytle Creek Road Alignment Study* (dated May 31, 2016) and therefore, a signal is assumed to be installed as part of the road alignment.

As shown in Table 4.13-13 (found at Draft EIR, p. 4.13-18), all study intersections are forecast to operate at an acceptable LOS (LOS C or better) during the peak hours under Opening Year (2020) With Project conditions with the exception of the following intersections:

- Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) – LOS F in AM peak hours;
- Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) – LOS F in PM peak hours; and
- Sierra Avenue / Riverside Avenue (Intersection No. 9) – LOS D in AM and PM peak hours.

According to the City's significance criteria, Sierra Avenue/I-15 Northbound Ramps (Intersection No. 8) would result in a potentially significant impact as a result of the Project Alternative. This intersection is within the County and Caltrans' jurisdiction. Therefore, the City cannot require mitigation for the potential impact. Additionally, there are no planned improvements identified at this interchange by Caltrans or the County. The City has no established mechanism whereby the applicant can provide fair share funds to the jurisdiction within which the impact is occurring, such as the County or Caltrans, to help

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finance the recommended improvements. Also, as the intersection and/or roadway falls outside the jurisdiction of the City, the City does not have the authority to construct or demand the construction of such improvements. Therefore, Project-related impacts are considered significant and unavoidable.

Roadway Segment LOS

Table 4.13-14 (found at Draft EIR, pp. 4.13-19 through 4.13-20), Opening Year (2020) With Project Conditions Roadway Segment LOS, presents the results of the Opening Year (2020) With Project conditions roadway segment level of service analysis. As shown, all of the roadway segments are forecast to operate at acceptable levels of service (C or better) based on daily capacity thresholds with the addition of Project-related traffic. Therefore, no significant impacts have been identified and no mitigation measures are required.

Horizon Year (2040) With Project Conditions

Horizon Year (2040) With Project conditions assumes the following roadway improvements at Sierra Avenue / Riverside Avenue :

- One additional northbound and southbound through lane on Sierra Avenue classified as a Major Highway and consistent with the General Plan Community Mobility and Circulation Chapter (General Plan Exhibit 9.2);
- One additional westbound right-turn lane to accommodate future development; and
- One additional southbound left-turn lane to accommodate future development.

Horizon Year (2040) traffic volumes were based on a combination of cumulative projects and a background growth rate. As previously discussed, some of the cumulative specific plans identified as cumulative projects were phased during the Opening Year (2020) scenario, therefore, the remaining development was added to the Horizon Year (2040) traffic volumes. In addition, a 1.95 percent per year growth was applied to the Opening Year (2020) traffic volumes to conservatively estimate volume forecasts for Horizon Year (2040). The growth rate was based on the adopted SCAG 2016 RTP growth forecasts for the City based on population, households and employment.

Intersection LOS

Table 4.13-15 (found at Draft EIR, p. 4.13-21), Horizon Year (2040) With Project Conditions AM/PM Peak Hour Intersection LOS, summarizes traffic conditions under Horizon Year (2040) with and without the Proposed Project Alternative.

As shown in Table 4.13-15 (found at Draft EIR, p. 4.13-21), all study intersections are forecast to operate at an acceptable LOS (LOS C or better) during the peak hours under Horizon Year (2040) With Project conditions with the exception of the following intersections:

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- Coyote Canyon Road / Duncan Canyon Road (Intersection No. 1) – LOS F in AM and PM peak hours;
- Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) – LOS F in the AM peak hours;
- Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) – LOS F in the AM and PM peak hours; and
- Sierra Avenue / Riverside Avenue (Intersection No. 9) – LOS D in PM peak hours.

According to the City's significance criteria, Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) and Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) would result in potentially significant impacts as a result of the Project Alternative. These intersections are within the County and Caltrans' jurisdiction. Therefore, the City cannot require mitigation for the Project Alternative's potential impacts. Additionally, there are no planned improvements identified at these interchanges by Caltrans or the County. The City has no established mechanism whereby the applicant can provide fair share funds to the jurisdiction within which the impact is occurring, such as the County or Caltrans, to help finance the recommended improvements. Also, as the intersection and/or roadway falls outside the jurisdiction of the City, the City does not have the authority to construct or demand the construction of such improvements. Therefore, Project-related impacts are considered significant and unavoidable.

Roadway Segment LOS

Table 4.13-16 (found at Draft EIR, p. 4.13-22), Horizon Year (2040) With Project Roadway Segment LOS, presents the results of the Horizon Year (2040) With Project conditions roadway segment level of service analysis. As shown, all of the roadway segments are forecast to operate at acceptable levels of service (C or better) based on daily capacity thresholds.

Overall, under Opening Year (2020) With Project conditions, the Project Alternative would result in significant and unavoidable impacts to the following intersection:

- Sierra Avenue/I-15 Northbound Ramps (Intersection No. 8). (Draft EIR, pp. 4.13-17 through 4.13-25.)

Overall, under Horizon Year (2040) With Project conditions, the Project Alternative would result in significant and unavoidable impacts to the following intersections:

- Sierra Avenue/I-15 Southbound Ramps (Intersection No. 7); and
- Sierra Avenue/I-15 Northbound Ramps (Intersection No. 8). (Draft EIR, pp. 4.13-20 through 4.13-25.)

2. Conflict With a Congestion Management Program

Threshold: Would the Project potentially conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways ?

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Finding: Significant and unavoidable impact. (Draft EIR, p. 4.13-27.)

Explanation: Freeway mainline and freeway ramp merge/diverge operations were analyzed in the TIA to determine potential Project impacts related to the County's congestion management program.

Freeway Mainline

Consistent with the City of Fontana Traffic Impact Study Guidelines, freeway segments with more than 100 two-way peak hour project trips were included in this analysis. The Proposed Project Alternative contributes approximately 101 trips (two-way) in the PM peak hour to I-15 south of Duncan Canyon Road and 73 trips (two-way) in the PM peak hour north of Duncan Canyon Road. To be conservative, the following three freeway segments were analyzed:

- I-15 segment between Glen Helen Parkway and Sierra Avenue;
- I-15 segment between Sierra Avenue and Duncan Canyon Road; and
- I-15 segment between Duncan Canyon Road and Beech Avenue.

The study freeway mainline segments for Existing, Existing With Project, Opening Year (2020), Opening Year (2020) With Project, Horizon Year (2040), and Horizon Year (2040) With Project conditions, and the results of this analysis are presented in TIA Table 22, *Existing Freeway Mainline Segment LOS*, through Table 27, *Horizon Year (2040) With Project Freeway Mainline Segment LOS*. Under Existing and Existing With Project conditions, all three study freeway segments are operating at LOS D. Under Opening Year (2020) Without and With Project conditions, freeway segments analyzed are forecast to operate at LOS E. For the Horizon Year (2040) Without and With Project conditions, the results of the analysis show freeway segments forecast to operate at LOS F. At Caltrans facilities, LOS D is considered acceptable and LOS E or F is considered deficient. A significant impact occurs when Project-related traffic causes a freeway mainline segment to deteriorate from an acceptable LOS (LOS D or better) to a deficient LOS (LOS E or F) or if the Project Alternative contributes to an existing deficiency. As shown in TIA Tables 25 and 27, I-15 between Glen Helen Parkway and Beech Avenue is significantly impacted by the Project under the Opening Year (2020) With Project conditions. Improvements to the I-15 corridor are not planned or funded by Caltrans at this time. Under State law it is the responsibility of Caltrans to plan and implement improvements to reduce congestion on state-owned freeways. Caltrans is vested with the authority to determine what proposed improvements are feasible. The City does not have an established mechanism whereby the City can collect such funds from the applicant and transfer them to Caltrans to help finance the recommended freeway improvements. The City of Fontana cannot implement mitigation for identified freeway segments that would result from Project traffic. Therefore, impacts at these locations would remain significant and unavoidable

Freeway Ramp Merge/Diverge

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Consistent with the *City of Fontana Traffic Impact Study Guidelines*, analysis of freeway on and off ramps with more than 50 directional peak hour project trips were included in the TIA. The Proposed Project Alternative contributes more than 50 (non-PCE) peak hour trips to the northbound and southbound ramps at Sierra Avenue. As such, the following ramp merge/diverge areas were analyzed:

- I-15 Northbound Off-Ramp to Sierra Avenue;
- I-15 Northbound On-Ramp from Sierra Avenue;
- I-15 Southbound Off-Ramp to Sierra Avenue; and
- I-15 Southbound On-Ramp from Sierra Avenue.

The ramp merge/diverge areas were evaluated for Existing, Existing With Project, Opening Year (2020), Opening Year (2020)With Project, Horizon Year (2040), and Horizon Year (2040) With Project conditions and the results of this analysis are presented in TIA Table 28, *Existing Freeway Ramp Merge/Diverge LOS, through Table 33, Horizon Year (2040) With Project Freeway Ramp Merge/Diverge LOS*. Under Existing and Existing With Project conditions, freeway on and off ramps at Sierra Avenue are currently operating at LOS C, D, and E. Under Opening Year (2020) and Horizon Year (2040) Without and With Project conditions, freeway on and off ramps analyzed are forecast to operate at a deficient LOS F. At Caltrans facilities, LOS D is considered acceptable and LOS E or F is considered deficient. A significant impact occurs when Project-related traffic causes a freeway ramp to deteriorate from an acceptable LOS (LOS D or better) to a deficient LOS (LOS E or F) or if the Project Alternative contributes to an existing deficiency. As shown in TIA Tables 29, 31, and 33, I-15 northbound and southbound on and off ramps at Sierra Avenue are significantly impacted by the Project Alternative under Existing With Project, Opening Year (2020) With Project, and Horizon Year (2040) With Project conditions. Improvements at this freeway interchange and/or ramps are not planned or funded by Caltrans at this time. Under State law it is the responsibility of Caltrans to plan and implement improvements to reduce congestion on state-owned freeways. Caltrans is vested with the authority to determine what proposed improvements are feasible. The City has no established mechanism whereby the City can collect such funds from the applicant and transfer them to Caltrans to help finance the recommended freeway improvements. The City of Fontana cannot implement mitigation for identified merge/diverge locations that would result from Project traffic. Therefore, impacts at these locations would remain significant and unavoidable. (Draft EIR, pp. 4.13-26 through 4.13-27.)

SECTION 6: FINDINGS REGARDING CUMULATIVE ENVIRONMENTAL IMPACTS

Consistent with CEQA's requirements, the EIR for the Project Alternative includes an analysis of cumulative impacts. The City Council hereby finds as follows:

A. AESTHETICS

The analysis below focuses on cumulative impacts to aesthetic and visual resources resulting from development of the area surrounding the Project site. The

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following projects from Table 4.0-1, Cumulative Projects in Section 4.0 Introduction to Environmental Analysis (found at Draft EIR, p. 4.0-4) may be located within the same viewshed as the Logistics Facility:

- Monarch Hills
- Lytle Creek Village
- Sierra Crest II – Tract 18944
- Arboretum Specific Plan
- Ventana Specific Plan

The geographic scope of the cumulative analysis for aesthetics is focused on public views from which the Proposed Project Alternative is visible, as well as surrounding areas that would have the potential to visibly change the existing visual character of the Project Area and immediately surrounding areas. In the project vicinity, the site is surrounded by rural residential and vacant land to the north, vacant land and I-15 to the south, commercial uses and vacant land to the east, and open space and rural residential to the west. The Logistics Facility site currently encompasses eight single-family residences that would be demolished with project implementation. As discussed above, five future residential development projects have been identified within the viewshed of the Logistics Site, which will change the visual character of the Project vicinity over time.

The San Gabriel Mountains are a scenic resource offering distant vistas of mountain backdrops. Cumulative impacts involving view blockage of scenic resources could occur as development progresses in the area. As discussed above, five cumulative projects are situated in the Project vicinity. Although development of these cumulative projects would continue to reduce overall views toward these visual resources, no specific public views are afforded that constitute a possible scenic vista or scenic corridor in the Project's viewshed (i.e., Lytle Creek Road and I-5). Thus, cumulative considerations for the Project Alternative's scenic views/vistas are considered less than significant.

Development of the area surrounding the Project Area would change the character of the area from a rural community with large vacant areas and widely dispersed houses, to a more urban/suburban community with tract homes and commercial/industrial buildings as planned under the latest General Plan. However, based on the Project Alternative's compliance with General Plan land use designations and zoning and existing local code requirements related to design and compatibility, impacts associated with visual character and quality would be less than significant.

Future development at the Project site and of surrounding cumulative projects in the area would be subject to a formal development review process including site and architectural plan review. Such discretionary review would ensure consistency with existing and proposed land use designations and zoning mandated by the County or the City's General Plan and Zoning and Development Code. Additionally, over time, it is anticipated that the visual character of the area in the vicinity of the Logistics Facility will change as residential and industrial development is contemplated for the surrounding area in the County General Plan, as well as the Fontana and Rialto General Plans. The

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Proposed Project Alternative would be consistent with the development contemplated by these jurisdictions and planned for under their respective General Plans documents. As a result, the Proposed Project Alternative in combination with future proposed projects would result in views from surrounding areas that are consistent with the aesthetic goals and policies envisioned by the City for the project area. A less than significant cumulative aesthetic impact would occur.

With regard to cumulative light and glare impacts, implementation of the Proposed Project Alternative and future proposed projects would increase the amount of light and glare in the surrounding area, as it would increase the amount of development compared to existing conditions. It is anticipated that lighting would include exterior wall-mounted light fixtures and lighting in the on-site surface parking areas to ensure public safety and safe pedestrian and vehicular circulation. To ensure cumulative light and glare impacts are reduced to levels that are less than significant, future proposed projects—including the Proposed Project Alternative—would be required to adhere to existing City policies for community design and aesthetics. The Proposed Project Alternative would be designed in compliance with the City's Zoning and Development Code, which requires that all lighting used on site to be directed and/or shielded to prevent the light from adversely affecting adjacent properties and that no structures or features that create adverse glare effects are permitted. Therefore, the Project Alternative would not result in cumulatively considerable light and glare impacts since impacts would be less than significant. (Draft EIR, pp. 4.1-11 through 4.1-12.)

B. AGRICULTURE AND FORESTRY

The Project Alternative would have no impact on agriculture and forestry resources, as neither resource is located within the Project site. (Draft EIR, pp. 5.0-1.) No cumulative impact would occur.

C. AIR QUALITY

A project could contribute to an existing or projected air quality exceedance because the Basin is currently in nonattainment for state and federal O3 and PM10 standards and for state PM2.5 standards. With regard to determining the significance of the cumulative contribution from the project, the SCAQMD recommends that any given project's potential contribution to cumulative impacts be assessed using the same significance criteria as for project-specific impacts.

The Proposed Project Alternative would violate air quality standards and would conflict with the SCAQMD's Air Quality Management Plan, which is intended to bring the Basin into attainment for all criteria pollutants. Development density and vehicle trip generation associated with the Project Alternative are anticipated to be greater than what would occur under the General Plan's current land use designation for the Project Site. This increase in anticipated vehicle trips would result in the increased generation of air pollutants, potentially exceeding the air pollutant inventory and assumptions in the AQMP. As such, cumulative impacts would be cumulatively considerable.

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As discussed previously, no additional mitigation measures would make the Project Alternative consistent with the 2016 AQMP. Therefore, even with **Mitigation Measures AQ-1** through **AQ-4**, the cumulative air quality impact would be significant and unavoidable. (Draft EIR, pp. 4.2-25 through 4.2-26.)

D. BIOLOGICAL RESOURCES

Cumulative projects that would have the potential to be considered in a cumulative context with the Project Alternative's incremental contribution are identified in the Draft EIR, Table 4.0-1, Cumulative Projects, and Exhibit 4.0 1, Cumulative Projects in Section 4.0, Introduction to the Environmental Analysis, of the Draft EIR.

Implementation of the identified cumulative projects would contribute to the local and regional loss of native vegetation types in the region that potentially provide habitat for special-status plant and wildlife species, as well as riparian habitat and federally protected wetlands. The potential also exists for the cumulative projects to conflict with local policies and ordinances and with habitat conservation plans/natural community conservation plans.

Development of cumulative projects could result in direct take of special-status species, construction and post-construction disturbances, special-status habitat conversion, and/or disruption of wildlife corridors. However, as with the Project Alternative, all future cumulative development would undergo environmental review on a project-by-project basis, to evaluate potential impacts to biological resources and ensure compliance with the established regulatory framework. As such, cumulative impacts to biological resources within the City would be mitigated on a project-by-project basis.

The Proposed Project Alternative's contribution to the cumulative loss of native habitat would be fully mitigated by dedication of a permanent conservation easement on habitat of similar quality or the purchase of mitigation credits in a CDFW-approved mitigation bank at a minimum ratio of 1:1. Overall, cumulative Project impacts on biological resources would be less than significant. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.3-35.)

E. CULTURAL RESOURCES

The term cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. Table 4.0-1, Cumulative Projects, in the Draft EIR, Section 4.0, Introduction to Environmental Analysis, identifies the cumulative projects considered in this evaluation.

The cumulative effect of projects in Fontana and San Bernardino County would have the potential to result in the loss of historical resources through the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of a cultural resource would be materially impaired. However, development projects in the county are regulated by federal, state,

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and local regulations. Specifically, these regulations include the Mills Act, PRC Section 5097.98, California Health and Safety Code Section 7050.5, and the Secretary of the Interior's Standards for Rehabilitation and Standards for the Treatment of Historic Properties. To comply with these requirements, cultural investigations, including records searches and physical surveys, as well as tribal consultation, are routinely conducted as part of the planning and environmental review process to determine the extent of cultural resources that would be affected by a Project and to identify mitigation measures to reduce impacts to a less than significant level.

Because the Project Area contains cultural resources that qualify for the consideration of the CRHR, the Project would contribute to cumulative impacts. Although the Project Alternative and other cumulative projects in the city and county would be required to comply with the above-mentioned regulations, the Proposed Project Alternative, in combination with cumulative projects in the region, would have a significant and unavoidable impact on cultural resources because of the potential for future development to impact historic resources which, even with mitigation, might not be considered mitigated to less than significant.

In the event of an unexpected resource discovery during construction of the Proposed Project Alternative, **Mitigation Measures CR-2** and **CR-3** would provide guidance and reduce potential impacts to a less than significant level. Additionally, the California Public Resources Code and the California Health and Safety Code mandate the process for handling the discovery of any human remains. Required compliance with these state laws would reduce cumulative impacts to a less than significant level.

Overall, even with the implementation of **Mitigation Measures CR-2** and **CR-3**, the Proposed Project Alternative, in combination with cumulative projects in the region, would have a significant and unavoidable impact on cultural resources. (Draft EIR, pp. 4.4-18 through 4.4-19.)

F. ENERGY

Cumulative projects that would have the potential to be considered in a cumulative context with the projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to land use and planning, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0-1, Cumulative Projects, in Section 4.0 of the Draft EIR.

Quantifying and/or analyzing energy consumption by cumulative projects in the area would be speculative in nature, as the proposed land use types, intensities, and sizes of projects are unknown at this time. However, each cumulative project would require separate discretionary approval and CEQA assessment, which would address potential energy consumption impacts and identify necessary mitigation measures, where appropriate.

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The Proposed Project Alternative would not result in significant energy consumption impacts. The Proposed Project Alternative would not be considered inefficient, wasteful, or unnecessary with regard to energy. Thus, the Proposed Project Alternative and identified cumulative projects are not anticipated to result in a significant cumulative impact. (Draft EIR, p. 4.5-12.)

G. GEOLOGY AND SOILS

Geotechnical and paleontological impacts are site-specific rather than cumulative in nature. For example, seismic events may damage or destroy a structure on the Logistics Site, but the construction of a development project on one site would not cause any adjacent parcels to become more susceptible to seismic events, nor can a project affect local geology or paleontology in such a manner as to increase risks or impacts regionally. Soils associated with the Project site are similar to other soils in the area. While the construction of the Logistics Site and associated improvements will involve grading, compliance with existing codes and standards and adherence to the recommendations in the Geotechnical Investigation and Cultural Resources Assessment would reduce to less than significant the Proposed Project's contribution to cumulative impacts related to geological and paleontological conditions. Geotechnical and paleontological resource impacts would not be cumulatively considerable.

Overall, with the implementation of **Mitigation Measures GEO-1** through **GEO-6**, cumulative impacts would be less than significant. (Draft EIR, p. 4.6-22.)

H. GREENHOUSE GAS EMISSIONS

It is generally the case that an individual project of this size and nature is of insufficient magnitude by itself to influence climate change or result in a substantial contribution to the global GHG inventory (CAPCOA 2008). GHG impacts are recognized as exclusively cumulative impacts; there are no noncumulative GHG emission impacts from a climate change perspective. The additive effect of Project-related GHGs would not result in a reasonably foreseeable cumulatively considerable contribution to global climate change. With implementation of **Mitigation Measure GHG-1** and **AQ-4**, the Project-related GHG emissions would be reduced below the SCAQMD's threshold of 10,000 MTCO2eq per year threshold, and would not impede 2030 and 2050 GHG emission reduction targets. As such, the Project Alternative would result in less than significant cumulative GHG impact. (Final EIR, Attachment 1—Revised Draft EIR, p. 4.7-26.)

I. HAZARDS AND HAZARDOUS MATERIALS

Cumulative projects that would have the potential to be considered in a cumulative context with the Proposed Projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to hazards and hazardous materials, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0 1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, the Draft EIR.

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The individual project-level impacts associated with hazards and hazardous materials were found to be less than significant with the incorporation of **Mitigation Measures HAZ-1** through **HAZ-2**. The Proposed Project Alternative would be required by law to comply with all applicable federal, state, and local requirements related to the handling, transport, use, and disposal of hazardous materials in order to prevent accident conditions. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, and consistent with the provisions set forth by CEQA and the State CEQA Guidelines, would be obligated to implement all feasible mitigation measures should a significant project-related and/or cumulative impact be identified.

In addition, because hazards and hazardous materials exposure is generally localized and development activities associated with the other related projects may not coincide with the Proposed Project Alternative, this could preclude the possibility of cumulative exposure. Because all future public or private development projects in the City and its sphere of influence would be subject to independent environmental reviews on a case-by-case basis and would be required to implement mitigation to offset all potentially significant impacts relative to hazards and hazardous materials, cumulative impacts are not anticipated. (Draft EIR, p. 4.8-12.)

J. HYDROLOGY AND WATER QUALITY

Cumulative projects that would have the potential to be considered in a cumulative context with the Projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to hydrology and water quality, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0-1, Cumulative Projects, in Section 4.0 of the Draft EIR.

Cumulative impacts to hydrology and water quality generally occur as a result of incremental changes that degrade water quality. Cumulative impacts can also include individual projects which, taken together, adversely contribute to drainage flows or increase potential for flooding in a project area or watershed.

Future projects in the area would result in a cumulative increase in stormwater runoff that would drain into the existing stormwater drainage system in the city. The Proposed Project Alternative would construct storm drain improvements that would include the installation of underground collection pipes, and a three-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the Project site. Similar to the Proposed Project Alternative, future projects would be required to conduct environmental review and construct project-specific drainage features in accordance with the provisions of the City's Master Drainage Plan. Since the Proposed Project Alternative would not have a significant impact on existing stormwater drainage facilities, the Project Alternative would not combine with other cumulative projects to result in significant impacts regarding stormwater drainage.

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According to the City of Fontana General Plan EIR, General Plan buildout would contribute to increased hydrology and water quality impacts. However, impacts would be reduced to a less than significant level following compliance with General Plan goals, policies, and programs. As discussed throughout this section, the Project Alternative would not involve a significant and unavoidable impact on hydrology and water quality following compliance with existing regulations. In addition, each future cumulative development Project is subject to compliance with existing regulations and would be required to address site-specific hydrology and water quality issues to City standards through implementation of recommendations outlined in site-specific hydrologic and water quality evaluations. Cumulative development would be required to construct on- and off-site facilities capable of offsetting any identified cumulative impacts to drainage and flooding conditions and would be required to mitigate potential water quality impacts. Therefore, the Proposed Project Alternative, in combination with cumulative projects, would have a less than significant cumulative impact on hydrology and water quality. (Draft EIR, pp. 4.9-24 through 4.9-25.)

K. LAND USE AND PLANNING

Cumulative projects with the potential to be considered in a cumulative context with the Proposed Project Alternative's incremental contribution, and which are included in the analysis of cumulative impacts relative to land use and planning, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0-1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.

The Proposed Project Alternative would result in less than significant impacts in regard to physically dividing an established community, conflicting with the goals and policies of applicable land use plans (including the City's General Plan and Development Code, County's General Plan, and 2016 RTP/SCS).

With regards to physically dividing an established community, cumulative impacts would be site specific and limited to areas in close proximity to the Project Area. The closest cumulative project to the Project Area is the Monarch Hills Residential Development Project, to the southwest of the Project Area along Lytle Creek Road; refer to Exhibit 4.0-1, Cumulative Projects (found at Draft EIR, p. 4.0-4). Development of the Monarch Hills Residential Development Project also would not physically divide any established communities; instead, it would connect to the existing Coyote Canyon residential area further southwest of the Project Area. As such, the Project Alternative would not result in cumulatively considerable impacts in this regard.

Future cumulative projects would also undergo a similar plan review process to determine potential land use planning policy and regulation conflicts. Each cumulative project would be analyzed independent of other projects, within the context of their respective land use, zoning, and regulatory setting. As part of the review process, each project would be required to demonstrate compliance with the provisions of the applicable land use designation(s) and zone(s). As with the Proposed Project Alternative, each project would be analyzed to determine potential conflicts with the applicable goals and

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policies of the applicable land use plans. Thus, the Project Alternative would not result in cumulatively considerable impacts.

Therefore, the Project Alternative would have a less than significant cumulative impact in this regard. Overall, cumulative land use and planning impacts would be less than significant. (Draft EIR, pp. 4.10-17 through 4.10-18.)

L. MINERAL RESOURCES

The Project Alternative would have no impact on mineral resources, as the Project site is not a known source of any mineral resources nor is it identified as a locally important mineral resource recovery site. (Draft EIR, p. 5.0-4.) No cumulative impact would occur.

M. NOISE

A project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. The combined effect compares the "Cumulative with Project" condition to "Existing" conditions. This comparison accounts for the traffic noise increase generated by a project combined with the traffic noise increase generated by projects in the cumulative project list. The following criteria have been utilized to evaluate the combined effect of the cumulative noise increase.

- Combined Effect. The cumulative with project noise level ("Future with Project") would cause a significant cumulative impact if (1) a 3.0 dB increase over existing conditions occurs and (2) the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the Proposed Project Alternative in combination with other related projects (combined effects), it must also be demonstrated that the Project Alternative has an incremental effect. In other words, a significant portion of the noise increase must be due to the Proposed Project Alternative. The following criteria have been utilized to evaluate the incremental effect of the cumulative noise increase.

- Incremental Effects. The "Future with Project" causes a 1.0 dBA increase in noise over the "Future without Project" noise level.

A significant impact would result only if both the combined and incremental effects criteria have been exceeded. Noise by definition is a localized phenomenon and reduces as distance from the source increases. Consequently, only the Proposed Project Alternative and growth due to occur in the Project site's general vicinity would contribute to cumulative noise impacts. Table 4.11-16, Cumulative Noise Analysis, (found at Draft EIR, p. 4.11-29) lists the traffic noise effects along roadway segments in the Project vicinity for "Existing," "Future without Project," and "Future with Project," conditions, including incremental and net cumulative impacts.

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As previously discussed, a significant impact would result only if all three significance criteria are exceeded: (1) Project noise levels result in a 3.0 dBA increase over existing conditions and (2) future Project noise levels exceed the applicable land use compatibility criterion and (3) the Project results in an incremental increase of 1.0 dBA or more. As shown in Table 4.11-16, Project Alternative generated traffic noise on all four roadway segments would exceed the first criteria for combined effects (increase of 3.0 dB over existing conditions) but only two roadway segments would exceed the "Normally Acceptable" land use standard of 50-60 dBA as identified in Table 4.11-6. Under incremental effects, only the road segment between the public access road and Sierra Avenue would result in a difference greater than 1.0 dBA when comparing future with and without Project. As shown in Table 4.11-16 of the Draft EIR, none of the roadway segments exceed all three criteria for cumulative impacts, therefore cumulative noise impacts would be less than significant. (Draft EIR, pp. 4.11-28 through 4.11-31.)

N. POPULATION AND HOUSING

The Project Alternative would have no impact on population and housing. (Draft EIR, pp. 5.0-4 through 5.0-5.) No cumulative impact would occur.

O. PUBLIC SERVICES AND RECREATION

Cumulative projects that would have the potential to be considered in a cumulative context with the Project Alternative's incremental contribution, and which are included in the analysis of cumulative impacts relative to public services and recreation, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0 1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.

Growth resulting from implementation of the identified cumulative projects would result in increased demand for police and fire services, parks and recreational facilities, and other public facilities such as schools and libraries. The City has incorporated the growth anticipated in the adopted General Plan into its long-range planning programs. Standard measures such as the payment of impact fees and the incorporation of needed public services and facilities would be addressed in the environmental analysis that is required for each cumulative project.

The potential impacts to public services and facilities associated with implementation of the Proposed Project Alternative were analyzed, and it was concluded that no significant impacts would occur. The proposed logistics facility would have the potential to generate limited population growth with the potential to impact public services and recreational facilities as a result of new employees relocating to the Project Area. Many factors influence personal housing location decisions (i.e., family income levels and the cost and availability of suitable housing in the local area). Further, many Project employees could already live in the City. According to the General Plan, businesses in the City employ 6,214 workers that live in Fontana and 40,358 workers that live outside the City. Thus, it would be highly speculative to estimate the number of future employees

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who would relocate to the City. Notwithstanding, the Project applicant would be required to pay its fair share of development impact fees to help offset incremental impacts to public services and recreational facilities by helping fund capital improvements and expenditures. As such, the Project Alternative's contribution to cumulative impacts related to public services and facilities is not cumulatively considerable. (Draft EIR, p. 4.12-14.)

P. RECREATION

The Project Alternative would have no impact on park and recreational facilities. (Draft EIR, p. 5.0-6.) Thus, no cumulative impacts would occur.

Q. TRANSPORTATION

Approved or pending projects within the City of Fontana, City of Rialto, and San Bernardino County anticipated to be completed prior to Project opening and forecast to contribute traffic to the study area were identified. Forecast traffic related to these future developments were added to the existing plus ambient growth traffic volumes. A total of 27 cumulative projects were considered and 18 cumulative projects were found to contribute traffic to the Project's study area. TIA Table 13, *Cumulative Projects Trip Generation*, presents the cumulative projects identified with the direction of City staff and the forecast trip generation estimated for each project, and TIA Exhibit 12, *Cumulative Project's Location Map*, identifies the relative location of each cumulative project to the Proposed Project site.

Construction activities associated with the Project Alternative and nearby cumulative projects may overlap and result in temporary traffic impacts to local roadways. However, as stated, Project construction would not result in significant traffic impacts upon implementation of a construction TMP required under **Mitigation Measure TR-1**. Cumulative development projects would also be required to reduce construction traffic impacts on the local circulation system and implement any required mitigation measures that may be prescribed pursuant to CEQA provisions. Therefore, the Project Alternative's contribution to cumulative construction traffic impacts would not be considerable.

A cumulative impact analysis was provided under Section G-(b), Conflict With Applicable Roadway Plans, and included analyses for Existing With Project, Opening Year (2020) With Project and Horizon Year (2040) With Project conditions. As summarized in the Draft EIR, Tables 4.13-11 through 4.13-16, all study intersections are anticipated to operate at an acceptable LOS (LOS C or better) during peak hours with the Project except for following intersections:

- Existing With Project
  - Sierra Avenue / Riverside Avenue (Intersection No. 9) – LOS F in AM and PM peak hours
- Opening Year (2020) With Project

- Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) – LOS F in PM peak hours

- Horizon Year (2040) With Project
  - Sierra Avenue / I-15 Southbound Ramps (Intersection No. 7) – LOS F in AM peak hours
  - Sierra Avenue / I-15 Northbound Ramps (Intersection No. 8) – LOS F in PM peak hours

The City has plans to construct an additional northbound lane on Sierra Avenue and install a new traffic signal at the Sierra Avenue / Riverside Avenue intersection, which would reduce the Project Alternative's cumulative impacts under Existing With Project conditions to less than significant levels. However, given the jurisdictional issues discussed above, no feasible mitigation is available to reduce the Project Alternative's cumulative traffic impacts under Opening Year (2020) With Project and Horizon Year (2040) With Project conditions, and would result in in significant and unavoidable impacts.

Additionally, as detailed under Section 5, C—1(b), Conflict With Applicable Roadway Plans, the Project Alternative would result in cumulatively significant and unavoidable impacts related to I-15 freeway mainline and on and off ramps. Under Existing and Existing With Project conditions, all three study freeway mainline segments are operating at LOS D. Under Opening Year (2020) and Horizon Year (2040) conditions with and without the Project Alternative, freeway segments analyzed are forecast to operate at LOS E and F respectively.

Freeway on and off ramps at Sierra Avenue are currently operating at LOS C, D, and E for Existing and Existing With Project conditions. Under Opening Year (2020) and Horizon Year (2040) Without and With Project conditions, freeway on and off ramps analyzed are forecast to operate at LOS F.

As stated above, improvements at study area freeway mainline segments and freeway on and off ramps are not planned or funded by Caltrans at this time, and jurisdictional issues preclude the City from identifying, mandating, or constructing improvements to freeway mainline segments or on and off ramps. Therefore, mitigation measures at these locations have not been proposed and as such, impacts at these freeway mainline segments and ramps locations are considered significant and unavoidable. (Draft EIR, pp. 4.13-29 through 4.13-30.)

R. TRIBAL CULTURAL RESOURCES

Cumulative projects that would have the potential to be considered in a cumulative context with the projects' incremental contribution, and that are included in the analysis of cumulative impacts relative to land use and planning, are identified in Table 4.0 1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.

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Ongoing development and growth in the broader Project Area may result in a cumulatively significant impact to cultural resources, tribal cultural resources, and paleontological resources due to the continuing disturbance of undeveloped areas, which could potentially contain significant, buried archaeological, paleontological, or tribal cultural resources. Because there is always a potential to encounter unrecorded archaeological, tribal cultural, and paleontological resources during construction activities, no matter the location or sensitivity of a particular site, **Mitigation Measures CR-2** and **CR-3** are required to protect, preserve, and maintain the integrity and significance of cultural, tribal cultural, and/or paleontological resources in the event of the unanticipated discovery of a significant resource.

As discussed above, the individual, Project-level impacts were found to be less than significant with incorporation of mitigation measures, and the Proposed Project Alternative would be required by law to comply with all applicable federal, state, and local requirements related to historical, archaeological, paleontological, and tribal cultural resources. Other related cumulative projects would similarly be required to comply with all such requirements and regulations, to be consistent with the provisions set forth by CEQA, and to implement all feasible mitigation measures should a significant project-related or cumulative impact be identified. Therefore, cumulative impacts would be less than significant with mitigation. (Draft EIR, pp. 4.14-12 through 4.14-13.)

S. UTILITIES AND SERVICE SYSTEMS

Cumulative projects that would have the potential to be considered in a cumulative context with the Proposed Project Alternative's incremental contribution, and that are included in the analysis of cumulative impacts relative to utilities and service systems, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0 1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.

The Proposed Project Alternative would result in an incremental increase in wastewater generation. However, given the existing available wastewater facility capacity, the wastewater treatment needs of the Proposed Project Alternative—together with related past, present, and reasonably foreseeable future projects—would not result in the need for new or expanded wastewater treatment facilities that could result in significant environmental impacts or that could cause the wastewater treatment to exceed the capacity of the wastewater treatment facilities. The cumulative impact with respect to wastewater treatment capacity would be less than significant.

The Proposed Project Alternative would result in an incremental increase water demand. However, given the existing available water supply, the water supply needs of the Proposed Project Alternative—together with related past, present, and reasonably foreseeable future projects—would not result in the need for new or expanded water entitlements that could result in significant environmental impacts. As discussed above, the 2015 RUWMP assessed the projected water demand and supply in West Valley's service area and concluded that West Valley has, and will have, an adequate water supply to meet all demands within its service area to 2040 (West Valley Water District 2015). In

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addition, as discussed in the WSA prepared for the Proposed Project Alternative, West Valley has verified that it has the water supplies available during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand associated with the Proposed Project Alternative, in addition to existing and planned future uses.

The cumulative impact with respect to water supply would be less than significant. In addition, as with the Proposed Project Alternative, any cumulative projects are required to conduct environmental review under CEQA and are approved by the City on a project-by-project basis. Since the Proposed Project Alternative would not have a significant impact on water supply and would have adequate water infrastructure improvements, the Project Alternative would not combine with other cumulative projects to result in significant water supply and infrastructure impacts.

Future projects in the area would result in a cumulative increase in stormwater runoff that would drain into the existing stormwater drainage system in Fontana. The Proposed Project Alternative would construct storm drain improvements that would include the installation of underground collection pipes, and a 3-acre on-site detention flood control/infiltration basin would be constructed on the southeast portion of the Logistics Site. Similar to the Proposed Project Alternative, future projects would be required to conduct environmental review and construct project-specific drainage features in accordance with the provisions of the City's Master Drainage Plan. Since the Proposed Project Alternative would not have a significant impact on existing stormwater drainage facilities, the Project Alternative would not combine with other cumulative projects to result in significant impacts regarding stormwater drainage.

Future projects in the area would increase solid waste generation and decrease available capacity of the landfills in the area. However, as with the Proposed Project Alternative, these projects have been, or would be, required to conduct environmental review. Furthermore, the Mid-Valley Sanitary Landfill is projected to have sufficient capacity to serve current and future needs through 2033. The Project Alternative would not combine with other cumulative projects to result in significant impacts to solid waste.

No significant cumulative impact is anticipated regarding utilities and service systems, and the Project Alternative's contribution is not considered cumulatively considerable. (Draft EIR, pp. 4.15-16 through 4.15-17.)

T. WILDFIRE HAZARDS

Cumulative projects that would have the potential to be considered in a cumulative context with the project's incremental contribution, and that are included in the analysis of cumulative impacts relative wildfire hazards, are identified in Table 4.0-1, Cumulative Projects, and Exhibit 4.0-1, Cumulative Projects, in Section 4.0, Introduction to Environmental Analysis, of the Draft EIR.

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Like the Proposed Project Alternative, cumulative development occurring within FHSZs would be subject to risk of wildfire hazards. Development of cumulative projects occurring within FHSZs would be subject to compliance with the 2016 California Building Code (or the most current version) and the 2016 Edition of the California Fire Code (Part 9 of Title 24 of the California Code of Regulations). All proposed construction would be required to meet minimum standards for fire safety. Development occurring within the City of Fontana would be subject to review by the City and FFPD to ensure cumulative development is designed to provide a minimum of fire safety and support fire suppression activities, including compliance with state and local fire codes, fire sprinklers, a fire hydrant system, paved access, and secondary access routes. Implementation of these plans and policies, in conjunction with compliance with the Fire Code and City and FFPD, would ensure cumulative impacts with respect to wildfire hazards are less than significant.

As indicated above, the Proposed Project Alternative would not result in significant wildfire hazard impacts following conformance with the California Building Code, California Fire Code, Municipal Code, and City and FFPD requirements. The Project Alternative's proposed realignment of Lytle Creek Road would improve area circulation and better allow FFPD emergency access to the Project Area. Thus, the Proposed Project Alternative and identified cumulative projects are not anticipated to result in a significant cumulative impact. (Draft EIR, p. 4.16-13.)

SECTION 7: FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Sections 15126(c) and 15126.2(c) of the State CEQA Guidelines, require that an EIR address any significant irreversible environmental changes that would occur should the Project Alternative be implemented. Generally, a project would result in significant irreversible environmental changes if any of the following would occur:

- The project would involve a large commitment of non-renewable resources;
- The primary and secondary impacts of the project would generally commit future generations to similar uses;
- The project involves uses in which irreversible damage could result from any potential environmental accidents; or
- The proposed consumption of resources is not justified.

Here, more information on these significant and unavoidable impacts is found in Section 4 of the Revised Draft EIR and supporting appendices.

- Air Quality
  - Impact 4.2-1: The Project Alternative would potentially conflict with or obstruct implementation of the applicable air quality plan (or applicable air quality thresholds);

- Impact 4.2-2: The Project Alternative would violate an air quality standard or contribute substantially to an existing or projected air quality violation; and
- Impact 4.2-5: The Project Alternative would potentially create a cumulative air quality impact.

- Cultural Resources
  - Impact 4.4-1: The Project Alternative would potentially cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; and
  - Impact 4.4-5: The Project Alternative would potentially result in cumulative impacts to cultural resources.

- Traffic and Circulation
  - Impact 4.13-1: The Project Alternative would potentially conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;
  - Impact 4.13-2: The Project Alternative would conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; and
  - Impact 4.13-5: The Project Alternative would potentially result in cumulatively significant traffic and circulation impacts.

Significant Irreversible Environmental Changes

Section 15126.2(c) of the State CEQA Guidelines requires an EIR to discuss the significant irreversible environmental changes that would result from implementation of a proposed project. Examples include: primary or secondary impacts of the project that would generally commit future generations to similar uses (e.g., highway improvements at the access point); uses of nonrenewable resources during the initial and continued phases of the project (because a large commitment of such resources make removal or nonuse thereafter unlikely); and/or, irreversible damage that could result from any potential environmental accidents associated with the project.

Potential environmental accidents of concern include those events that would adversely affect the environment or public due to the type or quantity of materials released and the receptors exposed to that release. Demolition and construction activities associated with the Proposed Project Alternative would involve some risk of environmental accidents. However, these activities would be conducted in accordance with all applicable federal, state, and local regulations, and would follow professional industry standards for safety. Once operational, any materials associated with

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environmental accidents would comply with applicable federal, state, and local regulations.

Implementation of the Proposed Project Alternative would require the long-term commitment of land and natural resources as follows:

- Construction of the Proposed Project Alternative would require the use of water, timber, steel, sand, gravel, and other minerals and natural resources. Although these uses are not considered an unusual demand for these resources during construction, they nonetheless represent an incremental increase in demand for nonrenewable resources.
- Nonrenewable energy sources such as oil-based fuels would be used during construction and subsequent operation of the Proposed Project Alternative; and
- Heavy machinery would be used during construction, resulting in proportionate air emissions and noise levels.

Once the average 50-to-100-year life span of the Proposed Project Alternative is reached, it is probable that the site would continue to support industrial uses. The large investment of capital resources that would be expended on the Proposed Project site, infrastructure, and amenities would likely continue beyond the average life span of the project. Consequently, the Project Alternative would largely commit the project site to similar uses in the future.

Construction and implementation of the Proposed Project Alternative would commit energy, labor, and building materials. This commitment would be commensurate with that of other projects of similar nature and magnitude. Energy, labor, and building materials would also be committed to the construction of buildings and infrastructure necessary to support the redevelopment of the existing site. Ongoing maintenance of the project site would entail a long-term commitment of energy resources in the form of natural gas and electricity. This commitment of energy, labor, and building materials would be a long-term obligation, because once the project site has been developed, it is highly unlikely that the land could be returned to its original condition. (Draft EIR, pp. 6.0-1 through 6.0-3.)

SECTION 8: FINDINGS REGARDING GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the State CEQA Guidelines requires a Draft EIR to discuss the ways the Project Alternative could foster economic or population growth or the construction of additional housing, directly or indirectly, in the surrounding environment. Growth-inducing impacts include the removal of obstacles to population growth (e.g., the expansion of a wastewater treatment plant allowing more development in a service area) and the development and construction of new service facilities that could significantly affect the environment individually or cumulatively. In addition, growth must not be assumed as beneficial, detrimental, or of little significance to the environment.

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It should be noted that the Proposed Project Alternative involves the development of an industrial warehouse facility and does not include the construction of any new housing. As such, the Project Alternative is not expected to foster direct population growth. While the Proposed Project Alternative could have the potential to indirectly generate population as a result of new employees relocating to the Project area, potential indirect population growth would be limited.

Removal of Barrier to Growth

Projects that physically remove obstacles to growth, or projects that indirectly induce growth, are those that may provide a catalyst for future unrelated development in the area. Several types of projects can induce population growth by removing obstacles that prevent growth. An example of this type of project would be the expansion of a wastewater treatment plant, which would accommodate additional sewer connections within a service area, and therefore, would allow future construction and growth.

The Project Applicant proposes to construct a single approximately 1,175,788 square-foot concrete tilt up logistics warehouse building within an approximately 76-acre property, with associated facilities and improvements such as a guard booth, parking, landscaping, and drainage facilities. Parking and site paving would be concrete and asphalt, and would represent approximately 77 percent of the site coverage. All existing structures on the Project site would be demolished prior to Project construction.

The proposed infrastructure enhancements and upgrades, including roadways, water system, sewer system and storm drain system, would be designed to accommodate the Proposed Project Alternative. These infrastructure capacity increases would remove impediments that currently inhibit growth associated specifically with the Proposed Project site, resulting in the potential environmental impacts as discussed throughout this Draft EIR. However, the proposed infrastructure improvements have been sized to serve the Proposed Project Alternative and do not contain adequate excess capacity to support substantial, unplanned growth. Therefore, growth-inducing impacts are precluded because the infrastructure is sized to serve only the Proposed Project Alternative.

Economic Growth

The Proposed Project Alternative would require a temporary construction workforce and a permanent operational workforce, both of which could potentially induce population growth in the Project area. The temporary workforce would be needed to construct the warehouse building and associated improvements, as well as the roadway associated with the Lytle Creek Road realignment. The Project Alternative is anticipated to be developed in one phase. Should the Project Alternative be approved, construction is anticipated to commence in late 2019 and be completed in late 2020.

Because the future tenants are not yet known, the number of jobs that the Proposed Project Alternative would generate cannot be precisely determined. Therefore, for the purposes of this analysis, employment estimates were calculated using average employment density factors reported by the Southern California Association of

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Governments (SCAG). SCAG reports that for every 2,111 square feet of warehouse space in San Bernardino County, the median number of jobs supported is one employee (SCAG 2001). The Project Alternative would include approximately 1,175,788 square feet of warehouse space. As such, the estimated number of employees required for operation would be approximately 1,000 people.

According to the SCAG Demographics & Growth Forecast (an appendix to the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy) (SCAG 2016), employment in the City of Fontana is anticipated to grow from 47,000 in 2012 to 70,800 in 2040. The Project-related increase of 1,000 employees would be minimal in comparison to the increase anticipated in the SCAG Growth Forecast.

In addition, data provided by the California Employment Development Department in January 2017 found that the unemployment rate for Riverside and San Bernardino Counties is at 5.2%, which is above the state (5.0%) and national (4.5%) averages. As such, the Project Alternative's temporary and permanent employment opportunities could be met by the City of Fontana's existing labor force without people needing to relocate into the Project region, and the Project Alternative would not stimulate significant population growth or a population concentration above what is assumed in local and regional land use plans. While there is potential that employees could move to the City for jobs at the Proposed Project Alternative, indirect growth would be limited.

Establishment of a Precedent-Setting Action

The Proposed Project Alternative includes a General Plan Amendment to change the existing land use designation from Residential Estate (R-E) to Light Industrial (M 1). In order to accommodate the proposed Logistics Facility, the Proposed Project Alternative includes a change of zone on approximately 76 acres of the Project Area to change the pre-zoning from Residential Estate (R-E) to Light Industrial (M-1) (refer to the Draft EIR, Section 3.0, Project Description, for detailed information regarding the proposed General Plan Amendment). The Proposed Project Alternative also includes an annexation of a total of 21 parcels and portions of road right-of-way (ROW) encompassing approximately 152-acres into the City of Fontana. Additionally, the Proposed Project Alternative includes a General Plan Amendment to change the General Plan Circulation Element designation for Lytle Creek Road from a four-lane Secondary Highway to a two-lane Collector. The Proposed Project Alternative also includes the amending of the Zoning Code of a 12.-5 acre site as Medium Density Residential (R-2) to accommodate the future development of up to 150 units. None of these actions are considered precedent setting actions (defined as any act, decision, or case that serves as a guide or justification for subsequent situations), as they are commonly undertaken on a regular basis by many jurisdictions. Therefore, less than significant impacts would occur in this regard. (Final EIR, pp. 2.0-13 through 2.0-14.)

Conclusion

The Proposed Project Alternative does not include the construction of new houses and is not anticipated to result in a substantial increase in population. As outlined above,

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areas where rural residences may be established and where associated related animal uses may be permitted; prevent inappropriate demand for urban services; and establish areas where nonagricultural activities are the primary use of the land, but where agriculture and compatible uses may co-exist. Institutional uses are intended to identify existing lands and structures committed to public facilities and public agency uses and proposed public facilities, where site selection has not occurred; provide areas for development of future public facilities to meet public needs; enable identification of potential facility locations that satisfy both community and regional needs relating to the population levels being served; and identify potential facility sites in advance of immediate need so that facility design and location may be based on the character of the area being served and can also be compatible with and supportive of the comprehensive plans of agencies within the facility service area.; refer to Table 3.0-7, Description of Land Use Designations, of the Draft EIR.

As such, the following discussion evaluates the potential environmental impacts associated with development of the Project Area pursuant to its existing zoning and land use designations, as compared to impacts from the Project. (Draft EIR, pp. 8.06 through 8.07.)

Impacts:

Aesthetics and Visual Resources

Under the No Project Alternative, the majority of the Project Area would be developed with Single Residential and Rural Living development as currently permitted under the County General Plan. Institutional uses would also be permitted; however, these uses would be limited to the northeast limits of the Project Area.

Conversely, the Proposed Project includes a change of zone on approximately 76 acres of the Project Area from R-E to Light Industrial (M-1) in order to accommodate the Logistics Site; refer to Exhibit 3.0-7a, Proposed Pre-Zoning Designations – Option 1.

Development occurring on the Project Area in accordance with the County's existing zoning would be less intensive than the Proposed Project. As a result, the No Project Alternative would have similar less than significant impacts to scenic resources as the Proposed Project. Both the No Project Alternative and the Proposed Project would have no impact on scenic resources within a scenic highway, since no scenic highways exist within the vicinity of the Project Area. The No Project Alternative would better preserve the existing visual character or quality of the Project Area as it would facilitate similar development to existing conditions (i.e., a single residential and rural living land uses on the majority of the Project Area with institutional uses permitted in the northeastern extent of the site) and would decrease the potential for the introduction of additional sources of light or glare. The No Project Alternative would have similar less than significant impacts to visual character/quality in this regard.

Air Quality

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Under the No Project Alternative, the majority of the Project Area would be developed with Single Residential and Rural Living development as currently permitted under the County General Plan. Institutional uses would also be permitted; however, these uses would be limited to the northeast limits of the Project Area. Based on reduced development intensity of these land use designations, the No Project Alternative would substantially reduce and/or avoid the Proposed Project's short-term construction and long-term operational impacts to air quality. This Alternative would also likely be consistent with the 2016 Air Quality Management Plan (2016 AQMP). Thus, the Proposed Project's significant and unavoidable long-term operational air emissions and cumulative operational emissions would be eliminated under this alternative.

The No Project Alternative would avoid the Project's significant and unavoidable impacts pertaining to long-term operational air emissions and cumulative operational emissions, and would maintain consistency with the 2016 AQMP.

Biological Resources

Based on reduced development intensity that could be developed under the County's existing land use designations and Land Use Zoning Districts for the Project Area, the No Project Alternative would have fewer impacts to special status plant, wildlife species, and sensitive vegetation communities than the Project which also has a less than significant impact, but would most likely result in a greater disturbance to land area than the No Project Alternative. As with the Project, the No Project Alternative would have no impact to federally protected wetlands as none are present on the Project Area. Nonetheless, any construction activities that would result from the No Project Alternative would have the potential to disturb biological resources on-site. As a result, the No Project Alternative would result in similar impacts to the Project, which could be reduced to less than significant through compliance with **Mitigation Measures BIO-1** through **BIO-4** that were identified for the proposed Project.

Cultural Resources

The No Project Alternative would avoid the Project's significant and unavoidable impacts to historic resources, as it would not involve demolition of the stone house at 4055 Lytle Creek Road, which is already developed pursuant to the County's intended Single Residential [RS] land use for the site. As discussed in the Draft EIR, Section 4.4, Cultural Resources, no archaeological resources were recorded on the Project Area during the field investigation, and none are known to occur on-site. Nonetheless, any construction activities would have the potential to disturb unknown archaeological resources on-site, if present. As a result, the No Project Alternative would result in similar less than significant impacts to archaeological resources with **Mitigation Measure CR-2** and **CR-3**. Impacts to human remains would also be similar to the Proposed Project. Because the No Project Alternative could avoid demolition of the stone house, the No Project Alternative would avoid the Proposed Project's significant and unavoidable impacts to cultural resources.

Energy

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Compared to the Proposed Project, impacts from energy usage related to electricity consumption would commensurately be reduced given that the development intensity allowed under the County's existing land use designations and Land Use Zoning Districts for the Project Area would be less than the Proposed Project. Demands for electricity would also be reduced. Thus, the No Project Alternative would result in similar less than significant energy demands as compared to the Proposed Project.

Geology and Soils

None of the geologic conditions or hazards affecting the Project Area would be altered as a result of the No Project Alternative. Like the Proposed Project, potential development associated with the No Project Alternative could require deeper excavations in older finer-grained Quaternary deposits, as this soil type is common throughout the northwestern portion of the Project Area and adjacent to the southwestern portion of the Project Area; refer to Appendix D, *Cultural Resources Assessment*. These activities have the potential to encounter significant remains of fossil vertebrates. As a result, the No Project Alternative would have similar impacts to the Proposed Project and its impacts would be less than significant with implementation of **Mitigation Measures GEO-2** and **GEO-3**.

However, the reduced intensity of development permitted under the County's existing land use designations (a mixture of Single Residential 1-acre minimum, Institutional, Rural Living, and Resource Conservation uses) and Land Use Zoning Districts for the Project Area would proportionally reduce the number of persons exposed to potential adverse effects associated with seismic, geologic, and soil hazards. It should be noted, however, that development consistent with the County's General Plan and zoning would introduce housing to the area. The No Project Alternative would result in less than significant impacts similar to the Proposed Project in this regard.

Greenhouse Gas Emissions

Based on the reduced intensity of development permitted under the County's existing land use designations and Land Use Zoning Districts for the Project Area, the No Project Alternative would reduce the amount of GHG emissions compared to the emissions anticipated under the Proposed Project. With **Mitigation Measures GHG-1** and **AQ-4**, the Proposed Project would reduce impacts to less than significant. (Final EIR, p. 2.0-15.)

Under the No Project Alternative, GHG emissions would be substantially reduced when compared to the Proposed Project due to the elimination of the truck trips associated with the Logistics Center. Like the Proposed Project, the No Project Alternative would result in less than significant impacts.

Hazards and Hazardous Materials

None of the hazards and hazardous materials affecting the Project Area would be altered as a result of the No Project Alternative. However, none of the existing buildings

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on-site would be demolished under the No Project Alternative. As a result, the No Project Alternative would not result in the potential hazards to the public or environment through foreseeable upset and accident conditions involving the release Asbestos Containing Materials (ACMs) or Lead-Based Paint (LBP) into the environment, as ACM and LBP materials generally pose no risk unless they are damaged or cut (i.e., demolition and/or removal of structures containing these materials). Like the Proposed Project, the No Project Alternative would not involve significant impacts related to emitting or handling hazardous materials within one-quarter mile of a school, hazardous materials sites compiled pursuant to Government Code Section 65962.5 and airport-related hazards, since these hazards do not affect the Project Area; refer to the Draft EIR Section 4.7, Hazards and Hazardous Materials.

Hydrology and Water Quality

Based on reduced development intensity allowed under County's existing land use designations and Land Use Zoning Districts for the Project site, the No Project Alternative would proportionally reduce the amount of anticipated hardscapes. Like the Proposed Project, development occurring pursuant to the County's existing land use designations and zoning which disturb more than one acre of soil would be required to obtain coverage under the National Pollutant Discharge Elimination System (NPDES) and demonstrate compliance with Title 3, Division 5, Chapter 1 of the San Bernardino County Code to reduce short-term construction-related impacts to water quality to a less than significant level. Similar to the Proposed Project, development occurring pursuant to the County's existing land use and zoning designations for the Project Area would not interfere with groundwater recharge activities associated with the Chino Basin and would involve less than significant impacts concerning erosion or siltation and flooding. The No Project Alternative is also not expected to create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff subject to compliance with the City's Master Drainage Plan.

As compared to the Proposed Project, the No Project Alternative would have fewer impacts with respect to hydrology and water quality simply as a result of the reduced hardscapes anticipated if development under the County's existing land use designations and Land Use Zoning Districts for the Project site were implemented.

Land Use and Relevant Planning

As the No Project Alternative would not demolish the eight on-site residential units and would be developed pursuant to the County's existing land use designations for the project site, implementation of the No Project Alternative would involve similar less than significant impacts related to the division of an established community and the potential to conflict with an applicable land use plan, policy, or regulation. As a result, the No Project Alternative's impacts would be similar to the Proposed Project concerning land use and planning.

Noise

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As discussed, the No Project Alternative would allow development in accordance with the site's existing County land use designations and Land Use Zoning Districts under the jurisdiction of the County. The reduced development intensities allowed under the Project Area's existing land use designations and zoning would proportionally reduce anticipated construction and operational noise and vibration as compared to the Proposed Project. As such, the No Project Alternative would involve similar mitigated less than significant impacts related to construction noise and vibration and operational noise (mobile and stationary sources) as compared to the Proposed Project.

Public Services and Recreation

The reduced development intensities allowed under the site's existing County land use designations and Land Use Zoning Districts would proportionally reduce anticipated construction and operational impacts to certain public services, such as fire and police protection services. The Proposed Project would develop a logistics center, and, as such, its implementation would not induce area population growth or increase demand for local or regional parks and recreational facilities. However, the residential development which would be permitted under the No Project Alternative would increase demand for local or regional parks and recreational facilities. As a result, the No Project Alternative would involve greater impacts to parks and recreational facilities than the Proposed Project. The impacts to public services would be similar to the Proposed Project.

Transportation

The reduced development intensities allowed under the site's existing County land use designations and Land Use Zoning Districts would result in a proportionate reduction of average daily trips and traffic and circulation impacts within the Project vicinity in comparison to the Project. As a result, this Alternative would likely avoid the Project's identified significant and unavoidable impacts for Existing, Opening Year (2020), and Horizon Year (2040) With Project Conditions. This alternative would have reduced traffic impacts in comparison the Proposed Project.

Tribal Cultural Resources

As indicated in the Draft EIR, Section 4.14, Tribal Cultural Resources, the San Manuel Band of Mission Indians has indicated that the Project Area has the potential to support tribal cultural resources as part of the Project's AB 52 consultation. As a result of the tribal consultation process, the City has agreed to implement **Mitigation Measures CR-2** and **CR-3**. Similar to the Proposed Project, development associated with the No Project Alternative would have the potential to impact tribal cultural resources during ground disturbing activities. Impacts to tribal cultural resources would be similar to the Proposed Project in this regard.

Utilities and Service Systems

Compared to the Proposed Project, impacts related to utilities and service systems under the No Project Alternative would be commensurately reduced given that

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development intensity allowed under the County's existing land use designation and Land Use Zoning Districts for the Project site would be reduced. Water and dry utility demands and wastewater and solid waste generation on-site would be proportionally reduced. The Proposed Project has a less than significant impact on public services and utilities. The No Project Alternative would have reduced demand, but would also have a similar less than significant impact.

Wildfire

The Project Area and other undeveloped natural areas to the north, east, and south represent a potential wildland fire threat to surrounding uses. The Proposed Project would develop a logistics center, and, as such, its implementation would not induce area population growth or substantially increase demand for fire protection services. The residential uses permitted under the No Project Alternative may be more vulnerable to wildfire than the industrial uses which would be permitted under the Proposed Project due to development materials, landscaping and other attributes. The No Project Alternative would not realign Lytle Creek Road to improve area circulation and better allow the Fontana Fire Protection District (FFPD) emergency access to the Project Area. As a result, this alternative may have greater impacts than the Proposed Project.

(Draft EIR, pp. 8.0-7 through 8.0-12; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-7 through 8.0-12.)

Objectives: The No Project Alternative assumes development consistent with the General Plan and zoning of the County. Because no logistics facility would be constructed and Lytle Creek Road would not be realigned the No Project Alternative would not accomplish any of the project objectives:

Objective	Discussion
Objective 1: Implement the City of Fontana's desire to have uses that capitalize on nearby transportation corridors and truck routes and that stimulate employment.	The No Project Alternative would not establish any logistics or warehousing uses, thus not capitalizing on transportation corridors. Also, the City would not annex the Project Area. The No Project Alternative would not achieve this objective.
Objective 2: Improve area circulation via the realignment of Lytle Creek Road.	The No Project Alternative would not include any realignment of Lytle Creek Road. The No Project Alternative would not achieve this objective.

Objective 3: Facilitate goods movement for the benefit of local and regional economic growth.	The No Project Alternative would not establish any logistics or warehousing uses, thus not capitalizing on transportation corridors or facilitating goods movement for the benefit of local or regional growth. No new jobs would be created through a logistics facility. The No Project Alternative would not achieve this objective.
Objective 4: Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs.	The No Project Alternative would not establish any logistics or warehousing uses, and would be developed consistent with County zoning, which proposes residential uses. The No Project Alternative, therefore, would not generate any additional employment opportunities and would not benefit the City's and County's jobs-housing ratios, as discussed in Chapter 5 of the EIR. The No Project Alternative would not achieve this objective.
Objective 5: Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.	The No Project Alternative would not establish any logistics or warehousing uses, thus not capitalizing on area infrastructure and the Project Area's location in proximity to commercial/industrial uses. The No Project Alternative would not achieve this objective.
Objective 6: Development of a logistics facility that is economically viable and provides long term fiscal benefits to the City.	The No Project Alternative would not establish any logistics or warehousing uses. Therefore, it would not achieve this objective.

(Draft EIR, pp. 8.0-12 through 8.0-13; Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-12 through 8.0-13.)

Findings: The City Council rejects Alternative 1: No Project Alternative on the following ground, which provides sufficient justification for rejection of this alternative: (1) the alternative fails to meet any of the Project objectives.

2. Alternative 2 – Reduced Project Alternative

Description: The Reduced Project Alternative would reduce development of the Project by approximately 25.4 percent, constructing an 877,000 square foot industrial

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building as compared to the Project's proposed approximately 1,175,788 square foot building. Given the 25.4 percent reduction in development, it is assumed that the building footprint and required parking spaces would be slightly reduced, and thus providing slightly more pervious areas on-site.

The Reduced Project Alternative was selected for analysis due to its ability to avoid the Proposed Project's significant and unavoidable impacts to historic resources (the Stone House at 4055 Lytle Creek Road). A 25.4 percent reduction in development could potentially lessen the significant and unavoidable impacts for the Project related to air quality (operational air emissions and consistency with the 2016 AQMP), and transportation (Existing With Project Conditions, Opening Year (2020) With Project Conditions, and Horizon Year (2040) With Project Conditions). (Draft EIR, p. 8.0-13.)

Impacts:

Aesthetics and Visual Resources

Both the Proposed Project and the Reduced Project Alternative would have short-term visual impacts associated with demolition, grading, and construction activities. Although this alternative would result in 25.4 percent less development, construction-related impacts to visual character/quality would be only nominally reduced, if not similar, to the Proposed Project.

Under this alternative, the long-term visual character of the Logistics Site and its surroundings would be altered to a lesser degree than the Proposed Project, since the site would be developed with an 877,000 square foot industrial building as compared to the Project's proposed approximately 1,175,788 square foot building. However, even with a 25.4 percent reduction in building square footage, the industrial building would continue to be the predominant view of and across the site. Views of the San Gabriel Mountains would continue to be obstructed under this alternative. However, as discussed in Section 4.1, the Logistics Site is developed with significant electrical infrastructure, including power lines and towers, are visible in the foreground. These features significantly lessen the existing quality of views of the San Gabriel Mountains from I-15. As a result, this alternative would have similar less than significant impacts to scenic resources (i.e., views of the foothills of the San Gabriel Mountains) as the Proposed Project. Additionally, the industrial development, including its infrastructure improvements, would be designed similarly under both scenarios. As such, the visual character and quality of the industrial development would be similar to the Proposed Project. Because the building materials used in construction of this alternative would be similar to those of the Project, and because all development would be required to comply with applicable lighting standards, impacts to lighting and glare would be similar to the Project.

Air Quality

The 25.4 percent reduction in development density under this alternative would result in fewer short-term air quality emissions associated with construction activities,

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proposed by the Project, and Lytle Creek Road would be realigned. These roadways would straddle the house site, which would remain immediately adjacent to the logistics facility. With the Reduced Project Alternative, the character of the Logistics Site would be changed from largely undeveloped to industrial uses. Although the larger site has been used and disturbed in the past, most of the site consists of undeveloped land associated with past agrarian activities. The Reduced Project Alternative would change this character significantly, which would impact the historic setting of the house site. As noted in Section 4.4 of the EIR, the house is considered historic based partly on its setting. Table 4.4-1 (found at Draft EIR, p. 4.4-14) explains that the house was constructed "within the context of twentieth century farming and ranching. An excellent example of a local family ranch compound." With even a smaller logistics facility, the substantial changes to the surrounding environment would materially alter the setting of the historic resource. As such, although the historic stone house would not be physically destroyed by the Reduced Project Alternative, significant impacts to the historic resource would remain.

Energy

Compared to the Proposed Project, impacts from energy usage related to electricity consumption under the Reduced Project Alternative would be commensurately reduced given that development intensity would be reduced by 25.4 percent. Demands for electricity would be proportionally reduced. Thus, although the Proposed Project would result in a less than significant energy impact, that impact would be further reduced under this alternative.

Geology and Soils

Given that the site limits would remain the same under the Proposed Project and the Reduced Project Alternative, none of the site-specific geologic conditions and hazards would be altered under this alternative. However, reducing overall development by 25.4 percent would proportionally reduce the number of workers on-site. As such, this alternative would expose fewer people to potential adverse effects associated with seismic, geologic, and soil hazards. Like the Proposed Project, the Reduced Project Alternative would also involve less than significant impacts concerning geology and soils.

Greenhouse Gas Emissions

Based on Table 4.7-1, Project Greenhouse Gas Emissions, (found at Final EIR, Attachment 1—Draft EIR, p. 4.7-13) the Project would generate 12,618.90 metric tons of carbon dioxide equivalent per year (MTCO2eq/yr) and would exceed SCAQMD's threshold for industrial and warehouse projects. Therefore, **Mitigation Measures GHG-1** and **AQ-4** would be implemented to reduce operational mobile GHG emissions to the extent feasible. With implementation of **Mitigation Measures GHG-1** and **AQ-4**, the Warehouse Facility's long-term operational emissions would be approximately 9,949 MTC02e per year (including construction emissions) and would not exceed the GHG significance threshold of 10,000 MTCO2eq/yr. Although this alternative would reduce development by 25.4 percent, an 877,000 square foot industrial building would generate 9,413.7 MTCO2eq/yr and thus would not exceed the GHG significance threshold of

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10,000 MTCO2eq/yr due to the substantial increase in mobile GHG emissions from operational vehicle and truck trips. Thus, this alternative would not be required to implement **Mitigation Measure GHG-1** and **Mitigation Measure AQ-4** to reduce the Reduced Project's GHG emissions below SCAQMD's threshold. As a result, the Reduced Project Alternative would result in similar less than significant impacts from GHG emissions.

Hazards and Hazardous Materials

Demolition of existing residential uses under the Reduced Development Alternative could similarly release hazardous materials into the environment through reasonably foreseeable upset and accident conditions involving LBPs and ACMs; however, this impact can be mitigated to less than significant. This alternative would reduce development intensity by 25.4 percent, and thus would likely require a shorter construction period and less overall construction; however, the same materials would be utilized. As such, the Proposed Project's mitigated less than significant impacts related to hazards and hazardous materials during construction would similar to, but potentially slightly less than the Proposed Project. In addition, long-term operational impacts related to the transport, use, and/or storage of hazardous materials under this alternative could be commensurately reduced although the materials used and stored at the logistics facility would be the same under either circumstance.

Hydrology and Water Quality

Like the Proposed Project, the Reduced Project Alternative would be required to comply with NPDES requirements and the San Bernardino County Municipal Code to reduce water quality impacts. Similar to the Proposed Project, the Reduced Project Alterative would not interfere with groundwater recharge activities associated with the Chino Basin and would involve less than significant impacts concerning erosion or siltation and flooding. The Reduced Project Alternative is also not expected to create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff subject to compliance with the City's Master Drainage Plan.

However, given the 25.4 percent reduction in development, this alternative would have slightly more pervious areas on-site and a proportional reduction in runoff volumes. According to the Proposed Project's Water Quality Management Plan (WQMP), 80 percent of the Logistics Site would be paved at project completion (approximately 60.8 acres). Under the Reduced Project Alternative, approximately 45.6 acres of the Logistics Site would be impervious.

Land Use and Relevant Planning

This alternative would develop 25.4 percent fewer square feet of industrial uses on-site. Similar to the Project, this alternative would involve the same entitlements described for the Proposed Project in the Draft EIR, Section 4.9, Land Use and Planning. However, under SB 330, adoption of the Reduced Project Alternative would require an

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additional land use action to move the residential development potential "lost" to a different site within the City. See discussion of SB 330, below, under the SB 330 Compliance Alternative. Presumably the same parcels identified for upzoning under the SB 330 Compliance Alternative could be upzoned as part of the Reduced Project Alternative. As a result, the Reduced Development Alternative would involve similar land use impacts as the Proposed Project.

Noise

Compared to the Proposed Project, short-term noise impacts from demolition, grading, and construction activities associated with the Reduced Project Alternative would be incrementally reduced due to an anticipated shorter construction schedule, however, even with a reduced square footage, most all of the same noise impacts would be expected to occur. However, the uses surrounding the historic stone house would be significantly changed from rural and open land to a logistics facility. Thus, construction of the Logistics Facility, albeit under the Reduced Project Alternative, could result in noise and vibrational impacts to occupants living at this property.

Similarly, long-term operational noise impacts would most likely reflect an incremental reduction as compared to the Proposed Project. A smaller facility would have fewer truck docks and would result in an incremental reduction in noise impacts from average daily trips and vehicular travel on the surrounding roadway network. Operational noise sources, such as HVAC equipment, would remain the same under the Project and Reduced Project Alternative. However, based on the Reduced Project Alternative's preservation of the historic stone house, operation of this alternative could result in noise impacts to occupants living at this property.

Public Services and Recreation

Impacts related to public services and recreation under the Reduced Project Alternative would be commensurately reduced given that the development intensity would be reduced by 25.4 percent. Thus, the Proposed Project's less than significant impacts concerning public services and recreation would be incrementally reduced under this alternative. Impacts would remain less than significant.

Transportation

This alternative would reduce the square footage of development by approximately 25.4 percent. Therefore, with a smaller facility, the Reduced Project Alternative would generate fewer average daily trips and traffic and circulation impacts within the site vicinity in comparison to the Proposed Project. However, it is not anticipated that the Reduced Project Alternative would avoid the Project's significant and unavoidable traffic and circulation impacts to intersections, freeway mainlines, and freeway ramp/merge divides under Existing With Project, Opening Year (2020), and Horizon Year (2040) Conditions given the fact that the reduction in trips would be spread throughout the assumed trip distribution area and the significantly impacted intersections are all above the thresholds

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such that a minor reduction in trips would not result in any thresholds falling below a level of significance.

Although this alternative may generate fewer trips due to the smaller size of the facility, this alternative would have similar impacts to the Proposed Project regarding transportation, the significant unavoidable impacts identified above would not eliminate under this alternative.

Tribal Cultural Resources

As indicated in the Draft EIR, Section 4.13, the San Manuel Band of Mission Indians has indicated that the Project site has the potential to support tribal cultural resources as part of the Project's AB 52 consultation. Although this alternative would reduce total building square footage by 25.4 percent, the Reduced Project Alternative would still result in a similar disturbance footprint as the Proposed Project. As a result, the Reduced Project Alternative would involve similar impacts to tribal cultural resources during ground disturbing activities as the Proposed Project.

Utilities and Service Systems

Compared to the Proposed Project, impacts related to utilities and service systems under the Reduced Project Alternative would be incrementally reduced given that development square footage would be reduced by 25.4 percent. Water and dry utility demands and wastewater and solid waste generation on-site would be proportionally reduced given the reduced square footage of development. The Proposed Project has a less than significant impact on public services and utilities. The Reduced Project Alternative would have reduced demand, but would also have a similar less than significant impact.

Wildfire

The Project Area and other undeveloped natural areas to the north, east, and south represent a potential wildland fire threat to surrounding uses. Under the Reduced Project Alternative, the risk of wildfire would be similar to the Proposed Project although the avoidance of the existing residence would present the potential for more residents to be exposed to wildfire threats than the Proposed Project.

(Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-13 through 8.0-18.)

Objectives: The Reduced Project Alternative would reduce the overall development of the Proposed Project by 25.4 percent. As discussed below, the Reduced Project Alternative would achieve a majority of the project objectives; however, it would not do so to the same extent as the Proposed Project.

Objective	Discussion
Objective 1: Implement the City of Fontana's desire to have uses that	Under the Reduced Project Alternative, the City would annex the

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capitalize on nearby transportation corridors and truck routes and that stimulate employment.	Project Area into the City and would permit development of a logistics facility, albeit smaller than the Proposed Project. The Reduced Project Alternative would capitalize on nearby transportation corridors and truck routes, but would do so to a lesser extent than the Proposed Project. Also, by leaving the historic resource in-place, the Reduced Project Alternative would substantively change the surrounding area's character and establish trucking uses within close proximity to the historic resource. Thus, this alternative would also retain uses that are inconsistent with the City's development goals for the Logistics Site.
Objective 2: Improve area circulation via the realignment of Lytle Creek Road.	The Reduced Project Alternative would facilitate the realignment of Lytle Creek Road. Thus, the project would achieve this objective.
Objective 3: Facilitate goods movement for the benefit of local and regional economic growth.	The Reduced Project Alternative would facilitate goods movement that would benefit local and regional economic growth but, as discussed in the EIR, would not establish as many employment opportunities or generate as much tax revenue for the City. The Reduced Project Alternative would achieve this objective, but to a lesser extent than the Proposed Project.
Objective 4: Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs.	The Reduced Project Alternative would not result in as many job opportunities as the Proposed Project. Thus, the Reduced Project Alternative would not benefit the City's and County's jobs-housing ratio, as discussed in Chapter 5 of the EIR, to the same extent as the Proposed Project.
Objective 5: Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.	The Reduced Project Alternative would capitalize on nearby transportation corridors and truck routes, and would be developed in

	proximity to commercial/industrial uses. Lesser overall square footage would be constructed under this alternative, however, not fully taking advantage of the Logistics Site's proximity to nearby commercial and industrial uses that would benefit from logistics/warehousing uses.
Objective 6: Development of a logistics facility that is economically viable and provides long term fiscal benefits to the City.	The Reduced Project Alternative would be financially viable and would provide long-term fiscal benefits to the City. However, it would not permit construction to the extent of the Proposed Project, and would not take full advantage of the Logistic Site's location and proximity to uses and transportation. Therefore, it would also not generate fiscal benefits (and employment benefits) to the City to the same extent as the Proposed Project.

Findings: The City Council rejects Alternative 2: Reduced Project Alternative, on the following ground, which provides sufficient justification for rejection of this alternative: (1) the alternative fails to achieve a majority of the Project objectives to the same extent as the Project. (Draft EIR, p. 8.0-18.)

3. Alternative 3 – "Annexation Only" Alternative

Description: The Proposed Project includes the development and operation of an approximately 1,175,788-square foot logistics facility on approximately 76 acres (Logistics Site); the realignment of a segment of Lytle Creek Road; the annexation of 152 acres (Annexation Area or Project Area), inclusive of the 76-acre Logistics Site; and the related Project components and entitlements. The 152-acre Project Area would be annexed to the City of Fontana and developed under the jurisdiction of Fontana pursuant to its General Plan, zoning, and development standards. The City's SOI, as shown in the City's General Plan, includes most but not all of the Project Area, with the exception of approximately 2.14 acres, located north of the Lytle Creek Road as shown in **Exhibit 3.0-4, Sphere of Influence and Annexation Area,** of the EIR. To annex these parcels into the City, an expansion of the City's SOI is proposed to add these parcels into the Project Area.

Under the Annexation Only Alternative, the 152-acre Project Area would be annexed to the City and would be developed pursuant to its Fontana General Plan, Zoning, and

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development standards. As indicated on **Exhibit 3.0-6A**, **Pre-Zoning Designations**, of the EIR, the City of Fontana has pre-zoned the Project Area as follows:

- Residential Estate [R-E];
- Public Utility Corridor [P-UC]; and,
- General Commercial [C-G]).

As indicated in **Table 3.0-6**, **Current General Plan Land Use Designations** of the EIR and depicted on **Exhibit 3.0-15**, **Existing General Plan Land Use Designations** of the EIR, the City of Fontana designates the Project site as Residential Estate (R-E) and Public Utility Corridor (P-UC). This alternative assumes that the 2.14 acres of property that is not-designated and pre-zoned would be slated for Residential Estate [R-E] development, consistent with surrounding pre-zoning. As a result, the proposed logistics facility and related Project components and entitlements would not be implemented under this alternative. (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-19 through 8.0-20.)

Impacts:

The following discussion evaluates the potential environmental impacts associated with the Annexation Only Alternative, as compared to impacts from the Project.

Aesthetics and Visual Resources

Under the Annexation Only Alternative, the majority of the Annexation Area would be developed in accordance with the site's existing R-E zoning. PU-C and C-2 uses would be permitted in the northeast portion of the Project site. Conversely, the Proposed Project includes a change of zone on approximately 76 acres of the Project Area from R-E to Light Industrial (M-1) (Option 1) in order to accommodate the Logistics Site; refer to **Exhibit 3.0-6B** and **Exhibit 3.0-6C** of the EIR. According to the City of Fontana Zoning Code, the R-E zone is a single-family zoning district that permits low density residential uses, as well as accessory agricultural uses.

Development occurring in accordance with the Annexation Area's existing zoning would be less intensive than the Proposed Project. As a result, the Annexation Only Alternative would reduce the Project's less than significant impacts to scenic resources (i.e., views of the foothills of the San Gabriel Mountains). Both the Annexation Only Alternative and the Proposed Project would have no impact on scenic resources within a scenic highway, since no scenic highways exist within the vicinity of the Project site. The Annexation Only Alternative would better preserve the existing visual character or quality of the Project site as it would facilitate similar development to existing conditions (i.e., a rural community with large vacant areas and widely dispersed houses) and would decrease the potential for the introduction of additional sources of light or glare. The Annexation Only Alternative would have similar less than significant impacts to visual character/quality in this regard.

Air Quality

Under the Annexation Only Alternative, the majority of the Annexation Area would be developed in accordance with the site's existing R-E pre-zoning. Based on reduced development intensity of this zoning designation, the Annexation Only Alternative would

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substantially reduce and/or avoid the Proposed Project's short-term construction and long-term operational impacts to air quality. This Alternative would also likely be consistent with the 2016 AQMP. Thus, the Proposed Project's significant and unavoidable long-term operational air emissions and cumulative operational emissions would be eliminated under this alternative.

The Annexation Only Alternative would be environmentally superior to the Project regarding air quality, given it would substantially reduce and/or avoid the Project's significant and unavoidable impacts pertaining to long-term operational air emissions and cumulative operational emissions, and would maintain consistency with the 2016 AQMP.

Biological Resources

Based on reduced development intensity allowed under the site's existing pre-zoning, the Annexation Only Alternative would reduce the Project's mitigated less than significant impacts to special status plant, wildlife species, and sensitive vegetation communities. The Annexation Only Alternative would also likely reduce the Project's less than significant impacts to federally protected wetlands. As a result, the Annexation Only Alternative would be environmentally superior to the Proposed Project regarding biological resources, given that it would lessen the intensity of development on the Project site.

Cultural Resources

The Annexation Only Alternative would avoid the Project's significant and unavoidable impacts to historic resources, as it would not involve demolition of the stone house at 4055 Lytle Creek Road. No archaeological resources were recorded on the Project site during the field investigation, and none are known to occur on-site. Nonetheless, any construction activities would have the potential to disturb unknown archaeological resources on-site, if present. As a result, the Annexation Only Alternative would result in similar less than significant impacts to archaeological resources with **Mitigation Measure CR-2** and **CR-3**. Overall, this alternative would be environmentally superior to the Project, given that it would avoid the Project's significant and unavoidable impacts to historic resources.

Energy

Compared to the Proposed Project, impacts from energy usage related to electricity and natural gas consumption under the Annexation Only Alternative would be commensurately reduced given that development intensity allowed under the site's existing pre-zoning designation would be reduced. Demands for electricity and natural gas would be proportionally reduced. Thus, the Annexation Only Alternative would result in similar less than significant energy demands as compared to the Proposed Project.

Geology and Soils

None of the geologic conditions or hazards affecting the Project site would be altered as a result of the Annexation Only Alternative. Development associated with the Annexation Only Alternative could require deeper excavations in older finer-grained Quaternary deposits. These activities have the potential to encounter significant remains

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of fossil vertebrates. As a result, the Annexation Only Alternative would result in similar less than significant impacts to paleontological resources with implementation of **Mitigation Measures GEO-2** and **GEO-3**.

However, the reduced intensity of development permitted under the site's existing zoning would proportionally reduce the number of person's exposed to potential adverse effects associated with seismic, geologic, and soil hazards. It should be noted, however, that development consistent with the site's existing R-E pre-zoning would introduce housing to the area. The Annexation Only Alternative would result in less than significant impacts similar to the Proposed Project in this regard.

Greenhouse Gas Emissions

As the majority of the Annexation Area would be developed in accordance with the site's existing R-E pre-zoning under the Annexation Only Alternative, this alternative would proportionally reduce the amount of GHG emissions anticipated under the Proposed Project. The Proposed Project would result in less than significant GHG emissions and would conflict with the 2016 AQMP with implementation of **Mitigation Measures GHG-1** and **AQ-4**. GHG emissions would be substantially reduced under the Annexation Only Alternative. Thus, this alternative would not be required to implement **Mitigation Measure GHG-1** and **AQ-4** to reduce the Annexation Only Alternative's GHG emissions below SCAQMD's threshold. As a result, the Annexation Only Alternative would result in similar less than significant impacts from GHG emissions.

Hazards and Hazardous Materials

None of the hazards and hazardous materials affecting the Project site would be altered as a result of the Annexation Only Alternative. However, none of the existing buildings on-site would be demolished under the Annexation Only Alternative. As a result, the Annexation Only would avoid the Project's (mitigated) less than significant impacts regarding foreseeable upset and accident conditions involving the release ACMs or LBP into the environment. Like the Proposed Project, the Annexation Only Alternative would not involve significant impacts related to emitting or handling hazardous materials within one-quarter mile of a school, hazardous materials sites compiled pursuant to Government Code Section 65962.5 and airport-related hazards, since these hazards do not affect the Project site.

Hydrology and Water Quality

Based on the reduced development intensity allowed under the site's existing pre-zoning, the Annexation Only Alternative would proportionally reduce the amount of anticipated hardscapes. Like the Proposed Project, development occurring pursuant to the site's existing pre-zoning which disturbs more than one acre of soil would be required to obtain coverage under the NPDES and demonstrate compliance with Title 3, Division 5, Chapter 1 of the San Bernardino County Code to reduce short-term construction-related impacts to water quality to a less than significant level. Similar to the Proposed Project, development occurring pursuant to the site's existing zoning would not interfere with groundwater recharge activities associated with the Chino Basin and would involve less than significant impacts concerning erosion or siltation and flooding. The Annexation

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The reduced development intensities allowed under the site's existing pre-zoning would have a proportionate reduction of average daily trips and traffic and circulation impacts within the Project vicinity in comparison to the Proposed Project. As a result, this Alternative would likely avoid the Project's identified significant and unavoidable impacts for Existing, Opening Year (2020) and Horizon Year (2040) With Project Conditions. This alternative would have reduced traffic impacts in comparison to the Proposed Project.

Tribal Cultural Resources

As indicated in Section 4.13 of the Draft EIR, the San Manuel Band of Mission Indians has indicated that the Project site has the potential to support tribal cultural resources as part of the Project's AB 52 consultation. As a result of the tribal consultation process, the City has agreed to implement **Mitigation Measures CR-2** and **CR-3**. Similar to the Proposed Project, development associated with the Annexation Only Alternative would have the potential to impact tribal cultural resources during ground disturbing activities. Impacts to tribal cultural resources would be similar to the Proposed Project in this regard.

Utilities and Service Systems

Compared to the Proposed Project, impacts related to utilities and service systems under the Annexation Only Alternative would be commensurately reduced given that development intensity allowed under the site's existing pre-zoning designation would be reduced. Water and dry utility demands and wastewater and solid waste generation on-site would be proportionally reduced. Thus, the Proposed Project's less than significant public services and utilities would be further reduced under this alternative. The Annexation Only Alternative would have reduced demand, but would also have a similar less than significant impact.

Wildfire

The Project Area and other undeveloped natural areas to the north, east, and south represent a potential wildland fire threat to surrounding uses. The Proposed Project would develop a logistics center, and, as such, its implementation would not induce area population growth or substantially increase demand for fire protection services. The residential uses permitted under the Annexation Only Alternative may be more vulnerable to wildfire than the industrial uses which would be permitted under the Proposed Project due to development materials, landscaping and other attributes. The Annexation Only Alternative would not realign Lytle Creek Road to improve area circulation and better allow the FFPD emergency access to the Project Area. As a result, this alternative may have greater impacts than the Proposed Project. (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-20 through 8.0-25.)

Objectives: The Annexation Only Alternative would not achieve any of the project objectives as shown below.

Objective	Discussion

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Objective 1: Implement the City of Fontana's desire to have uses that capitalize on nearby transportation corridors and truck routes and that stimulate employment.	The Annexation Only Alternative would not establish any logistics or warehousing uses, thus not capitalizing on transportation corridors. The Annexation Only Alternative would not achieve this objective.
Objective 2: Improve area circulation via the realignment of Lytle Creek Road.	The Annexation Only Alternative would not include any realignment of Lytle Creek Road. The Annexation Only Alternative would not achieve this objective.
Objective 3: Facilitate goods movement for the benefit of local and regional economic growth.	The Annexation Only Alternative would not establish any logistics or warehousing uses and therefore would not capitalize on transportation corridors or facilitating goods movement for the benefit of local or regional growth. No new jobs would be created through a logistics facility. The Annexation Only Alternative would not achieve this objective.
Objective 4: Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs.	The Annexation Only Alternative would not establish any logistics or warehousing uses. The Annexation Only Alternative, therefore, would not generate any additional employment opportunities and would not benefit the City's and County's jobs-housing ratios, as discussed in Chapter 5 of the EIR. The Annexation Only Alternative would not achieve this objective.
Objective 5: Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.	The Annexation Only Alternative would not establish any logistics or warehousing uses, thus not capitalizing on area infrastructure and the Project Area's location in proximity to commercial/industrial uses. The Annexation Only Alternative would not achieve this objective.
Objective 6: Development of a logistics facility that is economically viable and provides long term fiscal benefits to the City.	The Annexation Only Alternative would not establish any logistics or warehousing uses. Therefore, it would not achieve this objective.

Findings: The City Council rejects Alternative 3: "Annexation Only" Alternative, on the following ground, which provides sufficient justification for rejection of this alternative:

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(1) the alternative fails to achieve any of the Project objectives to the same extent as the Project.

4. Alternative 3 – SB 330 Compliance Alternative ("Project Alternative")

Description: Pursuant to Senate Bill 330 (SB 330), also known as the Housing Crisis Act of 2019 (the "Act"), a local agency is prohibited from disapproving, or conditionally approving in a manner that renders infeasible, a housing development project for very low, low-, or moderate-income households or an emergency shelter unless the local agency makes specified written findings based on a preponderance of the evidence in the record. Further, Government Code Section 66300(b)(1)(A) stipulates that agencies shall not "chang[e] the general plan land use designation, specific plan land use designation, or zoning…to a less intensive use… below what was allowed under the land use designation and zoning ordinances in effect on January 1, 2018". For purposes of Government Code Section 66300(b)(1)(A), a "less intensive use" includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, or new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any changes that would lessen the intensity of potential housing development. However, the Act includes an exception, and general plan and zoning designation changes to a "less intensive use" are permitted so long as the agency concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction, such that there is no net loss in residential capacity. (Govt. Code § 66300(i).)

As depicted on Exhibit 3.0-16, Existing County of San Bernardino General Plan Land Use Designations (found at Draft EIR, p. 3.0-59), 59.53 acres of the Logistics Site are currently designated by the County of San Bernardino as Single Residential (RS), which permits up to 1 dwelling unit per acre (du/acre). In addition, 15.95 acres of the Logistics Site are currently designated Rural Living (RL), which permits residential development at a density of 1 du/2.5 acre. Under these designations, a total of 65 potential dwelling units would need to be shifted elsewhere within the City to permit implementation of the Proposed Project. (See Table 8.0-4 of Final EIR, Attachment 1—Revised Draft EIR, p. 8.0-29.)

Pursuant to SB 330 requirements, the SB 330 Compliance Alternative was selected for analysis in order to offset the Proposed Project's lost dwelling unit potential of 65 units. Under this Alternative, the Project would be implemented as it is described in the Draft EIR. However, in addition, the SB 330 Compliance Alternative considers the upzoning of an approximately 12.5-acre site within the City of Fontana comprised of 28 contiguous parcels generally located between Ceres Avenue to the north, Citrus Avenue to the east, Merrill Avenue to the south, and Catawba Avenue to the west; refer to Exhibit 8.0-1, SB 330 Compliance Alternative Footprint (found at Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-12 through 8.0-13). Regional access to the SB 330 Compliance Alternative site is provided via the Interstate 10 (I-10; Christopher Columbus Transcontinental Highway) and Interstate 15 (I-15; Ontario Freeway). Local access to

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the SB 330 Compliance Alternative site is provided via Ceres Avenue, Citrus Avenue, Merrill Avenue, and Catawba Avenue.

Currently, 22 residential dwellings (and associated ancillary structures), one abandoned institutional use (church), outdoor storage areas, and vacant uses are present on-site. Overall, the site is relatively flat with an average aboveground elevation of 1,219 feet above mean sea level. Ornamental landscaping, scattered trees, and low-lying grasses are dispersed throughout.

The site selected for the SB 330 Compliance Alternative is currently designated by the City General Plan as R-SF: Single Family Residential (2.1-5 du/ac). Similarly, the site is zoned by the City of Fontana as Single Family Residential (R-1), which permits up to 5 du/acre. Under this alternative, the site would be re-designated in the General Plan to R-M: Medium Density Residential (5.1-12 du/ac) and re-zoned as Medium Density Residential (R-2), which similarly permits between 5.1 to 12 du/acre. The R-2 zone is defined by the City of Fontana Zoning Code as a medium intensity, multiple-family zoning district that permits the development of attached and detached single-family, duplex, and multiple-family dwellings, as well as condominiums. Applying an R-2 zoning designation on the 12.5-acre site would accommodate the future development of up to 150 units, which is 87 additional units beyond what the current R-1 zoning would allow. As such, the proposed rezone would more than offset the 65 dwelling units that need to be shifted from the Project's proposed warehouse site. The proposed up-zone is limited to relocating the units that would be displaced by the Project to another location within the City in compliance with SB 330. A limited number of additional units would be allowed under the alternative. Residential uses surround the SB 330 Compliance Alternative site on all sides. Specifically, the SB 330 Compliance Alternative site is surrounded by the following uses:

- North: Ceres Avenue borders the alternative to the north. Single-family residential uses, designated Light Industrial (I-L) and zoned Light Industrial (M-1), are located to the north.
- East: Citrus Avenue and multi-family residential uses, designated Medium Density Residential (R-M) and zoned R-2, border the alternative site to the east.
- South: Merrill Avenue borders the alternative site to the south. Single-family and multi-family residential uses, designated R-M and Community Commercial (C-C) and zoned R-2 and Community Commercial (C-1), are located to the south.
- West: Catawba Avenue borders the alternative site to the west. Single-family residential uses, designated Single Family Residential (RS-F) and I-L and zoned R-1 and M-1, are located to the west.

(Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-25 through 8.0-30.)

Impacts:

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The following discussion evaluates the potential environmental impacts associated with the SB 330 Compliance Alternative, as compared to impacts from the Project. Given that development of the Logistics Site would be the same under the Proposed Project as under this alternative, the following analysis evaluates the additional potential environmental impacts associated with development of the SB 330 Compliance Alternative site.

Aesthetics and Visual Resources

Both the Proposed Project and the SB 330 Compliance Alternative would have short-term visual impacts associated with demolition, grading, and construction activities. As the site selected for this alternative is currently developed with 22 residential dwellings and is surrounded on all sides by residential uses (which would be sensitive to construction activities), construction-related impacts to visual character/quality and light and glare would be greater than the Proposed Project.

As discussed in the Draft EIR, Section 4.1, the Fontana General Plan Conservation, Open Space, Parks, and Trails Element notes that panoramic view corridors towards the mountains and views of the City from the mountains dominate the City's visual landscape character. Motorists travelling north and west along the Ceres Avenue, Citrus Avenue, Merrill Avenue, and Catawba Avenue are afforded with partial views of the San Gabriel Mountains. Although buildout of the SB 330 Compliance Alternative would partially block views of the San Gabriel Mountains foothills, distant views of the San Gabriel Mountains would largely remain. Further, Ceres Avenue, Citrus Avenue, Merrill Avenue, and Catawba Avenue are not identified as scenic routes by the Fontana General Plan. As a result, the SB 330 Compliance Alternative would have similar less than significant impacts to scenic resources as the Proposed Project. Both the Proposed Project and the SB 330 Compliance Alternative would have no impact on scenic resources within a scenic highway, since no scenic highways exist within the vicinity of the Proposed Project and the SB 330 Compliance Alternative.

The SB 330 Compliance Alternative would involve greater impacts to the existing visual character and quality of the area, as it would facilitate more intensive development than existing conditions or existing zoning (i.e., development of up to 5.1 to 12 du/acre versus 5 du/acre) and would increase the potential for additional sources of light or glare. This alternative would have greater visual character and light and glare impacts in comparison the Proposed Project in this regard. However, because the SB 330 Compliance Alternative would allow additional residential development within a residential area, new development would be generally compatible with the surrounding area and impacts to visual character/quality and light and glare would remain less than significant.

Air Quality

The future development of up to 87 units under this alternative would result in greater short-term air quality emissions associated with construction activities, including demolition, grading, building, worker trips, and truck hauling from one portion of the

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Project site, where they are currently permitted, to another portion of the Project site designated in the SB 330 Compliance Alternative. As a result, air quality emissions associated with residential development under the SB 330 Compliance Alternative would be essentially the same as under the No Project Alternative, and greater than the Proposed Project's less than significant impacts, given increased level of construction activities.

As discussed in Impact 4.2-2 of the EIR, operations of the Proposed Project would result in NOX emissions that would exceed SCAQMD operational thresholds, mostly due to a substantial increase in mobile emissions from average daily trips. Implementation of the SB 330 Compliance Alternative would not avoid the significant and unavoidable impacts associated with operational NOX emissions. As the SB 330 Compliance Alternative would offset the Proposed Project's lost dwelling unit potential of 65 units, it can be concluded that this alternative would be consistent with the projections included in 2016 AQMP. As a result, the SB 330 Compliance Alternative would have significant air quality impacts, similar to the Proposed Project.

Biological Resources

According to the General Plan, sensitive natural open space areas are limited to the foothills of the San Gabriel Mountains and Jurupa Hills. The SB 330 Compliance Alternative site is heavily disturbed and is located within an urbanized area of the City. Thus, although the SB 330 Compliance Alternative would result in a shift of potential ground disturbance from one portion of the Project site to another portion of the Project site designated in the SB 330 Compliance Alternative, and beyond the Proposed Project, the selected site is not anticipated to result in potentially significant impacts to special status plant, wildlife species, and sensitive vegetation communities.

Based on the SB 330 Compliance Alternative site's location within an urbanized area of the City and its disturbed condition, the SB 330 Compliance Alternative is not anticipated to adversely affect riparian habitat, sensitive natural communities, or State or Federally protected wetlands. Like the Proposed Project, buildout of the SB 330 Compliance Alternative would require removal of trees with the potential to provide suitable habitat for nesting birds. Impacts to nesting birds would be reduced to less than significant levels through compliance with **Mitigation Measure BIO-4**. As a result, the SB 330 Compliance Alternative would have similar less than significant impacts to biological resources as the Proposed Project.

Cultural Resources

The SB 330 Compliance Alternative would not eliminate the Project's significant and unavoidable impacts to historic resources, as the historic stone house at 4055 Lytle Creek Road would still be demolished with implementation of the Proposed Project. None of the existing residential dwellings or ancillary structures on the SB 330 Compliance Alternative site are identified as historic resources. Thus, impacts to historic resources would be similar to the Proposed Project.

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Although buildout of the SB 330 Compliance Alternative would result in additional ground disturbance beyond the Proposed Project, impacts to archaeological resources and human remains would be similar to the Proposed Project and would be reduced to less than significant levels with implementation of **Mitigation Measures CR-2** and **CR-3**.

Energy

Compared to the Proposed Project, energy consumption associated with the SB 330 Compliance Alternative would proportionally increase given that this alternative would allow for the development of up to 87 units in addition to the industrial development on the Logistics Site. Nevertheless, similar to the Proposed Project, construction activities associated with the SB 330 Compliance Alternative would be subject to compliance with **Mitigation Measure AQ-4** as well as the latest regulations for engine emissions standards set forth by EPA, CARB, and/or the SCAQMD. As such, the proportional increase in construction-related energy consumption under this alternative would not result in significant wasteful, inefficient, or unnecessary consumption of energy resources. Construction-related energy impacts would be similarly less than significant in this regard.

Fuel consumption associated with vehicle trips generated by the SB 330 Compliance Alternative would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Building energy demand would be less than significant following incorporation of Title 24 standards, which provide minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage.

Furthermore, the SB 330 Compliance Alternative's electricity provider, Southern California Edison, is subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement from eligible renewable energy resources to 33 percent of total procurement by 2020 and to 50 percent of total procurement by 2030. Impacts related to operational energy consumption would be similar to the Proposed Project in this regard.

Similar to the Project, development in accordance with the SB 330 Compliance Alternative would be required to comply with Title 24 and CALGreen efficiency standards, which would ensure future residential development incorporates energy efficient windows, insulation, lighting, ventilation systems, water efficient fixtures, as well as green building standards. Adherence to the Title 24 energy and CALGreen requirements would ensure conformance with the State's goal of promoting energy, water, and lighting efficiency, and the City's goal to purse sustainability and resilience. Therefore, impacts regarding consistency with renewable energy or energy efficiency plans would be similar to the Project.

Geology and Soils

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Future development occurring as part of the SB 330 Compliance Alternative would require preparation of site-specific geotechnical studies to identify and minimize risks related to geology and soils. Like the Proposed Project, development accommodated by this alternative would be constructed pursuant to the most current CBC seismic building design and construction standards, as determined by the City as part of the grading plan and building permit review process (**Mitigation Measure GEO-1**). Thus, the SB 330 Compliance Alternative would similarly result in less than significant impacts concerning geology and soils in this regard.

Greenhouse Gas Emissions

Implementation of the SB 330 Compliance Alternative would shift the generation of residential GHG emissions from one portion of the Project site to the site of the SB 330 Compliance Alternative. Although there is no applicable adopted or accepted numerical threshold of significance for residential GHG emissions (i.e., SB 330 Compliance Alternative), this alternative would be consistent with all applicable 2017 Scoping Plan goals and would generally further the State's goals relative to greenhouse gases. Thus, the SB 300 Compliance Alternative would result in similar mitigated less than significant impacts concerning GHG emissions with implementation of **Mitigation Measures GHG-1** and **AQ-4**.

Hazards and Hazardous Materials

The SB 330 Compliance Alternative would allow for the development of additional residential units on a site currently zoned for residential uses. Like the Proposed Project, or any residential development currently zoning for on the site, construction of this alternative could expose construction workers and the public to temporary hazards related to the transport, use, and maintenance of construction materials (i.e., oil, diesel fuel, transmission fluid, etc.). These activities would be short-term, and the materials used would not be in such quantities or stored in such a manner as to pose a significant safety hazard. Impacts would be similar to the Proposed Project following compliance with established laws and regulations governing the transport, use, or disposal of hazardous materials.

Hazardous materials are not typically associated with residential uses. Thus, impacts concerning the routine transport, use, or disposal of hazardous materials during operations would be less than significant. With implementation of **Mitigation Measure TR-1**, implementation of the SB 330 Compliance Alternative would not impair implementation of an adopted emergency response plan or emergency evacuation plan. Like the Proposed Project, the SB 330 Compliance Alternative would not involve significant impacts related to emitting or handling hazardous materials within one-quarter mile of a school, hazardous materials sites compiled pursuant to Government Code Section 65962.5, or airport-related hazards, since these hazards do not affect the Project Area; refer to Section 4.7 of the EIR. Pursuant to General Plan EIR MM-HAZ-5, a Phase I Environmental Site Assessment would be required for future development needing a grading permit. The Phase I Environmental Site Assessment would investigate the potential for site contamination and identify Specific Recognized Environmental

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Conditions (e.g., asbestos containing materials, lead-based paints, and polychlorinated biphenyls) that may require remedial activities prior to land acquisition or construction. As a result, the SB 330 Compliance Alternative would result in similar less than significant impacts to hazards and hazardous materials.

Hydrology and Water Quality

Although buildout of the SB 330 Compliance Alternative would result in additional ground disturbance beyond the Proposed Project, impacts concerning hydrology and water quality would be reduced to less than significant levels following compliance with NPDES and the San Bernardino County Municipal Code requirements. Similar to the Proposed Project, the SB 330 Compliance Alterative would not interfere with groundwater recharge activities associated with the Chino Basin since the site is not currently used for groundwater extraction or groundwater recharge purposes.

According to the Flood Insurance Rate Map (FIRM) No. 06071C8654H, Panel 8654, the northeastern portion of the SB 330 Compliance Alternative site is located within a special flood hazard area subject to inundation by the one percent annual chance flood. As a result, the SB 330 Compliance Alternative would involve greater flood hazard impacts than the Proposed Project, but these would remain less than significant.

Land Use and Relevant Planning

In addition to the entitlements proposed under the Proposed Project, the SB 330 Compliance Alternative would require a General Plan Amendment to re-designate and a zone change to rezone an approximately 12.5-acre site comprised of 28 contiguous parcels. Implementation of the SB 330 Compliance Alternative would offset the Proposed Project's "lost" dwelling unit potential of 65 units on the Logistics Center site, shifting them to another portion of the Project site, and thus would comply with SB 330's requirements. Implementation of the SB 330 Compliance Alternative would not involve substantial land use and planning impacts compared to what is currently allowed under the site's existing General Plan and zoning (i.e., single-family residential to medium-density residential). As a result, the SB 330 Compliance Alternative would involve similar less than significant impacts to land use and planning.

Noise

This analysis is primarily based upon the *I-15 Logistics Center Alternative – Acoustical Technical Memorandum* (Acoustical Memo), prepared by Michael Baker International, dated March 25, 2020; refer to Appendix H of the EIR. The purpose of the Acoustical Memo is to evaluate the noise impacts resulting from the construction and operation of additional units on the SB 330 Compliance Alternative site.

According to the Acoustical Memo, the nearest sensitive receptors to the SB 330 Compliance Alternative site are residential uses located approximately 40 feet to the north and west. At this distance, construction noise levels could range between approximately 79 A-weighted decibels (dBA) and 92 dBA; refer to Table 2, Maximum Noise Levels

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Generated by Construction Equipment, of the Acoustical Memo. Although sensitive receptors may be exposed to increased noise levels during project construction, the City of Fontana's Municipal Code Section 18-63(b)(7) permits construction activities 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 6:00 p.m. on Saturdays. In addition, construction equipment would be used throughout the project site and would not be concentrated at the point closest to the sensitive receptors. As such, construction noise impacts would be less than significant.

Similarly, long-term operational noise impacts from additional traffic on adjacent roadways and mechanical equipment (i.e., from heating, ventilation, and air conditioning [HVAC] units) would be less than significant. Groundborne vibration during construction of the SB 330 Compliance Alternative would be less than significant and the alternative would not expose people residing or working in the project area to excessive noise levels. As a result, the SB 330 Compliance Alternative would result in similar less than significant impacts to noise.

Public Services and Recreation

The SB 330 Compliance Alternative would allow for the development of additional units on a site currently developed with existing residences. As a result, implementation of the SB 330 Compliance Alternative would shift and proportionally increase demand for public services compared to existing conditions. The SB 330 Compliance Alternative would result in greater impacts to public services and recreation compared to the Proposed Project, but impacts would nevertheless remain less than significant.

Transportation

This alternative would allow for the potential development of up residential units on the SB 330 Compliance Alternative site, a shift of those units from the Proposed Project site. As a result, implementation of the SB 330 Compliance Alternative would proportionally increase short-term and long-term transportation impacts compared to existing conditions. Like the Proposed Project, implementation of the SB 330 Compliance Alternative is not anticipated to result in temporary construction-related impacts with implementation of a Construction Traffic Management Plan, to be established prior to issuance of any construction or demolition permits (**Mitigation Measure TR-1**). The SB 330 Compliance Alternative was selected for analysis in order to offset the Proposed Project's dwelling unit potential at the Logistics Center site. Thus, this alternative would have similar operational impacts to transportation as the Proposed Project, since, at most, it would increase the total Project site (including both the Logistics Center and the upzoning parcels) total zoning capacity by 22 units. As such it is not anticipated to result in any additional significant unavoidable impacts beyond those identified in Section 4.13, Transportation. Implementation of the SB 330 Compliance Alternative would not avoid the Project's significant and unavoidable traffic and circulation impacts to intersections, freeway mainlines, and freeway ramp/merge divides under Existing With Project, Opening Year (2020), and Horizon Year (2040) Conditions given the proposed logistics facility would still be developed under this alternative. This alternative would have similar impacts

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to the Proposed Project regarding transportation, the significant unavoidable impacts identified above would not be eliminated under this alternative.

Tribal Cultural Resources

Like the Proposed Project, **Mitigation Measures CR-2** and **CR-3** would be required to ensure archeological monitoring for all ground disturbing activities below two feet and require preparation of a Treatment and Disposition Plan (TDP) for inadvertent discoveries of cultural and tribal cultural resources. As a result, the SB 330 Compliance Alternative would involve similar impacts to tribal cultural resources during ground disturbing activities as the Proposed Project.

Utilities and Service Systems

This alternative would allow for the development of up to 87 units on the SB 330 Compliance Alternative site. As a result, implementation of the SB 330 Compliance Alternative would proportionally increase demand for utilities and service systems, including water, wastewater, storm drains, solid waste, and dry utilities beyond existing conditions. The SB 330 Compliance Alternative would have a greater impact on utilities and service systems compared to the Proposed Project in this regard, but impacts would nonetheless be less than significant.

Wildfire

According to the California Department of Forestry and Fire Protection's *Fontana Very Fire Hazard Severity Zones in LRA Map*, the SB 330 Compliance Alternative site is not designated as a very high fire hazard severity zone. As a result, the SB 330 Compliance Alternative would not involve greater wildfire hazard impacts than identified for the Proposed Project.

Objectives: The SB 330 Compliance Alternative would offset the Proposed Project's lost dwelling unit potential of 65 units and thus, would demonstrate compliance with SB 330 requirements. As discussed below, the SB 330 Compliance Alternative would achieve all of the project objectives.

Objective	Discussion
Objective 1: Implement the City of Fontana's desire to have uses that capitalize on nearby transportation corridors and truck routes and that stimulate employment.	Similar to the Proposed Project, the SB 330 Compliance Alternative would annex the Project Area into the City and development a logistics facility adjacent to I-15 and generate additional jobs in the area.
Objective 2: Improve area circulation via the realignment of Lytle Creek Road.	Lytle Creek Road would still be realigned under the SB 330 Compliance Alternative. Thus, this

	alternative would achieve this objective.
Objective 3: Facilitate goods movement for the benefit of local and regional economic growth.	The proposed logistics facility would be developed under the SB 330 Compliance Alternative and thus, would facilitate goods movement that benefit local and regional economic growth.
Objective 4: Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs.	The SB 330 Compliance Alternative would generate more jobs and allow more housing development than under the Proposed Project given that this alternative would rezone the SB 330 Compliance Alternative site to allow development of 87 additional residences in the City. Thus, this alternative would better achieve Objective 4 than the Proposed Project.
Objective 5: Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.	Under the SB 330 Compliance Alternative, the City would still develop a logistics facility that capitalizes on nearby transportation corridors and truck routes and would be developed in proximity to commercial/industrial uses.
Objective 6: Development of a logistics facility that is economically viable and provides long term fiscal benefits to the City.	As stated, a logistics facility would still be developed under this alternative that is economically viable and provides long term fiscal benefits to the City.

Findings: The City Council adopts the SB 330 Compliance Alternative in favor of the Project because the SB 330 Compliance Alternative would meet all of the Project's objectives and is consistent with the local housing capacity preservation mandate of SB 330.

C. ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines indicates that an analysis of alternatives to a proposed Project shall identify an environmentally superior alternative among the alternatives evaluated in an EIR. Based on the alternatives analysis contained within the EIR, the Reduced Project Alternative is identified as the Environmentally Superior Alternative.

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Although the Reduced Project Alternative would avoid the Project's significant and unavoidable impacts cultural resources, this alternative would achieve the Project objectives to a lesser extent for Objective 3 (Facilitate goods movement for the benefit of local and regional economic growth), Objective 4 (Increase temporary and permanent employment opportunities while improving the local balance of housing and jobs), Objective 5 (Development of a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses.) and Objective 6 (Development of a logistics facility that is economically viable and provides long term fiscal benefits to the City). As a result, although this alternative would achieve all of the Project Objectives, it would provide a reduced level of benefit due to the reduced size of the facility. (Final EIR, Attachment 1—Revised Draft EIR, pp. 8.0-37 through 8.0-38.)

However, as with the Proposed Project, the Reduced Project Alternative would require an additional land use action to comply with SB 330 and move any "lost" residential development capacity on the Reduced Project Alternative site to other parcels within the City. Presumably, the same site that is identified in the SB 330 Alternative could also be upzoned in conjunction with the Reduced Project Alternative to provide for any lost units.

SECTION 10: ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to State CEQA Guidelines Section 15093(a), the City Council must balance, as applicable, the economic, legal, social, technological, or other benefits of the Project Alternative against its unavoidable environmental risks in determining whether to approve the project. If the specific benefits of the Project Alternative outweigh the unavoidable adverse environmental effects, those environmental effects may be considered acceptable.

Having reduced the adverse significant environmental effects of the Project Alternative to the extent feasible by adopting the mitigation measures; having considered the entire administrative record on the project; the City Council has weighed the benefits of the Project Alternative against its unavoidable adverse impacts after mitigation, the City Council nonetheless finds that the unavoidable adverse impacts that will result from the Project Alternative are acceptable and outweighed by specific social, economic and other benefits of the Project Alternative.

In making this determination, the factors and public benefits specified below were considered. Any one of these reasons is sufficient to justify approval of the Project Alternative. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would be able to stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section, and in the documents found in the Records of Proceeding.

The City Council therefore finds that for each of the significant impacts which are subject to a finding under CEQA Section 21081(a)(3), that each of the following social,

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economic, and environmental benefits of the Project Alternative, independent of the other benefits, outweigh the potential significant unavoidable adverse impacts and render acceptable each and every one of these unavoidable adverse environmental impacts:

1. Capitalize on nearby transportation corridors and truck routes to stimulate employment.
2. Improve area circulation via the realignment of Lytle Creek Road.
3. Facilitate goods movement for the benefit of local and regional economic growth.
4. Increase temporary and permanent employee opportunities and improve local balance of housing and jobs
5. Develop a logistics facility that takes advantage of the proximity to I-15 and proximity to nearby commercial/industrial uses
6. Develop a logistics facility that is economically viable and provides long term fiscal benefits to the City.

The City Council hereby declares that the foregoing benefits provided to the public through the approval and implementation of the Project Alternative outweigh the identified significant adverse environmental impacts of the proposed Project Alternative that cannot be mitigated. The City Council finds that each of the Project Alternative benefits separately and individually outweighs all of the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

SECTION 11: ADOPTION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to Public Resources Code section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program attached to this Resolution as **Exhibit "A."** Implementation of the Mitigation Measures contained in the Mitigation Monitoring and Reporting Program is hereby made a condition of approval of the Project Alternative. In the event of any inconsistencies between the Mitigation Measures set for herein and the Mitigation Monitoring and Reporting Program, the Mitigation Monitoring and Reporting Program shall control.

SECTION 12: CERTIFICATION OF THE EIR

The City Council finds that it has been presented with the EIR, which it has reviewed and considered, and further finds that the EIR is an accurate and objective statement that has been completed in full compliance with CEQA, the State CEQA Guidelines and the City's Local CEQA Guidelines and that the EIR reflects the independent judgment and analysis of the City Council.

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The City Council declares that no evidence of new significant impacts as defined by the State CEQA Guidelines Section 15088.5 have been received by the City Council after circulation of the Draft EIR which would require recirculation.

Therefore, the City Council hereby certifies the EIR based on the entirety of the record of proceedings.

SECTION 13: CUSTODIAN OF RECORD

The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at 9353 Sierra Avenue, Fontana, CA. The custodian for these records is Zai AbuBakar, Director of Community Development. This information is provided in compliance with Public Resources Code Section 21081.6.

SECTION 14: NOTICE OF DETERMINATION

A Notice of Determination shall be filed with the County of San Bernardino and the State Clearinghouse within 5 (five) working days of final Project approval.

APPROVED AND ADOPTED this 23rd day of June 2020.

READ AND APPROVED AS TO LEGAL FORM:

DocuSigned by:
Ruben Duran
622D5F9CCD6240C...
City Attorney

I, Tonia Lewis, City Clerk of the City of Fontana, California, and Ex-Officio Clerk of the City Council, do hereby certify that the foregoing Resolution is the actual Resolution duly and regularly adopted by the City Council of said City at a regular meeting thereof, held on June 23, 2020, by the following vote to-wit:

AYES: Mayor Warren, Mayor Pro Tem Armendarez, Council Members Roberts and Sandoval
NOES: Council Member Cothran
ABSENT:
ABSTAIN:

Resolution No. 2020-072

DocuSigned by:
Toni Lewis
EBCDCFDA17754F5...
City Clerk of the City of Fontana

DocuSigned by:
Acquanetta Warren
9B476DADB90D46B...
Mayor of the City of Fontana

ATTEST:

DocuSigned by:
Toni Lewis
EBCDCFDA17754F5...
City Clerk

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Exhibit "A"

Mitigation Monitoring and Reporting Program

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Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	Verification of Compliance		
						Initials	Date	Remarks
Air Quality								
AQ-1	The construction contractor will use the following dust suppression measures from the SCAQMD CEQA Air Quality Handbook to reduce the Project's emissions: • Suspend all excavating and grading operations when wind speeds exceed 25 mph. • Sweep all streets once per day if visible soil materials are carried to adjacent streets. • Install "shaker plates" prior to construction activity where vehicles enter and exit unpaved roads, or wash trucks and equipment prior to their leaving the site. • Water all active portions of the construction site every three hours during daily construction activities and when dust is observed migrating from the Project site to prevent excessive amounts of dust.	Construction Contractor	During Construction	Public Works Department	During Construction			
AQ-2	All Logistics Facility truck access gates and loading docks within the Logistics Facility shall have a sign posted that states:	Construction Contractor	During Construction	Public Works Department	During Construction			

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Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	Verification of Compliance		
						Initials	Date	Remarks
	• Truck drivers shall turn off engines when not in use. • Truck drivers shall shut down the engine after 5 minutes of continuous idling operation once the vehicle is stopped, the transmission is set to "neutral" or "park," and the parking break is engaged. • Telephone numbers of the building facilities manager and CARB to report violations.							
AQ-3	The Project applicant shall make all Logistics Facility tenants aware of funding opportunities, such as the Carl Moyer Memorial Air Quality Standards Attainment Program and other similar funding opportunities, by providing applicable literature on such funding opportunities as available from the California Air Resources Board.	Project Applicant	Prior to Business License Approval	Community Development Department – Planning Division	Prior to Business License Approval			

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AQ-4	The Logistics Facility site plan design shall provide a minimum of ~~two~~ ten on-site Level 2 electric vehicle charging stations for employees and guests.	Project Applicant	Prior to Grading Permit Issuance	Community Development Department – Planning Division	Prior to Grading Permit Issuance			
Biological Resources								
BIO-1	Prior to construction, a qualified biologist shall flag all Southern California black walnut (Juglans californica) individuals located within the Project footprint for avoidance. If avoidance of the Southern California black walnuts is not feasible, a tree removal permit shall be obtained from the City in compliance with the City of Fontana Municipal Code Chapter 28, Article III.	Project Applicant/ Qualified Biologist	Prior to Construction	Community Development Department – Planning Division	Prior to Construction			

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BIO-2	Prior to approval of grading permits, a qualified biologist shall conduct a protocol-level floristic survey of the proposed development area for the Plummer's mariposa lily (*Calochortus plummerae*) within the appropriate blooming period. If Plummer's mariposa lily is found during the surveys within the proposed development area, a qualified biologist shall establish clearly demarcated avoidance zones around the plant species. If the plant populations cannot be avoided, the Project Applicant shall hire a qualified biologist to prepare a seed collection and replanting plan to reduce impacts to the identified special-status plant populations. The replanting plan must identify potential replanting area(s) sufficient to support the number of plants impacted by the proposed Project. The floristic survey report, seed collection, and replanting plan, and evidence of compliance with provisions of the replanting plan shall be reviewed and approved by the City of Fontana Planning Division prior to the	Project Applicant/ Qualified Biologist	Prior to Grading Permit Approval	Community Development Department – Planning Division	Prior to Grading Permit Approval			

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	commencement of ground disturbing activities.							
BIO-3	A biological monitor shall be present on-site during all ground-disturbing activities to monitor construction activities and limits to ensure that special-status wildlife species with high to moderate potential to occur on-site (i.e., loggerhead shrike [Lanius ludovicianus], Cooper's hawk [Accipiter cooperii], northern harrier [Circus cyaneus], San Diego black-tailed jackrabbit [Lepus californicus bennettii], California glossy snake [Arizona elegans occidentalis], coastal whiptail [Asipidoscelis tigris stejnegeri], and coast horned lizard [Phrynosoma blainvillii]) and that are observed on-site are not adversely affected, , at the discretion of the biological monitor, by construction activities. The biological monitor shall have the authority to halt construction activities should any special-status wildlife species be observed on-site until the species has left the active construction areas.	Project Applicant/ Biological Monitor	During all Ground-Disturbing Activities	Public Works Department	During all Ground-Disturbing Activities			

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BIO-4	Pursuant to the Migratory Bird Treaty Act and the California Fish and Game Code, removal of any trees, shrubs, or any other potential nesting habitat shall be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but it can vary slightly from year to year based on seasonal weather conditions. If ground disturbance and vegetation removal cannot occur outside of the nesting season, a preconstruction clearance survey for nesting birds shall be conducted within 30 days of the start of any vegetation removal or ground-disturbing activities to ensure no nesting birds will be disturbed during construction. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the preconstruction clearance survey, construction activities shall stay outside of a 300-foot buffer around the active nest. For raptor species, this	Construction Contractor/ Qualified Biologist	30-Days Prior to Ground Disturbing Activities/ During Construction	Public Works Department	30-Days Prior to Ground Disturbing Activities/ During Construction			

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	buffer is expanded to 500 feet. A biological monitor shall be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, normal construction activities can occur. As part of the nesting bird clearance survey, a preconstruction burrowing owl clearance survey shall be conducted within 30 days of the start of ground-disturbing activities to ensure burrowing owl remain absent from the Project Area.							
BIO-5	The Project shall mitigate impacts to Suitable Habitat, Restorable Riversidean Alluvial Fan Sage Scrub (RAFSS) Habitat, and Unsuitable Habitat through the following ~~either one of two options~~: • ~~1) Mitigation Fee Payment. Based on Table 4.3-2, North Fontana Conservation Program Mitigation Cost, the Project Applicant shall pay~~	Project Applicant	Prior to Ground Disturbing Activities	Community Development Department – Planning Division	Prior to Ground Disturbing Activities			

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	~~a mitigation fee payment of $208,210.95 for the loss of Suitable Habitat, Restorable RAFSS Habitat, and Unsuitable Habitat on-site, as defined in the NFCP. Prior to the issuance of grading permits for any portion of the Project site within the boundaries of the NFCP, the Project Applicant shall submit to the City of Fontana Planning Division for review and approval, evidence that required fees have been paid.~~ • ~~2)~~ Conservation Easement/Mitigation Bank Credits. The Project Applicant shall either dedicate to a certified third-party land trust a permanent conservation easement for like habitat or purchase mitigation credits in a California Department of Fish and Wildlife (CDFW)-approved mitigation bank at a ratio of a minimum of 1:1. Proof of mitigation shall be provided to the City of Fontana Planning Division prior to the commencement of any ground disturbance activities.							

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BIO-6	Prior to issuance of any grading permits for permanent impacts in jurisdictional features, the Project Applicant shall provide to the City of Fontana Planning Division documentation from the USACE, RWQCB and CDFW of the lack of federal and state jurisdictional waters on the Project site, or documentation that a Federal Clean Water Act Section 404 permit, a Report of Waste Discharge certification from the Regional Water Quality Control Board (RWQCB); and/or 32 a Streambed Alteration Agreement permit under Section 1602 of the California Fish and Game Code from the California Department of Fish and Wildlife (CDFW) have been obtained. The type, amount, and location of any required mitigation (including payment of fees or purchase of credits) shall be established by each regulatory agency during the review of any required permit	Project Applicant	Prior to Grading Permit Issuance	Community Development Department – Planning Division	Prior to Grading Permit Issuance			

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Cultural Resources								
CR-1	Data Collection. Prior to any Project-related impacts, Historic American Building Survey (HABS) style photographic documentation shall be prepared for the historic stone house at 4055 Lytle Creek Road. While the photographs will meet HABS standards, only local curation (and no federal curation or involvement) will be necessary. The photographic documentation shall be provided to the City (and any required local repositories) for curation.	Qualified Historian	Prior to Construction	Community Development Department – Planning Division	Prior to Construction			

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CR-2	An archaeological monitor with at least 3 years of regional experience in archaeology and tribal monitors representing the consulting tribes (San Manuel Band of Mission Indians) shall be present for all ground-disturbing activities below 2 feet that occurs within the Proposed Project area (which includes, but is not limited to, tree/shrub removal and planting, clearing/grubbing, grading, excavation, trenching, compaction, fence/gate removal and installation, drainage and irrigation removal and installation, hardscape installation [benches, signage, boulders, walls, seat walls, fountains, etc.]). A Monitoring Plan shall be created prior to any and all ground-disturbing activity in consultation with the consulting tribes and agreed to by all parties. The Monitoring Plan shall include details regarding the monitoring process, as well as the Treatment and Disposition Plan described in Mitigation Measure CR 3. A sufficient number of archaeological and tribal monitors shall be present each workday to ensure that	Qualified Archaeologist/ Tribal Monitors Representing the San Manuel Band of Mission Indians	All Ground-Disturbing Activities Below 2 Feet that Occur within the Proposed Project Area	Community Development Department – Planning Division	All Ground-Disturbing Activities Below 2 Feet that Occur within the Proposed Project Area			

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	simultaneously occurring ground-disturbing activities receive thorough levels of monitoring coverage							
CR-3	A Treatment and Disposition Plan (TDP) shall be established, prior to the commencement of any and all ground-disturbing activities for the Project, including any archaeological testing. The TDP will provide details regarding the process for the in-field treatment of inadvertent discoveries and the disposition of inadvertently discovered non-funerary resources. Inadvertent discoveries of human remains and/or funerary object(s) are subject to California Health and Safety Code Section 7050.5. The subsequent disposition of those discoveries shall be decided by the most likely descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.	Qualified Archaeologist	Prior to Ground Disturbing Activities	Community Development Department – Planning Division	Prior to Ground Disturbing Activities			

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Geology and Soils								
GEO-1	All Project structures shall be constructed pursuant to the most current CBC seismic building design and construction standards, as determined by the City as part of the grading plan and building permit review process.	Project Applicant/ Contractor	Grading Plan and Building Permit Review Process	Building and Safety Department	Grading Plan and Building Permit Review Process			
GEO-2	The Project shall comply with the established no-build setback zone depicted in the Geotechnical Investigation (CHJ Consultants, 2014), and all grading operations, including site clearing and stripping, shall be observed by an onsite representative of the Project's geotechnical engineer. All final plans shall be reviewed by the City of Fontana's Building and Safety Division to verify that the Geotechnical Investigation's no-build setback zone have been incorporated, as necessary.	Project Applicant/ Geotechnical Engineer	During Construction	Building and Safety Department	During Construction			
GEO-3	The Project shall adhere to the construction recommendations provided in the Geotechnical Investigation (CHJ Consultants, 2014), as described below. The City shall	Project Applicant/ Contractor	During Construction	Building and Safety Department	During Construction			

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	verify compliance during the permitting process. **Initial Site Preparation:** All areas to be graded shall be stripped of significant vegetation and other deleterious materials. These materials should be removed from the site for disposal. **Minimum Mandatory Removal and Recompaction of Existing Soils:** All areas to be graded shall have at least the upper 24 inches of existing materials removed. The open excavation bottoms thus created shall be observed by the Project engineering geologist to verify and document that suitable, non-compressible native sediments are exposed prior to moisture conditioning, compaction and refilling with properly tested and documented compacted fill. Deeper removals may be necessary, depending on the conditions encountered, as well as proposed footing depths and pad elevations. Cavities created by removal of subsurface obstructions, such as structures and tree root stocks, shall be							

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	thoroughly cleaned of loose soil, organic matter and other deleterious materials, and shaped to provide access for construction equipment and backfilled as recommended for site fill. **Preparation of Fill Areas:** Prior to placing fill and after the subexcavation bottom has been observed and approved by the Project engineering geologist, the surfaces of all areas to receive fill shall be moisture conditioned to a depth of approximately 12 inches. The moisture conditioned soils shall be brought to near optimum moisture content and compacted to a relative compaction of at least 90 percent in accordance with ASTM D1557. It is anticipated that scarification of the underlying soils may result in dislodging oversized material, requiring additional handling. As such, a suitable alternative to the scarification of the underlying soils would be to moisture condition the soils, allowing sufficient time for the moisture to penetrate to a depth of 12 inches or more prior to compaction. Verification of the moisture penetration depth shall							

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	be required if this alternative method is utilized. **Oversized Material:** It is anticipated that quantities of oversized material (boulders larger than 12 inches in greatest dimension) requiring special handling for disposal may be encountered during the grading operation. While site-specific recommendations may be developed during grading plan preparation or in the field during construction, the following general methods for disposing of oversized rock onsite are recommended: • Rocks between approximately 12 and 24 inches in size may be placed in areas of fill at a depth greater than approximately 10 feet below finish grade with the approval of the building official. • The oversized rock should be placed in windrows and adequately spaced to prevent nesting. Then, sandy matrix material should be flooded in between the rock to fill any void spaces. Continuous observation of the rock placement							

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	and flooding operation shall be conducted by the geotechnical engineer. • If rock disposal areas are considered necessary, oversized rock can be disposed of within designated areas that should be indicated on the grading plans. Rock disposal areas shall be evaluated by the geotechnical engineer for suitability. • Oversized rock can also be crushed and exported off site or used in landscaping. Use of the oversize rock and appropriate maximum size of the oversize rock shall be referred to the landscape architect. **Preparation of Footing Areas:** All footings shall rest upon at least 24 inches of properly compacted fill material. In areas where the required thickness of compacted fill is not accomplished by the mandatory subexcavation operation and by site rough grading, the footing areas shall be subexcavated to a depth of at least 24 inches below the proposed footing base grade. The subexcavation shall							

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	extend horizontally beyond the footing lines a minimum distance of 5 feet where possible. The bottoms of these excavations shall then be moisture conditioned to a depth of at least 12 inches, brought to near optimum moisture content and recompacted to at least 90 percent relative compaction in accordance with ASTM D1557 prior to refilling the excavation to grade as properly compacted fill. **Compacted Fills:** The onsite soil shall provide adequate quality fill material, provided it is free from roots, other organic matter, deleterious and oversized materials. Unless approved by the geotechnical engineer, rock or similar irreducible material with a maximum dimension greater than 12 inches shall not be buried or placed in fills except as noted in the above "Oversized Material" recommendations. Import fill shall be inorganic, non-expansive granular soils free from rocks or lumps greater than 6 inches in maximum dimension. The contractor shall notify the geotechnical engineer of							

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	import sources sufficiently ahead of their use so that the sources can be observed and approved as to the physical characteristic of the import material. For all import material, the contractor shall also submit current verified reports from a recognized analytical laboratory indicating that the import has a "not applicable" (Class S0) potential for sulfate attack based upon current (ACI) criteria and is not corrosive to ferrous metal and copper. In addition, a report shall be submitted addressing environmental aspects of any proposed import material. The reports shall be accompanied by a written statement from the contractor that the laboratory test results are representative of all import material that will be brought to the job. If imported fill is to be utilized in structural areas, it shall meet the same strength requirement that was utilized to design the structure. Fill material shall be spread in near-horizontal layers, approximately 12 inches in thickness. Thicker lifts may be approved by the geotechnical engineer							

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	if testing indicates that the grading procedures are adequate to achieve the required compaction. Each lift shall be spread evenly, thoroughly mixed during spreading to attain uniformity of the material and moisture in each layer, brought to near optimum moisture content, and compacted to a minimum relative compaction of 90 percent in accordance with ASTM D 1557. Based upon the estimated relative compaction of the native soils encountered during the Geotechnical Investigation conducted for the Project, and the relative compaction anticipated for compacted fill soils, a compaction shrinkage of approximately 0 to 5 percent is estimated. Therefore, 1.00 cubic yards to 1.05 cubic yards of in-place soil material would be necessary to yield 1 cubic yard of properly compacted fill material. In addition, subsidence of approximately 0.1 foot is anticipated. These values are exclusive of losses due to stripping, tree removal or the removal of other subsurface obstructions, if encountered, and may vary due to differing conditions within							

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	the Project boundaries and the limitations of the Geotechnical Investigation. Shrinkage due to oversize material losses are estimated at 5 percent for material over 12 inches in diameter and less than 1 percent for material over 24 inches in diameter. These values are estimates only and final grades shall be adjusted, and/or contingency plans to import or export material shall be made to accommodate possible variations in actual quantities during site grading. **Expansive Soils:** Since all soil materials encountered during the Geotechnical Investigation were granular and considered to be non- critically expansive, specialized construction procedures to specifically resist expansive soil forces are not anticipated at this time. Additional evaluation of soils for expansion potential shall be conducted by the Project geotechnical engineer during the grading operation. **Foundation Design:** If the Project site is prepared as recommended, the proposed structures							

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	may be safely founded on conventional spread foundations, either individual spread footings and/or continuous wall footings with slabs-on-grade, bearing on a minimum of 24 inches of compacted fill. Footings shall be a minimum of 12 inches wide and be established at a minimum depth of 12 inches below lowest adjacent final subgrade level. For the minimum width and depth, footings may be designed for a maximum safe soil bearing pressure of 2,500 pounds per square foot (psf) for dead plus live loads. This allowable bearing pressure may be increased by 400 psf for each additional foot of width and by 1,000 psf for each additional foot of depth, to a maximum safe soil bearing pressure of 5,000 psf for dead plus live loads. These bearing values may be increased by one-third for wind or seismic loading. For footings thus designed and constructed, a maximum settlement of less than I inch is anticipated. Differential settlement between similarly loaded adjacent footings is							

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	expected to be approximately one-half the total settlement. **Lateral Loading:** Resistance to lateral loads shall be provided by passive earth pressure and base friction. For footings bearing against compacted fill, passive earth pressure may be considered to be developed at a rate of 420 psf per foot of depth. Base friction may be computed at 0.39 times the normal load. Base friction and passive earth pressure may be combined without reduction. For preliminary retaining wall or shoring design purposes, a lateral active earth pressure developed at a rate of 40 psf per foot of depth shall be utilized for unrestrained conditions. For restrained conditions, an at-rest earth pressure of 65 psf per foot of depth shall be utilized. The "at-rest" condition applies toward braced walls which are not free to tilt. The "active" condition applies toward unrestrained cantilevered walls where wall movement is anticipated. The structural designer shall use judgment in determining the wall fixity and may							

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	utilize values interpolated between the "at-rest" and "active" conditions where appropriate. These values are applicable only to level, properly drained backfill with no additional surcharge loadings and do not include a factor of safety other than conservative modeling of the soil strength parameters. If inclined backfills are proposed, the Project geotechnical engineer shall be contacted to develop appropriate active earth pressure parameters. If import material is to be utilized for backfill, the Project geotechnical engineer shall verify the backfill has equivalent or superior strength values. These values shall be verified prior to Project construction when the backfill materials and conditions have been determined and are applicable only to properly drained backfills with no additional surcharge loadings. Toe bearing pressure for walls on soils not bearing against compacted fill, as recommended earlier under "Preparation of Footing Areas", shall not exceed CBC values.							

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	Backfill behind retaining walls shall consist of a soil of sufficient granularity that the backfill will properly drain. The granular soil shall be classified per the USCS as SW, SP, SW-SM, SP-SM, GW or GP and shall meet the requirements of section 300-3.5.1 of the "Greenbook". Surface drainage shall be provided to prevent ponding of water behind walls. A drainage system shall be installed behind all retaining walls consisting of either of the following: • A 4-inch-diameter perforated PVC (Schedule 40) pipe or equivalent at the base of the stem encased in 2 cubic feet of granular drain material per lineal foot of pipe; or • Synthetic drains such as Enkadrain, Miradrain, Hydraway 300 or equivalent. Perforations in the PVC pipe shall be 3/8 inch in diameter. Granular drain material shall be wrapped with filter cloth to prevent clogging of the drains with fines. The wall shall be waterproofed to prevent nuisance							

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	seepage and include an approved drain. Suitable quantities of onsite soil shall be available for retaining wall backfill after screening the material to remove cobbles and boulders greater than 4 inches in diameter. Foundation concrete shall be placed in neat excavations with vertical sides, or the concrete shall be formed and the excavations properly backfilled as recommended for site fill. **Trench Excavation:** Native materials are classified as a Type "C" soil in accordance with the CAL/OSHA (2013) excavation standards. All trench excavation shall be performed in accordance with CAL/OSHA excavation standards. Temporary excavations in native material shall not be inclined steeper than 1-1/2 (h):1(v) for a maximum trench depth of 20 feet. For trench excavations deeper than 20 feet, the Project geotechnical engineer shall be consulted.							

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	that would be difficult to properly backfill, if encountered. **Slabs-On-Grade:** To provide adequate support, concrete slabs-on-grade shall bear on a minimum of 24 inches of compacted soil and be a minimum of 4 inches in thickness. The soil shall be compacted to 90 percent relative compaction. The final pad surfaces shall be rolled to provide smooth, dense surfaces. Slabs to receive moisture-sensitive coverings shall be provided with a moisture vapor retarder. It is recommended that a vapor retarder be designed and constructed according to the American Concrete Institute (ACI) 302.1R, "Guide for Concrete Floor and Slab Construction", which addresses moisture vapor retarder construction. At a minimum, the vapor retarder shall comply with ASTM EI745 and have a nominal thickness of at least 10 mils. The vapor retarder shall be properly sealed per the manufacturer's recommendations and protected from punctures and other damage. One inch							

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	of sand under the vapor retarder may assist in reducing punctures. Concrete building slabs subjected to heavy loads, such as materials storage and/or forklift traffic, shall be designed by a registered civil engineer competent in concrete design. A modulus of vertical subgrade reaction of 250 pounds per cubic inch can be utilized in the design of slabs-on- grade for the proposed project. **Preliminary Flexible Pavement Design:** The following recommended structural sections were calculated based on traffic indices (TIs) provided in the Caltrans "Highway Design Manual for Safety Roadside Rest Areas" (Caltrans, 2012). Based upon preliminary sampling and testing, the structural sections tabulated below will provide satisfactory HMA pavement. The R-value of the most representative material was used in the analysis. As per the Caltrans Highway Design Manual, Section 614.3, a design subgrade maximum R-value of 50 for							

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the soil was utilized in performing the pavement section calculations.

Usage	TI	R-Value	Recommended Structural Section
Auto Parking Areas	5.0	50	0.25' HMA/0.35' Class 2 AB
Auto Road	5.5	50	0.25' HMA/0.35' Class 2 AB
Truck Parking Areas	6.0	50	0.30' HMA/0.35' Class 2 AB
Truck Lanes and Roads	8.0	50	0.40' HMA/0.45' Class 2 AB

AB = Aggregate Base

The above structural sections are predicated upon proper compaction of the utility trench backfills and the subgrade soils, with the upper 12 inches of subgrade soils and all aggregate base (AB) material brought to a minimum relative compaction of 95

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<tr><td></td><td>percent in accordance with ASTM D1557 prior to paving. The AB shall meet Caltrans requirements for Class 2 base. The above pavement design recommendations are based upon the results of preliminary sampling and testing, and shall be verified by additional sampling and testing during construction when the actual subgrade soils are exposed.
Preliminary Rigid Pavement Design:
Based upon an R-value of 65, a modulus of subgrade reaction of approximately 200 pounds per square inch per inch (k) was utilized. The following PCC pavement designs are recommended, and are based upon the American Concrete Institute (ACI) Guide for Design and Construction of Concrete Parking Lots (ACI 330R-08).
<table>
<tr><th>Design Area</th><th>Recommended Section</th></tr>
<tr><td>Car Parking and Access Lanes
Average Daily Truck Traffic = 1 (Category A)</td><td>4.0" PCC/ Compacted Soil</td></tr>
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Mitigation Number	Mitigation Measure	Implementation Responsibility	Implementation Timing	Monitoring Responsibility	Monitoring Timing	Verification of Compliance		
						Initials	Date	Remarks
	Truck Parking and Interior Lane Areas Average Daily Truck Traffic = 25 (Category B) — 5.5" PCC/ Compacted Soil Truck Interior and Exterior Lanes Average Daily Truck Traffic = 300 (Category C) — 6.5" PCC/ Compacted Soil Truck Interior and Exterior Lanes Average Daily Truck Traffic = 700 (Category D) — 7.0" PCC/ Compacted Soil The above recommended concrete sections are based on a design life of 20 years, with integral curbs or thickened edges. In addition, the above structural sections are predicated upon proper compaction of the utility trench backfills and the subgrade soils, with the upper 12 inches of subgrade soils brought to a uniform relative compaction of 95 percent (ASTM D1557).							

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	Slab edges that would be subject to vehicle loading shall be thickened at least 2 inches at the outside edge and tapered to 36 inches back from the edge. Typical details are given in the ACI "Guide for Design and Construction of Concrete Parking Lots" (ACI 330R-08). Alternatively, slab edges subject to vehicle loading shall be designed with dowels or other load transfer mechanism. Thickened edges or dowels are not necessary where new pavement will abut areas of curb and gutter, buildings, or other structures preventing through-vehicle traffic and associated traffic loads. The concrete sections may be placed directly over a compacted subgrade prepared as described above. The concrete to be utilized for the concrete pavement shall have a minimum modulus of rupture of 550 pounds per square inch. Contraction joints shall be sawcut in the pavement at maximum spacing of 30 times the thickness of the slab, up to a maximum of 15 feet. Sawcutting in the pavement shall be performed within 12 hours of concrete							

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	placement (or preferably sooner) and sawcut depths shall be equal to approximately one-quarter of the slab thickness for conventional saws or 1 inch when early-entry saws are utilized on slabs 9 inches thick or less. The use of plastic strips for formation of jointing is not recommended. The use of expansion joints is not recommended, except where the pavement would adjoin structures. Construction joints shall be constructed such that adjacent sections butt directly against each other and are keyed into each other or the joints are properly doweled with smooth dowels. Distributed steel reinforcement (welded wire fabric) is not necessary, nor would any decrease in section thickness result from its inclusion. These pavement design recommendations are based upon the results of preliminary sampling and testing, and shall be verified by additional sampling and testing during construction when the actual subgrade soils are exposed.							

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GEO-4	The potential for erosion shall be mitigated by proper drainage design. Water shall not be allowed to flow over graded areas or natural areas so as to cause erosion. Graded areas shall be planted or otherwise protected from erosion by wind or water.	Project Applicant/ Contractor	During Construction	Public Works Department	During Construction			
GEO-5	Monitoring. Any excavations in the finer-grained sedimentary deposits on the Project Area shall be monitored closely by a qualified paleontologist, defined as a paleontologist who meets the Secretary of the Interior's Professional Qualification Standards for paleontology, to quickly and professionally recover any fossil remains while not impeding development.	Qualified Paleontologist	During Excavations in the Finer-Grained Sedimentary Deposits	Public Works Department	During Excavations in the Finer-Grained Sedimentary Deposits			

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GEO-6	Prior to any excavation in the finer-grained sedimentary deposits on the Project Area, sediment samples shall be collected by a qualified paleontologist, defined as a paleontologist who meets the Secretary of the Interior's Professional Qualification Standards for paleontology, from the finer-grained deposits on the Project Area and processed to determine their fossil potential. If subsurface fossils are discovered during earth-moving activities associated with the Proposed Project, a qualified paleontologist or qualified designee shall divert these activities temporarily around the fossil site until the remains have been recovered, a rock sample has then been collected to process to allow for the recovery of smaller fossil remains, if warranted, and construction has been allowed to proceed through the site by a qualified paleontologist or qualified designee. If a qualified paleontologist or qualified designee is not present when fossil remains are uncovered by earth-moving activities, these activities shall	Qualified Paleontologist	Prior to Excavations in the Finer-Grained Sedimentary Deposits/ During Construction	Public Works Department	Prior to Excavations in the Finer-Grained Sedimentary Deposits / During Construction			

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	be stopped, and a qualified paleontologist or qualified designee shall be called to the site immediately to recover the remains. Any fossils collected shall be placed in an accredited scientific institution for the benefit of current and future generations.							
Greenhouse Gas Emissions								
GHG-1	Prior to issuance of a Certificate of Occupancy, the tenant shall submit an Operations Plan to the City of Fontana Community Development Director detailing the following GHG reduction measures/programs that shall be applied during Project operations: • Ride-Sharing Programs. The tenant shall administer a ride-sharing program to reduce daily vehicle trips and vehicle miles traveled (VMT) and provide information to employees on ride share programs to reduce mobile GHG emissions. The tenant shall promote ride-sharing programs through a multi-faceted approach such as:	Project Tenants	Prior to Certificate of Occupancy Issuance	Community Development Director	Prior to Certificate of Occupancy Issuance			

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	• Designating a certain percentage of parking spaces for ride-sharing vehicles; • Designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; and • Providing a web site or message board for coordinating rides. • Public Transit Incentive Program. The tenant shall provide subsidized/discounted daily or monthly public transit passes for employees to reduce daily vehicle trips and VMT. The tenant may also provide free transfers between all shuttles and transit to participants. • Preferential Parking Permit Program. The tenant shall provide preferential parking in convenient locations (such as near public transportation or building front doors) in terms of free or reduced parking fees, priority parking, or reserved parking for commuters who carpool, vanpool, ride-share or use alternatively fueled vehicles. The Project shall provide wide							

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	parking spaces to accommodate vanpool vehicles.							
Hazards and Hazardous Materials								
HAZ-1	Prior to any renovation or demolition or building permit approval, an Asbestos Hazard Emergency Response Act (AHERA) and California Division of Occupational Safety and Health (Cal/OSHA) certified building inspector shall conduct an asbestos survey to determine the presence or absence of asbestos containing-materials (ACMs). If the asbestos survey reveals ACMs, asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403 prior to any activities that would disturb ACMs or create an airborne asbestos hazard.	Project Applicant	Prior to any Renovation or Demolition or Building Permit Approval	City Engineer	Prior to any Renovation or Demolition or Building Permit Approval			
HAZ-2	If paint is to be chemically or physically separated from building materials during structure demolition, the paint shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall	Contractor	During Structure Demolition	City Engineer	During Structure Demolition			

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	be completed by a qualified lead specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifics exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City Engineer.							
Transportation								
TR-1	Prior to issuance of any grading and/or demolition permits, whichever occurs first, the Project applicant shall prepare a Construction Traffic Management Plan (TMP) to be submitted for review and approval by the City Engineer. The TMP shall be submitted for review and approval by the County of San Bernardino Traffic Division if any County-maintained roads are proposed for construction traffic. The TMP shall, at a minimum, address the following:	Project Applicant	Prior Grading and/or Demolition Permits Issuance/ During Construction	City Engineer/ County of San Bernardino Traffic Division	Prior Grading and/or Demolition Permits Issuance/ During Construction			

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	• Traffic control for any street closure, detour, or other disruption to traffic circulation. • Identify the routes that construction vehicles will utilize for the delivery of construction materials (i.e., lumber, tiles, piping, windows, etc.), to access the Project site, traffic controls and detours, and proposed construction phasing plan for the Project. • Specify the hours during which transport activities can occur and methods to mitigate construction-related impacts to adjacent streets. • Require the Project applicant to keep all haul routes clean and free of debris including, but not limited to, gravel and dirt, as a result of its operations. The applicant shall clean adjacent streets, as directed by the City of Fontana Public Works Department, of any material which may have been spilled, tracked, or blown onto adjacent streets or areas. • Hauling or transport of oversize loads shall be subject to the							

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	requirements of the City of Fontana Public Works Department and/or the County of San Bernardino. • Use of local streets shall be prohibited. • Haul trucks entering or exiting public streets shall at all times yield to public traffic. • If hauling operations cause any damage to existing pavement, street, curb, and/or gutter along the haul route, the applicant will be fully responsible for repairs. The repairs shall be completed to the satisfaction of the City Engineer. • All construction-related parking and staging of vehicles shall be kept out of the adjacent public roadways and shall occur on-site. • Should the Project utilize State facilities for hauling of construction materials, the Construction Management Plan shall be submitted to the California Department of Transportation (Caltrans) for review and comment.							

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	• Should Project construction activities require temporary vehicle lane, bicycle lane, and/or sidewalk closures, the applicant shall coordinate with the City Engineer regarding timing and duration of proposed temporary lane and/or sidewalk closures to ensure the closures do not impact operations of adjacent uses or emergency access. • The TMP shall be monitored for effectiveness and be modified in conjunction with the City Engineer, and County of San Bernardino Traffic Division, as applicable, if needed to improve safety and/or efficiency.							

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Operating Systems:	Windows2000? or WindowsXP?
Browsers (for SENDERS):	Internet Explorer 6.0? or above
Browsers (for SIGNERS):	Internet Explorer 6.0?, Mozilla FireFox 1.0, NetScape 7.2 (or above)
Email:	Access to a valid email account
Screen Resolution:	800 x 600 minimum
Enabled Security Settings:	•Allow per session cookies •Users accessing the internet behind a Proxy Server must enable HTTP 1.1 settings via proxy connection

** These minimum requirements are subject to change. If these requirements change, we will provide you with an email message at the email address we have on file for you at that time providing you with the revised hardware and software requirements, at which time you will have the right to withdraw your consent.

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